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No. 13]

NEW DELHI, MARCH 26—APRIL 1, 2017, SATURDAY/CHAITRA 5—CHAITRA 11, 1939

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक् 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)

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 9 मार्च, 2017

का.आ. 825.—राष्ट्रीय कृषि और ग्रामीण विकास बैंक अधिनियम, 1981 की धारा 7 की उप-धारा (2) के साथ पठित धारा 6 की उप-धारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, भारतीय रिजर्व बैंक के परामर्श से, श्री दीपांकर गुप्ता के स्थान पर भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड से डॉ. अशोक गुलाटी को उनकी नियुक्ति की अधिसूचना की तारीख से तीन वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, राष्ट्रीय कृषि और ग्रामीण विकास बैंक (नाबार्ड) के निदेशक मण्डल में निदेशक नामित करती है।

[फा.सं.7/2/2009-बीओ-1]

ज्ञानोतोष राय, अवर सचिव

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 9th March, 2017

S.O. 825.—In exercise of the powers conferred by clause (c) of sub-section (1) of Section 6 read with sub-section (2) of Section 7 of the National Bank for Agriculture and Rural Development Act, 1981, the Central Government, in consultation with the Reserve Bank of India, hereby nominates. Dr. Ashok Gulati from the Central

of Rs. 3050-4590/-. The standing committee of the corporation in its resolution No. 682 dated 13.12.1973 had accepted the recommendations of 3rd Pay-commission and the MCD also issued an office order dated 01/04/1982 thereby revising the pay-scales of the post of Carpenters, Masons, Painters, etc. to Rs. 260-400/- w.e.f. 01/01/1973. The MCD also issued an office order No. VIII/(123)/ECIV/AC(EnGG.)/82/213/2052 dated 12/07/1982 thereby abrogating the distinction of senior and junior posts and merging the said posts in the pay scale of Rs. 260-400/-. The only pay scale of the posts of Painters, Masons and fitters and carpenters remained in existence which was Rs. 260-400/-.

3. The claimant has further alleged that action of the management is not granting the pay scale of Rs. 260-400/- and corresponding pay scales under various pay commissions and ACP Scheme is illegal, arbitrary and unjustified and amounts to unfair labour practice. There was no difference in the nature of work, duty hours and responsibilities of the workman concerned as well as other Masons who have been granted the pay-scales of Rs. 260-400/- by the MCD. Therefore, the action of the management of the MCD in granting different pay-scales in different department and within the same department for the same posts of Mason, Carpenters, Fitters, painters etc. doing the same duties and there being no difference in the nature of work, was illegal and unjustified.

4. The claimant also approached the management for revision of the pay-scales and removed the above anomalies so as to grant the similar pay-scales to Masons, Carpenters, etc.. The management had also adopted ACP scheme in the year 2004. Lastly, a prayer has been made by the claimant to pay the pay-scale of Rs. 260-400/- (3rd Pay-commission) w.e.f. 01/04/1978 and corresponding revised pay-scales as well as two up-gradation with other benefits.

5. The management was put to notice, who had filed written statement to the statement of claim taking various preliminary objections. It is denied that workman was working in skilled category. He was initially engaged as Mason and later on regularized on the said post in the pay-scale of Rs. 210-270/- w.e.f. 01/04/1978. It is also denied that Carpenters, Masons and Painters in Horticulture department and CSE department were given the pay-scale of Rs. 260-400/-. It is also denied that several co-workers or juniors of the claimant have got the pay-scales of Rs. 260-400/- or corresponding revised pay-scales. It is further submitted that claim of the workman for the revised pay scale is not justified.

6. Against this background, this tribunal on the basis of the pleading of the parties vide order dated 13/09/2013, framed the following issues:

- (i) Whether dispute has not acquired status of an industrial dispute for want of espousal by the union or considerable number of workmen in the establishment of the management?
- (ii) Whether dispute has not acquired status of an industrial dispute for want of service of demand notice?
- (iii) Whether delay in raising the dispute frustrates the claim?
- (iv) As in terms of reference.

7. Thereafter, the case was listed for the evidence of the claimant who did not turn up nor filed his affidavit in support of the averments made in the statement of claim. More than dozen opportunities have been granted for the evidence of the claimant which shows that claimant is not interested in the adjudication of the case on merits. In such circumstances, when there is no evidence adduced by the claimant to support and prove the averments made in the statement of claim, this tribunal is left with no choice except to pass a no contest/no claim award and Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Date: 12/01/2017

A.C. DOGRA, Presiding Officer

नई दिल्ली, 24 मार्च, 2017

का.आ. 839—कर्मचारी राज्य बीमा निगम 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 अप्रैल, 2017 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-IV (44 व 45 धारा के सिवास जो पहले से प्रवृत्त हो चुकी है) अध्याय-V और VI (धारा-76 की उप धारा-(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध असम राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्

राज्य	जिला	निम्नांकित के अंतर्गत आने वाले सभी क्षेत्र
असम	लखीमपुर	उत्तर लखीमपुर नगरपालिका बोर्ड
असम	उदलगुडी	उदलगुडी टाउन कमिटी
असम	शिवसागर	i शिवसागर नगरपालिका बोर्ड ii नजीरा नगरपालिका बोर्ड

[सं.एस-38013/02/2017-एस.एस.1]

अजय मलिक, अवर सचिव

New Delhi, the 24th March, 2017

S.O. 839.—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 April, 2017 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Assam namely: -

Sl. No.	STATE	DISTRICT	ALL THE AREAS FALLING UNDER
1.	ASSAM	LAKHIMPUR	NORTH LAKHIMPUR MUNICIPAL BOARD
2.	ASSAM	UDALGURI	UDALGURI TOWN COMMITTEE
3.	ASSAM	SIVASAGAR	I. SIVASAGAR MUNICIPAL BOARD II. NAZIRA MUNICIPAL BOARD

[No. S-38013/02/ 2017-S.S.I]

AJAY MALIK, Under Secy.

नई दिल्ली, 27 मार्च, 2017

का.आ. 840.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईसीएल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 46/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/03/2017 को प्राप्त हुआ था।

[सं. एल. 22012/340/2003—आई. आर. (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 27th March, 2017

S.O. 840.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 46/2004) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court, ASANSOL* as shown in the Annexure, in the industrial dispute between the management of *M/s ECL*, and their workmen, received by the Central Government on 17/03/2017

[No. L-22012/340/2003 - IR(CM-II)]

RAJENDER SINGH, Section Officer

ANNEXUE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL.****PRESENT :** Sri PRAMOD KUMAR MISHRA, Presiding Officer**REFERENCE NO. 46 OF 2004****PARTIES :** The management of Narsamuda Colliery of M/s. ECL

v/s

Sri Somnath Majhi

REPRESENTATIVES :

For the management : Sri P. K. Das, Learned Advocate

For the union (Workman) : Sri Rakesh Kumar, Union Representative

INDUSTRY: COAL STATE : WEST BENGAL

Dated : 14.03.2017