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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 25th September 2010

No. 8208—li/1(BH)-24/2002-LE.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the award, dated the 17th August 2010 in I. D. Case No. 111 of 2002 of the Presiding Officer, Labour Court, Bhubaneswar to whom the industrial disputes between the management of Executive Engineer, Betnati Canal Division, Betnati/Chief Engineer & Basin Manager, Baitaran, Subarnarekha and Budha Balang Basin, Laxmiposi and its workman Shri Rabindra Kumar Das was referred to for adjudication is hereby published as in the Schedule below :

#### SCHEDULE

IN THE LABOUR COURT, BHUBANESWAR

INDUSTRIAL DISPUTE CASE NO. 111 OF 2002

Dated the 17th August 2010

*Present :*

Shri Shantanu Kumar Dash, o. s. j. s. (Jr. Branch),  
Presiding Officer,  
Labour Court, Bhubaneswar.

*Between :*

The Executive Engineer, .. First Party—Managements  
Betnati, Canal Division,  
Subarnarekha Irrigation Project,  
At / P. O. Betnati, Dist. Mayurbhanj/  
The Chief Engineer and Basin Manager,  
Baitarani-Subarnarekha Irrigation Project,  
At / P. O. Laxmiposi, Dist. Mayurbhanj.

*Versus*

Shri Rabindra Kumar Das, .. Second Party—Workman  
At / P. O. Arapata, Via Kuajara, Dist. Mayurbhanj.

The General Secretary  
Subarnarekha Irrigation Worker Union  
At / P. O. Laxmiposi, Dist. Mayurbhanj.

*Appearances :*

For the both 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. 12536—li-1(BH)-24/2002-LE., dated the 10th October 2002 :—

“Whether action of the Executive Engineer, Betnati Canal Division, Subarnarekha Irrigation Project, Betnati, Dist. Mayurbhanj by terminating the services of Shri Rabindra Kumar Das, N. M. R., (Unskilled Mulia) with effect from the 30th November 2001 by counting his date of joining from the 1st November 1991 instead of the 1st April 1990 is legal and/or justified ? If not, to what relief Shri Rabindra Kumar Das is entitled ?”

2. The workman is absent. No steps taken. Though a hazira is filed by the representative of management, but found absent in the Court. On perusal of the case record I found that the workman was absent since long and not taking interest to proceed with his case. I also found no reasonable ground to adjourn the case further more at sufficient opportunities has been given to the workman. Hence in absence of evidence in record a no award possible is passed accordingly.

Dictated and corrected by me.

S. K. DASH  
17-8-2010  
Presiding Officer  
Labour Court  
Bhubaneswar

S. K. DASH  
17-8-2010  
Presiding Officer  
Labour Court  
Bhubaneswar

By order of the Governor

P. K. PANDA

Under-Secretary to Government