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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 28th September 2006

No. 8732-ii/1(J)-39/1990(pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 7th July 2006 in I. D. Case No. 34/2001 of the Presiding Officer, Labour Court, Jeypore to whom the industrial disputes between the Management of the District Fisheries Officer-*cum*-Chief Executive Officer, E. F. D. A., Ganjam, At/P.O. Berhampur, Dist. Ganjam and its Workman Shri Rabi Gouda, submitted by the legal heirs Smt. Sabita Gouda and Smt. Kalki Gouda was referred for adjudication is hereby published as in the Schedule below :-

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER
LABOUR COURT, JEYPORE, KORAPUT

INDUSTRIAL DISPUTE CASE No. 34 OF 2001

Dated the 7th July 2006

Present :

Shri R. K. Saran
Presiding Officer, Labour Court,
Jeypore, Dist. Koraput.

Between :

The District Fisheries Officer-*cum*-Chief Executive Officer, E. F. D. A.,
Ganjam At/P.O. Berhampur, Dist. Ganjam. . . First Party—Management

Versus

Shri Rabi Gouda, substituted by the
legal heirs Smt. Sabita Gouda,
Smt. Kalki Gouda, At Durgam,
P. O. Odisingi, P. S. Digapahandi,
Dist. Ganjam. . . Second Party—Workman

Under Sections 10 & 12 of the Industrial Disputes Act, 1947

Appearances :

For the Management	..	Self
For the Workman	..	Smt. Sabita Gouda
Date of Argument	..	4-4-2006
Date of Award	..	7-7-2006

AWARD

This is a reference under Section 10(1), read with Section 12(5) of the Industrial Disputes Act, 1947 made by the State Government of Orissa in their Labour & Employment Department memo No. 13756(5), dated the 27th September 2001 for adjudication of the dispute mentioned below :

“Whether the action of the Management of M/s Digapahandi Fish Farm, Digapahandi in terminating the services of Shri Rabi Gouda, Ex-N. M. R. with effect from the 16th December 1996 is legal and/or justified ? If not, to what relief Shri Gouda is entitled ?”

2. After receipt of the reference both parties are noticed. The management submitted counter. The sole question remained for consideration as to whether the termination of services of Rabi Gouda is legal or justified and what relief he is entitled to. In the meantime Rabi Gouda was expired and that has been disclosed by his wife Sabita Gouda and she has been made party in the case. During the hearing of this case the management submitted that as Rabi Gouda was died in the meantime the question of his re-engagement does not arise. But when the management is asked to compute his entitlement they agreed that his widow Sabita is entitled to get Rs. 10,140. Sabita Gouda also prayed that the said amount is given to her soon, so that she will get a sustenance. On the next date the management submitted an application on the 27th May 2006 before this Court that they have written to Government for Rs. 11,580 an extra allotment for payment to Sabita Gouda. Hoping on the version of the management that is Government pleader of Berhampur this Court awaited for payment and did not pass any Award. Since a very long time has been elapsed and the Government has not made any payment nor intimated to this Court for which it is proper to pass an Award in favour of Sabita Gouda.

3. The reference is answered in part in favour of Sabita Gouda, wife of late Rabi Gouda. The management is directed to pay Rs. 10,140 only to Sabita Gouda from the date of this Award. If the payment is not made within one month the management is directed to pay interest @ 6% per annum from the date of the notification on the claim amount.

Dictated and corrected by me.

R. K. SARAN
7-7-2006
Presiding Officer, Labour Court
Jeypore

R. K. SARAN
7-7-2006
Presiding Officer, Labour Court
Jeypore

By order of the Governor
N. C. RAY
Under-Secretary to Government