

# The Orissa Gazette

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

---

---

No. 96 CUTTACK, TUESDAY, JANUARY 31, 2006/MAGHA 11, 1927

---

---

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 9th January 2006

No. 249–li/1(J)-5/1998 (Pt.)-L. E.–In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 26th December 2005 in Industrial Dispute Case No. 6 of 1998 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial disputes between the Management of the Vice-President (Works), J. K. Paper Mills, Jaykaypur and its workaman represented through the General Secretary (J. K. Paper Mills Workers Union/Employees Union/Thikadar Mazdoor Union and Rayagada Kagajakala Shramik Sangha), At/P.O. Jaykaypur, District Rayagada was referred for adjudication is hereby published as in the Schedule below :

### SCHEDULE

#### INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 6 OF 1998

Dated the 26th December 2005

*Present :*

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

*Between :*

The Vice-President (Works) . . . First Party–Management  
J. K. Paper Mills, Jayakaypur.

And

1. The General Secretary . . . Second Party–Workmen  
J. K. Paper Mills Workers Union  
Jayakaypur.
2. The General Secretary  
J. K. Paper Mills Employees Union  
Jayakaypur.
3. The General Secretary  
Rayagada Kagajakala Shramik Sangha  
Jayakaypur.

4. The General Secretary  
J. K. Paper Mills Thikadar Mazdoor Union  
Jayakaypur.

*Appearances :*

For both the Parties . . . None

**AWARD**

The Government of Orissa in the Labour & Employment Department in exercise of 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. 11485–li/1 (J)-5/1998-L.E., dated the 17th October 1998:—

“Whether action of the management of M/s. J. K. Paper Mill, Jaykeypur (i) in changing deployment of workmen to accomodate in their new plants such as Fibre Line, Liquid Fired Boiler No. V. Causticizing plant without giving 21 days notice under Section 9-A of the Industrial Disputes Act, (ii) deducting wages of workmen as per list for the period mentioned agaist each for not attending duties in new plants and (iii) the strike resorted to by workmen with effect from the 10th October 1998 followed with (iv) lock-out declared by the management with effect from the 12th October 1998 are legal and/or justified ? If not, to what relief the parties are entitled ?”

2. This case was posted to the 13th December 2005 for hearing. On that day both the parties remained absent and no step was taken by either party.

It reveals from record that after filing respective claim statement/written statement by the parties, issues have been framed and the case is at the stage of hearing. The absence of both the parties on the date of hearing leads me to draw an inference that they are no more interested in the ‘lis’, perhaps for the reason that the dispute is no more subsists between them or the same might have been settled in the meantime. In the circumstance, I find no other alternative than to pass a no dispute Award in the case and accordingly a ‘No Dispute Award’ is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Sk. JAN HOSSAIN  
26-12-2005  
Presiding Officer  
Industrial Tribunal  
Bhubaneswar.

Sk. JAN HOSSAIN  
26-12-2005  
Presiding Officer  
Industrial Tribunal  
Bhubaneswar.

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