

The Odisha Gazette

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LABOUR & EMPLOYEES STATE INSURANCE DEPARTMENT

NOTIFICATION

The 31st January 2014

No. 790—IR(ID)-92/2012-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 15th November 2013 in Industrial Dispute Case No. 27 of 2013 of the Presiding Officer, Labour Court, Sambalpur, to whom the industrial dispute between the Management of M/s Rourkela Club, Sector-20, Rourkela and their Workman Shri Ashok Kumar Sahani, represented through General Secretary, Rourkela Club 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. 27 OF 2013

Dated the 15th November 2013

Present :

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

Between :

The Management of . . . First Party—Management
M/s Rourkela Club,
Sector-20, Rourkela-5,
Dist. Sundargarh.

And

Their Workman . . . Second Party—Workman
Shri Ashok Kumar Sahani,
represented through the General
Secretary, Rourkela Club Mazdoor
Sangha, Rourkela,
Dist. Sundargarh.

Appearances :

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

AWARD

1. This case 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. 3680(5), dated the 15th April 2013. The dispute involved under the Schedule of reference is as follows :—

"Whether the termination of services of Shri Ashok Kumar Sahani, Electrician with effect from the 4th March 2009 by the management of Rourkela Club, Rourkela is legal and/or justified ? If not, what relief Shri Sahani is entitled to ?"

2. The brief facts of the case is that one Ashok Kumar Sahani while working as Electrician under the first party was terminated from service with effect from the 4th March 2009. The Rourkela Mazdoor Sangha raised the dispute before the Assistant Labour Officer, Rourkela-cum-Conciliation Officer under the I. D. Act. The said authority took the view of both the parties and since no conciliation could be effected, he submitted a report to the Government on the basis of which the reference was made.

3. The Government of Odisha while publishing the order of reference, directed the second party to file statement of claim before this Court within 15 days of receipt of the reference but the second party did not turn up. This Court issued a notice to the second party by Regd. Post on dated the 12th June 2013 calling upon him to file statement of claim and relevant documents. In the meantime, several dates have been posted awaiting the statement of claim from the second party but till date, the same has not been filed. It appears that the second party is no more interested in adjudication of the dispute.

4. Since the workman has not entered appearance in response to registered notice and the second party has not filed any statement of claim, I am inclined to pass a No Dispute Award in so far as the reference is concerned.

Dictated and corrected by me.

SRIKANTA MISHRA
15-11-2013
Presiding Officer
Labour Court, Sambalpur.

SRIKANTA MISHRA
15-11-2013
Presiding Officer
Labour Court, Sambalpur.

By order of the Governor
N. BEHERA
Under-Secretary to Government