

# The Odisha Gazette

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**No. 199 CUTTACK, WEDNESDAY, JANUARY 30, 2013/MAGHA 10, 1934**

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**LABOUR & E. S. I. DEPARTMENT**

**NOTIFICATION**

The 17th January 2013

No. 493—IR-ID-46/2011-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 18th December 2012 in I. D. Case No. 06/2011 of the Presiding Officer, Labour Court, Jeypore, Koraput to whom the industrial dispute between the Management of M/s. National Fire & Security Service, DW/Reengineers, Jail Chowk, Sambalpur and their Workman Shri Harihar Behera was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER, LABOUR COURT, JEYPORE, KORAPUT

INDUSTRIAL DISPUTE CASE No. 6/2011

Dated the 18th December 2012

*Present :*

Shri D. C. Mishra, O. S. J. S. (Jr. Branch)  
Presiding Officer, Labour Court, Jeypore,  
Dist. Koraput.

*Between :*

The Managing Director, . . . First Party—Management  
M/s. National Fire and Security Service,  
DW/Reengineers, Jail Chowk, Sambalpur,  
At/P.O./Dist. Sambalpur.

*Versus*

Its Workman . . . Second Party—Workman  
Shri Harihar Behera,  
At/P.O. Khatiguda,  
Dist. Nabarangpur.

Under Sections 10 & 12 of the Industrial Disputes Act, 1947.

*Appearances :*

For the Management..... : .....None  
 For the Workman..... : .....None  
 Date of Award..... : .....Dt. 18-12-2012

**AWARD**

1. The matter arises out of a reference made by the State Government in their Labour & Employment Department, Odisha, Bhubaneswar under Section 12(5) read with Section 10(1) of the Industrial Disputes Act, 1947 vide their Memo. No. 7450(5)-L.E., dated the 16th August 2011 for adjudication of the following dispute :—

**SCHEDULE**

"Whether the action of the Management of M/s. National Fire and Security Service, DW/ Reengineers, Jail Chowk, Sambalpur in terminating the services of Shri Harihar Behera, Security Guard with effect from the 1st May 2008 is legal and/or justified ? If not what relief Shri Behera is entitled to ?"

2. The workman is absent on repeated calls. Perused the case record.

After filing of the case, notices were sent to the workman vide this office letter Nos. 568/LCJ, dated the 7th December 2011 and No. 530, dated the 25th November 2011 but he did not turn-up nor filed claim statement. Thereafter, notices under Registered Post with A. D. vide this Office Letter Nos. 383/LCJ, dated the 21st August 2012 and No. 519/LCJ, dated the 12th October 2012 were sent to the second-party workman for filing of Claim Statement but till today, the workman never appeared in the Court nor filed his Claim Statement. On both occasions A/D card has been returned duly signed by the workman. Hence the service of notice on the workman vide Registered Letter Nos. 383/LCJ, dated the 21st August 2012 and No. 519/LCJ, dated the 12th October 2012 are held to be sufficient. Since the workman never appeared nor filed Claim Statement it is clear that he has no claim at all and he is not interested to proceed with the dispute. Hence there exists 'No Dispute, between the parties and accordingly a 'No Dispute Award' is passed.

Dictated and corrected by me.

Shri D. C. MISHRA  
 18-12-2012  
 Presiding Officer  
 Labour Court, Jeypore

Shri D. C. MISHRA  
 18-12-2012  
 Presiding Officer  
 Labour Court, Jeypore

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

