

/420212/2023

No. Labr/. 651 . . . / (LC-IR)

Date: . . . 27/07 . . . /2023.

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

1. M/s. Horizon Travels, Boral House, 21, B. B. Ganguly Street (1<sup>st</sup> Floor), Kolkata - 700012.
2. Sri Bhoginder Thakur, Driver, Calcutta Commercial Firm Employees Union, 10, Government Place, East, Kolkata - 700069.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariate Building, 1, K. S. Roy Road, 11<sup>th</sup> Floor, Kolkata- 700001.
- ✓ 5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.



Assistant Secretary

No. Labr/. 651 . . . / (LC-IR)

Date: . 27/07 . . . /2023.

Copy forwarded for information to:

1. The Judge, First Industrial Tribunal, West Bengal with reference to his Memo No. 930- L. T. dated. 20/07/2023.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Assistant Secretary

H.A. (IT)  
28/07/2023

Dipankar  
28/07/2023



Government of West Bengal  
Labour Department, I. R. Branch  
N.S. Building, 12<sup>th</sup> Floor  
1, K.S. Roy Road, Kolkata - 700001

No. Labr/. 651 / (LC-IR)/ 11L-122/11 Date: 27/07/ 2023.

**ORDER**

WHEREAS under the Government of West Bengal, Labour Department Order No. Labr/410-IR/I.R./11L-122/11 dated 26.04.12 the Industrial Dispute between M/s. Horizon Travels, Boral House, 21, B. B. Ganguly Street (1<sup>st</sup> Floor), Kolkata - 700012 and its workman Sri Bhoginder Thakur, Driver, Calcutta Commercial Firm Employees Union, 10, Government Place, East, Kolkata - 700069 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, First Industrial Tribunal, West Bengal.

AND WHEREAS the First Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 30/06/2023 in case no. VIII - 18/2012 on the said Industrial Dispute vide memo no. 930 - L. T. dated. 20/07/2023.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute 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,

Sdt  
Assistant Secretary  
to the Government of West Bengal



In the matter of an Industrial Disputes exists between M/s Horizon Travels, Boral House, 21, B. B. Ganguly Street (1<sup>st</sup> Floor), Kolkata – 700 012 and their Workman Sri Bhoginder Thakur, Driver represented by Calcutta Commercial Firm Employees Union, 10, Government Place, East, Kolkata – 700 069 (Regn. No. 11804).

**G.O. No. 410-IR/IR/11L-122/11, dated 26.04.2012**

**BEFORE THE FIRST INDUSTRIAL TRIBUNAL: WEST BENGAL**

**PRESENT**

**SHRI UTTAM KUMAR NANDY, JUDGE  
FIRST INDUSTRIAL TRIBUNAL, KOLKATA**

**Date of Order: 30.06.2023**

**Case No.: VIII – 18/2012**

The instant case arose on receiving a copy of Government Order No. 410-IR/IR/11L-112/11, dated 26.04.2012 from the Labour Department, Government of West Bengal, referring an industrial dispute exists between M/s Horizon Travels, Boral House, 21, B. B. Ganguly Street (1<sup>st</sup> Floor), Kolkata – 700 012 and their Workman Sri Bhoginder Thakur, Driver represented by Calcutta Commercial Firm Employees Union, 10, Government Place, East, Kolkata – 700 069 (Regn. No. 11804) for adjudication of the matter and submitting its award to the State Government.

Accordingly notice was issued upon the OP Company who appeared and contested the case since 2012 to 2023. When the case is running for evidence on merit on behalf of the Workman by the order No. 140, dated 23.03.2023 against which the Company preferred the matter to be heard before the Hon'ble High Court on the point whether the Labour Department, Government of West Bengal is legal to refer the matter before this Tribunal as the Company under which the Workman was working as an employee of that company which is running by Central Government. So, Hon'ble High Court has been pleased by the order dated 22.06.2023 to set aside the order of this Tribunal passed on 23.03.2023 vide order No. 140 and asked this Tribunal to send the matter before the appropriate Tribunal under Central Government.

Accordingly the case is taken up for necessary order.

Hence it is

**ORDERED**

This Tribunal has no jurisdiction to try the case since the Company is an institution governed by Government of India and therefore, the case is to be disposed of at the earliest so that the petitioner Workman may institute the case before the proper forum of Tribunal run by the Central Government.

Considering all aspects the case is being disposed of without considering the case on merit and with a liberty to the petitioner who may institute or taken necessary action for the further course of action regarding his case.

Thus the case is disposed of.

This is my award.

The award be sent to the Government.

Sd/-

Dictated & corrected by me

Sd/-

(Uttam Kumar Nandy)  
Judge

**JUDGE  
FIRST INDUSTRIAL TRIBUNAL  
WEST BENGAL**

(Uttam Kumar Nandy)  
Judge  
First Industrial Tribunal  
Kolkata

**JUDGE  
FIRST INDUSTRIAL TRIBUNAL  
WEST BENGAL**