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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 3rd February 2009

No. 1017—li/1(S)-29/2005 (Pt)-L.E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 31st December 2008 in I. D. Case No. 4 of 2006 of the Presiding Officer, Labour Court, Sambalpur to whom the industrial dispute between the management of Contractors of Bargarh Cement Ltd., Management of M/s Bargarh Cement Ltd., Bardol, Bargarh and their workmen represented through IDCOL Cement Mazdoor Sangh, Bargarh was referred for adjudication is hereby published as in the Scheduled below :

#### SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER, LABOUR COURT

SAMBALPUR

INDUSTRIAL DISPUTE CASE No. 4 OF 2006

Dated the 31st December 2008

*Present :*

Smt. Suchismita Misra, LL. B.,  
Presiding Officer, Labour Court,  
Sambalpur.

*Between :*

The Management of Contractors of Bargarh . . . First Party—Management  
Cement Ltd., Bargarh, Management of  
M/s Bargarh Cement Ltd.,  
Bardol, Bargarh.

And

The Contractors workmen represented . . . Second Party—Workmen  
through IDCOL Cement Mazdoor Sangh,  
Bargarh.

*Appearances :*

|                                |    |      |
|--------------------------------|----|------|
| For the First-party Management | .. | None |
| For the Second-party Workmen   | .. | None |

## AWARD

1. This matter arises out of a reference made by the Government of Orissa, Labour & Employment Department U/s 10 & 12 of the Industrial Dispute Act, 1947, in their Memo. No. 2401(5), dated the 16th March 2006, for adjudication of the following questions :

“Whether the actions of contractors namely M/s. N.N. Rath & 25 others (Annexure-M) of Bargarh Cement Ltd., Bardol, Bargarh in effecting penal deduction from the wages of contractors workmen commencing from fortnightly /monthly wages of August 2005 in terms of their identical notices dated the 30th July 2005 and 20th September 2005 are legal and/or justified ? If not, what relief are the workmen entitled to ?”

2. On notices being sent, the workmen did not appear nor filed their statement of claim for the reasons best known to them. From this, it can safely be inferred that the workmen have no dispute with the management or they have settled their dispute outside the court in the meantime. Accordingly, an Award of No Dispute is passed in so far as reference is concerned.

Dictated and corrected by me.

Smt. SUCHISMITA MISRA

31-12-2008

Presiding Officer

Labour Court, Sambalpur

Smt. SUCHISMITA MISRA

31-12-2008

Presiding Officer

Labour Court, Sambalpur

By order of the Governor

K. C. BASKE

Under-Secretary to Government