

# The Odisha Gazette

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

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**No. 1672 CUTTACK, FRIDAY, AUGUST 30, 2013 / BHADRA 8, 1935**

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**LABOUR & EMPLOYEES STATE INSURANCE DEPARTMENT**

**NOTIFICATION**

The 17th August 2013

No. 10519—IR(ID)-101/2012-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 26th June 2013 in Industrial Dispute Case No. 2 of 2013 of the Presiding Officer, Labour Court, Sambalpur to whom the industrial dispute between the Management of M/s M.S.P. Metallics Ltd., At/P.O. Marakuta, Dist. Jharsuguda and their workman Shri Rama Rao 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 2013

Dated the 26th June 2013

*Present :*

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

*Between :*

The Management of  
M/s M.S.P. Metallics Ltd.,  
At/P.O. Marakuta,  
Dist. Jharsuguda. . . . . First Party—Management

And

Their workman  
Shri Rama Rao,  
At Lecturer Colony,  
P.O. O.M.P. line,  
(Near Collectorate),  
P.O./Dist. Jharsuguda. . . . . Second Party—Workman

*Appearances :*

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

## AWARD

This award arises out of a reference made by the Government of Odisha, in the Labour & E.S.I. Department, under the power 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 1947) (for short the "Act") vide Order under Memo. No. 695(6), dated the 28th January 2013. The dispute involved under the Schedule of reference is as follows :—

"Whether the action of the management of M/s M.S.P. Metallics Ltd., Marakuta, Dist. Jharsuguda in dismissing Shri Rama Rao from services with effect from the 1st November 2010 is legal and/or justified ? If not, what relief Shri Rao is entitled to ?"

2. The second party named above claiming to be a workman under the first party and working as an Assistant since the 1st November 2007 raised the dispute before the District Labour Officer, Jharsuguda alleging that he was illegally dismissed from service with effect from the 1st November 2010 on the basis of false charge and domestic enquiry. The D.L.O.-cum-Conciliation Officer took the views of the management and since no conciliation could be made, he submitted the failure report to the Government on the basis of which the present reference was made.

3. The workman was directed to submit his statement of claim by the Government within 15 days of receipt of the reference but he did not turn up. This Court also sent notice by Regd. Post to the workman which returned unserved with postal remark (Addressee long absent). It appears from the above facts and circumstances that the workman is not interested to proceed with the case or adduce any evidence.

In absence of any statement of claim and evidence by the workman, I am inclined to pass a No Dispute Award so far as the reference is concerned.

Dictated and corrected by me.

SRIKANTA MISHRA  
26-6-2013  
Presiding Officer  
Labour Court, Sambalpur.

SRIKANTA MISHRA  
26-6-2013  
Presiding Officer  
Labour Court, Sambalpur.

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