

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

PRESENT: Shri Ananda Kumar Mukherjee,
Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 39 OF 2023

PARTIES: Sk. Md. Maruf Haque
Vs.
Management of FIA Technology Services Pvt. Ltd.

REPRESENTATIVES:

For the Workman: Md. Maruf Haque (in person).

For the Management: Mr. P. K. Das, Advocate.

INDUSTRY: Banking.

STATE: West Bengal.

Dated: 01.04.2024

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A W A R D

In exercise of powers conferred under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Ministry of Labour, Government of India through the Office of the Deputy Chief Labour Commissioner (Central), Asansol, vide its Order **No. 1(27)/2023/E** dated 26.07.2023 has been pleased to refer the following dispute between the employer, that is the Management of FIA Technology Services Private Limited and their employee for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of FIA Technology Services Pvt Ltd under State Bank of India in terminating the services of Sk Md Maruf Haque is justified? If not, what relief the workman is entitled to? ”

1. On receiving Order **No. 1(27)/2023/E** dated 26.07.2023 from the Office of the Deputy Chief Labour Commissioner (Central), Asansol, Ministry of Labour, Government of India, for adjudication of the dispute **Reference case No. 39 of 2023** was registered on 28.07.2023 and an order was passed for issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. P. K. Das, learned advocate for the management of FIA Technology Services Private Limited has appeared. State Bank of India wherein FIA Technology Services Private Limited serves as an agency providing service has not been impleaded as a party. Sk. Md. Maruf Haque, aggrieved employee who has been terminated from the service of FIA Technology Services Private Limited has appeared in person. The case is fixed up today for evidence of both parties. Since State Bank of India is not a party to this

Industrial Dispute and no relief has been claimed by the aggrieved employee against State Bank of India, I am of the considered view that the Central Government is not the appropriate government under Section 2(a)(i) of the Industrial Disputes Act, 1947 and the appropriate government in this case is the State Government under Section 2(a)(i) of the Industrial Disputes Act, 1947.

3. None of the parties appearing before the Tribunal is found ready for adducing evidence. No affidavit-in-chief is filed. Sk. Md. Maruf Haque filed a petition stating that he was working under FIA Technology Services Private Limited and he wants to withdraw this case as it is not an Industrial Dispute. Copy served. No objection is raised. Prayer for withdrawal is allowed. Considering the prayer of the aggrieved workman, this Industrial Dispute is disposed of on withdrawn. Let a No Dispute Award be drawn up.

Hence,

ORDERED

that a No Dispute Award be drawn up in respect of the above Reference case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

(ANANDA KUMAR MUKHERJEE)
Presiding Officer,
C.G.I.T.-cum-L.C., Asansol.