



# புதுச்சேரி மாநில அரசிதழ்

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அதிகாரம் பெற்ற வெளியீடு

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பொருளடக்கம்

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GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT

(G. O. Rt. No. 110/Lab./AIL/T/2017,  
Puducherry, dated 10th July 2017)

NOTIFICATION

Whereas, an Award in I.D (T) No. 11/2010, dated 19-5-2017 of the Industrial Tribunal, Puducherry in respect of the industrial dispute between the management of M/s. Hindustan Unilever Limited, Personal Products Factory, Puducherry and Ponds (India) Limited Soap Division Employees Welfare Union over charter of demands has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), read with the notification issued in Labour Department's G.O.Ms.No.20/91/Lab./L, dated 23-5-1991, it is hereby directed by the Secretary to Government (Labour) that the said Award shall be published in the Official Gazette, Puducherry.

**E. VALLAVAN,**

Commissioner of Labour-cum-  
Additional Secretary to Government (Labour).

**BEFORE THE INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT AT PUDUCHERRY**

*Present* : Thiru G. THANENDRAN, B.COM, M.L.,  
Presiding Officer.

*Friday, the 19th day of May 2017*

**I.D. (T) No. 11/2010**

Pond's (India) Limited Soap Division  
Employees Welfare Union,  
Registration No. 664/RTU/1989,  
Rep. by its Secretary  
R. Murugan, Uruvaiyar,  
Villianur, Puducherry. . . Petitioner

*Versus*

The Factory Manager,  
M/s. Hindustan Unilever Limited,  
Personal Products Factory,  
NH-45A, Vadamangalam,  
Puducherry-605 102. . . Respondent

This industrial dispute coming on this day before me for hearing in the presence of Thiruvalargal P.R. Thiruneelakandan and A. Mithun Chakkaravarthy, Counsel for the petitioner and Thiruvalargal L. Sathish, T. Pravin, S. Velmurugan, V. Veeraragavan, Advocates for the respondent, upon perusing the case records, this Court passed the following:

AWARD

1. This industrial dispute has been referred by the Government as per the G. O. Rt. No. 213/AIL/Lab./J/2010, dated 1-11-2010 for adjudicating the following:-

(i) Whether the industrial dispute raised by the Pond's (India) Limited Soap Division Employees Welfare Union (Registration No.664/RTU/1989) against the management of M/s. Hindustan Unilever Limited, Personal Products Factory, Vadamangalam, Puducherry over charter of demands such as increase of Basic Pay, Fixed DA., HRA. Attendance Allowance, transport allowance, production incentive, *etc.*, is justified or not?

(ii) If justified, what relief, the union workmen are entitled to?

(iii) To compute the relief if any, awarded in terms of money if, it can be so computed?

2. In the industrial dispute, the Secretary of the union has filed a claim statement for which the respondent management has also filed a counter and the case was being tried by this Court to decide whether the dispute raised by the petitioner union against the respondent management over the charter of demands such as increase of Basic Pay, Fixed DA., HRA., Attendance Allowance, Transport Allowance, Production incentive, *etc.*, is justified or not.

3. In the course of enquiry, on the side of the petitioner the Counsel has endorsed that they have no oral evidence and hence, no oral evidence was let in and no exhibits were marked. On the side of the respondent no evidence was let in and now, the case is pending for respondent side evidence. Meanwhile, the newly elected President of the petitioner union has filed a petition in I.A. No. 68/2012 stating that the matter was settled out of Court under the Memorandum of settlement arrived at between the petitioner union and the respondent management on 2-2-2010 and praying to reject the claim petition filed by the then Secretary of the petitioner union which was allowed by this Court today.

4. Both sides are heard. Records are perused. Since, the dispute raised by the petitioner union was settled out of Court between the parties under Memorandum of Settlement arrived on 2-2-2010 the I.A. No. 68/2012 was allowed and the claim petition filed by the then Secretary was rejected and hence, this industrial dispute has to be closed by recording the settlement and an Award has to be passed in terms of settlement arrived at between the petitioner union and the respondent management under Memorandum of Settlement, dated 2-2-2010.

5. The learned Counsel appearing for the respondent management vehemently argued that the benefits of the Memorandum of Settlement arrived on 2-2-2010 should not be given to the employees who have not signed and accepted the same. However, mere reason that they have raised the dispute over the wage revision and contested the case against the respondent management and not accepting the settlement which was arrived at between the newly elected union members and the respondent management are not at all a sufficient reason to refuse the benefits of the Settlement, dated 2-2-2010 to those employees and therefore, all the members of the union are entitled for the benefits and hence, it is also to be directed the respondent management to give benefits of above Memorandum of Settlement to all the members of the union who were at the time of raising the industrial dispute before the Conciliation Officer by the petitioner union.

6. In the result, the industrial dispute is partly allowed and the Award is passed in terms of Memorandum of Settlement arrived at between the petitioner union and the respondent management on 2-2-2010 which is exhibited as Ex.R9 in I.A.No.145/2013 and all the members of the petitioner union who were at the time of raising the industrial dispute before the Conciliation Officer by the petitioner union are entitled for the benefit of the abovesaid settlement. No cost.

Dictated to the Stenographer, transcribed by her, corrected and pronounced by me in the open Court on this the 19th day of May, 2017.

**G. THANENDRAN,**  
Presiding Officer,  
Industrial Tribunal-cum-  
Labour Court, Puducherry.

*List of petitioner's witness:* Nil.

*List of petitioner's exhibits:* Nil.

*List of respondent's witness:* Nil.

*List of respondent's exhibits :* Nil.

**G. THANENDRAN,**  
Presiding Officer,  
Industrial Tribunal-cum-  
Labour Court, Puducherry.

**GOVERNMENT OF PUDUCHERRY**

**LABOUR DEPARTMENT**

*(G.O. Rt. No. 111/Lab./AIL/T/2017,  
Puducherry, dated 10th July 2017)*

**NOTIFICATION**

Whereas, the Award I.D (L) No. 17/2014, dated 30-5-2017 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Sun Beam Generator Private Limited, Puducherry and S. Saravanan S/o. Srinivasan, Puducherry has been received.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), read with the notification issued in Labour Department's G. O. Ms. No. 20/91/Lab./L., dated 23-5-1991, it is hereby directed by the Secretary to Government (Labour) that the said Award shall be published in the Official Gazette, Puducherry.

(By order)

**E. VALLAVAN,**  
Commissioner of Labour-cum-  
Additional Secretary to Government (Labour).

**BEFORE THE INDUSTRIAL TRIBUNAL -CUM-  
LABOUR COURT AT PUDUCHERRY**

*Present* :Thiru G. THANENDRAN, B.COM., M.L.,  
Presiding Officer.

*Tuesday, the 30th day of May 2017.*

**I.D. (L) No. 17/2014**

S. Saravanan,  
S/o. Srinivasan,  
No. L-38, Boomianpet Housing Board,  
Jawahar Nagar, Puducherry. . . Petitioner

*Versus*

The Managing Director,  
M/s. Sun Beam Generator  
Private Limited, Puducherry.

. . Respondent

This industrial dispute coming up before me for final hearing on 2-5-2017 in the presence of Thiruvallargal R.T. Shankar, A. Ashok Kumar and P. Suresh, Counsel for the petitioner and Thiru R. Ilancheliyan, Advocate for the respondent, upon hearing both sides, upon perusing the case records, after having stood over for consideration till this day, this Court passed the following:

## AWARD

1. This industrial dispute has been referred by the Government as per the G. O. Rt. No. 50/AIL/Lab./J/2014, dated 18-3-2014 for adjudicating the following:

(i) Whether the dispute raised by the petitioner Thiru S. Saravanan against the management of M/s. Sun Beam Generators Private Limited, Puducherry over non-employment is justified? If justified, what relief, he is entitled to ?

(ii) To compute the relief, if any awarded in terms of money if, it can be so computed?

2. The averments in the claim statement filed by the petitioner, in brief, are as follows :

(i) The petitioner joined with the respondent establishment as Forklift Operator on and from 6-2-2007 and he was working very sincerely with full dedication without any blemish with the respondent management and therefore, after a long time the respondent management permanent the petitioner and that the respondent management were paid low wages and statutory benefits were not extended to the employees, most of the workers are placed as temporary workers for a long period without making permanent and the workers are working beyond working hours and also during holidays and hence, the employees were formed one trade union in order to have collective bargaining and to get their statutory benefits. Under such circumstances the respondent management has adopted unfair labour practices against the office bearers as well as members of the trade union to deprive the workmen of their legitimate rights created under the Labour Laws.

(ii) It is further stated that the respondent management insisted and threatened the petitioner to quit from the union and to give apology letter to the management but, the petitioner did not accept the same therefore, the management refused the employment of the petitioner without any reasonable cause on and from 12-6-2012 and in this regard the petitioner gave a representation on the same day before the Labour Officer, Conciliation and in response to the same, the management sent one pre dated show cause notice to the petitioner with false and fake allegations and appeared before the Labour Officer (Conciliation) and insisted the petitioner to cooperate for domestic enquiry. Further, the Labour Officer (Conciliation) advised the petitioner to take part in the domestic enquiry and as such the petitioner agreed for the domestic enquiry and same was completed on 29-10-2012. But, the management not furnished the enquiry report and refused the employment of the petitioner. The management conducted one domestic enquiry as against the principles of natural justice and even after elapse of 6 months of completion of domestic enquiry, the management neither furnished the domestic enquiry report nor gave employment to the petitioner. The management without any concrete decision prolonging the issue with an intention to have revenge on the union members. Hence, the petitioner union requested the Labour Officer, Conciliation to intervene in the matter and advise the management to reinstate the petitioner with backwages and other benefits.

(iii) It is further stated that the respondent management terminated the petitioner on 17-10-2013 when the conciliation was pending for which the conciliation authority advised the management that during pending conciliation, the management should not issue termination notice and also advised to reinstate the workers who are suspended as well as transferred, but, the same was not accepted by the management. The petitioner union and the petitioner was raised a dispute for job protection and refusal of employment as against the respondent management and the same was pending before the Labour Officer (Conciliation), Puducherry under such circumstances the respondent management has no right or *prima facie* to terminate the employees of the petitioner union including the petitioner and therefore, such act of the respondent management is a contravention of the provisions of section 33 of the Industrial Disputes Act and as per the provisions under section 33 of Industrial Disputes Act during the pendency of the proceedings, the respondent

management has to obtain previous permission from the concern authority, but, the respondent management has adamantly violated the same in dismissing the petitioner, which is already disputed one and therefore, prayed this Court to direct the respondent management to reinstate the petitioner with full backwages, continuity of service and all other attendant benefits.

*3. The brief averments of the reply statement filed by the respondent are as follows :*

(i) The respondent denied all the averments made by the petitioner and stated that the petitioner was working as Forklift Operator in the respondent company with specific condition that he should strictly follow the safety norms of the company and also he should abide all the terms and conditions prescribed in the HR. policy of the company. However, in violation of the same, the petitioner used to be a habitual offender and was not following the safety norms and the HR. policy prescribed by the company and on 20-4-2012, the petitioner drove the forklift very rashly inside the work premises and was attempting to dash the Assistant Manager-HR., when he was asked about his rash and wilful act the petitioner gave a casual and lethargic reply and subsequently on 4-5-2012, the petitioner left the work place without any prior permission for about 30 minutes and was speaking on the mobile phone in the bathroom and when the Production Manager asked about his act, the petitioner used abusive language against him and again on 5-5-2012 when the General Manager-HR and IR and the loading Supervisor were speaking inside the factory, the petitioner without any reason intervened and made unwanted comments using abusive language and on 6-6-2012, the petitioner was asked to operate the forklift to unload the Generator he deserted the forklift abruptly without telling any reason and left out. In such a way, the petitioner continued to be indulging in various misconducts and his attitudes were indifferent and became uncontrollable. Therefore, with a view of knowing the reason for his indifferent attitude and changing behaviour, it was proposed to conduct an enquiry through an independent Enquiry Officer. Since, the behaviour of the petitioner was indifferent and likely to cause injury, he was placed under suspension pending enquiry. The notice dated 11-6-2012 was issued to the petitioner and the petitioner refused to receive and raised an industrial dispute before the Labour Officer (Conciliation) alleging that he was prevented from attending his work and therefore, the dispute raised by the petitioner was only an attempt to stop the disciplinary proceedings.

(ii) It is further stated that the petitioner was appointed as a Trainee with effect from 1-2-2007 and subsequently, he was placed on probationer and the period of probation was also confirmed in writing and he was also given periodical increments and was even given revision of wages for the financial year 2011-2012 and his annual CTC was fixed as ₹ 15,692 by an order, dated 29-4-2011 and the petitioner was also given all the statutory benefits such as PF, ESI. and so on which is a clear proof of healthy managerial practice followed by the respondent and further, the petitioner was also given subsistence allowance during the period of suspension under the Industrial Employment Standing Orders Act, 1946 and further on the charges levelled against the petitioner enquiry was conducted by giving full opportunities to him to take the assistance of co-worker and examined himself and to cross examine the witnesses, to produce evidence and so on and a show cause notice was issued communicating the proposed punishment. The reply given by the petitioner was not satisfactory and proportion to the misconduct committed by the petitioner, his services were terminated and the enquiry was conducted by following the principles of natural justice and therefore, the petitioner is not entitled for re-employment, backwages or any other benefits and prayed for dismissal of claim petition.

4. In the course of enquiry PW.1 and PW.2 was examined and Ex.P1 to Ex.P17 were marked and on the side of the respondent RW.1 was examined and Ex.R1 to Ex.R15 were marked.

*5. The point for consideration is:*

Whether the petitioner is entitled for the order of reinstatement with backwages, continuity of service and all other attendant benefits or not ?

6. Both sides are heard. The submission of both the parties, the evidence let in by either sides and the exhibits marked on both sides are carefully considered. The learned Counsel appearing for the petitioner argued that the petitioner has not been given full opportunity in the domestic enquiry and the domestic enquiry has not been conducted properly by following the principles of natural justice and in support of his contention the learned Counsel has relied upon the Judgment reported in CDJ 2002 SC 195, Jaipur, Zila Sahakari Bhoomi Vikas Bank Limited, Vs. Shri Ram Gopal Sharma and Others. On the other hand, the learned Counsel appearing for the respondent management has filed a written argument and he has also relied upon the following Judgments :

\* *Manilal Vs. Matchless Industries of India* (Delhi HC 2016 LLR 72),

\* *Biecco Lawrie Limited, Anr, Vs. State of West Bengal and Anr.*(SCC 2009 LLR Pg.1057),

\* *Sh.Mohd.Azim Vs. Sarv UP Gramin Bank* (Delhi HC 2015 LLR 464),

\* *L.K. Verma Vs. H.M.T. Limited,* (SCC 2006 LLR 296),

\* *Ashok Kumar Sharma Vs. Oheroi Fligh Services* (SCC 2009 LLR 1281),

\* *Novartis India Limited, Vs. State of West Bengal and others* (SCC 2008 CDJ 2046),

\* *High Polymer Laboratories Vs. Jagadish Chand and Anr.*(Punjab and Haryana HC 2007 LLR 166).

7. From the pleadings of both the parties it is clear that the following fact are admitted by both the parties that the petitioner was in service of the respondent establishment from the year 2007 and the respondent management has refused the employment of the petitioner on and from 12-6-2012 and the said petitioner has raised the industrial dispute before the Conciliation Officer and a show cause notice was given to him and the domestic enquiry was conducted against the petitioner which was completed on 29-10-2012 and the respondent management has terminated the petitioner, on 17-10-2013.

8. It is the case of the petitioner that he had been in service from the year 2007 in the respondent establishment and after a long time of service the respondent management has confirmed him as permanent employee of the respondent establishment and the trade union members has demanded the legitimate right while so, the management has insisted him to quit from the union and to give apology letter to the management for which he refused and therefore, the respondent management has refused employment on and from 12-6-2012 for which the petitioner approached the Labour Officer, Conciliation and raised a dispute against the respondent management on the same day and thereafter the domestic enquiry was initiated by the respondent management which was completed on 29-10-2012 and the enquiry was conducted against the principles of natural justice and it is not a fair enquiry and even after elapse of 6 month of completion of domestic enquiry the respondent

management has refused to give employment to the petitioner and also has not furnished the domestic enquiry report and only to take revenge on the union members, the management has terminated the petitioner on 17-10-2013 while the conciliation was pending and in order to prove his case, the petitioner has examined himself as PW.1 and he has stated all the above facts in his evidence and in support of the case the petitioner has also examined Ramachandiran, President of the Union as PW.2 and he has reiterated the evidence of PW.1 and in support of the oral evidence of PW.1 and PW.2 they have marked Ex.P1 to Ex.P17.

9. On the other hand, the respondent management has examined one R. Sakthi as RW.1 and he has deposed that petitioner was working as Forklift Operator and he has not followed the safety norms of the company and he has not abiding the terms and conditions prescribed in the policy of the company and he has violated the same and he is a habitual offender and not followed the safety norms he drove the forklift very rashly, on 20-4-2012 and has attempted to dash the Assistant Manager-HR., when he was asked about his rash and willful act he gave a casual and lethargic reply and on 4-5-2012, the petitioner left the work place without any prior permission for about 30 minutes and was speaking on the mobile phone in the bathroom when it was questioned by the Production Manager, the petitioner has used abusive language against the Production Manager and again on 5-5-2012, when the General Manager and the loading Supervisor were speaking inside the factory the petitioner without any reason intervened and made unwanted comments using a abusive language and on 6-6-2012 the petitioner was also asked to operate the forklift to unload the Generator but, he deserted the forklift abruptly without telling any reason and left out and therefore, the behaviour of the petitioner indifferent and became uncontrollable he was placed under suspension and the notice was issued on 11-6-2012 which was refused to receive by the petitioner and he has raised industrial dispute before the Labour Officer (Conciliation) alleging that he was prevented from attending his work.

10. In support of its case the respondent has exhibited Ex.R1 to Ex.R15. The complaint given against the petitioner by the co-workers are exhibited as Ex.R1 to Ex.R4. The suspension order was exhibited as Ex.R5. The industrial dispute raised by the petitioner before the Conciliation Officer was exhibited as Ex.R6. The reply letter given by the respondent management to the Labour Officer on 5-7-2012 was exhibited as Ex.R7. The enquiry proceedings were exhibited as

Ex.R8. The enquiry report was exhibited as Ex.R9. The second show cause notice was exhibited as Ex.R10. The reply letter given by the petitioner was exhibited as Ex.R11. The termination order issued to the petitioner, on 17-10-2013 was exhibited as Ex.R12. The order of appointment for trainee was exhibited as Ex.R13. The revision of wages-*cum*-Probation order was exhibited as Ex.R14. The confirmation order was exhibited as Ex.R15. These documents would go to show that there was some complaint made by co-workers and the petitioner was suspended and he has raised the industrial dispute, on 12-6-2012 and subsequently a show cause notice was issued to the petitioner and he was terminated from service on 17-10-2013.

11. It is the main contention of the petitioner that the act of termination of the petitioner from service while industrial dispute is pending before the Conciliation Officer is against the provisions of section 33 of the Industrial Disputes Act, Admittedly the petitioner has raised the industrial dispute on 12-6-2012 and thereafter, the domestic enquiry was initiated by the respondent management appointing one Advocate A. Thilagavathi and after completion of domestic enquiry, a enquiry report was filed by the Enquiry Officer on 1-3-2013 and that therefore, it is clear from the records that when the industrial dispute is pending before the Labour Officer (Conciliation) which was raised by the petitioner, on 12-6-2012 without the express or previous permission of the Conciliation Officer the respondent management has terminated the petitioner employee from service against the provision under section 33(1)(b) of the Act. The section 33(1)(b) of the Act would run as follows: "For any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise, any workmen concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending".

And that therefore, it is the clear violation of the Sec.33(1)(b) of the Act that the respondent management have not obtained any previous permission for the dismissal of the petitioner.

12. Furthermore, on perusal of Ex.R8-enquiry proceedings, which would reveal that the petitioner has raised his objection regarding the appointment of the Enquiry Officer and he has submitted the letters on 25-8-2012 and 8-8-2012 asking the management to appoint another Enquiry Officer stating that he has no faith on the Enquiry Officer for which the respondent

management has refused and that petitioner alone participated in the domestic enquiry and further, it reveals from the Ex-R9-enquiry report that the enquiry was conducted by the same officer and the petitioner has not been permitted to assist by somebody else, the co-worker and further, it reveals that the report has been prepared by the Enquiry Officer only on 1-3-2013 while the domestic enquiry was completed on 29-10-2012 for which no explanation was given by the Enquiry Officer for submission of enquiry report after lapse of four months of completion of enquiry. Furthermore, it reveals from the Ex.R9, that the Enquiry Officer has not furnish the list of witnesses which are going to be examined on the side of the management and the workmen has not served the list of witnesses proposed to be examined in the enquiry. It is the elementary principles of an enquiry that the person who required to answer the charge memo not only know the accusation, but, also testimony by which the accusation is supported. But, in this case, the Enquiry Officer has not furnished the list of witnesses to the employee before commencing the enquiry and the employee has not been furnished the list of witnesses proposed to be examined on the side of the management and on the enquiry also the assistance of another staff or colleague of his own was not permitted to participate in the enquiry. Further, the conciliation failure report-Ex.P12 would also reveal that the Conciliation Officer also has advised the respondent management to reinstate the workmen.

13. Considering the above fact that the domestic enquiry was conducted in a biased manner and the respondent management by terminating the petitioner while the conciliation is pending has violated the provisions of section 33(1)(b) of the Act, this Court held that the reason assigned by the respondent management for the dismissal of the petitioner from the respondent establishment that the petitioner has misbehaved is not a reasonable one and erroneous and therefore the industrial dispute raised by the petitioner over the non-employment is justified and he is entitled for an order of reinstatement and hence, the petitioner can get the benefit of reinstatement. In respect of the backwages and other attendant benefits absolutely there is no evidence that the petitioner was not working anywhere else after the dismissal and that therefore, he cannot be given full backwages. However, considering the fact and circumstances of this case and the fact that the respondent management has not elicited any evidence that petitioner is working anywhere else, this Court is inclined to hold that the petitioner is entitled for 50% of the backwages and other attendant benefits with continuity of service.

14. In the result, the petition is partly allowed and the industrial dispute raised by the petitioner over the non-employment is justified and an Award is passed by directing the respondent to reinstate the petitioner in service with continuity of service and further directed to pay 50% of backwages to the petitioner from the date of termination till the reinstatement with other attendant benefits. No cost.

Dictated to the Stenographer, transcribed by her, corrected and pronounced by me in the open Court on this the 30th day of May, 2017.

**G. THANENDRAN,**  
Presiding Officer,  
Industrial Tribunal-cum-  
Labour Court, Puducherry.

*List of petitioner's witnesses:*

PW.1 — 17-2-2015 — Saravanan

PW.2 — 6-11-2015 — Ramachandiran

*List of petitioner's exhibits:*

Ex.P1 — 11-6-2012 — Notice sent by the respondent management to the petitioner.

Ex.P2 — 12-6-2012 — Dispute raised by the petitioner union before the Labour Officer (Conciliation), Puducherry.

Ex.P3 — 12-6-2012 — Letter sent by the petitioner to the respondent management.

Ex.P4 — 11-6-2012 — Notice sent by the respondent management to the petitioner.

Ex.P5 — 30-7-2012 — Letter submitted by the petitioner to the Enquiry Officer.

Ex.P6 — 05.07.2012 — Reply submitted by the respondent management before the Labour Officer (Conciliation).

Ex.P7 — 23-4-2013 — Copy of the letter submitted by the petitioner before the Labour Officer (Conciliation).

Ex.P8 — 19-7-2013 — Letter sent by the respondent management to the petitioner.

Ex.P9 — 20-8-2013 — Copy of the reply letter sent by the petitioner to the respondent management.

Ex.P10 — 17-10-2013 — The termination order sent by the respondent management to the petitioner.

Ex.P11 — Several dates — Enquiry proceedings.

Ex.P12 — 3-12-2013 — Failure report submitted by the Labour Officer (Conciliation), Puducherry.

Ex.P13 — 18-3-2014 — Notification issued by the Government of Puducherry.

Ex.P14 — 26-1-2012 — Copy of the minutes of the meeting.

Ex.P15 — 1-2-2012 — Copy of the Trade Union Registration Application submitted before the Register of Trade Union, Puducherry.

Ex.P16 — 27-2-2012 — Copy of the intimation letter submitted by the petitioner union to the respondent management.

Ex.P17 — Various dates — Copy of the transfer order, suspended order, dismissal order issued by the respondent management.

*List of respondent's witness:*

RW.1 — 15-3-2016 — R. Sakthi

*List of respondent's exhibits:*

- Ex.R1 —20-4-2012 — Copy of the complaint letter given by C. Nargunan, Assistant Manager-HR. and IR.
- Ex.R2 —4-5-2012 — Copy of the complaint letter given by Mr. Abdul Rakoop, Vice-President-Manufacturing
- Ex.R3 —5-5-2012 — Copy of the complaint letter given by Mr. Govindhan.
- Ex.R4 —6-6-2012 — Copy of the complaint letter given by Mr. P. Vijayaraj, IT Department.
- Ex.R5 —11-6-2012 — Copy of the Suspension order *cum* enquiry notice sent by the respondent with registered post slip and acknowledgment card.
- Ex.R6 —12-6-2012 — Copy of the industrial dispute raised by the petitioner before the Labour Officer (conciliation).
- Ex.R7 —5-7-2012 — Copy of the letter given by the respondent to the Labour Officer (conciliation).
- Ex.R8 —Various dates. — Copy of the Enquiry proceedings.
- Ex.R9 —1-3-2013 — Copy of the Enquiry report.
- Ex.R10—19-7-2013 — Copy of the second show cause notice issued to the petitioner.
- Ex.R11—20-8-2013 — Copy of the reply letter given by the petitioner
- Ex.R12—17-10-2013 — Copy of the Termination order issued to the petitioner.
- Ex.R13—6-2-2007 — Copy of the Order of Appointment for Trainee.
- Ex.R14 —22-6-2009 — Copy of the Revision of wages-*cum*-Probation order.

Ex.R15—3-4-2010 — Copy of the Revision of wages-*cum*-confirmation order.

**G. THANENDRAN,**  
Presiding Officer,  
Industrial Tribunal-*cum*-  
Labour Court, Puducherry.

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**INDIAN RAILWAYS**  
**OFFICE OF THE CHIEF PROJECT**  
**DIRECTOR**

**Railway Electrification**  
Egmore, Chennai

*No. ETR/252/RE/2449/EIG.*

*Chennai, dated 22nd June 2017.*

ANNEXURE – I

**Proforma 10-01**

**PUBLIC NOTIFICATION**

Notice is hereby given to all users of Railway lines and premises situated on the completed section of the under noted sections of the Southern Railway that the 25,000 Volt 50 Hz., AC. Overhead Traction wires will be energized on or after the date specified against the sections. On and from the same date the Overhead Traction line shall be treated as 'LIVE' at all times and no unauthorized person shall approach or work in the proximity of the said Overhead lines.

Section	Date
Tiruchchirappalli-Nagapattinam-Karaikal	31-12-2017

**CHIEF PROJECT DIRECTOR,**  
Railway Electrification,  
Egmore, Chennai – 600 008.

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**INDIAN RAILWAYS**  
**OFFICE OF THE CHIEF PROJECT**  
**DIRECTOR**

**Railway Electrification**  
Egmore, Chennai

ANNEXURE – II

**INTRODUCTION OF AC 25 KV TRACTION**

**Proforma 10-02**

**“WARNING TO ROAD USERS”**

It is notified for information of the public that in connection with introduction of 25 KV AC Electric Traction on and from the dates mentioned against the following sections of Southern Railway, height gauges