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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विदेश मंत्रालय
(सी.पी.वी. प्रभाग)

नई दिल्ली, 12 नवम्बर, 2018

का.आ. 1749.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड(क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केन्द्र सरकार भारत के उच्चायोग, ब्रूनेई दारुस्सलाम में श्री लक्ष्मी कांत चोपड़ा, सहायक अनुभाग अधिकारी को दिनांक 12 नवम्बर, 2018 से सहायक कौंसुलर अधिकारियों के तौर पर कौंसुलर सेवाओं के निर्वहन के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2017]

प्रकाश चन्द, निदेशक (कौंसुलर)

Versus

The Chairman,
Punjab Gramin Bank,
Head office Jalandhar Road,
Kapurthala
Punjab.

... Management/Respondent

AWARD

This Award shall decide a reference which was made to this Tribunal by the Appropriate Government letter No.L-12012/59/2014-IR(B-1) dated 3.12.2014 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947(in short the Act) for adjudication of an industrial dispute, terms of which are as under:

‘Whether the action of the management of Punjab Gramin Bank, Kapurthala, in terminating the services of Shri Amrik Singh s/o. Shri Piara Singh vide order dated 31.1.2004 is just, valid and legal ? If not, to what relief the workman is entitled for and what directions are necessary in the matter ?’

2. Both parties were put to notice and the claimant., Shri Piara Singh filed his statement of claim, with the averments that he was working as clerk cum cashier under the Management and vide order dated 31/1/2014 the Disciplinary Authority imposed penalty of his removal from service which would not be a disqualification for future employment. It is stated that before his removal from service, no legal charges were framed against him, though a vague and baseless charge-sheet was served upon him and he was not given a reasonable opportunity to give reply to the charge sheet. According to him, the Inquiry Officer conducted the inquiry illegally and arbitrarily and had rejected the demand of the workman to summon the relevant record. Even otherwise, the punishment inflicted upon the workman is too harsh and does not commensurate to the gravity of alleged charges inasmuch as the Management Bank has not suffered any loss nor any harm has been caused to the reputation of the Bank. Prayer has been made for reinstatement of the claimant with continuity of service and all consequential benefits.

3. Management resisted the claim of the Workman, by filing written statement and took preliminary objections that the workman has approached this Tribunal after a gap of 10 years and no proper explanation has been given by him for the delay and therefore the present dispute is not maintainable. While denying the allegations of the claimant, it has been stated that the claimant was found guilty of commission of serious major misconduct and fraudulent activities while he was working as clerk cum cashier, for which a proper charge sheet dated 2/8/2003 was served upon him and he was afforded proper opportunity of hearing. The enquiry officer had conducted the inquiry in fair and reasonable way and adequate opportunity was given to the workman to defend his case. The enquiry Officer submitted his report dated 17/12/2003, on the basis of which the Disciplinary Authority had awarded major penalty of removal from service, upon the workman, after opportunity of personal hearing was granted which was availed by the workman on 28/1/2004. Against the order dated 31/1/2003 of the Disciplinary authority, the workman preferred a departmental appeal dated 23/2/2004 which was rejected by the Appellate Authority vide order dated 24/3/2004 as there was no merits in the submissions of the workman. Thus, prayer has been made for dismissal of the claim petition.

4. Number of opportunities were granted to the Claimant/workman to lead evidence in support of his claim but he failed to adduce any evidence. He even did not enter the witness box either to substantiate the averments made in the claim petition or to rebut the case of the Management. Perusal of the record shows that the claimant did not appear before the Tribunal from 15/2/2018 onwards despite the fact that matter was adjourned time and again and ultimately this Tribunal was constrained to reserve the matter for passing the award.

5. In view of the fact that the claimant has not led any evidence in support of his case, this Tribunal is constrained to pass No Dispute Award in the matter. Since the matter has not been decided on merits, there will be no bar for the claimant to file afresh claim petition in accordance with law for adjudication of the controversy in issue or to seek any other relief to which he is otherwise entitled to. Award is passed accordingly.

AVTAR CHAND DOGRA, Presiding Officer

नई दिल्ली, 7 दिसम्बर, 2018

का. आ. 1787. —कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 दिसम्बर, 2018 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय - 5 और 6 (धारा - 76 की उपधारा-(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध नागालैंड राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् -

राज्य	जिला	राजस्व केन्द्र
नागालैंड	मोकोकचुंग	मोकोकचुंग म्यूनिसिपल कौंसिल

[सं. एस-38013/09/2018-एस.एस.1]

संतोष कुमार सिंह, अवर सचिव

New Delhi, the 7th December, 2018

S.O. 1787.—In exercise of the powers conferred by Sub-Section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st December, 2018 as the date on which the provisions of Chapter IV (except Section 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Section 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas of State of Nagaland namely : -

STATE	DISTRICT	ALL THE AREAS FALLING UNDER
NAGALAND	Mokokchung	Mokokchung MUNICIPAL COUNCIL

[No. S-38013/09/2018-S.S.1]

S. K. SINGH, Under Secy.

नई दिल्ली, 7 दिसम्बर, 2018

का. आ. 1788.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स एम.सी.एल. के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण—सह—श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 78/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04.12.2018 को प्राप्त हुआ था।

[सं. एल-22013/01/2018-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 7th December, 2018

S. O. 1788.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 78/2016) of the Cent.Govt.Indus.Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the industrial dispute between the management of M/s M.C.L. and their workmen, received by the Central Government on 04.12.2018.

[No. L-22013/01/2018-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR**

Present: Shri B.C. Rath, Presiding Officer, C.G.I.T.-cum-Labour Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 78/2016

(Filed under section 2-A(2) of the I.D. Act)

Date of Passing Order – 5th June, 2018**Between:**

1. M/s. Guru Gobinda Logistics Pvt. Ltd. (Contractor),
Ananta Opencast Project Area, C/o. MCL,
Near Siva Mandir, Po. - Dera Colliery,
Talcher, Dist. Angul, Odisha.
2. General Manager, Bharatpur Opencast Project,
Mahanadi Coalfields Limited,
At./Po. Talcher, Dist. Angul, Odisha.

1st Party-Managements