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LABOUR & E.S.I. DEPARTMENT

NOTIFICATION

The 24th January 2024

S.R.O. No. 47/2024—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 20th December 2023 in the ID Case No. 18 of 2015 by the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the management of Mangilall Rungta (Ferro Alloys Division) At Tulasidiha, Meramundali, Dist. Dhenkanal and their workmen, namely, Shri Ranjit Kumar Sahoo and 28 others represented through General Secretary, M/s Mangilall Rungta Employees Union, (Ferro Alloys Division), At Tulasidiha, P.O. Meramundali, Dist. Dhenkanal was referred to for adjudication is hereby published as in the schedule below :—

SCHEDULE

BEFORE THE INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 18 of 2015

Dated the 20th December 2023

Present :

Shri Benudhar Patra, B.SC. LL.M
Presiding Officer,
Industrial Tribunal, Bhubaneswar.

Between :

The management of Mangilall Rungta
(Ferro Alloys Division),
At Tulasidiha, P.O. Meramundali
Dist. Dhenkanal.

. . First Party—Management

And

Their workmen, namely,
Shri Ranjit Kumar Sahoo and 28 others,
represented through General Secretary,
M/s Mangilall Rungta Employees Union,
(Ferro Alloys Division),
At Tulasidiha, P.O. Meramundali,
Dist. Dhenkanal.

. . Second Party—Workman

Appearances :

Shri B. Panda, Advocate . . . For the First Party—Management

Shri Sushant Dash, Advocate . . . For the Second Party—Workmen

AWARD

The Government of Odisha, Labour & E.S.I. Department in exercise of powers conferred upon it by sub-section (5) of Section 12 read with Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (for short 'the Act') have referred the following dispute for adjudication by this Tribunal vide this Order No. 5087—0015/2015-LESI-IR-ID-LESI, dated the 30th August 2019.

“Whether the demand raised by M/s Mangilall Rungta Employees Union (Ferro Alloys Division), At Tulasidiha, P.O. Meramundali, Dist. Dhenkanal for regularization of services of 29 casual workmen, who are land losers, at present working under M/s mangilall Rungta (Ferro Alloys Division), At Tulasidiha, P.O. Meramundali, Dist. Dhenkanal for their permanent appointment/engagement under the pay roll of the Company is legal and/or justified ? If not, what relief they are entitled to and from which date ?”

2. In course of hearing of the dispute a joint petition duly signed by the Aothorised Representative of the parties along with a Memorandum of Settlement drawn up in Form-“K” is filed with a prayer to dispose of the case in terms of the settlement arrived at between them. The learned counsels representing the parties also submitted for passing of an Award in terms of the settlement embodied in Form-“K”.

3. The terms of Settlement are read-over and explained to Shri Ranjit Kumar Sahoo, General Secretary of the Union as well as Shri Pradeep Kumar Chaturvedi, Authorised Representative of the first party management. Both of them submitted that they entered into the settlement voluntarily without any undue influence/coercion and admitted their signatures in Form-“K” to be correct and genuine. The settlement being fair is recorded and accordingly an award is passed in terms of the settlement, which do form part of the award.

Dictated and corrected by me.

BENUDHAR PATRA
20-12-2023
Presiding Officer
Industrial Tribunal, Bhubaneswar

BENUDHAR PATRA
20-12-2023
Presiding Officer
Industrial Tribunal, Bhubaneswar

[No. 584—LESI-IR-ID-0004/2024-LESI]

By order of the Governor

NITIRANJAN SEN

Additional Secretary to Government

Form "K"

(Rule 64 of the Orissa Industrial Dispute Rules, 1957)

MEMORANDUM OF SETTLEMENT DATED THE 29TH NOVEMBER 2022 BETWEEN
THE MANAGEMENT OF M/S RUNGTA MINES LTD., DIST. DHENKANAL AND THE CASUAL
WORKMEN REPRESENTED BY THE MANGILALL RUNGTA EMPLOYEES UNION

Representing Parties

Made part of the Award

For the Management

Shri Pradeep Kumar Chaturvedi

Presiding Officer

For the Disputant Casual Workmen

Industrial Tribunal

Shri Ranjit Kumar Sahoo,

Bhubaneswar

General Secretary,

Mangilall Rungta Employees Union.

SHORT RECITAL OF THE CASE:

On behalf of the casual workmen, the Union had raised a dispute for annual increment/ wage hike, which was registered as ID Case No. 18 of 2015 (before the learned Industrial Tribunal, Bhubaneswar). Subsequently, i.e. on 30th August 2019 the appropriate government has referred an additional scheduled of reference to the mentioned ID Case to consider the issues regarding regularization of the casual workmen.

Ranjit Kumar Sahoo

Pradeep Kumar Chaturvedi

During pendency of the ID case No. 18 of 2015, vide "Business Transfer Agreement" dated the 1st August 2020; M/s Rungta Mines Ltd., has purchased the Industry of the M/s Mangilall Rungta with all its assets & liabilities.

Pursuant the demands dated the 30th/31st March 2022, the casual workmen (on individual basis) had requested the management to regularize their services. In their demands the casual workmen has categorically averred that "Should the management be kind enough my grievance and regularize my services, I will have no claim whatsoever as against the company in respect of my casual employment, save except the claim/demands for the period lock down in the industry which is pending adjudication"

On consideration to the grievances made by the casual workmen, the management has issued appointment orders in favour of the casual workmen, by regularising their services with effect from the 1st April 2022.

On such premises both the parties agreed that the disputes in connection to ID Case No. 18 of 2015, pending before the Learned Industrial Tribunal, Bhubaneswar no more survive and the settlement is made here with on the following terms & conditions:

TERMS OF SETTLEMENT

1. It is agreed that both the management & the Union will take appropriate steps for smooth functioning of the Industry.

2. In terms of the demands dated the 30th/31st March 2022 made by the casual workmen and regulation letters issued by the management, the casual workmen shall have no claim what so ever as against the company in respect of their casual employment, save and except the claims/demands for the period of lock down in the industry which is pending adjudication.
3. In terms of the settlement made between the parties, either party may file a copy of the present settlement before the Learned Industrial Tribunal, Bhubaneswar in ID Case No. 18 of 2015, requesting the said Authority to pass an Award in terms of the present settlement.

Signed by

Pradeep Kumar Chaturvedi

For Management

Witnesses :

1. Gyanaranjan Parida

2. Bimal Sahoo

Ranjit Kumar Sahoo

On behalf of the Workmen
