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LABOUR & E. S. I. DEPARTMENT

NOTIFICATION

The 14th December 2012

No. 10354—IR(ID)-1/2012-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 5th November 2012 in Industrial Dispute Case No. 2 of 2012 of the Presiding Officer, Labour Court, Sambalpur to whom the industrial dispute between the Management of M/s Bajrangbali Re-rollers (P) Ltd. IDC, Kalunga, Dist. Sundargarh as its Contractor Shri Chandrabhan Singh represented through (1) Shri Chandrabhan Singh, Contractor, At. Brahmani Tarang Vedabyas, Rourkela (2) The Managing Director, M/s Bajrangbali Re-rollers (P) Ltd. IDC Kalunga, At/P.O. Kalunga, Dist. Sundargarh and its Workman represented through the General Secretary, Sundargarh Mazdoor Sangh, III GB-113, Phase-III, Stage-B, Kalinga Vihar, Chhend, Rourkela, Dist. Sundargarh 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. 2 OF 2012
Dated the 5th November 2012

Present :

Shri Srikanta Mishra, LL. M.
Presiding Officer, Labour Court, Sambalpur.

Between :

The Management of M/s Bajrangbali Re-rollers (P) Ltd., IDC, Kalunga, Dist, Sundargarh and its Contractor Shri Chandrabhan Singh represented through :	. .	First Party—Management
(1) Shri Chandrabhan Singh, Contractor, At. Brahmani Tarang, Vedavyas, Rourkela.		
(2) The Managing Director, M/s Bajrangbali Re-rollers (P) Ltd., IDC Kalunga, At/P.O. Kalunga, Dist. Sundargarh.		
And		
Their workman represented through the General Secretary, Sundargarh Mazdoor Sangha, III-G.B.-113, Phase - III, Stage - B, Kalinga Vihar, Chhend, Rourkela, Dist. Sundargarh.	. .	Second Party—Workmen

Appearances:

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

A W A R D

This award arises out of a reference under Section 10(1) (c) of the Industrial Disputes Act, made by the Government of Odisha, Labour & Employment Department vide their Notification No. 850—IR(ID)-1/2012-LE., dated the 4th February 2012 for adjudication. The schedule of reference is as follows :—

“Whether the removal of service of 61 workers namely Shri Rajdev Mishra and 60 others as at Annexure with effect from the 10th March 2009 by the Contractor, Shri Chandrabhan Singh engaged in M/s Bajrangbali Re-rollers (P) Ltd., IDC, Kalunga, Dist. Sundargarh is legal and/or justified ? If not, what relief they are entitled to ?”

2. Perused the record. The second party union representing the workmen Shri Rajdev Mishra and 60 others lodged complaint before the District Labour Officer, Rourkela and the said forum could not settle the dispute and submitted no settlement report on the basis of which the reference was made. The second party workmen were directed to submit statement of claim within 15 days of receipt of the order of reference, but it did not comply the same. Even after issuance of notices, the second party workmen did not turn up. In absence of any pleading and evidence, the Court is unable to answer the questions under the reference either way.

The reference under Section 10(1) of the I. D. Act is disposed of accordingly.

Dictated and corrected by me.

SRIKANTA MISHRA
05-11-2012
Presiding Officer
Labour Court, Sambalpur

SRIKANTA MISHRA
05-11-2012
Presiding Officer
Labour Court, Sambalpur

By order of the Governor
J. DALANAYAK
Under-Secretary to Government