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## LABOUR & EMPLOYEES STATE INSURANCE DEPARTMENT

### NOTIFICATION

The 3rd December 2013

No. 13665—IR-(ID)-69/2012-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 28th October 2013 in I. D. Case No. 5 of 2013 of the Presiding Officer, Labour Court, Sambalpur to whom the industrial dispute between the Management of M/s East India Steels (P) Ltd., Industrial Area, Rourkela and its workman Shri Chandra Sekhar Singh, Ex-Grinder represented through Sundergarh Mazdoor Sangha, 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. 5 OF 2013

Dated the 28th October 2013

*Present :*

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

*Between :*

The Management of .. First Party—Management  
M/s East India Steels (P) Ltd.,  
Industrial Area, Rourkela,  
Dist. Sundargarh-769004.

And

Its workman, .. Second Party—Workman  
Shri Chandra Sekhar Singh,  
Ex-Grinder represented through the General Secretary,  
Sundergarh Mazdoor Sangha, HIG/E-113,  
Phase-III, Stage-B, Kalinga Vihar,  
Chhend, Rourkela, Dist. Sundargarh-769 015.

*Appearances :*

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

**AWARD**

This award arises out of a reference made by the Government of Odisha, 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. 820 (5), dated the 30th January 2013. The dispute involved under the schedule of reference is as follows :—

“Whether the termination of services of Shri Chandra Sekhar Singh, Grinder with effect from the 112th September 2008 by the management of M/s East India Steel Pvt. Ltd., Industrial Area, Rourkela is legal and/or justified ? If not, what relief Shri Singh is entitled to ?”

2. The second party named above filed a complaint before the Assistant Labour Commissioner, Rourkela-*cum*-Conciliation Officer, under the I. D. Act, on behalf of Shri Chandra Sekhar Singh, alleging that the said person worked as a Grinder under the first party management for certain period but was illegally terminated from service with effect from the 12th September 2008. The management appeared before the Conciliation Officer and submitted that the workman remained unauthorised absence from duty with effect from the 1st July 2008 and after due call he did not attend his duty nor intimated any reason. His attempt for conciliation failed and therefore, he submitted a failure report under Section 12 (4) of the said Act.

3. The second party (Labour Union) though was directed to file a claim statement within 15 days of receipt of the order of reference neither it nor the concerned workman complied the same. A registered notice was sent from this Court calling upon the second party to file statement of claim but the said notice returned back with endorsement “No such addressee”.

4. In view of the non-appearance of the second party and non-filing of claim statement, I find no evidence to arrive at a conclusion that the termination of service of Shri Chandra Sekhar Singh by the first party was illegal or unjustified. The workman is, therefore, not entitled to any relief in the present case. In such view of the matter, I am inclined to pass a “No Dispute Award” in so far as the reference is concerned.

Dictated and corrected by me.

SRIKANTA MISHRA  
28-10-2013  
Presiding Officer  
Labour Court, Sambalpur

SRIKANTA MISHRA  
28-10-2013  
Presiding Officer  
Labour Court, Sambalpur

By order of the Governor

J. DALANAYAK  
Under-Secretary to Government