



# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry The Gazette of Puducherry

அதிகாரம் பெற்ற வெளியீடு

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No.		Poudouchéry	Mardi	12		Décembre	2023	(21 Agrahayana 1945)
No.		Puducherry	Tuesday	12th		December	2023	

பொருளடக்கம்

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(ii) As per the office circular issued by the Respondent the seniority of the employee was fixed with the name of the employees and the said document was also filed along with the claim statement and it is found the Petitioner is the senior than other employees namely, the respondents as stated above.

(iii) Again in the year 2016, instead of giving opportunity to him and consider him for the post of Operator the Respondent Management promoted and appointed some of his juniors working as Dairy Helper below him as Operators, but, at the same time again he was promoted and posted as Dairy Helper Grade-I which is below the rank of Operator post and also attract lesser Pay Scale and therefore, he immediately made representations to the Respondent Management about his promotion at the lower cadre, but, no action was taken nor justified reason was explained by the Respondent Management about the denial of proper post to him.

(iv) As on date of promotion to him as Dairy Helper in the year 2016, there was at least 11 post of Operator vacant due to the reason that 11 employees who were working as Operators were promoted to the post of Operator Grade-I and out of the said vacancies, he is entitled to get the post of Operator.

(v) It is clear that the Respondent Management adopted unfair labour practice as he is the senior employee in the cadre of Dairy Helper, but, the Respondent Management promoted the Respondents Nos. 2 to 9 as per the name cited above as Operators and it is clear that the Respondent Management has indeed violated the seniority of the employees for considering for promotion to the highest post.

(vi) The Petitioner has made several representations on 08-06-2012, 05-07-2012, 24-09-2012, 24-07-2014, 18-05-2015, 02-03-2026 and on 14-12-2016 to the Respondent Management to consider his case for promoting to the post of Operator as his many juniors were already promoted to the post of Operator by giving preference to them without following seniority and choosing the juniors overlooking his seniority clearly attracted the violation of service conditions by the Respondent Management and also comes under the terms of unfair labour practices adopted by the Respondent Management.

(vii) The Petitioner has sent several representations to the Respondent Management, but, the 1st Respondent failed and neglect to take action on the said petitions. Hence, the Petition.

3. Notice served to both the Petitioner and Respondents. Petitioner appeared and engaged an Advocate to represent him. Though the Respondent has engaged his Advocate, but, not chosen to file its counter after sufficient time given by this Court. Neither Respondent Management appeared nor represented by its Counsel. Hence, the Respondent Management was set *ex parte* on 24-04-2023. Claim Petition filed by the Petitioner.

4. Respondent remained *ex parte* as counter not filed. Proof affidavit of Petitioner filed, he himself examined as PW1. Ex.P1 to P1 2 were marked.

5. On perusal of case records, it is found that this reference has been made with regard to the dispute raised by the Petitioner for promotion to the post of Operator. The records reveals that the Petitioner has filed claim statement, but, the Respondent has remained *ex parte*. The records further reveals that the Petitioner was examined in Chief and it is at this stage the Counsel for Petitioner has filed a letter stating that the Respondent has decided to give promotion to the Petitioner and therefore, the Petitioner wants to withdraw the claim statement. Today the Petitioner present and endorsed that he is withdrawing the claim statement. Hence, on recording the above this Court is inclined to dismiss the claim petition.

In the result, the reference is disposed and the claim petition is hereby dismissed as withdrawn.

Dictated to the Stenographer, directly typed by him, corrected and pronounced by me in open Court on this the 6th day of July, 2023.

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

**GOVERNMENT OF PUDUCHERRY**  
**DEPARTMENT OF PERSONNEL AND**  
**ADMINISTRATIVE REFORMS (PERSONNEL WING)**

[G.O. Ms. No. 80/DP&AR-SS.II(1),  
Puducherry, dated 28th November 2023]

#### NOTIFICATION

On attaining the age of superannuation, the following Superintendents shall retire from service with effect from the afternoon of 30-11-2023.

Sl. No.	Name of the Superintendent and Department/Office
(1)	(2)
	Tmt./Selvi/Thiru:
1	R. Nandini, Thiruvalluvar Government Girls' Higher Secondary School, Puducherry.
2	R. Suguna, Government Higher Secondary School, Thavalakuppam, Puducherry.
3	K. Kalaichelvan, Department of Agriculture and Farmers Welfare, Puducherry.
4	G. Muthusamy @ Viswanathan, Irrigation and Public Health Division, Public Works Department, Karaikal.

(By order)

**V. JAISANKAR,**  
Under Secretary to Government  
(Personnel).

**GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT**

(G.O. Rt. No. 93/Lab./AIL/T/2023,  
Puducherry, dated 29th November 2023)

**NOTIFICATION**

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. Hindustan Unilever Limited, Detergent Factory, Vadamangalam, Puducherry and Hindustan Unilever Patali Thozhirsangam, over reinstatement of Thiru M. Karthikeyan with back wages, continuity of service and attendant benefits in respect of the matter mentioned in the Annexure to this order;

And whereas, in the opinion of the Government, it is necessary to refer the said dispute for adjudication;

Now, therefore, by virtue of the authority delegated *vide* G.O. Ms. No. 20/9/Lab./L, dated 23-5-1991, of the Labour Department, Puducherry, to exercise the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), it is hereby directed by the Secretary to

Government (Labour) that the said dispute be referred to the Labour Court, Puducherry, for adjudication. The Labour Court, Puducherry, shall submit the Award within 3 months from the date of issue of reference as stipulated under sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947 and in accordance with rule 10-B of the Industrial Disputes (Central) Rules, 1957. The party raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses to the Labour Court, Puducherry, within 15 days of the receipt of the order of reference and also forward a copy of such statement to each one of the opposite parties involved in the dispute.

**ANNEXURE**

(i) Whether the dispute raised by the Hindustan Unilever Patali Thozhirsangam, against the management of M/s. Hindustan Unilever Limited, Detergent Division, Vadamangalam, Puducherry, over reinstatement of Thiru M. Karthikeyan along with back wages, continuity of service and other attendant benefits is justified or not? If, justified, give appropriate directions?

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

(By order)

**P. RAGINI,**  
Under Secretary to Government (Labour).

**GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT**

(G.O. Rt. No. 94/Lab./AIL/T/2023,  
Puducherry, dated 29th November 2023)

**NOTIFICATION**

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. National Oxygen Limited, Thiruvandarkoil, Puducherry and CITU, over transfer of Tmt. A. Arularasi from Puducherry to Perunthurai, Erode District, in respect of the matter mentioned in the Annexure to this order;

And whereas, in the opinion of the Government, it is necessary to refer the said dispute for adjudication;

Now, therefore, by virtue of the authority delegated *vide* G.O. Ms. No. 20/9/Lab./L, dated 23-5-1991, of the Labour Department, Puducherry, to exercise the powers

conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), it is hereby directed by the Secretary to Government (Labour) that the said dispute be referred to the Industrial Tribunal, Puducherry, for adjudication. The Industrial Tribunal, Puducherry, shall submit the Award within 3 months from the date of issue of reference as stipulated under sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947 and in accordance with rule 10-B of the Industrial Disputes (Central) Rules, 1957. The party raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses to the Industrial Tribunal, Puducherry, within 15 days of the receipt of the order of reference and also forward a copy of such statement to each one of the opposite parties involved in the dispute.

#### ANNEXURE

(i) Whether the dispute raised by the CITU, against the management of M/s. National Oxygen Limited, Thiruvandarkoil, Puducherry, over transfer of Tmt. A. Arularasi to Perunthurai, Erode District, Tamil Nadu, is legal and justified? If justified, to give appropriate direction to what remedy to be entitled in this dispute?

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

(By order)

**P. RAGINI,**

Under Secretary to Government (Labour).

#### GOVERNMENT OF PUDUCHERRY CHIEF SECRETARIAT (AGRICULTURE)

(G.O. Ms. No. 19/Ag.,  
Puducherry, dated 01st December 2023)

#### NOTIFICATION

Thiru B. Ramakichenin @ Balagandhi, Director of Agriculture and Farmers Welfare, Puducherry, is admitted into retirement on superannuation with effect from the afternoon of 31-12-2023.

(By order)

**SUNDARARAJAN. P.,**  
Deputy Secretary to Government  
(Agriculture).

#### GOVERNMENT OF PUDUCHERRY LAW DEPARTMENT

(G.O. Ms. No. 42/2023-LD.,  
Puducherry, dated 06th December 2023)

#### NOTIFICATION

In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973, the Lieutenant-Governor, Puducherry, is pleased to appoint Thiru R. Vivekananthan, Advocate, as Special Public Prosecutor in SC/0000017/2021, in Crime No. 95/2020 on the file of the Hon'ble Court of III-Additional District Judge at Puducherry.

(By order of the Lieutenant-Governor)

**JHANAZ RAFFI @ JHANSI,**  
Under Secretary to Government (Law).

#### GOVERNMENT OF PUDUCHERRY OFFICE OF THE MEDICAL SUPERINTENDENT ESI HOSPITAL, GORIMEDU, PUDUCHERRY

Puducherry, dated 04th December 2023.

#### TENDER-CUM-AUCTION NOTICE

Sealed tenders are invited by the undersigned for sale of unserviceable/obsolete articles (e-waste) items in a single lot system belonging to this E.S.I. Hospital in "as-is-where-is" condition.

2. Only Government authorized e-waste Dismantling Units are eligible to participate in the tenderer. The intending tenderers may inspect the items in the office of the undersigned between 10.30 a.m. and 11.30 a.m. from 11-12-2023 to 18-12-2023 with the prior permission of the officer concerned. The sale of Tender Form is issued on payment of ₹ 100 (Rupees one hundred only) plus GST as admissible (non-refundable) from 11-12-2023 to 18-12-2023 up to 12.30 p.m.

3. Sealed tenders in the prescribed Tender Form addressed to the Medical Superintendent, E.S.I. Hospital, Gorimedu, Puducherry, superscripted as "Tender for purchase of unserviceable/obsolete articles (e-waste)" should reach this office on or before 21-12-2023 at 12.00 noon. Each tenderer shall enclose a Demand Draft for an amount of ₹ 10,000 (Rupees ten thousand only) drawn in favour of the Medical Superintendent, E.S.I. Hospital, Gorimedu, Puducherry, as earnest money deposit.

4. Tenders will be opened on 21-12-2023 at 3.30 p.m. in the office of the undersigned in the presence of the tenderers who are present at the time of opening tenders.