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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 22nd January 2009

No. 643—li/1(B)-32/2008-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 22nd December 2008 in Industrial Dispute Case No. 298 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of M/s Swaraj Chemicals & Pharmaceutical Works, New Industrial Estate, Jagatpur and their workmen Shri Ramesh Chandra Baral and 3 others was referred for adjudication is hereby published as in the Schedule below :

### SCHEDULE

#### IN THE INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 298 OF 2008

Dated the 22nd December 2008

*Present :*

Shri P. C. MISHRA, O.S.J.S. (Sr. Branch),  
Presiding Officer, Industrial Tribunal,  
Bhubaneswar.

*Between :*

The Managing Partner, . . . First Party—Management  
M/s Swaraj Chemicals and  
Pharmaceutical Works, Plot Nos. 21 & 22,  
New Industrial Estate, Jagatpur,  
Dist. Cuttack.

*Versus*

Shri Ramesh Chandra Baral . . . Second Party—Workmen  
and three others,  
C/o Orissa State Legal Cell,  
Bharatiya Mazdoor Sangha, Orissa,  
Plot No. D/476, Sector-8,  
C.D.A. Markat Nagar,  
Dist. Cuttack.

*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. 5967—li/1(B)-32/2008-L.E., dated the 26th May 2008 :—

“Whether the verbal refusal of employment to Shri Ramesh Chandra Baral, Shri Surendra Kishore Bhoi, Shri Bijaya Kumar Prusty and Shri Sarada Charan Nayak by the management of M/s Swaraj Chemicals and Pharmaceutical Works, New Industrial Estate, Jagatpur, Cuttack with effect from the 1st September 2006 is legal and/or justified ? If not, to what relief the workmen are entitled ?”

2. In this case the second party-workmen have not filed their statement of claims despite direction of the Government in the Labour & Employment Department and the subsequent notice issued by this Tribunal. From the conduct of the second party-workmen, there is reason to presume that they are no more interested in the ‘lis’ or the dispute referred have in the meantime been settled between the parties. In the aforesaid circumstance, therefore, this Tribunal has no other option 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.

P. C. MISHRA  
22-12-2008  
Presiding Officer  
Industrial Tribunal, Bhubaneswar

P. C. MISHRA  
22-12-2008  
Presiding Officer  
Industrial Tribunal, Bhubaneswar

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By order of the Governor  
K. C. BASKE  
Under-Secretary to Government