



புதுச்சேரி மாநில அரசிதழ்

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

அதிகாரம் பெற்ற வெளியீடு

Publiée par Autorité

Published by Authority

எண்	} 4	புதுச்சேரி	செவ்வாய்க்கிழமை	2023 லு	சனவரி மீ	24 உ
No.		Poudouchéry	Mardi	24	Janvier	2023 (4 Magha 1944)
No.		Puducherry	Tuesday	24th	January	2023

பொருளடக்கம்

SOMMAIRES

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GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Rt. No. 170/AIL/Lab./T/2022,
Puducherry, dated 15th December 2022)

NOTIFICATION

Whereas, an Award in I.D (T) No. 20/2020, dated 29-10-2022 of the Industrial Tribunal-cum-Labour Court, Puducherry, in respect of the Industrial dispute between the Management of M/s. Puducherry State Health Society, Puducherry and the Union workmen represented by Puducherry Health Mission Employees' Association, Puducherry, over non-payment of bonus for the year 2018-2019.

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. 20/9/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)

P. RAGINI,

Under Secretary to Government (Labour).

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

Present : Tmt. V. Sofana Devi, M.L.
Presiding Officer.

Saturday, the 29th day of October, 2022.

I.D. (T) No. 20/2020

C.N.R. No. PYPY06-000057-2020

The Secretary,
Puducherry Health Mission Employees' Association,
No.7- 8, Moovendar Street,
Mullai Nagar,
Puducherry 605 005. ... Petitioner

Versus

The Managing Director,
M/s. Puducherry State Health Society,
Victor Simonel Street,
Old Maternity Hospital Building,
Puducherry – 605 001. ... Respondent

This Industrial Dispute coming on 13-09-2022 before me for final hearing in the presence of Tvl. R.T. Shankar, P. Suresh and B. Balamurugan, Counsels for the Petitioner, Respondent remained *ex parte* and after hearing the Petitioner side and perusing the case records, this Court delivered the following:

AWARD

This Industrial Dispute arises out of the reference made by the Government of Puducherry, *vide* G.O. Rt. No.112/AIL/LAB/T/2020 dated 06.11.2020 of the Labour Department, Puducherry to resolve the following dispute between the Petitioners and the Respondent, *viz.*,

(a) Whether the dispute raised by the Union Workmen represented by Puducherry Health Mission Employees' Association, Puducherry against the Management of M/s. Puducherry State Health Society, Puducherry, over non-payment of bonus for the year 2018–2019 is justified or not? If justified, what relief the Union workmen are entitled to?

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

2. Brief facts of the case of the Petitioner:

Petitioner Union has filed the claim petition and demanded the Respondent management of Puducherry State Health Mission to pay the bonus for the year 2018-2019 *vide* the letter No.21/PHMEA/2019, dated 29-10-2019, but, the Respondent management has failed to disburse the bonus for the year 2018–2019. The bonus is defined by the Hon'ble Supreme Court as deferred wage. The State Health Mission Employees who are contractual staff engaged by the Management over the years are also entitled to the statutory one month wage as bonus as per service conditions applicable to contractual employees for all accounting years.

(ii) The Respondent Society is engaged the Petitioner Union members on contract basis to do the work and they have been getting *ad hoc* bonus as applicable to the Government employees *i.e.*, 30 days wages computing monthly wages to be the maximum of ₹ 7000 whereas, they are eligible to be paid minimum bonus of 8.33% (one month salary including dearness allowance, restrict to ₹ 7,000 p.m.) under the Payment of Bonus Act, 1965.

(iii) The Respondent management suddenly stopped the Payment of Bonus for the year 2018–2019 to the Petitioner Union staff, in this context, Conciliation meetings were conducted on various dates and the Respondent management has stated that the proposal regarding the payment of bonus was not agreed by the Health Secretary, Puducherry and a new proposal for the year 2018–2019 has been sent to the authorities

not yet received therefore, the enquiry was finally posted on 24-09-2020. On that day the Respondent management stated that non-approval of *ex gratia/ad hoc* bonus by the Ministry of Health and Family Affairs they are not in position to release Bonus for the year 2018-2019 further *vide* letter No.PSHM/S32020-2021/137, dated 24-09-2020.

(iv) The Respondent institution has replied in Conciliation proceedings that the Pondicherry State Health Society is a non-profit oriented organization which is funded by Central Government and State Government in the ratio of 60:40 respectively. The Pondicherry State Health Society released the *ex gratia/ad-hoc* bonus every year and accounted the expenditure within the available funds. During the financial year 2019-2020, the file was initiated for providing *ex-gratia* to the Pondicherry State Health Society employees due to paucity of funds and non-approval of Ministry of Health and Family Welfare clarifications seeking from Government of India for release of *ex gratia* on 29-10-2019 *vide* reference No. PSHM/S3/2019-2020. So, bonus for the year could not be paid. Finally, both the parties attended the Conciliation proceedings on 24-09-2020 and stood on their own stand while the Union insisted for bonus, the Management denied it and the matter is ended in failure on 24-09-2020.

(v) The permanent employees working in the Respondent management has been paid bonus for year 2018–2019. When the Respondent management is governed under the Industrial Disputes Act, the applicability of the Bonus Act is not obligatory but, it is statutory. For the reason that financial position of the Respondent management in the past was not sound enough, the denial of the bonus to the Petitioner Union members is inequitable, unfair and unjust.

(vi) The Respondent management has to pay the bonus to the Petitioner Union staff, but, not paid it. Apart from that, no exemption under Section 36 of the Act has been obtained by the Respondent management, and a factual position with regard to the applicability of the Act and it is not open to the Respondent to resile from it and put forth a contrary position. The other Government Institutions which is located in the same region paid bonus to their staffs, but, the Respondent management willfully wantonly and deliberately denied and refused to grant bonus to their employees and the same is illegal and against the Payment of Bonus Act. Hence, the claim.

3. Notice served to both the Petitioner and Respondent. Petitioner appeared and engaged an Advocate to represent him. Whereas, the Respondent not appeared. Hence, the Respondent company was set *ex parte* on 08-07-2022. Claim petition filed by the Petitioner.

4. Point for determination:

Whether the Union Workmen entitled for payment of bonus for the year 2018–2019 ?

5. On Point:

Petitioner/Secretary of the Petitioner Union examined himself as PW1. Ex. P1 to P8 were marked. Since Respondent set *ex parte*, no counter and cross-examination done on PW1. Heard the learned Counsel for the Petitioner.

6. On the point:

This is an I.D.(T) filed by the Health Mission Employees Association against the management company for non payment of bonus for the year 2018–2019, to the employees of the Petitioner Union. Notice were served on both the parties to the I.D. The Petitioner/Puducherry Health Mission Employees Association appeared whereas the Respondent namely Managing Director, M/s. Puducherry State Health Society, Puducherry remained absent. Hence the Respondent set *ex parte* on 08-07-2022. Petitioner was examined Ex.P1 to Ex.P8 were marked.

7. Heard the Petitioner Counsel. Perused the available records.

8. During the arguments, the learned Counsel appearing for the Petitioner reiterated the averments contained in his claim statement. No counter statement filed on the side of the Respondent. Hence, the Respondent was set *ex parte* on 08-07-2022. In support of Petitioner's claim, Petitioner himself examined as PW1 before this Court. Through him 8 documents were marked. Ex.P1 is the failure report, dated 28-09-2020 submitted by Labour Officer (Conciliation), Puducherry, to the Secretary to Government (Labour), Puducherry. From which this Court could able to find that many number of Conciliation sittings were conducted on various dates. The Management also has submitted their version before Labour Officer (Conciliation), Puducherry which can be understood from the Failure Report Ex.P1 and the relevant portion is as follows:-

“The Pondicherry State Health Society released the *ex gratia/ad hoc* bonus every year and accounted the expenditure within the available funds. During the financial year 2019-2020, the file was initiated for providing *ex gratia* to the Pondicherry State Health Society employees due to paucity of funds and non-approval of ministry of Health and Family Welfare clarifications seeking from Government of India for release of *ex gratia* on 29-10-2019 *vide* reference No.PSHM/S3/2019-2020, bonus for the year could not

be paid. Finally, both the parties attended the Conciliation proceedings on 24-09-2020 and stood on their own stand while the Union insisted for bonus the management denied it and the matter is ended in failure on 24-09-2020”.

9. Ex. P2 is the Notification on the Failure Report. Ex.P3, Ex.P4, Ex.P5, Ex.P6 and Ex.P7 are the representations given by the Petitioner Association to various Authorities requesting for payment of bonus for the Financial Year 2018-2019.

10. Ex.P8 is the reply, dated 24-09-2020 given by the Mission Director, Pondicherry State Health Society, Government of Puducherry (Respondent) addressed to the Labour Officer (Conciliation), Puducherry in the Conciliation proceedings. On close and careful perusal of it, this Court shall see the reply of Government of India for the proposal made by Respondent as follows: “Government of India reply that the approval given to Puducherry is over and above the resource envelope, the HR (service delivery + programme management) is almost 42% leaving less amount for other programs and instructed to pay the bonus from Union Territory resources”.

11. Further, “the MOHFW, New Delhi has informed that setting a precedent of this kind should be avoided in NHM as other States may also propose the same. Due to non-approval of *ex gratia/ad-hoc* bonus by MOHFW and paucity of funds, the PSHS is not in a position to release the *ad hoc* bonus/*ex gratia* to the employees for the financial year 2018-2019. Based on the above facts the representation of Puducherry State Health Mission Employees Association may be disposed off”.

12. From the above reply given by the Respondent Society, it is admitted that the Respondent Society had released the *ex gratia/ad hoc* bonus every year and accounted the expenditure within the available funds. Only during 2019-2020 when the file was initiated for providing *ex gratia* to the Pondicherry State Health Employees, due to paucity of funds and non-approval of Ministry of Health and Family Welfare, a clarification was sought from Government of India. From the documentary evidence, it is learnt that said proposal was declined for the reason that the approval given to Puducherry is over and above the resource envelope and the HR is almost 42% leaving less amount for other programmes. Further, in the same Ex.P8 it is mentioned that Government of India has also instructed the Government of Puducherry to pay the bonus from Union Territory resources. Therefore, it is not that the Petitioner employees are not entitled for bonus for the financial year 2018-2019. From the available documents, this court could not find anywhere in the replies given by the Respondent Society that Petitioner employees are not entitled for any bonus. In all their replies given with regard to the bonus claim

made by the Petitioner employees Association the Respondent Society has said that due to paucity of funds and non-approval of Ministry of Health and Family Welfare, they were not in a position to disburse the bonus for the said financial year. Even the Government of India while giving reply to the proposal placed by the Respondent Society, instructed to pay the bonus from Union Territory resources. Therefore, by way of documentary evidence, the Petitioner Association has categorically proved that they are entitled for the bonus as claimed in the claim petition. The Respondent Society neither filed any counter nor appeared before this Court to rebutt the documentary evidences as well as oral evidence placed on the Petitioner side. Therefore, from the documentary evidences placed before this Court, the point for determination is decided in favour of the Petitioner Association.

13. In the result, the Reference is justified and the Industrial Dispute is allowed. The Respondent Society is directed to pay the legally entitled bonus for the Financial Year 2018-2019 to the Petitioner Association Employees. No costs.

Dictated to the Stenographer, directly typed by him, corrected and pronounced by me in open Court on this the 29th day of October, 2022.

V. SOFANA DEVI,
Presiding Officer,
Industrial Tribunal-cum-
Labour Court, Puducherry.

List of petitioner's witness:

PW.1 — 27-07-2022 Mr. R. Pragatheeswaran

List of petitioner's exhibits:

Ex.P1 — 28-09-2020 Photocopy of the Conciliation Failure Report.
Ex.P2 — 06-11-2020 Photocopy of the Notification.
Ex.P3 — 31-01-2020 Photocopy of the dispute raised by the Petitioner before the Labour Officer (Conciliation), Government of Puducherry.
Ex.P4 — 21-08-2020 Photocopy of the Petitioner Union letter sent to the Health Minister Office, Government of Puducherry received them on 21-08-2020.
Ex.P5 — 29-10-2019 Photocopy of the Petitioner Union letter sent to the Secretary to Government, (Puducherry State Health Mission), Puducherry.

- Ex.P6 — 03-11-2020 Photocopy of the Petitioner Union letter sent to Director of Puducherry, State Health Mission received by them on 03-11-2020.
- Ex.P7 — 06-11-2019 Photocopy of the Petitioner Union letter sent to the Health Minister Office to Government.
- Ex.P8 — 24-09-2020 Photocopy of the Respondent Letter sent to Conciliation Officer, Puducherry.

List of respondent's witnesses: Nil

List of respondent's exhibits: Nil

V. SOFANA DEVI,
Presiding Officer,
Industrial Tribunal-cum-
Labour Court, Puducherry.

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Rt. No. 171/AIL/Lab./T/2022, dated 15th December 2022)

NOTIFICATION

Whereas, an Award in I.D (L) No. 05/2022, dated 18-10-2022 of the Industrial Tribunal-cum-Labour Court, Puducherry in respect of All India United Trade Union Centre, against the management of M/s. Matrix Stampi Limited, Sedarapet, Puducherry, over reinstatement with back wages and continuity of service to Thiruvalargal S. Kavinraj and 29 workers;

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)

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

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

Present :Tmt. V. SOFANA DEVI, M.L.,
Presiding Officer.

Tuesday, the 18th day of October, 2022

I.D. (L) No. 05/2022
CNR. No. PYPY06-000019-2022

The President/Secretary,
All India United Trade Union Centre,
No. 117, 1st Floor, Cuddalore Road,
Puducherry-605 110. . . Petitioner

Versus

The Managing Director,
M/s. Matrix Stampi Limited,
No. 19/1 & 4/4, Mylam-Pondy Road,
Sedarapet, Puducherry - 605 111. . . Respondent

This industrial dispute coming on 22-09-2022 before me for final hearing in the presence of Thiru S. Sivakumar, Representative for the Petitioner, respondent remained ex parte and after hearing the Petitioner side and perusing the case records, the Court delivered the following:

AWARD

This Industrial Dispute arises out of the reference made by the Government of Puducherry, *vide* G.O. Rt. No. 30/Lab./AIL/T/2022, dated 25-02-2022 of the Labour Department, Puducherry to resolve the following dispute between the Petitioners and the Respondent, *viz.*,

(a) Whether the dispute raised by the Petitioner's Union "All India United Trade Union Centre" against the Management of M/s. Matrix Stampi Limited, Sedarapet, Puducherry, over reinstatement with back wages and continuity of service to Thiruvalargal S. Kavinraj and 29 workers (as mentioned in Annexure) is justified or not? If justified, what relief the Petitioner is entitled to?

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

2. Brief facts of the case of the Petitioner:

The respondent company is a leather factory functioning for several years with one hundred labourers without following labour welfare laws and thereby deny all the benefits and rights to its labourers. The respondent company never furnished with any orders for appointment, regularization, salary slips to its labourers. But, it extracts additional over time work from the labourers without paying

for the same and not paid any bonus too. The respondent company do not maintain registers for attendance, salary, leave, over time, bonus *etc.*, properly. No certified standing order so far framed by the respondent company. When this was brought to the knowledge of Labour Commissioner by the petitioner Union through several letters, the respondent Management did not respect any of the notices issued by the Labour Commissioner. So, the Labour Commissioner has issued a final notice on 08-09-2021. Despite the final notice, respondent Management did not appear before the Labour Commissioner nor framed its own Standing Order till date. This attitude of the respondent management has adversely affected the welfare of the labourers. Hence, in order to get their rights protected and for benefits under labour welfare laws, labourers themselves, formed a Union in the name and style of Matrix Stampi Ltd., workers Union and same has been registered and its Registartion No. 1850/2019.

(ii) On 07-11-2018, the labourers jointly has given a petition before Labour Commissioner for several demands. The Labour Officer (Conciliation) issued a notice, dated 08-11-2018 calling both the parties to appear on 13-11-2018 before him for conciliation talks. The respondent management participated in the enquiry but, did not give any proper reply. Further, the respondent Management did not appear before Labour Officer (Conciliation) for several hearings. The respondent management issued a Termination Order, dated 26-03-2019 and terminated the services of Mr. Ponnarasan (who is the President of the Union) with false allegations. Along with the said Termination Order a cheque, dated 23-03-2019 was also enclosed. While the enquiry is pending before the Labour Officer (Conciliation), Termination Order issued to Mr. Ponnarasan, the President of Union is against the provisions of the Industrial Disputes Act and clear violation of section 33(1) (B) and 2 (B) of Industrial Dispute Act 1947. The Termination Order was received by the petitioner Mr. Ponnarasan subject to objection but, he returned the cheque on 03-04-2019 to the respondent management. Thereafter, the respondent management never appeared before the Labour Commissioner and Labour Officer (Conciliation) for the enquiry. Meanwhile, four other office bearers of the Union were also illegally terminated with false allegations. The said actions of the respondent management lead to indirect retrenchment of the labourers. Considering the same, the Labour Commissioner has passed an Order, dated 12-04-2019 directing the respondent Management to reinstate the terminated labourers with full back wages. The respondent management did not implement the order passed by the Labour Commissioner. The respondent Management is running four factories in a single compound. Never paid tax to the Commune Panchayat. The said act of the management is against Schedule - V, IV

section 11, 25 Q and 25 T of Industrial Dispute Act 1947. Hence, the claim petition is filed to reinstate the petitioners Mr. C. Ponnarasan who was terminated on 26-03-2019, Mr. M. Banish, Mr. M. Himanshu Puhan who were terminated on 19-03-2019 and Mr. D. Senthil Kumar, Mr. K. Ganapthi who were terminated on 23-09-2020 with back wages, continuity of service and other benefits.

3. Notice served to both the Petitioner and Respondent. Petitioner appeared and engaged an Advocate to represent him. Whereas, the respondent not appeared. Hence, the Respondent Company was set *ex parte* on 07-06-2022. Claim petition filed by the Petitioner.

4. *Point for determination:*

Whether the Petitioner Union is entitled for an order to reinstate the petitioners Mr. C. Ponnarasan who was terminated on 26-03-2019, Mr. M. Banish, Mr. M. Himanshu Puhan who were terminated on 19-03-2019 and Mr. D. Senthil Kumar, Mr. K. Ganapthi who were terminated on 23-09-2020 with back wages, continuity of service and other benefits?

5. *On Point:*

Petitioner himself examined as PW1. Ex. P1 to P9 were marked. Since respondent remained *ex parte*, no counter filed.

6. *On the point:*

The Petitioner Workman has filed his chief examination affidavit reiterating his contention made in his Claim Petition. The Respondent Company despite notice from the Court served on him remained absent before the Court from the first hearing.

7. On perusal of the case records available before this Court, I could able to find that the Respondent Company appeared before the Labour Officer (Conciliation) and filed its reply, dated 08-04-2019 and denied the allegations raised by the Union in their representation EX. P1. Further, the management has stated that the disciplinary action was initiated against the few employees based on the grave and serious misconduct committed by them.

8. In the said Ex. P4, the Labour Commissioner has observed that, "*the basic issue which let to all the above stated developments is keeping of dogs in the factory premises. Further, as there are no Certified Standing Orders as per the Industrial Employment (Standing Orders) Act, 1946, the domestic enquiry conducted/initiated against the workmen does not hold good and stands vitiated. Hence, the delinquents ought to be reinstated in service.*"

Now, therefore, after careful consideration of the arguments put forth by both the parties, the Management of M/s. Matrix Stampi Limited, Sedarapet, Puducherry is directed (i) to remove the dogs immediately; (ii) to reinstate Thiruvargal S. Pransanth, M. Banish, K. Sankardoss, M. Himansu Puhana, U. Vinothkumar, J. Jayamoorthy, D. Balaji, Prafulla Puhana, and C. Ponnarasan; (iii) to reimburse the illegal wage deductions made to the employees and (iv) to frame the mutually agreed Standing Orders".

9. The photocopy of the final notice, dated 08-09-2021 (Ex. P5) issued by the Certifying Officer, Labour Department to expedite the process of certification to comply with the provisions within a period of 7 days of receipt of this notice failing which the Deputy Labour Commissioner will invoke penal provision under section 13 of Industrial Employment (Standing Orders) Act, 1946, the photocopy of the Failure Report, dated 31-01-2022 (Ex. P6) submitted by the Labour Officer (Conciliation), Puducherry. In the report Ex. P6 it has been mentioned by the Labour Officer (Conciliation) that, "*the Labour Officer (Conciliation), Puducherry has conducted conciliation proceedings on various dates with both the management representative and the petitioners union. During the course of conciliation proceedings held on 28-01-2020, the Union representative stated that during the pendency of conciliation, the management has taken action against the workmen/members and illegally retrenched 21 workmen is unwarranted. Further, the Management has sent settlement amount by mode of cheque without willing on the part of workmen, which is in violation of section 33 of the Industrial Disputes Act, 1947. Therefore, the Union insisted for withdrawal of all cheque and to reinstate all the workers with back wages. On the other hand, the management objected all the averments of the Union and they have done all the activities only in accordance with the Acts and Rules. Further, during the proceedings held on 25-10-2021, the Conciliation Authority advised the Union to file the list of workmen affected due to non-employment. The All India United Trade Union Centre filed a rejoined, dated 03-12-2021 and requested for back wages and continuity of service to the enlisted Thiruvargal L. Kavinraj and 29 workers. Since, the Management has failed to attend the conciliation proceedings for several times and not even filed a suitable reply to the dispute raised by the petitioners' Union inspite of several notices issued for conciliation. The matter was ended in failure on final*

hearing held on 03-12-2021, as there was no possibility for an amicable settlement between the parties to this dispute. Accordingly, the dispute may be referred for further adjudication to get their relief and actual remedies before the Court of law".

10. The photocopy of the Abstract, dated 25-02-2022 (Ex. P7), the photocopy of the Termination order of the Ponnarasan dated 26-03-2019 (Ex. P8) and the photocopy of the letter sent by Ponnarasan to the respondent management, dated 03-04-2019 (Ex. P9) were exhibited on the Petitioner Union in support of its case.

11. The dispute raised by the Petitioner Union against the Management of M/s. Matrix Stampi Limited, Puducherry is for reinstatement. According to the Petitioner Union the petitioners were terminated from the services of the respondent Management *vide* Termination Order, dated 26-03-2019 without conducting domestic enquiry. This has been admitted by the management in its Termination order dated 26-03-2019 EX. P8. Along with the said Termination Order a cheque, dated 23-03-2019 was also enclosed. The contention of the Petitioner Union that when the enquiry is pending before the Labour Officer (Conciliation), Termination Order issued to Mr. Ponnarasan, the President of Union is against the provisions of the Industrial Disputes Act and clear violation of section 33(1) (B) and 2 (B) of Industrial Dispute Act 1947, is seems to be maintainable. The termination order was received by the petitioner Mr. Ponnarasan subject to objection, but, he returned the cheque on 03-04-2019 to the respondent management. The Respondent did not appear before this Court to rebutte the contentions of the Petitioner Union.

12. Therefore, from all the exhibits *i.e.*, P1 to P9 and as discussed above, I hold that Petitioner Union has categorically proved its case by way of adducing oral evidence and by marking documentary evidences. The case of the Petitioner Union has not been rebutted by the Management Company and it remained absent. Therefore, from all angles this Court decides the point for determination in favour to the Petitioner Union to the effect that Respondent Company is directed to reinstatement the workmen Petitioners Mr. C. Ponnarasan Mr. M. Banish, Mr. M. Himanshu Puhana, Mr. D. Senthil Kumar, and Mr. K. Ganapathi and thus, the industrial dispute referred is justified.

13. In the result, the industrial dispute raised by the Petitioner Union is justified and the Respondent management is hereby directed to reinstatement the petitioners Mr. C. Ponnarasan who was terminated on 26-03-2019, Mr. M. Banish, Mr. M. Himanshu Puhana who

were terminated on 19-03-2019 and Mr. D. Senthil Kumar, Mr. K. Ganapathi who were terminated on 23-09-2020 with back wages, continuity of service and other benefits as prayed in the claim petition. No costs.

Dictated to the Stenographer, directly typed by him, corrected and pronounced by me in open Court on this the 18th day of October, 2022.

V. SOFANA DEVI,
Presiding Officer,
Industrial Tribunal-cum
Labour Court, Puducherry.

List of petitioner's witness:

PW.1 — 06-09-2022 Thiru Sivakumar

List of petitioner's exhibits:

Ex.P1 — 07-11-2018 Photocopy of the claim petition of the petitioner to the Labour Commissioner, Puducherry.

Ex.P2 — 19-12-2018 Photocopy of the letter by the Union to the Labour Officer, Conciliation.

Ex.P3 — 08-04-2019 Photocopy of the letter by the respondent Management to the Labour Commissioner Puducherry.

Ex.P4 — Photocopy of the Order of the Labour Commissioner, Puduchery.

Ex.P5 — 08-09-2021 Photocopy of the Final Notice.

Ex.P6 — 31-01-2022 Photocopy of the Failure Report.

Ex.P7 — 25-02-2022 Photocopy of the Abstract.

Ex.P8 — 26-03-2019 Photocopy of the Termination Order of the Ponnarasan.

Ex.P9 — 03-04-2019 Photocopy of the letter sent by Ponnarasan to the respondent management.

List of respondent's witnesses: Nil

List of respomndent's exhibits : Nil

V. SOFANA DEVI,
Presiding Officer (FAC),
Industrial Tribunal-cum-
Labour Court, Puducherry.

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Rt. No. 174/AIL/Lab./T/2022,
Puducherry, dated 15th December 2022)

NOTIFICATION

Whereas, an Award in I.D (L) No. 92/2012, dated 22-08-2022 of the Industrial Tribunal-cum-Labour Court, Puducherry in respect of the Industrial Dispute between the Manging Director, Hidesign India (P) Limited, Puducherry and its worker Tmt. R. Jeane D' Arc, Puducherry - over non-employment.

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. 20/9/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)

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

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

Present : Tmt. V. Sofana Devi, M.L.
Presiding Officer.

Monday, the 22th day of August, 2022.

I.D. (L) No. 92/2012
C.N.R. No. PYPY06-000037-2012

R. Jeane D' Arc . . . Petitioner

Vs.

The Managing Director,
M/s. Hidesign India Private Limited,
Puducherry-605 110. . . Respondent

This industrial dispute coming on 18-08-2022 before me for final hearing in the presence of Thiru R.T. Shankar, Counsel for the Petitioner and Thiru G. Krishnan, Counsel, for the respondent, upon hearing both sides and after perusing the case records, the Court delivered the following:

AWARD

This Industrial Dispute has been referred by the Government as per the G.O. Rt. No.197/AIL/LAB/J/2012, dated 14-11-2012 for adjudicating whether the industrial

dispute raised by the petitioner Tmt. R. Jeane D' Arc against the Management of M/s. Hidesign India Private Limited, Puducherry, over her non employment is justified or not? If justified what relief the petitioner is entitled to?

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

2. *Brief averments made in the claim Statement of the petitioner:*

The Petitioner Work-Woman joined the respondent company on 12-11-1991. The Petitioner has availed maternity leave for 3 months from 01-07-2009. She intimated the maternity leave to the ESI Hospital and the certificate of the ESI Hospital submitted to the respondent company. Since the baby born with heart ailment the petitioner extended her leave even after the expiry of the said maternity leave, by informing the Section Officer R.K., Section Supervisor Mr. Suresh. They also informed the petitioner to approach the personal officer Ms. Akila. The petitioner as instructed, met Ms. Akila, the Personal Officer and Mr. Iyyappan regarding her leave. On their advise, petitioner gave a letter in writing stating the reason for the extension of her leave. She has handed over the said leave letter to the Superior Personal Officer Mr. Rajkumar. Unfortunately the baby died on 09-10-2011 because of heart ailment, despite medical treatment. So, the petitioner has not attended the work from 01-07-2009 to 07-12-2011. On 08-12-2011, petitioner went to work in respondent company after meeting Akila, the Personal Officer Muniammal the Section Head, R.K. Garments Head, Mr. Loorthnathan, and Mr. Athalbur, the head, who were present at that time informed her to sign in some papers for her long absence. The said two letters which were prepared by them were signed by the petitioner on the good faith without going through the same. Since, the petitioner was under stress due to her baby's death, she was not in a condition to look into the content of the letters. After signing those letters she joined duty on 08-12-2011. Previously she was getting ₹ 3,775 as monthly salary but, after 08-12-2011 she was given with a monthly salary of ₹ 3,450. She demanded for bus fare to the Section Supervisor and the Head Personnel. While that being so on 15-02-2012, while the petitioner was doing her work in the respondent company, the Personal Officer and other officials of respondent company had obtained the signature from the petitioner in some papers and handed over a cheque to her. Petitioner received the cheque with a misconception that they were giving the difference of salary due to her as she requested. But, after receiving the cheque, she was informed by the respondent company not to come to work hereafter.

The petitioner filed the petition before Labour Officer (Conciliation), but, ended in failure. The Petitioner work-woman worked for more than 20 years in the respondent company and never opted to resigned her job. But, taking advantage of the signed letters, the respondent company submitted before the Conciliation Officer that the petitioner herself resigned the job and also received the final and full settlement by way of cheque. Hence, the petition.

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

(i) The Management has not terminated the services of the petitioner illegally without any reason. The Management has not obtained her signature in the letter dated 08-12-2011 taking advantage of the mental agony caused to her by the death of her daughter and the letter dated 08-12-2021 was not illegal. The petitioner was denied employment from 16-02-2012 are totally false. The petitioner has availed maternity leave for 3 months from 01-07-2009. But, even after the expiry of the said leave, Petitioner remained absent from 01-10-2009 continuously, without any intimation or application seeking leave. On humanitarian grounds, the management has not issued any disciplinary action against her for the continuous and prolonged absence. The petitioner has chosen to come to the factory on 08-12-2011 after remaining unauthorizedly absent for more than 2 years continuously. When she was asked to furnish satisfactory explanation for such absence, she admitted her unauthorized absence and requested for leniency. She also represented that her health condition deteriorated due to mental tension and stress caused by the death of her child. Further, she also requested to permit her to do the light work as casual in the same department till she recovers. The management sympathetically considered her request and instead of taking severe disciplinary action for her prolonged absence, allowed her to work as a casual from 08-12-2011 as a temporary arrangement.

(ii) Thereafter, on 14-01-2012 the petitioner had approached the Management and voluntarily submitted her resignation letter stating that she could not continue with her services due to the death of her daughter and requested for full and final settlement of her accounts. Management accepted her resignation and decided to relieve her on the expiry of one month notice period as required to be given by the workman. The Petitioner has been relieved from the services on 16-02-2012 and a sum of ₹ 31,653 was paid towards full and final settlement of her accounts by way of cheque dated 16-02-2012 bearing No. 680035 drawn on HDFC Bank, Pondicherry. The Petitioner has also subsequently encashed the same.

(iii) On voluntarily submission of resignation and subsequent full and final settlement of accounts on 16-02-2012 the employer and employee relationship between the respondent and the petitioner has come to an end. The Petitioner's request contained in the letter of resignation was unconditional and was accepted by the management and thus brought an end to the contract of service and therefore, the question of reinstatement did not arise. The Petitioner was not dismissed or discharged or terminated or retrenched, but, was relieved from the services after acceptance of her resignation tendered on her own accord and free Will. An employee who was tendered an unconditional resignation voluntarily and made full and final settlement of accounts cannot maintain an application for reinstatement and other benefits.

(iv) The resignation was entirely voluntary and unconditional on the part of the petitioner to give up her employment for the reasons stated in the letter of resignation. The allegations made in the claim statement are created with imagination and after thought and deliberated concocted to harass the respondent company. Hence, prayed for dismissal.

4. Point for determination:

Whether the Petitioner work-woman is entitled for the prayer of reinstatement as prayed in the claim petition?

5. On Point:

On petitioner side, Petitioner himself examined as PW1. Ex.P1 to P6 (P3 on objection) were marked. PW2 examined. On respondent side RW1 examined. Ex.R1 to Ex.R4 were marked.

6. On the point:

The learned Counsel appearing for respondent/management argued that on voluntarily submission of resignation and subsequent full and final settlement of accounts on 16-02-2012, the employer and the employee relationship between Hidesign India Private Limited and the petitioner has come to an end and the claim of the petitioner does not deserve any conciliation.

7. Whereas on the side of the Petitioner, the learned Counsel would submit that without knowing the content of the resignation letter Ex.P1, the Petitioner work-woman signed in it. It was not written by the petitioner work-woman. The Petitioner work-woman only signed Ex.P1 without knowing it as it was her resignation. Further, it was submitted that Petitioner work-woman received the cheque under the impression that only balance arrear amount of her salary was tendered to her by way of a

cheque. Only because of that reason, the Petitioner work-woman received the said cheque. Further, the learned Counsel for the Petitioner work-woman would rely and refer the oral evidences of PW1 and PW2 in this regard.

8. On the Petitioner side the following case laws referred and relied upon:

(1) The Honourable Supreme Court of India -in Civil Appeal No. 5036/2022 (Arising out of SLP (C) No. 20995/2017 Central Bank of India and others Vs. Drageendra Sigh Jadon. held that the Tribunal had granted the relief of reinstatement, but, without backwages. When the Tribunal and the Hon'ble High Court (both the single and double bench) found the termination of service as wrongful, the employer cannot take advantage of its own wrong of wrongfully dismissal the respondent from service, to deny him the benefit of seniority, promotion and other benefits to which the employer would have been entitled, if, he had attended to his duty.

(2) The Hon'ble High Court Punjab and Harihana - Civil Writ Petition. No 17687/2009 date of decision 01-07-2013 - in Shree Pal Kaushik Vs. Presiding Officer, Labour Court -cum- Industrial Tribunal - I, Gurgaom and another. it is held that, under coercion, employee was forced to sign the resignation at gun point on some blank papers. When the document itself is clouded by compelling circumstances the Labour Court had a duty to examine all the attending circumstances leading to settlement and then to pronounce on it.

9. On perusal of the case records and the available evidences before this Court, I would say that the oral evidence given by PW2 is only a hearsay in nature and it cannot help anyway for determining the issue on hand. Evidence given by PW2 has no way useful to the Petitioner to prove her version. Further, Ex.P3 the photo copy of the e-mail conversation in the Respondent Management marked with objection at the time of marking. No witness examined to prove the content of the Ex.P3 as well as its genuinity and thus, it could not be looked into.

10. On perusal of PW1/ the Petitioner work-woman's examination before this Court, I find that in her chief examination affidavit, she has reiterated what she has pleaded in her claim statement. On perusal of Ex.P1, the resignation letter I could able to see that the resignation letter addressed to Special Officer, Hi design. As admitted by the Petitioner work-woman, it was signed by the Petitioner work-woman. In Ex.P1 the resignation letter, it has been mentioned that the Petitioner work-woman was working for the past 20 years in the respondent company and now since her daughter died

due to illness, she could not able to continue her work so she requested to settle her accounts and to give her benefits. In which the management official also signed with date 14-01-2012 with an endorsement 'Resignation is accepted and relieve her on expiry of one month notice period'. The resignation letter marked on either side as the Ex.P1 and Ex.R2 respectively. The Petitioner work-woman herself admitted the execution of the resignation letter Ex.P1, but, the only denial she made is that she did not know that it was a resignation letter at the time of her signing. But, interestingly she received a cheque for ₹ 31,653 dated 16-02-2012. The copy of the cheque along with the copy of the acknowledgment receipt signed by the Petitioner work-woman were marked on the side of the Petitioner work-woman as Ex.P2. On perusal of Ex.P2, I could find that it was an unconditional resignation by the Petitioner work-woman from the service. In the receipt Ex.P2 it has been clearly mentioned that 'I have resigned unconditionally from the service on my own initiative. I further say that the management has offered me and I have accepted today a sum of ₹ 31,653. Receipt of which I acknowledge hereby in full and final settlement of all my dues, incentives and claims'. It is pertinent to note the Last two lines in Ex.P2, which thus runs as, 'This has been readout and explained to me in vernacular, and I sign this of my free will, without any fear, threat or correction'. In ExP2- the acknowledgment receipt, the Petitioner work-woman signed in two places one on the stamp and another below the stamp. The copy of the cheque was also enclosed with wherein it could be inferred that the Petitioner work-woman had received the said cheque on 25-02-2012 and the endorsement to that effect is also found place in the copy of the cheque marked as Ex.P2. Therefore, the defence taken by the Petitioner work-woman that she had signed in Ex.P1 the resignation letter and Ex.P2 the acknowledgment receipt and cheque without knowing the content and received the cheque with a mistaken belief that it was her arrear amount, do not stand even for a while.

11. Further it is not the Petitioner work-woman's defence that the management wrongly guided her or misrepresented her or under coercion, or by using of threat or force had obtained her signature in the resignation. It was not at all her case. Her only version is that she signed in EX.P1 under the belief and faith that the management will provide her employment with same salary which was paid her earlier. In absence of oral as well as documentary evidence, the above version of the Petitioner Work-woman could not be accepted and thus not maintainable.

12. Further, it is also categorically admitted by the Petitioner Work-woman that she had encashed the cheque amount by presenting the cheque in the Bank

immediately after her resignation. PW1 the Petitioner work-woman in her evidence categorically deposed that she had presented the cheque in the Bank and en-cashed ₹ 31,653 from the respondent management account. For better appreciation, the relevant portion of PW1 cross examination has been extracted as follows: 'Ex.P1 ஆவணத்தில் தற்சமயம் என் மகள் உடல்நிலை சரியில்லாமல் இறந்துவிட்டதால் என்னால் தொடர்ந்து வேலைக்கு வரமுடியவில்லை எனது கணக்கை சரிபார்த்து தரவேண்டும் என குறிப்பிடப்பட்டுள்ளது என்றால் ஆமாம். ஆனால் அதை நான் படித்து பார்க்கவில்லை. மேற்கண்ட Ex.P1 தேதியில் என்னை வேலையில் இருந்து விடு விக்கவில்லை. அதன் பிறகு 16-02-2012 அன்றுதான் என்னை வேலையில் இருந்து விடுவித்தார்கள் என்றால் ஆமாம். அன்றைய தேதியில் ₹ 31,653-க்கான காசோலை கொடுத்து என்னிடம் பெறப்பட்ட கையொப்பம் தான் Ex.P3 என்றால் சரிதான். அந்த காசோலையை என்னுடைய வங்கியில் செத்தி பணம் பெற்றுக்கொண்டேன்'. Therefore, from the above evidence, it is made clear that the Petitioner work-woman' had resigned her service from the respondent management vide Ex.P1(Ex.R2) and she had also received a full and final settlement from the respondent management of all her dues vide Ex.P2. Ex.P1 (Ex.R2), the resignation letter was given on 14-01-2012 and after one month notice period the Management had relieved the Petitioner work-woman from service by settling all her dues, benefits and claims that she was entitled to from the respondent Management. The Petitioner work-woman had also encashed the cheque amount immediately by presenting the cheque in the Bank.

13. The same has been categorically admitted by the Petitioner work-woman as PW1 during cross examination as follows, 'எனக்கு ஆட்சேபனை இருக்கும் போது ஏன் அந்த காசோலையை நிர்வாகத்திற்கு திருப்பி கொடுக்கவில்லை என்றால் அதற்கான விவரம் தெரியவில்லை என்பதால் அந்த காசோலையை நிர்வாகத்திற்கு திருப்பி அனுப்பவில்லை. காசோலை எதற்கு கொத்தார்கள் என்ற விவரம் எனக்கு முழுமையான தெரிந்துதான் நான் பெற்று கொண்டேன் என்றால் காசோலையை கொடுத்த பிறகு வேலையை விட்டு நீக்கிவிட்டோம் என்று சொன்னார்கள்'. According to the Petitioner work-woman, the Management while giving the cheque had disclosed her not to come to work hereafter. If, that being so, what prevented the Petitioner work-woman to give back the cheque immediately to the management there itself on the very same day. In case if, the management had refused to receive back the cheque, the Petitioner work-woman has been expected to or could send back the cheque to the management by way of post or other means. But, here from the above version of the petitioner, this Court could able to infer that the Petitioner work-woman had never tried to give back the cheque which was handed over by the

management to her towards the full and final settlement. No where the Petitioner work-woman has pleaded nor proved that she had taken steps to hand over the cheque back to the respondent Management. No proof exhibited before this Court to show her inclination to give back the cheque or repay the cheque amount to the respondent Management. To the contrary, the Petitioner work-woman had presented the cheque immediately into the Bank and en-cashed the amount which was given by the respondent Management towards the full and final settlement. As already discussed above the amount of ₹ 31,653 which is a huge amount comparatively to the so called arrear amount due to the petitioner and at any stretch of imagination it cannot be considered as an amount of arrears of petitioner work-woman's salary as alleged by the Petitioner work-woman. Therefore, this Court holds that the defence in this regard put forth by the Petitioner work-woman is nothing, but, purely an after thought.

14. The case laws relied on the side of the petitioner work-woman are not applicable to the present situation on hand. Here it is the case of resignation, not a case of termination. Further, the Petitioner work-woman had not pleaded nor it is the case of the petitioner work-woman that she signed the resignation under any threat or force used by the Management Company. Therefore, on the whole, the contentions found in the claim petition deserves to be rejected. Thus, the point for the determination is answered accordingly as against the Petitioner work-woman.

15. From the above discussions and findings, I decide that the Petitioner work-woman had resigned her service from the Respondent Management vide ExP1, received all her legal dues vide Ex P2 Cheque and the Petitioner is no more a work-woman of the respondent Management and thus she is not entitled for any relief of reinstatement as prayed in the claim petition. Thus, the Petitioner is not entitled for any remedy from this Court and this Industrial Dispute is liable to be dismissed.

In the result, the Industrial Dispute raised by the Petitioner/Work-Woman against the Management is decided as unjustified and hence this Industrial Dispute is dismissed. No costs.

Dictated to the Stenographer, directly typed by her, corrected and pronounced by me in the open Court on this the 22th day of August, 2022.

V. SOFANA DEVI,
Presiding Officer,
Industrial Tribunal-cum-
Labour Court, Puducherry.

List of petitioner witnesses:

- PW1 — Mrs. R. Jean D' Are
PW2 — Mr. Appadurai

List of petitioner's exhibits:

- Ex.P1 — — Attested photocopy of purported letter signed on (08-11-2012) by petitioner to respondent.
Ex.P2 — 16-02-2012 Attested photocopy of purported settlement Form (along with copy of cheque by petitioner to respondent).
Ex.P3 — 23-02-2012 Attested photocopy of E-Mail Correspondence between management official of respondent. (subject to objection)
Ex.P4 — 24-02-2012 Attested photocopy of statement of settlement by respondent company to petitioner.
Ex.P5 — 13-03-2012 True copy of letter by petitioner to Labour Conciliation Office, Puducherry.
Ex.P6 — 27-06-2012 True copy of letter by petitioner to Labour Conciliation Office, Puducherry.

List of respondent's witness:

- RW1 — 13-07-2022 Mr. T. Rajkumar

List of Respondents's Exhibits:

- Ex.R1 — 12-04-2013 Certified true copy of the extract of the resolution passed at the meeting of the Board of Directors of respondent company.
Ex.R2 — 14-01-2012 Copy of resignation letter of respondent/petitioner.
Ex.R3 — 27-03-2012 Copy of remarks submitted by the petitioner/respondent before the Labour Officer (Conciliation).
Ex.R4 — 01-10-2012 Copy of conciliation failure report.

V. SOFANA DEVI,
Presiding Officer,
Industrial Tribunal-cum-
Labour Court, Puducherry.

**புதுச்சேரி அரசு
துணை மாவட்ட ஆட்சியர் (வருவாய்) அலுவலகம், காரைக்கால்**

எண் 9642, 5097/மாசாஆ/காரை/ஃ3/2022.

அறிவிக்கை

[புதுச்சேரி நில மானிய விதி 1975, விதி 60(iii)-ன் கீழ்]

புதுச்சேரி அரசால் தங்களுக்கு ஒப்படை செய்யப்பட்ட கீழ்க்காணும் நிலவிவரங்களுடைய இடத்தில் தாங்கள் வீடு கட்டாமலோ அல்லது குடியிருக்காமலோ இருப்பதன் மூலம் தங்களுக்கு வழங்கப்பட்ட நில ஒப்படை ஆணையில் காணப்படும் நிபந்தனை (2)-ஐ தாங்கள் கடைபிடிக்காததை அறியவும்.

வரிசை எண்	ஒப்படை பெற்றவரின் பெயர் மற்றும் முகவரி	மறு/நகர அளவை எண்	நிலத்தின் பரப்பளவு	நில ஒப்படை ஆணை எண்
(1)	(2)	(3)	(4)	(5)
			ஹெ. ஆ. சா.	
24. கீழவேளி வருவாய் கிராமம்				
1.	திருமதி பிபிஜான், க/பெ. ஹயாத்தாபாட்சா.	G/4/138	0 00 48	295/06-07
2.	திருமதி பரகத்நிஹா, க/பெ. முகமது அப்துல்காதர்.	G/4/258	0 00 37	178/07-08
3.	திரு. அப்துல் ரஹ்மான், த/பெ. அப்துல்காதர்; திருமதி செய்து அலைக்கனி, க/பெ. அப்துல் ரஹ்மான்.	G/4/259	0 00 37	100A/07-08

ஆதலால், இவ்வறிவிப்பு கிடைக்கப்பெற்ற 15 நாட்களுக்குள் தங்களுக்கு வழங்கப்பட்ட இடத்தினை ஏன் அரசே திரும்ப எடுத்துக்கொள்ளக்கூடாது என்பதற்கான காரணங்களை இவ்வலுவலகத்திற்குத் தெரிவிக்கும்படி கேட்டுக்கொள்ளப்படுகிறது. இது தொடர்பாக தாங்கள் கருத்து ஏதேனும் தெரிவிக்க விரும்பினால் மேற்குறிப்பிட்ட காலக்கெடுவிற்குள் கீழ்க்கையொப்பமிட்டுள்ள அதிகாரியிடம் முறையிடலாம்.

குறிப்பிட்ட காலக்கெடுவிற்குள் தாங்கள் நேரிலோ அல்லது கடிதம் வாயிலாகவோ தங்களது கருத்தைத் தெரிவிக்காவிடில், தங்களிடம் கருத்துக்கூற ஏதும் இல்லை எனக் கருதப்பட்டு இதற்கு மேல் எந்த அறிவிப்புமின்றி தங்களுக்கு வழங்கப்பட்ட நில ஒப்படை ஆணை ரத்து செய்யப்படும்.

காரைக்கால், 2022 வரல டிசம்பர் மீ 15 வ.

மூ. ஆதர்ஷ்,
துணை ஆட்சியர் (வருவாய்).

GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (AGRICULTURE)

(G.O. Ms. No. 16/Ag., Puducherry,
dated 06th January 2023)

NOTIFICATION

The Notice of voluntary retirement given under F.R.56 (k)(1) by Tmt. V. Kumuda, Superintendent, Government Agricultural Engineering Workshop, Department of Agriculture and Farmers Welfare, Puducherry, is accepted.

2. Accordingly, she is admitted into voluntary retirement with effect from the forenoon of 01-03-2023.

(By order of the Lieutenant-Governor)

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

GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF SCHOOL EDUCATION

No. 324/DSE/HSW/EC/MATRIC/2023.
Puducherry, dated 09th January 2023.

NOTIFICATION

It is hereby informed that the original Matric Examination Mark Certificate bearing Serial No. 0688174 under Register Number 904320 of March 2007, in respect of Selvi. Maheswari K, an ex pupil of St. Joseph of Cluny Girls' Higher Secondary School, Lawspet, Puducherry, is reported to have been lost beyond the scope of recovery, the necessary steps have been taken to issue duplicate certificate. If, anyone finds the original Mark Certificate, it may be sent to the Secretary, State Board of School Examinations (SEC), College Road, Chennai-600 006, for cancellation as it is no longer valid.

Dr. V. G. SIVAGAMI,
Joint Director Directorate of School Education.

GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF SCHOOL EDUCATION

No. 325-338/DSE/HSW/EC/SSLC/2023.

Puducherry, dated 09th January 2023.

NOTIFICATION

It is hereby notified that the following candidates have lost their original S.S.L.C. Examination Mark Certificates beyond the scope of recovery, the necessary steps have been taken to issue duplicate certificates. If, anyone finds the original Mark Certificate(s), it/they may be sent to the Secretary, State Board of School Examinations (SEC), College Road, Chennai-600 006, for cancellation as it is/they are no longer valid.

Sl. No.	Name of the applicant	Register No., session and year	Sl. No. of the Mark Certificate	School in which studied last
(1)	(2)	(3)	(4)	(5)
Tmt./Selvi/Thiru :				
1.	Vinitha S	5008650 March 2015	5311787	Government High School, Kombakkam, Puducherry.
2.	Vimalraj Dunette	1663536 March 2017	8332856	Petit Seminaire Higher Secondary School, M.G. Road, Puducherry.
3.	Latheka G K	4938244 March 2020	11967572	New Modern Vidhya Mandir Higher Secondary School, Muthialpet, Puducherry.
4.	Praveen S	602679 March 2012	6986713	Amalorpavam Higher Secondary School, Vanarapet, Puducherry.
5.	Veeramanikandan V	601829 March 2010	8163522	Bharathi Government Higher Secondary School, Bahour, Puducherry.
6.	Dineshkumar I	1662798 March 2017	8344615	KSP Higher Secondary School, Kathirkamam, Puducherry.
7.	Stalin G @ Shalluma	533025 March 2007 and 908731 March 2008	— —	Government High School, Karaiyambuthur, Puducherry. Private study
8.	Nelson U	1676602 March 2016	6758954	Thanthai Periyar Government Girls' Higher Secondary School, Ariyankuppam, Puducherry.
9.	Dhiwan T	1684610 March 2016	—	Subramania Bharathi Higher Secondary School, Thirukkanur, Puducherry.
10.	Soupramaniane A	324637 April 1992 and 557802 April 1993	0441098 and 1354794	Government Higher Secondary School, Kalapet, Puducherry. Private study
11.	Dhinesh V	1176006 June 2011	9868772	Private study
12.	Thamizharasan V	503409 March 2006	3594313	Wiseman Higher Secondary School, Mudaliarpeta, Puducherry.

(1)	(2)	(3)	(4)	(5)
Tmt./Selvi/Thiru :				
13.	Vinothkumar V	479002 April 2004	1433365	Government Higher Secondary School, Ariyur, Puducherry.
14.	Kandhan S	6322696 March 1999	—	SR Subramanian Government High School, Saram, Puducherry.

Dr. V. G. SIVAGAMI,
Joint Director of School Education.

**GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF SCHOOL EDUCATION**

No. 868-881/DSE/HSW/EC/HSC/2023.

Puducherry, dated 09th January 2023.

NOTIFICATION

It is hereby informed that the following candidates have lost their original Higher Secondary Examination Mark Certificates beyond the scope of recovery, the necessary steps have been taken to issue duplicate certificates. If, anyone finds the original Mark Certificate(s), it/they may be sent to the Secretary, State Board of Secondary Examinations (Hr.Sec.), College Road, Chennai – 600 006, for cancellation, as it is/they are no longer valid.

Sl. No.	Name of the applicant	Register No., session and year	Sl. No. of the Mark Certificate	School in which studied last
(1)	(2)	(3)	(4)	(5)
Tmt./Selvi/Thiru :				
1.	Soundaria B	567331 March 2016	11566940	St. Patrick Matric Higher Secondary School, Puducherry.
2.	Parvin Banu R	576403 March 2011	5982669	Thiruvalluvar Government Girls' Higher Secondary School, Puducherry.
3.	Vijay Mic S	908349 March 2016 and 969943 March 2017	11544402 and 12733151	Private study Private study
4.	Raghavi A	570437 March 2016	11260616	New Modern Vidhya Mandir Higher Secondary School, Muthialpet, Puducherry.
5.	Vijayalakshmy S	545795 March 2013	7980946	Ilango Adigal Government Higher Secondary School, Muthiraiyarpalayam, Puducherry.
6.	Vinitha S	599498 March 2017	12539278	Theerar Sathiyamoorthy Government Higher Secondary School, Murungapakkam, Puducherry.
7.	Bharathkumar R	1578867 March 2018 and 7029366 June 2018	— —	Navalar Nedunchezhan Government Higher Secondary School, Lawspet, Puducherry. Private study
8.	Dechen Dolkar	742402 March 1991	A 2057670	Immaculate Heart of Marys Higher Secondary School, Puducherry.
9.	Senthilkumar R	681550 March 1995	AB 1393903	Jeevanandam Government Higher Secondary School, Karamanikuppam, Puducherry.

(1)	(2)	(3)	(4)	(5)	
Tmt./Selvi/Thiru :					
10.	Pavithra G	3568630 and 4848921	March 2018 March 2019	1766222 and 2766374	Annai Sivagami Government Girls' Higher Secondary School, Mudaliarpeta, Puducherry.
11.	Praveen S	594914	March 2010	8176141	Amalorpavam Higher Secondary School, Puducherry.
12.	Sathish K	449043	March 2006	2206237	Calve College Government Higher Secondary School, Puducherry.
13.	Thamizharasan V	487392	March 2008	3697726	Calve College Government Higher Secondary School, Puducherry.
14.	Vinothkumar V	453090 and 166222	March 2006 June 2006	0554825 and 0591956	KK Government Higher Secondary School, K.T. Kuppam, Puducherry. Private study

Dr. V.G. SIVAGAMI,
Joint Director of School Education.

உழவர்கரை நகராட்சி, புதுச்சேரி

F.No. 51-62/A.E-I/JE(O)/O.M./2022-23.

அறிவிப்பு

உழவர்கரை நகராட்சியில் உள்ள உழவர்கரை வருவாய் கிராமத்தில், புதியதாக உருவாக்கப்பட்டுள்ள புதிய சாலை பகுதிகளின் விவரங்கள் அடங்கியப் பட்டியல் அடியிற்கண்ட அட்டவணையில் விளம்பரப்படுத்தப்பட்டுள்ளது. இவ்வட்டவணையில் விவரிக்கப்பட்டுள்ள வீதிகள் அனைத்தும் பொதுமக்கள் பயன்படுத்துவதற்கு தேவைப்படுவதால், 1973-ஆம் ஆண்டு, புதுச்சேரி நகராட்சியின் சட்டம், பிரிவு 256 அதிகாரத்தின்படி நகராட்சி பொது வீதிகளாக அறிவிக்க உத்தேசித்துள்ளது. மேற்படி, வீதிகளின் உரிமையாளர்கள் அல்லது வாரிசுதாரர்கள் அல்லது ஏதேனும் தொடர்புடையவர்களுக்கு (அல்லது) நகர் பிரிவை சேர்ந்தவர்களுக்கு ஏதேனும் ஆட்சேபனை இருந்தால், இவ்வறிவிக்கை வெளியிடப்பட்ட முப்பது நாட்களுக்குள் எழுத்துப் பூர்வமாக நகராட்சிக்குத் தெரிவிக்கும்படி கோரப்படுகிறது. அவ்வாறு முப்பது நாட்களுக்குள் ஆட்சேபனை ஏதும் பெறப்படவில்லை என்றால், இவ்வட்டவணையில் குறிப்பிடப்பட்டுள்ள சாலைகளை பொதுமக்களின் உபயோகத்திற்காக எடுத்துக்கொள்ளப்படும் என்பதனை இதன்மூலம் அறிவிக்கப்படுகிறது. மேலும், கீழ்க்கண்ட அட்டவணையில் உள்ள சாலைகள் அனைத்தும் நில அளவீட்டு புத்தகம் (FMB) மற்றும் சாலை தற்போது உள்ள அளவீடுகளின்படி ஒப்பிட்டு கொடுக்கப்பட்டுள்ளது. பிற்காலத்தில் சாலை மற்றும் மனைகளின் அளவுகளில் ஏதேனும் ஆட்சேபனை பெறப்பட்டால் அதற்கு நகராட்சி பொறுப்பேற்காது என்றும் தெரிவிக்கப்படுகிறது.

மேலும், கீழ்க்கண்ட அட்டவணையில் விவரிக்கப்பட்டுள்ள வீதிகளின் வரைபடங்களை அலுவலக நேரங்களில் பொறியியல் பிரிவில் அணுகிப் பார்வையிடலாம்.

வரிசை எண்	வருவாய் கிராமம்/ உட்கிராமம்	உரிமையாளர்களின் பெயர் (ஆவணப்படி)	மறு அளவை எண்	பட்டா எண்	அளவு			குறிப்பு (தீசைகள்)
					நீளம்	அகலம்	பரப்பளவு	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

தீருமதி/செல்வி :

மீ. மீ. ச.மீ.

உழவர்கரை வருவாய் கிராமம்

மூலகூலம், தக்கக்குட்டை

1	சாலை (A)	மாரி ஷொசேபீன் தெரேஸ்	132/2A/1	288	21.90 (வடக்கு) 24.80 (தெற்கு)	6.10 (மேற்கு) 6.10 (கிழக்கு)	1058	கிழக்கு- மேற்கு சாலை
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
		தீருமதி/செல்வி :			மீ.	மீ.	ச.மீ.	
சாலை (A')	மரி டிராபிளாசேபீன் தெரேஸ்	132/2A/1	288	150.00 (வடக்கு) 150.30 (தெற்கு)	6.10 (மேற்கு) 6.10 (கீழ்க்கு)	1058	கீழ்க்கு- மேற்கு சாலை	
சாலை (B)	மரி டிராபிளாசேபீன் தெரேஸ்	132/2A/1	288	38.00 (மேற்கு) 38.40 (கீழ்க்கு)	6.10 (வடக்கு) 6.10 (தெற்கு)	233	வடக்கு- தெற்கு சாலை	
சாலை (C)	மரி டிராபிளாசேபீன் தெரேஸ்	132/2A/1	288	42.00 (மேற்கு) 42.60 (கீழ்க்கு)	6.10 (வடக்கு) 6.10 (தெற்கு)	258	வடக்கு- தெற்கு சாலை	
சாலை (D)	மரி டிராபிளாசேபீன் தெரேஸ்	132/2A/1	288	44.20 (மேற்கு) 45.40 (கீழ்க்கு)	6.10 (வடக்கு) 6.10 (தெற்கு)	273	வடக்கு- தெற்கு சாலை	

ஐவகர் நகர், 2023 (வர்பு சனவரி மீ 19 வ.)

A. சுரேஷ்ராஜ்,
ஆணையர்.

மண்ணாடிப்பட்டி கொம்பியுன் பஞ்சாயத்து, புதுச்சேரி

ஆபத்தான நிறுவனங்கள்

அறிவிப்பு

கீழ்க்கண்ட நபர் மண்ணாடிப்பட்டி கொம்பியுன் பஞ்சாயத்தின் எல்லைக்குள் பின்வரும் தொழில் நிறுவனத்தை அமைத்துக்கொள்ள இக்கொம்பியுன் பஞ்சாயத்தின் அனுமதி வேண்டுகிறார்.

வரிசை எண்	விண்ணப்பதாரரின் பெயர் மற்றும் முகவரி	நிறுவனம் அமைந்துள்ள இடத்தின் முகவரி	உத்தேசிக்கப்பட்டுள்ள நிறுவனத் தயாரிப்பு/செய்முறை	தேவையான மின் திறன்	ஆட்களின் எண்ணிக்கை
(1)	(2)	(3)	(4)	(5)	(6)
1	தீருமதி B. மாலதி, எண் 253. ருத்ரமூர்த்தி வீதி, வி.ஐ.பி. நகர், வி. மணவெளி, வில்லியனூர், புதுச்சேரி-605 110.	M/s. ஸ்ரீ ரோஹிதா மித்ரா கிரானுல்ஸ், மறு அளவை எண் 165/2, மதகடிப்பட்டி, புதுச்சேரி.	ரீ ப்ராசசிங் ஆப் பிளாஸ்டிக் ஸ்கிராப் மெட்டிரியல்ஸ் தயாரித்தல்.	120.00 H.P.	9 (பொது பணி முறைகள்).

1973-ஆம் ஆண்டு, புதுச்சேரி கிராமம் மற்றும் கொம்பியுன் பஞ்சாயத்துக்கள் சட்டத்தின் மூலமாய் புதுச்சேரி ஒன்றியத்து ஆட்சிப்பரப்பில் அமுலாக்கப்பட்ட புதுச்சேரி கொம்பியுன் பஞ்சாயத்துக்கள் (உரிமம் மற்றும் அனுமதி அளித்தல்) விதிகள், 1976, பிரிவு 11-ன்படி இத்தொழில் நிறுவனத்தை நிறுவுவதினால் உண்டாகும் ஆட்சேபணைகள் ஏதேனும் இருந்தால், அவற்றை இந்த அறிவிப்பு பிரசுரமான தேதியிலிருந்து பத்து நாட்களுக்குள் மண்ணாடிப்பட்டி கொம்பியுன் பஞ்சாயத்து ஆணையர் அவர்களுக்கு எழுத்து மூலமாய் தெரியப்படுத்துவது கேட்டுக்கொள்ளப்படுகிறது.

குறிப்பிட்ட காலவரையறைக்குள் பெறப்படும் ஆட்சேபணைகள் மண்ணாடிப்பட்டி கொம்பியுன் பஞ்சாயத்தால் பரிசீலிக்கப்படும்.

தீருமதி, 2023 (வர்பு சனவரி மீ 05வ.)

வே. எழில்ராஜன்,
ஆணையர்.

MANNADIPET COMMUNE PANCHAYAT, PUDUCHERRY*Thirubuvanai, dated 05th January 2023.***Dangerous Establishments****NOTICE**

The undermentioned person has requested permission for setting up a new industry within the Mannadipet Commune Panchayat limits, as detailed below.

Sl. No.	Name and address of the applicant	Address of the industry site	Industry proposed	Power required	No. of workers
(1)	(2)	(3)	(4)	(5)	(6)
1	Tmt. B. Malathy, No. 253, Rudramurthy Street, VIP Nagar, V. Manavelly, Villianur, Puducherry-605 110.	M/s. Sree Rohitha Mithra Granules, R.S. No. 165/2, Madagadipet, Puducherry.	Manufacture/Activity of "reprocessing of plastic scrap materials".	120.00 H.P.	9 Nos. (General shift).

In conformity with rule 11 of the Pondicherry Commune Panchayats (Grant of Licences and Permissions) Rules, 1976, promulgated of this Union Territory by the Puducherry Village and Commune Panchayats Act, 1973, objections, if any, to the setting up of the above proposed industry, are invited to reach the Commissioner, within ten days from the date of publication of this notice in the Official Gazette.

The objections received within the specified period will be considered by the Mannadipet Commune Panchayat.

V. EJILERADJANE,
Commissioner.

AFFIDAVIT

I, Ramakrishnan, son of Gothandabani, Indian inhabitant, aged 38 years and presently residing at the house bearing Door No. 12, Gandhi Nagar, Sannyasikuppam, Thirubuvanai, Puducherry-605 107, do hereby solemnly and sincerely affirm, to whomsoever it may concern as follows:

That I am the deponent herein. I state that in my Birth Certificate under Registration No. T/1984/00044, my name has been mentioned as 'Ramakrishnan'.

In my School Transfer Certificate under Admission No. 5946/9.6.94, my name has been mentioned along with initial as 'G. Ramakrishnan'.

Through a publication in the Government of Puducherry Gazette, *vide* No. 33 of the year 2016, I have changed my said name for numerological reasons as 'Amuthasethu', as such in my Aadhaar Card under No. XXXX XXXX 3426 and in my Elector's Photo Identity Card under No. BQG0224691, my name has been mentioned as 'Amutha Sethu (அமுத சேது)'.
562195

In the details of the family members in the Family Ration Card under No. 391243, my name has been mentioned as 'அமுதசேது'.

Therefore, I do hereby declare that all the abovesaid names are referred, identified and relate to one and the same person that is me, the deponent herein.

I state that hereinafter, I shall be known and identified only by the name 'Ramakrishnan (ராமகிருஷ்ணன்)' for all purposes.

I state that what are all stated in the above paragraphs is true and correct to the best of my knowledge, belief and information.

Solemnly and sincerely affirmed, and signed before the Notary Public at Puducherry, on this 6th day of January 2023.

G. ராமகிருஷ்ணன்.

AFFIDAVIT

I, G. Prem Kumar, son of P. Gopi, Indian inhabitant, aged 29 years and presently residing at the house bearing Door No. 01, Angalamman Kovil Street, Nallavadu, Ariyankuppam Commune, Puducherry-605 007, do hereby solemnly and sincerely affirm, to whomsoever it may concern as follows:

That I am the deponent herein. I state that in my Birth Certificate under Registration No. COC/1993/02/016/002335/0, my name has been mentioned as 'G. Prem Kumar'.

In my School Transfer Certificate under Admission No. 14128/2007-08, my name has been mentioned as 'G. Premkumar'.

In my Elector's Photo Identity Card under No. SQY0041202, my name has been mentioned as 'Vivack (விவேக்)'.

In my Aadhaar Card under No. XXXX XXXX 1599, my name has been mentioned as 'Premkumar (பிரேம்குமார்)'.

In my PAN Card under No. HGFPP4397P, my name has been mentioned as 'Premkumar'.

In my Passport under No. W8467284, my surname has been mentioned as 'Gopi' and my given name has been mentioned as 'Premkumar'.

In the details of the family members in the Family Ration Card under No. 445211, my name has been mentioned as 'விவேக்'.

Therefore, I do hereby declare that all the abovesaid names are referred, identified and relate to one and the same person that is me, the deponent herein.

I state that hereinafter, I shall be known and identified only by the name 'G. Prem Kumar (கே. பிரேம்குமார்)' for all purposes.

Hence, I state that what are all stated in the above paragraphs is true and correct to the best of my knowledge, belief and information.

Solemnly and sincerely affirmed, and signed before the Notary Public at Puducherry, on this 9th day of January 2023.

562196

G. PREM KUMAR.

AFFIDAVIT

I, S.Kumar, son of Sadasivam, Indian inhabitant, aged 61 years and presently residing at the house bearing Door No. 7, Sellaperumal Koil Street, Kuyavarpalayam, Puducherry-605 013, do hereby solemnly and sincerely affirm, to whomsoever it may concern as follows:

That I am the deponent herein. I state that in my Record Sheet under Ad. No. 1566, issued by the Headmaster, P.U.B School, Thudiyalur, my name has been mentioned as 'S. விஜயகுமார்'.

In my Elector's Photo Identity Card under No. SCO0164772, my name has been mentioned as 'Kumar (குமார்)'.

In my Aadhaar Card under No. XXXX XXXX 3712, my name has been mentioned as 'S Kumar (S குமார்)'.

In the Driving Licence under No. TN32 19820 000058, my name has been mentioned as 'Kumar. S'.

In the Birth Certificate of my elder daughter, by name Kamatchi under Registration No. PM/M/1988/8393, my name has been mentioned as 'Kumar' and in the Birth Certificate of my younger daughter, by name Gnanasoundari, under Registration No. PM/C/1991/94, my name has been mentioned as 'Vijayakumar' and in the Birth Certificate of my son, by name Krishnavel, under Registration No. PM/N/1993/26, my name has been mentioned as 'S. Kumar'.

In my Savings Bank Passbook of State Bank of India, Agri Development Branch, Puducherry, my name has been mentioned as 'Kumar. S'.

In the Family Ration Card Details under No. 424306, my name has been mentioned as 'ச. குமார்'.

Therefore, I do hereby declare that all the abovesaid names are referred, identified and relate to one and the same person that is me, the deponent herein.

I state that what are all stated in the above paragraphs is true and correct to the best of my knowledge, belief and information.

Solemnly and sincerely affirmed, and signed before the Notary Public at Puducherry, on this 25th day of November 2022.

562197

S. Kumar.

AFFIDAVIT

I, Poorani, wife of Kaliyavarathan, aged 62 years, residing at No. 17, Second Vanniar Street, Kanuvapet, Villianur, Puducherry-605 110, do hereby solemnly and sincerely affirm and state on oath as follows:

I submit that my name 'Poorani' is found in my Aadhaar Card issued by the Unique Identification Authority of India, bearing No. XXXX XXXX 0948,

the name 'Poorani' is found in my Elector's Photo Identity Card, issued by the Election Commission of India, bearing No. TLS0186478, the name 'பூரணி' is found in my Family Ration Card, issued by the Department of Civil Supplies and Consumer Affairs, Puducherry, bearing No. 332883, the name 'Pazaniammal' which is found in my son Thirumudi Udayar's Birth Certificate, Registered in the Villianur Commune Panchayat, under registration No. V/1983/00381, on 08-07-1983 and the name 'Pazhaniammal @ Purani' which is found in my son Tirunavukarasar's Birth Certificate, registered in the Villianur Commune Panchayat under Registration No. R/1989/00344, on 10-07-1989 are belonging and referring me only. I do affirm that hereafter I shall be known only as 'Poorani'.

Hence, I hereby declare that I shall at all times hereafter in all records, deeds and writings and in all proceedings, dealings and transactions, private as well as upon all occasions whatsoever use and sign the name of 'Poorani' as my name in place and in substitution of my former name.

I state that the abovesaid facts are true to the best of my knowledge, belief and information.

Solemnly and sincerely affirmed, and signed before the Notary Public at Puducherry, on this 02nd day of January 2023.

562198

K. பூரணி.

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AFFIDAVIT

I, G. Nadana Udayar, son of Govindasamy, residing at No. 325, Lenin Street, Kuyavarpalayam, Saram, Puducherry-605 013, do hereby solemnly and sincerely affirm and state on oath as follows:

That I am the deponent herein and I am well aware of the facts of my deposition.

That my name is entered as 'Nadanassababady' in my Marriage Certificate *vide* Registration No. 140/1959/PDM, dated 21-09-1959 issued by Pondicherry Municipality, Puducherry.

That my name is entered as 'Nadana Udayar' in my PAN Card in Registration No. ASZPN7052Q, issued by Income-tax Department, Government of India.

That my name is entered as 'G Nadanaudayar' in my Aadhaar Card No. XXXX XXXX 5932, issued by Unique Identification Authority of India.

That my name is entered as 'Natanam' in my Electoral Identity Card No. PY/01/007/042340, issued by Election Commission of India.

That my name is entered as 'நடன உடையார்' in my Family Ration Card No. 143175, issued by the Department of Civil Supplies and Consumer Affairs, Government of Puducherry.

That my name is entered as 'Nadanam' in my son's Aadhaar Card No. XXXX XXXX 1045, issued by Unique Identification Authority of India.

That my name is entered as 'Natanaudayar' in my son's Elector's Photo Identity Card No. SCO0109496, issued by Election Commission of India.

That my name is entered as 'Nadanasabapathy' in my son's Passport bearing No. F9491080, issued by Regional Passport Authority, Chennai.

That my name is entered as 'G. Nadanasabapathy' in my son's Community Certificate issued by Taluk Office, Government of Puducherry.

That my name is entered as 'Nadanasabapathy' in my son's Birth Certificate No. P/1962/00308, issued by Pondicherry Municipality, Government of Puducherry.

Therefore, I do hereby declare that all the abovesaid names are referred, identified and relate to one and the same person that is me, the deponent herein.

That the above particulars are true and correct to the best of my knowledge and belief.

Solemnly and sincerely affirmed, and signed before the Notary Public at Puducherry, on this 09th day of January 2023.

562199

G. NADANA UDAYAR.

No legal responsibility is accepted for the publication of advertisement regarding change of names and other private notifications in the Gazette. Persons notifying the same will remain solely responsible for the legal consequences and also for any other misrepresentations, *etc.*