



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

விலை : ₹ 3-00

Prix : ₹ 3-00

Price : ₹ 3-00

எண்	புதுச்சேரி	புதன்கிழமை	2020 ஆ	சனவரி மீ	22 உ
No. } 8	Poudouchéry	Mercredi	22	Janvier	2020 (2 Magha 1941)
No. }	Puducherry	Wednesday	22nd	January	2020

GOVERNMENT OF PUDUCHERRY LABOUR DEPARTMENT

No. 6323/AIL/Lab./T/2017/43.

Puducherry, the 9th January 2020.

ORDER

Whereas, the management of M/s. Anglo French Textiles Limited, Puducherry, has submitted an application in Form O-3, dated 16-12-2019 to the Secretary to Government, Labour Department, Puducherry, seeking permission for extension of Lay-off for a period of 6 months from 21-01-2020 in respect of A, B and C Units under section 25-M of the Industrial Disputes Act, 1947, read with rule 75(B) of the Industrial Disputes (Central) Rules, 1957;

Whereas, the views/replies of the Management, Trade Unions, Government Pleader, High Court of Judicature at Madras and the relevant documents/issues were examined earlier;

Whereas, on perusal of the Lay-off application, dated 16-12-2019 of the management, it is observed that the management has stated various reasons for seeking permission for the extension of Lay-off such as:-

(i) The “Thane Cyclone” had caused severe structural damage to A.F.T. Most of the buildings in ‘A’ Unit are declared unsafe for use by the Inspector of Factories and order was issued by them to prohibit the entry of workers inside the campus which included Spinning Preparatory and Weaving Preparatory besides the Engineering Department which forced the management to discontinue the operations in these areas.

(ii) The net worth of the company has already been in the negative side *i.e.*, minus ₹ 241.07 crores as on 31-3-2019 (Provisional) and no funds are available even to meet the day-to-day expenses.

(iii) The Government has continuously providing funds to the Mill by way of Share Capital and grant-in-aid. The Government has released ₹ 367.35 crores as Share Capital and ₹ 335.25 crores as Grant-in-aid up to 30-11-2019. The Share Capital and Grant-in-aid released for the last 7 years by the Government of Puducherry has drastically declined.

(iv) The Grant-in-aid released presently is adequate only to pay the Lay-off compensation and wages and is not adequate to run the Mill fully.

(v) The machineries are very old and without modernisation, it is difficult to run the Mill effectively.

(vi) Labour unrest prevailing due to non-payment of statutory dues and hence, without settling the dues no action can be taken to run the Mill. In the present scenario, the production activities in the AFT could not be resumed till the Weaving Preparatory and Warehouse Departments in ‘A’ Unit are shifted to new building either in ‘B’ or ‘C’ units for which sufficient funds is required.

(vii) The Company is in deep financial crisis with no liquid funds to meet on its day-to-day operations.

(viii) The Employee’s Provident Fund Authorities and the Employee’s State Insurance Authorities started to proceed with the coercive action by freezing Bank Accounts and attached the properties of Anglo French Textiles. The overall liabilities such as Gratuity, EPF, ESI and other liabilities are to the tune of ₹ 252.49 crores.

(ix) The Inspector of Factories issued an order under section 40 (2) of the Factories Act, 1948 to prohibit the use of buildings were Spinning, Weaving, Weaving Preparatory, Warehouse and Engineering Departments of ‘A’ Unit are presently functioning as the buildings are in such conditions which pose imminent danger to human life and safety.

(x) The Government of Puducherry has released ₹ 45,11,44,841 for settlement of gratuity to the retired employees as per the Order of the Hon’ble High Court, Madras and necessary G.O. Rt. No. 14/DI&C (SW)/SI/2019-20, dated 09-10-2019 has been issued in this regard.

And whereas, the management has also stated that after settling the statutory dues pertaining to the employees the Mill will take necessary action to revive the Mill subject to receipt of the funds from the Government and now, they have requested Lay-off in respect of A, B, and C Units for a further period of 6 months with effect from 21-01-2020;

Now, therefore, by virtue of the authority delegated *vide* G.O. Ms. No. 177/80-Lab., dated 1st September, 1980 of the Labour Department to exercise the powers conferred by the sub-section (1) of section 25-M of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the undersigned hereby decides to grant permission sought by the management of M/s. Anglo French Textiles, Puducherry, to Lay-off workman as defined under section 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) in A, B and C Units for a further period of 6 months with effect from 21-01-2020.

ASHOK KUMAR,
Secretary to Government (Labour).
