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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 30th September 2010

No. 8395—li/1(BH)-49/1992-LE.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 24th February 2010 in I. D. Case No. 40 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of M/s Ceeta Polymers Ltd., Balasore and its workman Shri Pravat Kumar Sahu was referred to for adjudication is hereby published as in the Schedule below:

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE NO. 40 OF 2008

Dated the 24th February 2010

Present :

Shri P. C. Mishra, o.s.j.s. (Sr. Branch),
Presiding Officer,
Industrial Tribunal, Bhubaneswar.

Between :

The General Manager, Workers, . . . First Party—Management
M/s Ceeta Industries Ltd.,
Ganeswarpur Industrial Estate, Balasore.

And

Its Workman . . . Second Party—Workman
Shri Prabhat Kumar Sahu,
At Baramadhia, P. O. Basta, Balasore.

Appearances :

For the First Party—Management . . . Shri Dillip Kumar Deb,
Authorised Representative

For the Second Party—Workman himself . . . Shri Pravat Kumar Sahu

AWARD

Originally, the Government of Orissa in the Labour & Employment Department had referred the following dispute for adjudication by the Presiding Officer, Labour Court, Bhubaneswar vide its Order No. 8382—li/1(BH)-49/1992-LE., dated the 5th July 1993, but subsequently it transferred the dispute to be adjudicated by the Presiding Officer, Industrial Tribunal, Bhubaneswar vide its Order No. 4138—li/21-32/2007-LE., dated the 4th April 2008 :—

“Whether the termination of services of Shri P. K. Sahu, Helper (Tapoline) by the management of M/s Ceeta Polymers, Balasore with effect from the 27th August 1991 is legal and/or justified ? If not, what relief he is entitled to ?”

2. On the 4th February 2010 the representative of the management as well as the workman being present in the Court submitted that the dispute between them having been settled amicably, an Award may be passed in terms of the settlement.

The terms embodied in the settlement were read over to the parties and they admitted the same to be true and correct. The settlement being genuine was recorded. Since the parties have volunteered that by virtue of the settlement the dispute is no more, an Award is passed in terms of the said settlement, which do form part of the Award.

Dictated and corrected by me

P. C. MISHRA
24-2-2010
Presiding Officer
Industrial Tribunal, Bhubaneswar

P. C. MISHRA
24-2-2010
Presiding Officer
Industrial Tribunal, Bhubaneswar

By order of the Governor
P. K. PANDA
Under-Secretary to Government

FORM 'K'
(See Rule 64)

MEMORANDUM OF SETTLEMENT

Name of the parties :—

Management	Workman
M/s Ceeta Industries Ltd.	Shri Pravat Kumar Sahu
Formerly known as	S/o Madan Mohan Sahu
M/s Ceeta Polymers Ltd.	Village Baramadhia
Ganeswarpur Industrial Estate	P. O./P. S. Basta
Balasore, represented by it's	Dist. Balasore
Authorized Signatory	
Shri Vikas Kedia	

SHORT RECITAL OF THE CASE

Consequent upon the dismissal of service of the workman namely Shri Pravat Kumar Sahu, S/o Madan Mohan Sahu, Vill Baramadhia, P. O./P. S. Basta, Dist. Balasore by the management of M/s Ceeta Industries Ltd., formerly known as M/s Ceeta Polymers Ltd., Ganeswarpur Industrial Estate, Balasore, the State Government has referred the above dispute to the Presiding Officer, Labour Court, Bhubaneswar for adjudication. The said reference has been registered as I. D. Case No. 100/1993. Subsequently the said I. D. Case has been transferred to the Presiding Officer, Industrial Tribunal, Bhubaneswar for adjudication and said case has been renumbered as I. D. Case No. 40/2008 during pendency of the said case both the management and the workman have amicably settled the above dispute on the following terms and condition :—

Made part of the Award
P. C. MISHRA
Presiding Officer
Industrial Tribunal, Bhubaneswar

TERMS OF SETTLEMENT

1. That, the workman has voluntarily received a sum of Rs. 30,000 (Rupees thirty thousand) only from the management of M/s Ceeta Industries Ltd., formerly known as M/s Ceeta Polymers Ltd., Ganeswarpur Industrial Estate, Balasore towards full and final payment of all his legal dues.
2. That, since the workman has received all his legal dues from the management and as such he has neither claim of reinstatement of service nor any other financial claim against the management in any manner whatsoever.
3. That, it is agreed between both the parties that, since they have settled the disputes out of the Court and the workman has received the full and final settlement amount and as such both of

them shall file a joint petition before the Presiding Officer, Industrial Tribunal, Bhubaneswar with a prayer to pass an Award in I. D. Case No. 40/2008 in terms of this Bipartite Settlement.

Pravat Ku. Sahu

Signature of the workman

Witness :

1. Subrat Ku. Boity
M/s Utkal Polymers, Industrial Estate
Januganj, Balasore.

Vikas Kedia
Authorised Signatory
Ceeta Industries Ltd.

2. Amudha Majhi
At Hataganj, P. O. Bamada
Via Rupsa. Dist. Balasore

Signature of the representative
of the management

3. Dilip Kumar Deb
C/o Ceeta Industries Ltd.
240 B, A. J. C. Bose Road
Kolkata - 700 020

MONEY RECEIPT

Consequent upon my dismissal of service I Shri Pravat Kumar Sahu, S/o Madan Mohan Sahu, Vill. Baramadhia, P. O./P. S. Basta, Dist. Balasore have received a sum of Rs. 30,000 (Rupees thirty thousand) only from the management of M/s Ceeta Industries Ltd., formerly known as M/s Ceeta Polymers Ltd. Ganeswarpur Industrial Estate, Balasore towards full and final settlement of my legal dues. On receipt of the same I have neither claim of reinstatement of service nor any other financial claim against the said management in any manner whatsoever.

Pravat Ku. Sahu

Dt. 4-2-2010

Signature of the workman

Witness :

1. Subrat Ku. Boity
M/s Utkal Polymers Indl. Estate
Ganeswarpur Indl. Estate
Januganj, Balasore

2. Amudha Majhi
At Hataganj, P. O. Bamada
Via Rupsa. Dist. Balasore

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