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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 24th January 2006

No. 759—li/1(SS)-24/2004 (Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 28th December 2005 in Industrial Dispute Case No. 12 of 2004 of the Presiding Officer, Industrial Tribunal, Rourkela to whom the industrial disputes between the Management of the M/s Ashoka Synthetics Ltd., Kirei, Sundargarh and its workman Shri Narayan Bag, represented through Kirei Ashoka Synthetics Spinning Mills Workers Union, Kirei was referred for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, ROURKELA
INDUSTRIAL DISPUTE CASE No. 12 OF 2004
Dated the 28th December 2005

Present :

Sk. Jan Hossain, o. s. J. s. (Sr. Branch)
Presiding Officer, Industrial Tribunal
Rourkela.

Between :

The Management of .. First Party—Management
M/s Ashoka Synthetics Ltd.
Kirei, Sundargarh.

And

Its workman Shri Narayan Bag .. Second Party—Workman
represented through Kirei
Ashoka Synthetics Spinning Mills
Workers Union, Kirei.

Appearances :

For the First Party—Management .. Shri G. Pujari, General Secretary,
Sundargarh District Employer's
Association.

The Second Party—Workman himself .. Shri Narayan Bag

AWARD

The Government of Orissa in the Labour & Employment Department, in exercise of the powers conferred upon them by sub-section (5) of Section 12, read with clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. 5952—li/1 (SS)-24/2004-L. E., dated the 13th July 2004.

“Whether the dismissal of Shri Narayan Bag, (Workman) from services by the Management of the M/s Ashoka Synthetics Ltd., Kirei, District Sundargarh with effect from the 18th December 2001 is legal and/or justified? If not, what benefits the workman is entitled to?”

2. The case of the second party workman is that he has been illegally dismissed from service by the Management of M/s Ashoka Synthetics Ltd., Kirei, District Sundargarh with effect from the 18th December 2001. The Management did not file any reply. This Court framed issues as given below :—

ISSUES

I. Whether the dismissal of Shri Narayan Bag (Workman) from services by the Management of the M/s Ashoka Synthetics Ltd., Kirei, District Sundargarh with effect from the 18th December 2001 is legal and/or justified?

II. If not, what benefits the workman is entitled to?

3. The workman examined himself as W. W. No. 1. In his evidence he stated “I was working as Tentor in the first party management. My service was terminated with effect from the 18th December 2001. I have received my full and final payment from the management including gratuity and leave with wages. I have no further claim from the first party management. I do not want to serve any more. I have resigned from the service.”

4. From his evidence it is clear that the workman has no claim in the proceeding. In view of the above, it is needless to answer the reference in any manner and accordingly the present case is disposed of.

Dictated and corrected by me.

Sk. JAN HOSSAIN
28-12-2005
Presiding Officer
Industrial Tribunal, Rourkela

Sk. JAN HOSSAIN
28-12-2005
Presiding Officer
Industrial Tribunal, Rourkela

By order of the Governor
D. MISHRA
Under-Secretary to Government