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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 28th July 2011

No. 6394-ID-96/2010-L.E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 3rd March 2011 in I. D. Case No.13 of 2010 of the Presiding Officer, Labour Court, Sambalpur to whom the industrial dispute between the Management of M/s. Sri Mahavir Ferro Alloys Private Ltd., I.D.C., Kalunga, Dist. Sundargarh and their Workmen Shri Susanta Kumar Mohanty & Shri Kanheya Mishra represented by Sundargarh District Industrial Shramik Sangha, Bisra Road, Rourkela was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER LABOUR COURT  
SAMBALPUR

INDUSTRIAL DISPUTE CASE No. 13 OF 2010

The 3rd March 2011

*Present :*

Miss Sarojini Mahapatra, M.A. LL.B,  
Presiding Officer, Labour Court,  
Sambalpur.

*Between :*

The Management of –

- (1) M/s. Sri Mahavir Ferro Alloys Private Ltd.,  
I.D.C., Kalunga, Dist. Sundargarh and
- (2) The Contractor,  
M/s. St. Joseph Construction,  
C/o. Sri Mahavir Ferro Alloys Pvt. Ltd.,  
I.D.C., Kalunga, Dist. Sundargarh. ... First Party–Management

And

Their Workmen, Shri Susanta Kumar Mohanty, &  
Shri Kanhaya Mishra represented by the  
General Secretary, Sundargarh District Industrial  
Shramik Sangha, Bisra Road, Rourkela,  
Dist. Sundargarh. .. Second Party–Workmen

*Appearances :*

For the First Party–Management	None
For the Second Party–Workmen.	None

## AWARD

1. This case arises out of the reference made by the Government of Orissa, Labour & Employment Department conferred by sub-section (5) of Section 12, read with Clause(c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1987) in Memo. No. 7835(6), Dt. 17th September 2010 for adjudication of the schedule questions:—

“ Whether the action of the management of M/s. Sri Mahavir Ferro Alloys Private Ltd, I.D.C. Kalunga, Dist. Sundargarh in changing the status of their Workman, namely Shri Kanhaya Mishra, Mechanical Fitter & Shri Susanta Kr. Mohanty, Sr. Operator(kila) to that of contractor’s workmen of their Contractor M/s. St. Joshep Construction w.e.f. 1st. January. 2009 is legal and/or justified ? If not, what relief are these workmen entitled to ?”

2. The second party workman as well as their Union neither filed statement of claim nor took any step in the Court as per Order of the State Government, Labour & employment Department contained in the reference and also on issue of repeated notices from the Court. As it appear the workmen are not interested to proceed with the present case. Hence, I do hereby pass a “No Dispute Award” so far as the present reference is concerned.

Dictated and corrected by me.

MISS. SAROJINI MAHAPATRA  
03-03-2011  
Presiding Officer, Labour Court,  
Sambalpur.

MISS. SAROJINI MAHAPATRA,  
03-03-2011  
Presiding Officer, Labour Court,  
Sambalpur.

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

