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La Gazette de L' État de Poudouchéry

The Gazette of Puducherry

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No.		Puducherry	Tuesday	25th	January	2022

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GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 89/Lab./AIL/T/2021,

Puducherry, dated 28th December 2021)

NOTIFICATION

Whereas, an Award in I.D (L) No. 36/2017, dated 13-10-2021 of the Labour Court, Puducherry, in respect of the industrial dispute between the Management of M/s. MRF Private Limited, Puducherry and Thiru K. Velmurugan, Cheyyur Taluk, Kancheepurarm, Tamil Nadu, over non-employment 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 23-05-1991, it is hereby directed by the Secretary to Government (Labour) that the said Award shall be published in the Official Gazette, Puducherry.

(By order)

D. Mohan Kumar,
Under Secretary to Government (Labour).

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

Present : Thiru R. Bharanidharan, M.L.
Presiding Officer.

Wednesday, the 13th day of October 2021.

I.D. (L) No. 36/2017
in
C.N.R. No. PYPY060000242017

K. Velmurugan,
(Emp. No. 601370)
S/o. K. Kumaresan,
Vennangupet, Kottaikadu Post
Cheyyur Taluk
Kancheepuram. . . Petitioner

Versus

The Managing Director,
M/s. MRF Limited,
P.B. No. 1, Eripakkam,
Nettapakkam Commune,
Puducherry. . . Respondent

This Industrial Dispute coming on 03-09-2021 before me for final hearing in the presence of Thiruvalargal R.T. Shankar, L.K. Saravanan, P. Suresh, A. Ashok Kumar and B. Balamurugan, Counsels for the petitioner, and Thiruvalargal K. Babu and S. Karthikeyan, Counsel for the respondent, upon hearing both sides, upon perusing the case record, after having stood over for consideration till this day, this Court delivered the following:

AWARD

This Industrial Dispute has been referred by the Government of Puducherry, a per the G.O. Rt. No. 88/ AIL/Lab./T/2017, dated 29-05-2017 for adjudicating the following:-

(a) Whether the dispute raised by Thiru K. Velmurugan, Vennangupet, Kottaikadu Post, Cheyyur Taluk, Kancheepuram, Tamil Nadu, against the Management of M/s. MRF Private Limited, Puducherry, over non-employment is justified or not? If justified, what relief he is entitled to?

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

2. *The case of the petitioner, in brief, are as follows:*

The petitioner has raised an industrial dispute before the Labour Court on 13-10-2015 as against the respondent management over the termination of his employment. The petitioner was selected through an interview and appointed as a Labour under the respondent management to operate the wrapping machine in BEAD section of Zone-I Department with effect from 26-07-2007 and worked up to 20-11-2011. The respondent management ousted him from service on 21-11-2011 without giving prior notice. In continuation to that the respondent management has issued termination order, dated 31-01-2012. The petitioner worked in the respondent company for more than 4 years with lesser wages. The respondent management engaged the petitioner to do the perennial nature of work in full time. The petitioner worked without any remarks or any blemish during his tenure of his employment. The petitioner has been directly working in the Production Department as an operator doing the perennial nature of work along with other permanent workers. The petitioner was having the requisite experience and qualification and he has completed 240 days of service within a period of 12 calendar months ever year. The respondent management has not regularized the services of the petitioner for the reasons best known to them. The respondent managernent has not conducted specific enquiry contemplated under labour laws for implementing the statutory right of the workman. The respondent is liable to reinstate the petitioner with full back wages with continuity of service.

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

The petitioner has approached the Conciliation Authority with an inordinate delay without any substantial reason. The respondent factory at

Puducherry engaged in production of radial tyres from the year 1998. The manufacture of radial tyres is highly technical and is a complicated one. The workman are given in depth training on various machine so that each workman is able to operate all machineries. The respondent used to recruit person from nearby Villages who do not process qualification beyond Higher Secondary level. There are no trade apprentices for tyre industries and the individual recruited were taken as apprentices to examine their suitability to learn and assimilate the highly skilled process in manufactures of radial tyres. The petitioner is not a workman or an employee of the respondent company. The petitioner was engaged as an apprentice trainee as per order, dated 01-04-2008. He was paid stipend during his period of training as per the terms and conditions of his apprentice order. The apprenticeship training will be for a period of 42 months in 4 pells and the petitioner was initially engaged for a period of six months. The petitioner was lethargic and shown less interest in learning the job and he was very irregular in his attendance. The petitioner did not turned up for training from 22-10-2011 without any information. During the period of his training his performance was also not satisfactory. The respondent denied that the petitioner was appointed as a labour though interview and his nature of job is perennial in nature. There is no legal obligation on the respondent to take a workman permanent who has worked in the management for more than 240 days in a calendar year. This is a case of discontinuance of apprenticeship governed by the apprenticeship order. The petitioner is not entitled for reinstatement and prayed for dismissal of the reference.

4. *The points for consideration are:*

Whether the non-employment of the petitioner K. Velmurugan in the respondent management is justified and what relief the petitioner is entitled to?

5. On the side of the petitioner, PW.1 was examined and Ex.P1 to Ex.P8 were marked. On the side of the respondent RW.1 was examined and Ex.R1 to Ex.R29 were marked.

6. PW.1 Velmurugan in his evidence before this Court deposed that he was appointed as labour at MRF management to operate wrapping machine in BEAD section of Zone-1 Department with effect from 26-07-2007 and worked up to 21-11-2011. Without giving any notice, the management ousted him from service on 21-11-2011. The respondent management has issued termination order on 31-01-2012. The petitioner worked with respondent management for more than 4 years for 8 hours in a day in all working days in a month and have completed 240 days of service within a period of 12 calendar months in a year. The petitioner was directly working in the Production Department as a wrapping machine operator and doing perennial nature of work along with other permanent workers. The respondent management instruct, manage, control in all stages of the operation. The respondent management refused to accord permanent employee status to the petitioner which is absolutely against the labour laws. The petitioner is not in gainful employed in any establishment and his family is facing untold hardship without employment and earnings. The petitioner was illegally terminated by the respondent management. The petitioner is entitled for reinstatement with continuity of service and back wages.

7. RW.1 Thiru Rajadurai who is the Manager in H.R. Department of the respondent management in his evidence deposed that the MRF factory at Puducherry, commenced trial production in the year 1998. The manufacture of radial tyres are highly technical and is a complicated one. The workman are given in depth training on various machines, so that each workman is able to operate all machines. It is a practice followed by the company of recruiting person from the nearby Villages of Puducherry who do not possess qualification beyond 12th Standard. There is no trade apprentices in tyre factory and the individuals were taken as apprentices to examine their suitability to learn and assimilate the highly skilled proces of manufacture of radial tyes. The petitioner was engaged by an apprenticeship order, dated 01-04-2008 and was started training on the same date. The training was for a period of 42 months during which period the respondent has paid him stipend. If, the performance of the petitioner is found to be not satisfactory his apprenticeship will be ceased as per order, dated 31-01-2012. The petitioner was only an apprentice trainee and not being a workman of the the respondent management, he has no *locus standi* to maintain claim against the respondent management. The petitioner was not selected through an interview and not appointed as labour under MRF management to operate the wrapping machine. The petitioner was not worked for more than 4 years with lesser wages. There is no statutory obligation on the respondent to make every workman as a permanent employee who has worked in the respondent management for more than 240 days and prays for the dismissal of the claim petition.

8. The learned Counsel for the petitioner submit that the petitioner was appointed in the respondent management by way of appointment order, dated 01-04-2008. The petitioner was instructed by the respondent to do all kinds of work on par with other regular permanent employees of the respondent company.

Though in Ex.P1 apprenticeship order the respondent has mentioned that the period of apprenticeship for 42 months in four spells and the petitioner is entitled for consolidated stipend of ₹ 90 for first term, ₹ 105 for second term, ₹ 120 for the third them and ₹ 135 for the fourth term. However, the petitioner was engaged in regular work of the company, he was working for 8 hours per day and worked in all working days without any remarks. The petitioner has completed 240 days of work in each calendar year. All of a sudden the respondent has issued letter, dated 31-01-2012 stating that his work is not satisfactory and the apprenticeship ceased to exit with immediate effect as per clause 8 of apprenticeship agreement. The petitioner has approached the Labour Officer (Conciliation) by submitting Ex.P6 letter, dated 13-10-2015 since, the respondent was not evinced any interest towards Conciliation. The Labour Officer (Conciliation) has sent a failure report in Ex.P8, dated 21-03-2017. The learned Counsel for the petitioner further submitted that the petitioner was engaged in operating the wrapping machine in BEAD Section, Zone-I Department with effect from 26-07-2007 and worked up to 21-11-2011. It is further submitted that the nature of work for which the petitioner was engaged is perennial in nature and the petitioner was directly working in the Production Department of wrapping machine along with other permanent workers of the respondent management. The respondent management has got supervision and control over the work of the petitioner in all stages of the machinery operation from beginning to end as such the petitioner is a workman as per section 2 (S) of Industrial Disputes Act, 1947. The learned Counsel for the petitioner further submitted that the petitioner has worked with the respendent management diligently for a continuous period of 4 year. The petitioner ought to have terminated without notice and without complying the provisions of section 25 F of the Industrial Disputes Act.

9. The learned Counsel for the petitioner submit that the respondent management has employed the petitioner for a period of 4 years and extracted maximum work from the petitioner. After exploiting the youthful period of the petitioner has terminated in order to avoid payment of higher wages to him. In this respect, the learned Counsel for the petitioner invited the attention of this Court to the Judgment of Hon'ble Apex Court reported in CDJ 2011 SC 832 "Labour statutes were meant to protect the employees/workmen because, it was realized that the employers and the employees are not on an equal bargaining position. Hence, protection of employees was required so that they may not be exploited. However, this new technique of subterfuge has been adopted by some employers in recent years in order to deny the rights of the workmen under various labour statutes by showing that the concerned workmen are not their employees, but, are the employees/workmen of a contractor, or that they are merely daily wage or short term or casual employees when in fact, they are doing the work of regular employees.

This Court cannot countenance such practices any more. Globalization/Liberalization in the name of growth cannot be at the human cost of exploitation of workers".

10. The learned Counsel for the petitioner further submit that there was no training given to the petitioner in the long four years of service. There was no trade apprentice training for the tyre factory available in the Act. The respondent management was not given licence or permission to impart training to the non-technical workers who are not possessing adequate technical qualification. Whether the employee is a worker or a apprenticeship has to be determined from the nature of work attended by the employee as well a from the control of employer over the work of the employee and it was more depend upon the employer and employee relationship. In this respect, the learned Counsel for the petitioner has invited the attention of this Court to the Judgment of Hon'ble High Court of Gujarat reported in CDJ 2003 GHC 182 wherein, the Hon'ble Gujarat High Court discussed in the judgment 2002 (1) LLN 1090 in which the Gujarat High Court held "if the agreement of the apprentice of lineman as contract of apprenticeship was not registered and no training was obtained by the apprentice, then he has been considered as the workman within the meaning of section 2 (s) of the I.D. Act, 1947 and non-observance of the mandatory provisions of section 25-F of the Act makes the termination illegal. She also submitted that the Labour Court has rightly held that section 25-F has not been complied with by the petitioner and therefore, the workman entitled to benefits under section 25-F and that is how the order of termination rightly held to be illegal and void abinitio and therefore, the Labour Court has not committed error and hence, no interference of this Court is called for the interest of justice".

11. The learned Counsel for the petitioner submit that there are 1540 employee working in their company and the petitioner was appointed as an apprentice as per Apprenticeship Training Act 1961 and by following the Company Training Scheme. The learned Counsel for the petitioner further submit that as per Apprenticeship Training Act 1961 a person can be inducted for training only for a period of one year and beyond which period the training given in the name of apprenticeship is illegal. Moreover a person can be inducted as an apprentice only if, he has completed Industrial Training Institute (ITI) under the National Council for Vocational Training Scheme. RW.1 the H.R. Manager of the

respondent management, during the course of cross-examination admitted that the petitioner attended the company in all the three shifts it was further admitted in Ex.P7 the petitioner was allotted Employer Code 21750 in the said Ex.P7 the date of entry of the petitioner is mentioned as 11-09-2007. RW.1 further admitted that the person inducted for apprenticeship need not pay ESI contribution and they are exempted in the said Act. The learned Counsel for the petitioner further submitted that some other persons who are inducted in the same way as the petitioner was inducted were made permanent by the respondent management since, the petitioner has worked for more than 240 days in each calendar year for a period of 4 years he is workmen as per section 2 (s) of the Industrial Disputes Act and he is entitled to benefits under section 25(f) of the industrial dispute as against the respondent management.

12. The learned Counsel for the respondent submit that the petitioner was inducted as a trainee a per Ex.R1 Apprenticeship Order, dated 01-04-2008. Ex.R2 and R3 are revised stipend order issued to the petitioner. The petitioner was inducted for training for a period of 42 months in four spells. During the period of training the petitioner has availed leave for several days for which he has given Ex.R4 letter, dated 24-10-2010. Moreover he has entered into altercation with respondent management officials for which misconduct the petitioner has give apology letter, dated 24-04-2010 marked as Ex.R5. The learned Counsel for the respondent further submitted that the pay slips for the months of January 2011 to November 2011 which were marked as Ex.R6 to R16 would establish that the attendance of petitioner is very poor during his training period.

13. The learned Counsel for the respondent invited the Court attention to the "Judgment of Hon'ble Delhi High Court reported in (2006) II LLJ 106 Delhi in Kartik Ramachandran R. *Vs.* Presiding Officer, Labour Court and another wherein, the Hon'ble Delhi High Court has dealt with the issue of "Trainee Steno Clerk expeditor" would be covered within the definition of workmen under section 2 S of Industrial Disputes Act 1947. During the course of discussion Hon'ble Delhi High Court has discussed the land mark Judgment of Hon'ble Apex Court in S.K. Mani *Vs.* Carona case (Supra) wherein, our Hon'ble Apex Court held "it is well settled that the designation of an employee is not of importance and it is the real nature of duties being performed by the employee which would decide as to whether an employee is a 'workman' under section 2 (s) of the Industrial Disputes Act. The determinative factor is the main duties performed by the employee and not the work done incidentally. The nature of duties performed by the workman is a question of fact. An employee is required to set up such plea and to lead evidence in support thereof. Only then can the Labour Court go into the facts and circumstances of the case and based material on record, decide as to the real nature of duties and functions being performed by the employee in all cases".

14. The learned Counsel for the respondent invited the attention of this Court to the Judgment of Hon'ble Apex Court in Employees' State Insurance Corporation *Vs.* Tata Engg. & Co. reported in 1976-I-LLJ-81 wherein, the Hon'ble Apex Court held "The heart of the matter in apprenticeship is, therefore, the dominant object and intent to impart on the part of the employer and to accept on the part of the other person learning under certain agreed terms. That certain payment is made during the apprenticeship, by whatever name called, and that the apprentice has to be under certain rules of discipline do not convert the apprentice, to a regular employee under the employer. Such a person remains a learner and is not an employee.

To my mind, the aforesaid observations, clearly lay down the foundation of the relationship between the parties. In my view, whether the trainee is a mere trainee under the personal contract (de hors the Apprentices Act), or is an apprentice within the meaning of the said Act, makes no difference. So long as a trainee is engaged by the employer for the purpose of imparting training, this dominant purpose and object, and the basis intention behind such an engagement, cannot be frustrated by refusal of registration of a contract under the said Act".

15. The learned Counsel for the respondent submit that at any stretch of imagination, the petitioner cannot be termed as a workmen. The petitioner was ordered to impart training by the respondent management. The petitioner has not possessed any technical qualification to be employed as a workman under the respondent management. During the course of training the petitioner was not evinced any interest to learn things and he was absent for so many days without any excuse and he was also written apology letter in his misconduct. The learned Counsel for the respondent further submitted that there is no statutory obligation on the part of the respondent to make a training as permanent employee of the Act. It was further submitted that the claim of the petitioner for reinstatement could not arise as there was no employer and employee relationship and the petitioner was only an apprenticeship training and the relationship between the petitioner and respondent would not stand "test of control".

16. This Court has carefully considered the rival submissions. The aspect of the litigation is two fold. This Court has to look at the factual and legal side of

he aspect to adjudicate the issue involved in it. There is no dispute that the petitioner was inducted into the respondent management by apprentice order, dated 01-04-2008. The stipend was also fixed and the petitioner received the same at the end of every month. As per Ex.P1 apprenticeship order the training of the petitioner will be assessed and evaluated and on satisfactory completion of training in each spell the trainee will be put to next level of training. The petitioner was in the service of the respondent management till 31-01-2012 on which date the respondent has issued P4 notice stating that as per clause 8 of the Ex.P1 order that the apprenticeship clases with immediate effect.

17. On perusal of the evidence of RW.1, it is clear that the petitioner was inducted as a trainee as per Apprenticeship Training Act 1961 and Company, Training Scheme. The petitioner was also provided with employer code 21750. The respondent witness RW.1 admitted that the respondent has deducted ESI contribution from the salary of the petitioner. RW.1 further admitted that the respondent management is not licensed to impart training from the respective Government Departments. The learned Counsel for the petitioner submit that as per section 2 (s) of the Industrial Disputes Act "workman" means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal discharge or retrenchment has led to that dispute".

18. In S.K. Mani *vs.* Corona Sahu Company Limited and others our Hon'ble Apex Court held "the designation of an employee is not of much importance and what is important is the nature of duties being performed by him, the above Judgment of Hon'ble Apex Court was confirmed by the later Judgments of Hon'ble Apex Court in Ananda Bazaar case "If, we accept the contention of the learned Senior Counsel for the appellant that once a persons accepts an appointment order he cannot challenge the designation mentioned in that order then the employer can always exploit the workers by giving them designation as apprentice though in fact taking regular work from them. This would be contrary to the whole approach of Industrial Law and hence, we cannot accept this submission".

19. In the claim statement filed by the petitioner it was averred that the petitioner has been directly working in the Production Department of wrapping machine in BEAD Section, Zone-I Department as an operator and doing perennial nature of work along with other permanent workers and has completed 240 days of service in a period of 12 calendar month in each Calendar year and he ought to be observed and regularized by the respondent management. In the evidence of PW.1 he has categorically deposed that he was employed in Production Department and the nature of his work is perennial in nature and the respondent instructed manage and control his work in all stages of operation from beginning to end and he has also completed continuous period of 240 days in each calendar year and his services ought to be made permanent.

20. In Mcleod and Co. *Vs.* Sixth Industrial Tribunal, West Bengal. 1958 AIR Calcutta 273 wherein, the Hon'ble Calcutta High Court held "whether a person was a workman within the definition of the Industrial Disputes Act would be the very foundation of the jurisdiction of the Industrial Tribunal. The Court further observed that in order to determined the categories of service indicated by the use of different words like "supervisor', 'managerial' and 'administrative', it was not necessary to import the notions of one into the interpretation of the other. The words such as 'supervisory', 'managerial' and 'administrative' are advisedly loose expressions with no rigid frontiers and too much subtlety should not be used in trying to precisely define where supervision ends and management begins or administration starts. For that would be theoretical and not practical. It has to be broadly interpreted from a common sense point of view where tests will be simple both in theory and in their application. The learned Judge further observed that a supervisor need not be a Manager or an Administrator and a Supervisor can be a workman so long as he did not exceed the monetary limitation indicated in the section and supervisor irrespective of his salary is not a workman who has to discharge function mainly of managerial nature by reasons of the duties attached to his office or of the powers vested in him".

21. A perusal of definition workman shows that it makes no difference between permanent employee and a temporary employee or a casual employee. The said view has gain support from the Judgment Chief Engineer (Irrigation) Chepauk *Vs.* Nadesan, 1973 II LLJ 446 and Management of Crompton Engineering & Co. *Vs.* Presiding Officer, Additional Labour Court, reported in 1974 I LLJ 459 (Madras). It is clear that even if, a person is a casual employee he will be entitled to the benefit of the provision of section 25F of the Industrial Disputes Act, 1947 if, he satisfies the requirement of this provision.

22. From the nature of work attended by the petitioner as an operator of wrapping machine in BEAD section, Zone-1 of the respondent management in all the three shifts for more than 240 days in each calendar year he can be very well fit into the definition of "workman as defined in under section 2 (8) of the Industrial Disputes Act 1947". RW.1 has categorically admitted that there was no trade apprentice for tyre manufacturing company. Admittedly the petitioner has not completed ITI training under the NCVT pattern under the Labour and Employment Department. The signing of an apprentice agreement alone would not make him as an apprentice training. In order to appreciate whether a person employed is a trainee or workman, the test is employer and employee relationship and the control of the employer over the work of the employee and effective control or the employer. In the present case on hand, the petitioner is working with the respondent management for almost 4 year and engaged in production activity along with other permanent employee. There is no evidenee on the part of the respondent management that what are all the training imparted to the petitioner and who has imparted the training to the petitioner. There are no details of apprenticeship training allegedly underwent by the petitioner was produced before this Court. This Court is of the considered opinion that the management has used the term apprenticeship only as a measure of preventing the petitioner from getting his lawful entitlements. This Court is of the considered opinion that the petitioner is concretely come under the purview of workmen as defined under section 2 (8) of the Industrial Disputes Act. As such the termination of the petitioner without notice and without following the provisions of section 25 F of the Industrial Disputes Act is against the established principles of law. The petitioner has deposed that he was not in gainful employment in any other concern from the date of termination till date.

23. The petitioner is aged about 32 years and having a wife and kids. the untimely termination of his job would certainly cause serious repercussions in leading a dignified life. A person without an employment and without any salary cannot lead a dignified life. Article 21 of the Constitution of India contemplates "right to life is more than mere animal existence". From the discussions above made this Court is of the considered opinion that the non-employment of the petitioner in the respondent management is not justified. Since, the petitioner was terminated in the month of January 2012 and considering the fact that he is not in any gainful employment in any other company from the date of his termination till this date, this Court deem it fit to pay 50% of wages to the petitioner from the date of his termination till the date of his reinstatement.

24. In the result, the petition is partly allowed. The respondent is directed to reinstate the petitioner within a period of 6 weeks from the date of this Award. The respondent is directed to pay 50% of back wages with other attendant benefits. The monetary benefit has to be paid by the respondent to the petitioner within a period of 6 weeks from the date of this Award. No costs.

Dictated to Stenographer, transcribed by him, corrected and pronounced by me in the open Court on this 13th day of October, 2021.

R. Bharanidharan,
Presiding Officer,
Industrial Tribunal-*cum*-
Labour Court, Puducherry.

List of petitioner's witness:

PW.1 — 26-04-2018 K. Velmurugan

List of petitioner's exhibits:

Ex.P1	—	01-04-2008	Photo copy of the Appointment order issued by the respondent management.
Ex.P2	—	31-07-2008	Photo copy of the letter issued by the respondent management.
Ex.P3	—	30-07-2011	Photo copy of the letter issued by the respondent management.
Ex.P4	—	31-01-2012	Photo copy of the Termination letter issued by the respondent management.
Ex.P5	—	16-03-2013	Photo copy of the Job Request letter sent by the petitioner to the respondent management.
Ex.P6	—	13-10-2015	Photo copy of the Dispute raised letter by the petitioner before the Labour Officer, Conciliation, Puducherry.
Ex.P7	—	11-09-2007	Photo copy of the E.S.I Identity Card of the petitioner issued by the ESIC.
Ex.P8	—	21-03-2017	Photo copy of the Failure report submitted by the Labour Officer, Conciliation, Puducherry.

List of respondent's witness:

RW.1 — 15-10-2019 Rajadurai

List of respondent's exhibits:

Ex.R1 — 01-04-2008 Apprenticeship order of the petitioner.

Ex.R2 — 31-07-2008 Revised stipend letter issued by the respondent management.

Ex.R3 — 30-07-2011 Revised stipend letter issued by the respondent management.

Ex.R4 — 24-10-2010 Excuse letter given by the petitioner to the respondent management.

Ex.R5 — 24-10-2010 Excuse letter given by the petitioner to the respondent management.

Ex.R6 — January 2011 Copy of the Pay Slip of the petitioner for the month of January 2011.

Ex.R7 — February 2011 Copy of the Pay Slip of the petitioner for the month of February 2011.

Ex.R8 — March 2011 Copy of the Pay Slip of the petitioner for the month of March 2011.

Ex.R9 — April 2011 Copy of the Pay Slip of the petitioner for the month of April 2011.

Ex.R10 — May 2011 Copy of the Pay Slip of the petitioner for the month of May 2011.

Ex.R11 — June 2011 Copy of the Pay Slip of the petitioner for the month of June 2011.

Ex.R12 — July 2011 Copy of the Pay Slip of the petitioner for the month of July 2011.

Ex.R13 — August 2011 Copy of the Pay Slip of the petitioner for the month of August 2011.

Ex.R14 — September 2011 Copy of the Pay Slip of the petitioner for the month of September 2011.

Ex.R15 — October 2011 Copy of the Pay Slip of the petitioner for the month of October 2011.

Ex.R16 — November 2011 Copy of the Pay Slip of the petitioner for the month of November 2011.

Ex.R17 — October 2011 Copy of the Extract of Muster Roll for the month of October 2011.

Ex. R18 — Novemver 2011 Copy of the Extract of Muster Roll for the month of November 2011.

Ex.R19 — December 2011 Copy of the Extract of Muster Roll for the month of December 2011.

Ex.R20 — January 2012 Copy of the Extract of Muster Roll for the month of January 2012.

Ex.R21 — 11-06-2003 Photocopy of the Standing Orders of the Respondent Company.

Ex.R22 — 31-01-2012 Photocopy of the Ceasesation letter issued to the petitioner by respondent with its Postal Acknowledgment Card.

Ex.R23 — 09-10-2015 Photocopy of the letter by petitioner to the Labour Officer (Conciliation), Puducherry.

Ex.R24 — 23-10-2015 Original document of the notice from the Conciliation Officer seeking explanation.

Ex.R25 — 07-03-2016 Copy of the reply submitted by the respondent management to the Conciliation Officer.

Ex.R26 — 29-03-2016 Photocopy of the reply submitted by the petitioner to the Conciliation Officer with respect to the explanation given by the management.

Ex.R27 — 27-06-2016 Copy of the reply submitted by the management to the Conciliation Officer.

Ex.R28 — 2l-03-2017 Original document of the failure report given by the Conciliation Officer.

Ex.R29 — 29-05-2017 Copy of the reference issued by the Labour Department, Puducherry.

R. Bharanidharan,
Presiding Officer,
Industrial Tribunal-*cum*-
Labour Court, Puducherry.