

I/213054/2022

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/ 772/.....(LC-IR)/

Date: 12-08-.....2022.

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. Labr/1447-IR/IR/09 dated 18/11/2014 the Industrial Dispute between M/s. Kapila Dairy & Industries, Vill.-Delhi Road (Purusottambati), P.O.- Sugandhya, Dist.- Hooghly, PIN - 712102 and its workman Sri Nitai Roy, Secretary, Kapila Dairy & Industries Workers' Union, Purusottambati, Delhi Road, Sugandhya, Hooghly, PIN - 712102 regarding the issue mentioned in the said order, being a matter specified in the Second / Third Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Third Industrial Tribunal, West Bengal.

AND WHEREAS the Third Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 28/07/2022 on the said Industrial Dispute vide memo no. 1178 - L.T. dated - 28/07/2022.

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,



Joint Secretary  
to the Government of West Bengal



I/213054/2022

A. Panda  
10/1

No. Labr/772/1(5)/(LC-IR)

Date: 12-08- /2022.

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

1. M/s. Kapila Dairy & Industries, Vill. - Delhi Road (Purusottambati), P.O.- Sugandhya, Dist.- Hooghly, PIN - 712102.
2. Sri Nitai Roy, Secretary, Kapila Dairy & Industries Workers' Union, Purusottambati, Delhi Road, Sugandhya, Hooghly, PIN - 712102.
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.




Joint Secretary

No. Labr/772/2(2)/(LC-IR)

Date: 12-08- /2022.

Copy forwarded for information to:

1. The Judge, Third Industrial Tribunal, West Bengal with reference to his Memo No. 1178 - L.T. dated - 28/07/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.



Joint Secretary



In the Seventh Industrial Tribunal, West Bengal  
New Secretariat Buildings, Kolkata

**P R E S E N T :**

**Shri Sanjeev Kumar Sharma, Judge,  
Third Industrial Tribunal, Kolkata.**

**Case No. 13/2020/10; u/s. 10 of the I.D. Act, 1947**

Vide Order Of Reference No.Labr./1513/(LC-IR)/22015(16)/13/2020 dated 13.10.2020

An Industrial Dispute Between

M/s. Kapila Dairy & Industries, ... Company  
Vill.-Delhi Road (Purusottambati),  
P.O.-Sugandhyay, Dist.-Hooghly, PIN-712102.

-A n d-

Sri Nitai Roy, ... Workman  
Secretary, Kapila Dairy & Industries Workers' Union,  
Purusottambati, Delhi Road, Sugandhya, Hooghly, PIN-712102.

**A W A R D**

**Dated : 28-07-2022**

Parties take no steps.

On repeated calls, neither the parties nor their ld. advocates appear.

Postal A.D. card of notice issued upon the workman is received after service.

The reference was received by this Tribunal from the Government to adjudicate the issues enumerated therein.

On receiving initial notice the company appeared, but they did not file their written statement. Despite sending repeated notices, the union namely Kapila Dairy & Industries Workers' Union did not turn up. The workman namely Samir Majhi also did not appear despite service of notice upon him. The company has also stopped appearing. The reference received by this Tribunal on 03.02.2021 but till date neither the union nor the workman appeared despite service of notice.

Considering the facts and circumstances, nature of the case as well as the conduct of the parties it appears that none of the parties is interested to proceed with the case leading this Tribunal to presume that the dispute between the parties no longer exists.

Therefore, the instant reference is disposed of under Rule 22 of the West Bengal Industrial Dispute Rules, 1958 on the footing that there no longer exists any industrial dispute.

Copies of the award be sent to the Labour Department, Government of West Bengal according to usual norms and rules.

Dictated & corrected by me

Sd/-

Judge

sd/-

Judge

Third Industrial Tribunal  
Kolkata  
28-07-2022