



புதுச்சேரி மாநில அரசிதழ்

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பொருளடக்கம்

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**GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT**

(G.O. Rt. No. 52/Lab./AIL/T/2018,
Puducherry, dated 9th April 2018)

NOTIFICATION

Whereas, an Award in I.D. (L) No. 24/2014, dated 06-02-2018 of the Labour Court, Puducherry in respect of the Industrial Dispute between the management of M/s. Pondicherry Institute of Medical Science, Puducherry and Thiru V.S. Mannadeeswaran, Puducherry, over non-employment-Award of the Labour Court, 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)

S. MOUTTOULINGAM,
Under 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 06th day of February, 2018

I.D. (L). No. 24/2014

V.S. Mannadeeswaran,
No. 15, Pallatheru, Periyakalpet,
Puducherry. . . Petitioner

Versus

The Managing Director,
M/s. Pondicherry Institute of Medical Science,
Ganapathichettikulam Village, Kalapet,
Puducherry. . . Respondent

This Industrial Dispute coming on 19-01-2018 before me for final hearing in the presence of Thiruvallargal R.T. Shankar, A. Ashok Kumar, P. Suresh, Advocates for the petitioner and Thiruvallargal L. Sathish, T. Pravin, S. Velmurugan, V. Veeraragavan and E. Karthik, Advocates 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. 67/AIL/Lab./J/2014, dated 21-04-2014 for adjudicating the following:-

(i) Whether the dispute raised by Thiru V.S. Mannadeeswaran against the management of M/s. Pondicherry Institute of Medical Science, Kalapet, Puducherry, over his 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 of the petitioner, in brief, are as follows :

The petitioner joined the service of the respondent on 20-02-2006. The petitioner has been working in the respondent Hospital in a prompt manner without any default or remarks since, his joining of duty in the respondent Hospital. The petitioner is educated and hailing from a poor and he had studied out of his own efforts and in order to fulfill his needs of his life, the petitioner was forced to work in Sri Lakshmi Narayana Medical College, Pondicherry as part time worker. When the said matter came to the knowledge of the respondent management, the respondent started to impose several conditions. The petitioner applied before the respondent for changing of his shift hours in order to avoid causing default in his duties to the said Sri Lakshmi Narayana Medical College. On 14-02-2014, the respondent management convened an enquiry on the petitioner complaining against him that he had taken the things from the Biomedical Department of the respondent Hospital without the knowledge of the respondent's management. The petitioner has not taken any things as alleged in the complaint. In order to cause stigma and blemish on the petitioner, the respondent willfully and wantonly accused the petitioner without any iota of truth. Though, the petitioner was working as a part time worker in Sri Lakshmi Narayana Medical College, it was not a permanent job. The petitioner is working in the respondent Hospital as a permanent employee. When the petitioner contacted the personnel office through phone, the petitioner was informed that he had been terminated from service and that he doesn't have to come to work. The petitioner was not given any written order of termination. The petitioner raised an industrial dispute before the Labour Officer (Conciliation), Puducherry. The conciliation proceedings ended in failure and

the matter has been referred for adjudication to this Court. The petitioner had undertaken before the Enquiry Committee that he would not do any part time work in the said Sri Lakshmi Narayana Medical College and the same was duly recorded by the committee members and he was terminated from his job at the respondent Hospital as per the report given by the said Committee. No poor employee shall not be punished for his other part time work when the employee causes no harm to his permanent employer. Therefore, the petitioner is a workman of the respondent. In any event, no prior notice have been given prior to the termination, the termination being reattachment within meaning of section 2 (oo) of the Industrial Disputes Act, the same is *void ab initio*. Therefore, the petitioner is constrained to file this industrial dispute in I.D (L). No. 24/2014 before this Court. The petitioner approached the respondent several times for reinstatement with back wages but, his entire attempt becomes in vain. The respondent has not given any employment or to settle the back wages with benefits to the petitioner. Therefore, the petitioner prayed this Court to pass an order to direct the respondent to reinstate into service with full back wages and other attendant benefits by dismissing the termination order against the petitioner and to pay a sum of ₹ 1,50,000 (Rupees one lakh fifty thousand only) as back wages and other benefits due to the petitioner for the period of termination.

3. The brief averments in the counter filed by the respondent are as follows :

The respondent did not admitted the averments contained in the claim petition filed by the petitioner except those that are specifically admitted and it is stated that the cause title in the claim petition as well as in the reference is wrong as there is no Managing Director in the respondent institution. The respondent is headed by Director-Principal and therefore, the cause title in the claim petition needs to be suitably amended. The respondent is a Multi-specialty Hospital and Trauma Care Centre, providing plethora of medical facilities and treatments to people in and around Puducherry region. It also runs a Medical College and Nursing College. The respondent employees around 1670 workers, Nursing staff, General Staff, Officers and Faculty out of whom 682 employees are covered under the Industrial Disputes Act of 1947. The respondent being a public utility service institution catering to the

emergency health care, a highest levels of discipline, integrity, honesty, sincerity and conduct is expected from each and every one associated with respondent. It cannot take any incident of dishonesty, indiscipline or lack of integrity easily. Any compromise by respondent on such qualities expected of any worker can only wreck havoc in the institution and can give a leeway to others to follow such courses with impunity. It can also be demoralising honest and upright Officers. The petitioner's case must also be approached by keeping these fundamental principles at the backdrop. The claim statement of petitioner is full of vital admissions on the gross misconduct committed by him. Hence, there is absolutely no scope for any enquiry, except on the quantum of punishment given to him. The petitioner in his claim statement has admitted that to fulfill his needs of his life he was forced to work in Sri Lakshmi Narayana Medical College, Puducherry as part time worker and when the said matter came to the knowledge of the respondent it started to impose several conditions and that he applied before respondent for changing his shift hours in order to avoid causing default in his duties to the said Sri Lakshmi Narayana Medical College and that he is a permanent employee of the respondent Hospital and while in such employment, he was working as a part time worker in the Sri Lakshmi Narayana Medical College but, it was not a permanent job and that he had undertaken before the Enquiry Committee that he would not do any part time work in the said Sri Lakshmi Narayana Medical College. The said vital and substantial admissions of the petitioner prove beyond any iota of doubt that he did commit the grave misconduct of being in dual employment while being in employment with the respondent and hence, the charges regarding dual employment against petitioner stands proved. The petitioner was employed as Instrument Mechanic in Biomedical Department as a regular employee from 01-09-2007 *vide* letter of appointment dated 03-09-2007. When the respondent gained concrete information that petitioner was gainfully employed with one of the other Hospitals in Puducherry namely, Sri Lakshmi Narayana Institute of Medical Science and he was clandestinely sharing confidential information regarding respondent's Hospital, it issued a charge-sheet to petitioner dated 27-02-2013 under clause 17.2, 17.17, 17.23, 17.26 and 17.34 of its Service Rules for serious and gross misconduct of fraud, dishonesty giving false information, disclosing information to respondent

with regard to the process, facts, figures and details of work including technical knowhow and engaging in other work for gain without permission of respondent and theft of property. The petitioner was placed suspension pending enquiry. The petitioner gave an explanation to the charge on 06-03-2013 wherein, he admitted his acquaintances with the said institution but, denied his gainful employment. Hence, respondent conducted a domestic enquiry through an impartial Enquiry Officer, who gave full opportunity to petitioner to disprove the charges and prove his innocence. A principle of natural justice was strictly adhered and petitioner fully participated in the enquiry from 21-03-2013 to 29-04-2013. During the course of enquiry, the petitioner once admitted his casual employment at Sri Lakshmi Narayana Institute of Medical Science, Puducherry, without permission of respondent and even admitted that he had actually tinkered with his shift timings to juggle between two employments. The Enquiry Officer submitted his findings on 04-05-2013 holding petitioner-guilty of all charges, except the charges of theft for want of evidence, which stand testimony to the fairness of Enquiry Officer. The respondent issued second show cause notice, dated 06-05-2013 seeking petitioner's explanation. The petitioner submitted his explanation, dated 10-05-2013 whereby, he once again accepted that he was employed on part time basis in Sri Lakshmi Narayana Institute of Medical Science and promised not to repeat such mistakes in future. Considering the gravity of his misconduct, the petitioner was dismissed from service with effect from 07-06-2013 *vide* termination order, dated 07-06-2013. The clause 7 of the appointment order of the petitioner, dated 01-09-2007 stated that there was a condition that the petitioner could not do employment, consultation, trade or business including part time activity except with written permission of the management. The clause 8 of the appointment order stated that the petitioner will be governed by the Institute's Service Rules relating to attendance, leave, conduct and other conditions of employment and he must abide by the Rules and Regulations of the Institute which are in force at present and which may be formulated from time to time. The rule 17.26 of the Service Rules of respondent specifically prohibits dual employment and considers it a serious misconduct. No punishment lesser than dismissal from services can be commensurate with such gross misconduct as it not only amounts to violation of service rules and terms

of employment, it also amounts to betrayal of faith reposed by respondent on petitioner. Such dual employment cannot be trivialised as minor misconduct as it leads to pilferage of vital and confidential information, especially, if, the other employer is also a competitor operating in the same field. It results in exodus of good hands from one organisation to another and it gives an opportunity to the worker take both employers on ransom regarding pay packages and other service conditions. It also shows lack of discipline and integrity towards the employer. If, such conduct is not punished with maximum punishment, it would encourage other workers to engage in similar misconducts, which can subject the respondent's Hospital to chaos. Therefore, the misconduct done by petitioner deserved the maximum punishment of dismissal from service. Since, the petitioner has engaged himself in misconduct which exposed his dishonesty lack of integrity and lack of dedication towards the respondent. The respondent has also lost its confidence on the petitioner and hence, there is absolutely no scope of his reemployment as the lost confidence cannot be gained. The claim-petition is devoid of merits lack of *bona fide* and is liable to be dismissed.

4. In the course of enquiry on the side of the petitioner WW1 was examined and Ex.P1 was marked and on the side of the respondent RW1 was examined and Ex.R1 to Ex.R12 was marked.

5. Both sides are heard. The pleadings of both the parties, the evidence let in by either sides and the exhibits marked on both sides are carefully considered. In support of his case, the learned Counsel for the respondent has relied upon the Judgment reported in CDJ 2016 BHC 1310, CDJ 2014 CAT NEW DELHI 184, CDJ 2012 MHC I486, CDJ 1956 BHC 144 and Panjab - Haryana HC in CWP No.15088/2015 - Gulbahar Vs. Presiding Officer and Another and the same were also carefully considered.

6. *The point for consideration is:*

Whether the dispute raised by the petitioner against the respondent management over his non employment is justified or not and if justified, what is the relief entitled to the petitioner?

7. In order to prove the case the petitioner has examined himself as WW1 and he has deposed that he joined in the respondent Hospital on 20-02-2006 and he had been working in the respondent Hospital in a prompt manner without any default and that he was hailing from a poor family and he had studies out of

his own efforts and in order to fulfill needs of his life, he was forced to work in Sri Lakshmi Narayana Medical College, Puducherry as part time worker and that when the said fact was came to the knowledge of the respondent management it started to impose several conditions and that he has asked the respondent management for changing his shift hours in order to avoid causing default in his work to the Sri Lakshmi Narayana Medical College and that on 14-02-2014, the management has convened the enquiry complaining against him that he has taken things from the Biomedical Department of the respondent Hospital without the knowledge of the respondent management and that he had not taken any things as alleged in the complaint and that he was working as a part time worker in the Sri Lakshmi Narayana Medical College which is not a permanent job and that he was working in the respondent Hospital as a permanent employee and that he had been terminated from service and that he has raised an industrial dispute before the Conciliation Officer and on failure, the matter has been referred to this Court and that he had undertaken before the Enquiry Committee that he would not do any part time work in the said Sri Lakshmi Narayana Medical College.

8. In support of his case the petitioner has exhibited the conciliation failure report as Ex.P1 which would reveal the fact that the petitioner has raised an industrial dispute on 11-06-2013 over his non-employment stating that he has joined at the respondent Hospital as Instrument Mechanic on 20-02-2006 and he had been in service till 27-02-2013 and it is stated by the petitioner that the management by an act of victimisation and motivation issued false charge memo on 27-02-2013 and that he had been terminated from service by the respondent on 07-06-2013 and that the management has not given any opportunity to prove his case and his long service of employment has not been considered by them and further, it is also learnt from Ex.P1 that the management has also participated in the conciliation proceedings and submitted reply on 08-07-2013 denying all the averments made by the petitioner and stated that the petitioner has committed serious misconducts of fraud false information disclosing information of facts and figures and details of work and hence, he was suspended pending enquiry and that the petitioner against the terms of the employment engaged dual employment at Sri Lakshmi Narayana Institute of Medical Science and has manipulated the shift timings for his personal gain and the domestic enquiry was conducted against the petitioner based on

the charge-sheet, dated 27-02-2013 and only based on the findings of the Enquiry Officer who has submitted the report on 04-05-2013, the respondent issued show cause notice on 06-05-2013 and further, it is learnt from Ex.P1 that in the conciliation it was stated by the respondent that the petitioner during enquiry has accepted that he has been employed on part time basis in Sri Lakshmi Narayana Institute of Medical Science and that the management firmly insisted that engaging in other work for monetary gain at any other purpose which amounts to serious misconduct, and cannot be tolerated and that the charges against the petitioner was proved during the domestic enquiry and on the basis of the material evidence on record the petitioner was terminated from service on 07-06-2013 considering the gravity of the misconduct. Further, it is also learnt from Ex.P1 that the Conciliation Officer has advised the management that the punishment of dismissal is not proportionate and also advised the management to give punishment of deduction of increment or demote his grade instead of terminating his service.

9. On the other hand, in order to prove the contention of the respondent management the General Manager was examined as RW1 and he has deposed that the respondent establishment is the institution and multi-specialty Hospital and Trauma Care Centre providing plethora of medical facilities and treatment in and around Puducherry region and that they are running Medical College and Nursing college and that they have qualified and efficient Doctors, Nurses, Staffs, Administrators and that they have well furnished laboratories and that they have employees around 1670 workers, nursing staff, general staff, officers and others and that they are maintaining highest levels of discipline, integrity, honesty, sincerity and that he has denied the averments of the petitioner which was stated in the claim statement and that the petitioner has admitted that he was forced to work at Sri Lakshmi Narayana Medical College as part time worker and in the enquiry it was stated by him that he would not do any part time work at Sri Lakshmi Narayana Medical College and that the petitioner has admitted the above fact in the explanation given by him for the charge on 06-03-2013 and that domestic enquiry was conducted and full opportunity was given to the petitioner to disprove the charges and to prove his innocence and that the principles of natural justice were strictly adhered to and that the petitioner has fully participated in the enquiry from 21-03-2013 to 29-04-2013 and that the petitioner had admitted his casual employment at Sri Lakshmi Narayana Institute of Medical Sciences, Puducherry and that the appointment given to the

petitioner also would reveal the fact that there was a condition that the petitioner could not do employment, consultation, trade or business including part time activity except with written permission of the management.

10. In support of their contention, the respondent management has exhibited Ex.R1 to Ex.R12. Ex.R1 (series 1 to 5) is the copy of the appointment orders issued by the respondent to the petitioner on various dates. Ex.R2 is the copy of the charge-memo issued by the respondent to the petitioner on 27-02-2013. Ex.R3 is the copy of the letter submitted by the petitioner to the respondent on 28-02-2013. Ex.R4 is the copy of translation of charge-memo. Ex.R5 is the copy of the explanation letter submitted by the petitioner to the respondent on 06-03-2013. Ex.R6 is the copy of the enquiry proceedings. Ex.R7 is the copy of enquiry particulars. Ex.R8 is the copy of the second show cause notice, dated 06-05-2013. Ex.R9 is the copy of the reply submitted by the petitioner to the second show cause notice on 10-05-2013. Ex.R10 is the copy of warning memo issued by the respondent to the petitioner on 13-08-2010. Ex.R11 is the copy of the service rules of the respondent institution. Ex.R12 is the copy of the dismissal order issued by the respondent to the petitioner. From the above documents Ex.R1(series) would disclose the fact that the appointment order was given to the petitioner on 21-02-2006 and he was posted as Attendant (Bio-Medical) in the respondent institution for three months on contract on terms and Ex.R1(series) further, would evident that on 19-05-2006, 21-08-2006, 23-02-2007, 27-05-2011, the petitioner was again and again appointed on condition that he would not engage himself in other employment, consultation, trade, or business including part-time activity except with written permission of the management. The other documents would go to show that the respondent management has conducted the domestic enquiry by issuing charge-memo and after getting explanation and after the report of the Enquiry Officer a second show cause notice was also issued by the management on 06-05-2013 for which the petitioner has submitted a reply on 10-05-2013 and previously the petitioner was warned by the respondent management on 13-08-2010 and warning memo was issued to him by the respondent and that there was some service rules at respondent Industry and that the respondent management has terminated the petitioner from service.

11. From the pleadings, evidence let in by either sides and documents marked on both sides it is clear that the following facts are admitted by them that the petitioner was working in the respondent institution for the period from 2006 to 2013 and he has been charged for his misconduct for dual employment at Sri Lakshmi Narayana Institute of Medical Science and the domestic enquiry was conducted against the petitioner for the alleged charge and second show cause notice was issued to him for which the petitioner has given explanation and after that he was terminated from service. According to the respondent management the petitioner has committed serious misconduct of dual employment by working as part time at Sri Lakshmi Narayana Institute of Medical Science without the permission of the respondent management. On perusal of Ex.R1(series) it is clear that there is some terms and conditions that the employee should not work at anywhere else even as a part time worker while he was in service at the respondent establishment. Even in the claim statement the petitioner has admitted the fact that due to the circumstances to meet out the needs of his life he has worked at Sri Lakshmi Narayana Institute of Medical Science as part time worker. In the first para of the claim statement filed by the petitioner he has admitted that he had studied out of his own efforts and in order to fulfill the needs of his life he was forced to work in Sri Lakshmi Narayana Medical College as part time worker.

12. Further, in the chief examination also the petitioner has stated that in order to fulfill the needs of his life, he was forced to work in Sri Lakshmi Narayana Medical College as part time worker. Even in his reply for the show cause notice issued against him which was exhibited under Ex.R9 the petitioner has admitted the fact that he was working at Sri Lakshmi Narayana Medical College. Further, the petitioner has also admitted in his evidence that he was working at the said Sri Lakshmi Narayana Medical College Hospital as part time worker and it is also admitted by him that the appointment order given by the respondent management having terms and conditions that he should not work at anywhere else even as a part time worker while he was working at respondent establishment.

13. In support of their contention, the learned Counsel for the respondent has relied upon the Judgment reported in CDJ 2012 MHC 1486, wherein, the Hon'ble High Court of Madras has observed that,

"...Court held - seeing the records and evidence, came to the conclusion that the charges were proved and it did not call for any interference under Act - second respondent - management raised a defence before the Labour Court that they had lost confidence in the petitioner - workman for retaining in the service and the Labour court had also accepted the same and refused to give any relief to the petitioner - workman - Court was not inclined to interfere with the well-reasoned Award passed by the Labour Court - no case made out by the petitioner to interfere with the Award of Labour Court - Writ Petition dismissed." From the above observation, it is clear that if, any employee is doing dual employment while he was working at any industry or establishment cannot be permitted to do dual employment which would cause loss and difficulties to the employer. In this case also the petitioner was admittedly working as a part time worker at another Medical College while he was working as a permanent employee at respondent Medical College by which the respondent management might have lost, confidence on the petitioner and that therefore, the reason stated by the petitioner that he was forced to work as a part time worker cannot be accepted and as the domestic enquiry was held properly by the respondent management by giving opportunities to the petitioner to put forth his case and show cause notice was given to the petitioner, this Court finds that the disciplinary action taken against the petitioner is absolutely necessary and hence, the termination of service of the petitioner from the respondent establishment is absolutely reasonable and justifiable and that therefore, the industrial dispute raised by the petitioner against the respondent management over his non-employment cannot be justified and as such, the claim petition filed by the petitioner is liable to be dismissed.

14. In the result, the petition is dismissed and the industrial dispute raised by the petitioner against the respondent management over his non-employment is not justified. No cost.

Dictated to the Stenographer, transcribed by her, corrected and pronounced by me in the open Court on this the 06th day of February, 2018.

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

List of petitioner's witness:

PW1 —01-03-2016 S. Mannadeeswaran

List of petitioner's exhibit:

Ex.P1 —14-02-2014 Copy of the conciliation failure report.

List of respondent's witness:

RW1 —08-05-2017 A.G. Isaiah

List of respondent's exhibits:

Ex.R1 —21-02-2006 Copy of the appointment (series—19-05-2006 orders issued by the 1 to 5)—21-08-2006 respondent to the 27-05-2011

Ex.R2 —27-02-2013 Copy of the charge-memo issued by the respondent to the petitioner.

Ex.R3 —28-02-2013 Copy of the letter submitted by the petitioner to the respondent.

Ex.R4 —04-03-2013 Copy of translation of charge-memo, dated 27-02-2013.

Ex.R5 —06-03-2013 Copy of the explanation letter submitted by the petitioner to the respondent.

Ex.R6 — Copy of the enquiry proceedings.

Ex.R7 — Copy of enquiry particulars.

Ex.R8 —06-05-2013 Copy of the second show cause notice.

Ex.R9 —10-05-2013 Copy of the reply submitted by the petitioner to the second show cause notice.

Ex.R10—13-08-2010 Copy of warning memo issued by the respondent to the petitioner.

Ex.R11 — Copy of the service rules of the respondent institution.

Ex.R12—07-06-2013 Copy of the dismissal order issued by respondent to the petitioner.

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

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Rt. No. 53/Lab./AIL/T/2018,
Puducherry, dated 9th April 2018)

NOTIFICATION

Whereas, an Award in I.D (L) No. 31/2016, dated 10-02-2018 of the Labour Court, Puducherry in the management of M/s. Klas Ploymers, Puducherry and Thiru R. Ilangovan, Kandamangalam, Tamil Nadu, over non-employment Award of the Labour Court, 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 Secretary to Government (Labour) that the said Award shall be published in the Official Gazette, Puducherry.

(By order)

S. MOUTTOULINGAM,

Under Secretary to Government (Labour).

BEFORE THE LOK ADALAT AT PUDUCHERRY

Organised by Ms. V. Sofana Devi (District Judge) Member-Secretary, of the State Legal Services Authority, Puducherry, under section 19 of the Legal Services Authorities Act (Act 39 of 1987).

Ms. S. Rohini, . . Judge
Additional Sub-Judge,
Puducherry.

Thiru S. Chandra Sekar, . . Judge
Principal District Munsif,
Puducherry.

Thiru C. Ayyanar, . . Member
Advocate,
Puducherry.

LOK ADALAT CASE No...../2018
in

I.D. (L). No. 31/2016

(On the file of the Industrial Tribunal-cum-
Labour Court, Puducherry)

Saturday, the 10th day of February 2018

P. Ilangovan,
S/o. Puthupattan,
No. 2/456, Sri Ram Nagar,
Kandamangalam,
Villupuram P.O.,
Tamil Nadu-605 102.

. . Petitioner

Versus

The Managing Director,
M/s. Klas Polymers,
166*165/166, Vazhudavoor Road,
Kurumbapet,
Puducherry.

. . Respondent

This case coming on this day before us in the presence of the petitioner and his Counsel Thiru A. Mugundhan and the respondent and his Counsel Thiru L. Sathish having agreed to settle the matter and thereby, the case being settled under Joint Compromise Memo filed, an Award is passed accordingly:

Taken cognizance under section 20 (1) of the Legal Services Authorities Act (Act 39/87)

1. This case which was filed before the Presiding Officer as ID (L). No. 31/2016 was transferred to the Lok Adalat and was taken on file for settlement.

2. The petitioner filed the case to pass an Award to hold that the non-employment of the petitioner workman by the respondent management is not justified and to direct the respondent management to reinstate him with full back wages and all other attendant benefits and for costs.

3. Both parties were served with notice and appeared before the Lok Adalat and the petitioner made an endorsement today to the effect that the petitioner herein has received a sum of ₹ 45,000 (Rupees forty- five thousand only) by a Cheque No. 851328, dated 12-02-2018 and a sum of ₹ 1,00,000 (Rupees one lakh only) by a Cheque No. 851334, dated 10-03-2018 drawn on the Canara Bank, Muthialpet Branch, Puducherry towards full quit and discharge and prayed for closing the case. It is also agreed by both the parties that if, the post dated cheque has not been honoured by the respondent on 10-03-2018 this reference will be reopen for further proceedings.

4. The endorsement made by the parties is *bona fide* and there is no reason why the same should not be considered and recorded. There is no inducement or other indication for the said compromise. Accordingly, the Joint endorsement made by the parties is recorded and an Award is passed under the terms and conditions therein.

5. This case is referred to the Lok Adalat, organized by the State Legal Services Authority under section 19 of the Legal Services Authorities Act (Act 39/87) and after full and frank discussion of all issues, an Award is passed as follows:

AWARD

1. It is ordered and decreed that the Award is passed in terms of the Joint Compromise Memo made by the parties and that the petition and the same is hereby closed.

2. It is ordered and decreed that the Joint Endorsement made by the parties shall form part of the Award.

3. That this Award of the Lok Adalat shall be deemed to be a Decree of the Civil Court as per section 21 of the Legal Services Authorities Act, 1987.

Dated at Puducherry, on this the 10th day of February, 2018.

S. ROHINI
Judge

S. CHANDRA SEKAR
Judge

C. IYYANAR
Member

P. ILANGO VAN,
Petitioner

THE MANAGING DIRECTOR,
KLAS POLYMERS
Respondent

A. MUGUNDHAN
Counsel for the
Petitioner

L. SATHISH
Counsel for the
Respondent

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE REGIONAL ADMINISTRATOR
No.1-1/RAM/C1/2018.

Mahe, dated 22nd May, 2018

NOTIFICATION

(Under Regulation No. 3 of G. O. Ms. No. 04,
dated 9-2-2018 of Health Secretariat)

Whereas, it has been widely reported in the newspaper, that there is an outbreak of 'NIPAH' Virus in parts of Kozhikode District, (Kerala), neighboring Mahe region and the Government of Kerala is on high alert and initiating various measures to contain the situation;

Whereas, the undersigned is of the opinion that Mahe region being contiguous to infected areas of Kozhikode District, Kerala, the situation warrants immediate action under Regulation No. 3 of G.O. Ms. No. 04, dated 9-2-2018 of Health Secretariat, to strengthen the ongoing preventive measures;

Whereas, the undersigned is satisfied that there are sufficient grounds to declare Mahe region as 'Threatened Area' consequent to the outbreak of 'NIPAH' Virus in parts of Kozhikode District (Kerala), neighbouring Mahe region.

Now, therefore, in order to strengthen the preventive measures and to effectively contain the situation, the undersigned hereby notify to declare Mahe region as a 'Threatened Area' under Regulation No. 3 of G. O. Ms. No. 04, dated 9-2-2018 of Health Secretariat.

S. MANICKADEEPAN,
Regional Administrator.

GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (ANIMAL HUSBANDRY)
(G.O. Ms. No. 7/AH, Puducherry, dated 28th May 2018)

NOTIFICATION

The Lieutenant-Governor of Puducherry is pleased to confirm the services of Dr. E. Sayed Ali, Joint Director, Department of Animal Husbandry and Animal Welfare, Puducherry and to appoint him substantively in the entry grade of Veterinary Assistant Surgeon with effect from 17-2-2002.

(By order of the Lieutenant-Governor)

MANGALATTE DINESH,
Deputy Secretary to Government,
(Animal Husbandry).

GOVERNMENT OF PUDUCHERRY
**DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS (PERSONNEL WING)**
(G.O. Ms. No. 33, Puducherry, dated 28th May 2018)

NOTIFICATION

The Lieutenant-Governor, Puducherry, is pleased to appoint Thiru D. Mohan Kumar, Erode, Tamil Nadu, who has been allotted to the Union territory of Puducherry by Department of Personnel and Training, Government of India, New Delhi, on the basis of the results of Civil Services Examination, 2016 to Grade-II of Pondicherry Civil Service with effect from the forenoon of 16-5-2018, subject to the conditions mentioned in this Department's letter of Offer of Appointment No. A.19011/6/2018/DPAR/SS-I(2), dated 16-4-2018.

2. The Lieutenant-Governor is also pleased to order that Thiru D. Mohan Kumar will be a Probationer in the Pondicherry Civil Service for a period of two years from the forenoon of 16-5-2018.