

I/18392/2018

**Government of West Bengal  
Labour Department  
I.R. Branch  
N.S. Buildings, Block-A, 12<sup>th</sup> Floor,  
1, K.S. Roy Road, Kolkata-700 001.**

No. Labr./507/(LC-IR)  
IR/11L-64/2013

Dated, Kolkata, the 17<sup>th</sup> July, 2018.

**ORDER**

WHEREAS under the Government of West Bengal, Labour Department Order No.643-IR/11L-64/13 dated 21.05.14 the Industrial Dispute between M/s. New Friends Enterprise(Tripathy Complex Debhog, City Center, Haldia) under the Management of M/s. Renuka Sugar Ltd. Vill. & P.O. – Debhog, City Center, Dist. – Purba Medinipur and Sri Santu Jana, Vill. – Mahatma Gandhi Nagar, P.O. – Hatiberia, P.S. – Haldia, Dist. – Purba Medinipur, PIN – 721657 regarding the issue mentioned in the said order, being a matter specified in the Second Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Eighth Industrial Tribunal, West Bengal.

AND WHEREAS the Judge of the said Fourth Industrial Tribunal, West Bengal, has submitted to the State Government its award on the said Industrial Dispute.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Governor is pleased hereby to publish the said Award as shown in the Annexure hereto.

**ANNEXURE**  
(Attached herewith)

By Order of the Governor



Deputy Secretary to the  
Government of West Bengal.

No. Labr./507/1(5)/(LC-IR)

Dated, Kolkata, the 17<sup>th</sup> July, 2018.

Copy, with a copy of the Award, forwarded for information and necessary action to :-

1. M/s. New Friends Enterprise, Tripathy Complex, Vill. & P.O. – Debhog, City Center, Dist. – Purba Medinipur.
2. Sri Santu Jana, Vill. – Mahatma Gandhi Nagar, P.O. – Hatiberia, P.S. – Haldia, Dist. – Purba Medinipur, PIN – 721657.
3. The Assistant Labour Commissioner, West Bengal In-Charge, Labour Gazettee.
4. The Labour Commissioner, West Bengal, New Secretariat Buildings, 1, K. S. Roy Road, (11<sup>th</sup> floor), Kolkata-700 001.
- ✓ 5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

  
Deputy Secretary

No. Labr./507/2(2)/(LC-IR)

Dated, Kolkata, the 17<sup>th</sup> July, 2018.

1. The Judge, Eighth Industrial Tribunal, West Bengal, with reference to his Memo No.845-L.T. dated 04.05.18.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata-700 001.

Deputy Secretary.

In the matter of an Industrial Dispute between M/s. New Friends Enterprise (Tripathy Complex, Debhog, City Center, Haldia) under the Management of M/s. Renuka Sugar Ltd. Vill & P.O. Debhog, City Center, Dist. Purba Medinipur and Sri Santu Jana, Vill. Mahatma Gandhi Nagar, P.O. – Hatiberia, P.S.- Haldia, Purba Medinipur, Pin – 721 657 referred to this Tribunal vide G.O. No. 643-IR/IR/11L-64/13, dated 21.05.2014.

(Case No. VIII-39/2014)

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BEFORE THE EIGHTH INDUSTRIAL TRIBUNAL: WEST BENGAL

P R E S E N T

*SRI MADHU SUDAN DUTTA, JUDGE*

A W A R D

This industrial dispute between M/s. New Friends Enterprise (Tripathy Complex, Debhog, City Center, Haldia) under the Management of M/s. Renuka Sugar Ltd. Vill & P.O. Debhog, City Center, Dist. Purba Medinipur and Sri Santu Jana, Vill. Mahatma Gandhi Nagar, P.O. – Hatiberia, P.S.- Haldia, Purba Medinipur, Pin – 721 657 has been referred by the Govt. of West Bengal, Labour Department vide Order No. 643-IR/IR/11L-64/13, dated 21.05.2014, to this Tribunal for adjudication of the following issues: -

I S S U E S(S)

1. Whether the refusal of employment of Sri Santu Jana by M/s. New Friends Enterprise, under the Management of M/s. Renuka Sugar Ltd. w.e.f 11.12.2011 was justified?
2. What relief, if any, he is entitled to?

Record reveals that the present reference bearing G.O. No. 643-IR/IR/11L-64/13, dated 21.05.2014 under Sec. 10 read with Sub-section 2A of the Industrial Disputes Act, 1947 for adjudication has been registered on 24.06.2014 vide Order No. 1 and notice upon the parties were duly served.

On close scrutiny of the earlier orders and materials on record I find that on 30.06.2017 the applicant filed an application for dismissal of the case for non-prosecution on the grounds that the matter has been settled between the parties out of Court and he has settled the case voluntarily out of his free will and on his own accord. No coercion or any undue influence has ever been made upon him for settling the case.

This case is pending since 2014 in view of the application of the applicant and his deposition on oath on 30.06.2017, I find no tangible ground to drag this case any further.

Considering the above and the attending circumstances of the instant adjudication I am inclined to pass a 'No Dispute Award' in the instant adjudication.

Therefore, I think that it is a fit case to pass a 'No Dispute Award' under Rule 22 of Industrial Disputes Rules, 1958, the industrial dispute by and between the parties being treated as non-existent.

Accordingly 'No Dispute Award' under Rule 22 of West Bengal Industrial Disputes Rules, 1958 is passed.

This is my AWARD.

Dictated & corrected by me.

gld

Judge.

Dr. Madhu sudan Dutta

(Madhu Sudan Dutta)

Judge

Eighth Industrial Tribunal

Kolkata

04/05/18

