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புதுச்சேரி மாநில அரசிதழ்

La Gazette de L' État de Poudouchéry

The Gazette of Puducherry

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No.	Puducherry	Tuesday	7th	March	2023

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புதுச்சேரி அரசு

வருவாய் மற்றும் பேரிடர் மேலாண்மைத் துறை, புதுச்சேரி

அரசாணை (பலவகை) எண் 01/2023/1012.

முதனிலை அறிவிக்கை

(2013-ஆம் ஆண்டு நிலம் கையகப்படுத்துதல், மறுவாழ்வளிப்பு மற்றும் மறுகுடியமர்வில் நியாயமான இழப்பீடு மற்றும் வெளிப்படைத்தன்மை உரிமை சட்டத்தின் 11 பிரிவை சேர்ந்த (1) உட்பிரிவின் கீழ்)

காரைக்கால் மாவட்டம், திருநள்ளாறு தாலுக்கா, திருநள்ளார் வருவாய் கிராமத்தில், 0.75.19 ஹெக்டேர் பரப்பளவுள்ள நிலம் ஒரு பொது நோக்கத்திற்காக அதாவது "பேரளம் - காரைக்கால் இடையே புதிய அகல இரயில் பாதை அமைக்கும் திட்டத்தின் கீழ் திருநள்ளாறு இரயில் நிலைய கட்டுமானம் மற்றும் யார்டு அமைப்பதற்கு" தேவைப்படுகிறது என புதுச்சேரி அரசுக்கு தோன்றுகிறது என்பதால், சமுதாய தாக்க கணிப்பு அமைப்பதால் (SIA Unit) சமுதாய தாக்க மதிப்பீட்டு ஆய்வு செய்யப்பட்டு, சட்டத்தின் 4-ஆம் பிரிவின் கீழ் உரைக்கப்பட்டவாறு சிறப்பு செயலர் (வருவாய்) அவர்களால் அமைக்கப்பட்ட ஒரு குழுவால் முதனிலை ஆய்வு செய்யப்பட்டது/அறிக்கை ஒன்று சமர்ப்பிக்கப்பட்டது. இந்த சமுதாய தாக்க கணிப்பு அறிக்கையானது ஏற்கனவே வெளியிடப்பட்டுள்ளது.

பாதிக்கப்பட்ட குடும்பங்களின் மறுவாழ்வளிப்பு மற்றும் மறுகுடியமர்வு நோக்கத்திற்காக சார்பு/துணை ஆட்சியர் (வருவாய்), காரைக்கால், அவர்கள் நிர்வாகியாக பணியமர்த்தப்பட்டுள்ளார். ஆதலால், காரைக்கால் மாவட்டத்தின் திருநள்ளாறு கிராமத்தில் 00.75.19 ஹெக்டேர் பரப்பளவுள்ள நிலங்களை மேற்குறிப்பிட்ட நோக்கத்துக்காக கையகப்படுத்தலின் கீழ் இருக்கிறது. அதன் விளக்கமான விவரிப்பு அடியில் வருமாறு:

I – நிலங்கள்

வட்டம் : திருநள்ளாறு — வருவாய் கிராமம் : 21 - திருநள்ளாறு

வரிசை எண்	அளவை எண்	உரிமை மூலத்தின் வகை	நிலத்தின் வகை	அக்கறையுள்ள நபரின் பெயர் மற்றும் முகவரி	கையகப்படுத்தலின் கீழ் பரப்பிடம் (ஹெக்டேரில்)			எல்லைகள்			
								வ	கி	தெ	மே
(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				திரு./திருமதி/செல்வி :	ஹெ.	ஆர்.	சா.				
1.	20/4B/2	கோயில் நிலம்	நன்செய்	1. முகமது இஸ்மாயில் @ முத்து மரைக்காயர், த/பெ. முகமது இத்ரீஸ்; 2. மஞ்சுளா, க/பெ. சேகர்.	0	00	01	20/ 4B/1	20/ 4B/1	20/9	20/8
2.	21/9B	பட்டா	நன்செய்	தற்கால தர்மகர்த்தா, வெள்ளை பிள்ளையார் கோயில்.	0	00	96	21/9A	21/13	21/13 21/14	21/9A
3.	21/11B	பட்டா	நன்செய்	1. சோமசுந்தரம் பிள்ளை, த/பெ. மாரிமுத்து பிள்ளை; 2. வேம்பு; க/பெ. துரைசாமி.	0	00	74	20	20	21/11A	22
4.	23/5B	பட்டா	புன்செய்	தற்கால தர்மகர்த்தா, வெள்ளை பிள்ளையார் கோயில்.	0	02	12	22	23/19	23/5C	23/5A
5.	23/8B	பட்டா	நன்செய்	1. வைத்தியநாதன், த/பெ. மகாதேவ ஐயர்; 2. தியாகராஜன், த/பெ. மகாதேவ ஐயர்.	0	00	60	22	23/14	23/8A	23/13

(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				திரு./திருமதி/செல்வி :	ஹெ.	ஆர்.	சா.				
6.	23/9/A	பட்டா	நன்செய்	1. குருசாமி சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்; 2. ராமநாத சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்; 3. அனந்தகிருஷ்ண சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்.	0	00	50	22	23/10	23/9B/2	23/9B/2
7.	23/9/B2	பட்டா	நன்செய்	தேவகி, க/பெ. பாஸ்கரன்.	0	01	89	22	23/10, 23/15	23/9B/1	23/14
8.	23/10	பட்டா	நன்செய்	1. குருசாமி சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்; 2. ராமநாத சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்; 3. அனந்தகிருஷ்ண சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்.	0	00	50	199	198	23/15	23/9A, 23/9B/2
9.	198/1	பட்டா	நன்செய்	1. குருசாமி சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்; 2. ராமநாத சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்; 3. அனந்தகிருஷ்ண சாஸ்திரியார், த/பெ. சாமிநாத சாஸ்திரியார்.	0	06	00	199	198/3B	198/16	23
10.	198/3B	பட்டா	நன்செய்	1. பஞ்சநாதம், த/பெ. செல்லபெருமாள் பிள்ளை; 2. பர்வதத்தம்மாள், க/பெ. முருகேசன்; 3. சுப்ரமணியன், த/பெ. சோமசுந்தர பிள்ளை; 4. வெங்கடாசலம் பிள்ளை, த/பெ. செல்லபெருமாள் பிள்ளை; 5. கல்யாணி, க/பெ. சாமமூர்த்தி.	0	02	31	199	198/17	198/3A	198/1, 198/16
11.	200/1B	பட்டா	நன்செய்	செல்வராசு, த/பெ. ராஜமாணிக்கம்.	0	06	16	200/1A	200/2B	199	20
12.	200/2B	பட்டா	நன்செய்	சீனிவாசன், த/பெ. நாராயணசாமி @ திருமலைபிள்ளை.	0	06	73	200/2A	200/4B	199	200/1B
13.	200/4B	பட்டா	நன்செய்	புனிதவள்ளி, க/பெ. ராமசாமி.	0	08	89	200/4A	206	199	200/2B
14.	206/2B	கோயில் நிலம்	நன்செய்	தற்கால தர்மகர்த்தா, ஸ்ரீ தர்பாரண்யேஸ்வரர் தேவஸ்தானம்.	0	00	13	206/2A	206/5	206/3B	206/3B

(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				திரு./திருமதி/செல்வி :	ஹெ.	ஆர்.	சா.				
15.	206/3B	பட்டா	நன்செய்	1. முகமது சலீம் ராவுத்தர், த/பெ. அஷ்ஷம் ராவுத்தர்; 2. சம்சுல் கீதா, க/பெ. ஹாஷா கலிக்குல்; 3. ரசூல் பீவி, க/பெ. ஷேக் தாவூது.	0	05	74	206/3A	206/5	199	200
16.	217/1B	பட்டா	நன்செய்	1. திருநாராயணன், த/பெ. பஞ்சநாதம் பிள்ளை; 2. ராஜசுலோச்சனா, க/பெ. தம்புராஜ்.	0	07	06	217/1A	217/2C	185	217/11
17.	217/2B	பட்டா	நன்செய்	1. ராஜசுலோச்சனா, த/பெ. தம்புராஜ்; 2. ராஜாம்மாள் சவுரி @ ஆரோக்கியமேரி, க/பெ. அருளானந்த முதலியார்.	0	00	23	217/2A	217/1A, 217/1B	217/1B	217/11
18.	217/2C	பட்டா	நன்செய்	1. ராஜசுலோச்சனா, த/பெ. தம்புராஜ்; 2. ராஜாம்மாள் சவுரி @ ஆரோக்கியமேரி, க/பெ. அருளானந்த முதலியார்.	0	04	15	217/2A	217/12	185	217/1B
19.	217/6B	பட்டா	நன்செய்	சந்திரா, க/பெ. சிதம்பரம்.	0	01	02	217/6A	217/8A, 217/8B	217/8B	217/12
20.	217/8B	பட்டா	நன்செய்	சம்பந்தம் @ திருஞானசம்பந்தம், த/பெ. ரத்தினசாமி பிள்ளை.	0	04	81	217/6A, 217/8A	217/8A, 217/9, 217/13	217/13, 185	185, 217/12
21.	217/10B	பட்டா	நன்செய்	வேலாயுத முதலியார், த/பெ. முருகைய முதலியார்.	0	07	76	217/9, 217/13, 217/10A	253	185	185
22.	253/13B	பட்டா	நன்செய்	வேலாயுத முதலியார், த/பெ. முருகைய முதலியார்.	0	00	89	253/13A	253/14B	253	253/26
23.	253/14B	பட்டா	நன்செய்	1. நடேசன், த/பெ. பிச்சைகாரன்; 2. ஜீவா, க/பெ. அறுமுகம்.	0	01	57	253/14A	252	254	253/13B
24.	253/22B	பட்டா	மனை	பழனிவேல் பிள்ளை, த/பெ. வைத்திலிங்கம் பிள்ளை.	0	01	44	253/22A	253/23B	254	253/27
25.	253/23B	பட்டா	மனை	வையாபுரி முதலியார், த/பெ. முருகைய முதலியார்.	0	01	77	253/23A	253/24B	254	253/22B

(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				திரு./திருமதி/செல்வி :	ஹெ.	ஆர்.	சா.				
26.	253/24B	பட்டா	மனை	சவுந்தரராசு, த/பெ. அருணாச்சலம்பிள்ளை.	0	01	21	253/24A	253/26	254	253/23B
				மொத்தம்	**00**	**75**	**19**				

II – மரங்கள்

(21 - திருள்ளாறு வருவாய் கிராமம்)		மரங்கள்				
வரிசை எண்	மறு அளவை எண்	பரப்பு			வகை	எண்ணிக்கை
(1)	(2)	(3)			(4)	(5)
		ஹெ.	ஆர்.	சா.		No./Nos.
1.	21/11/B	0	00	74	தென்னைமரம்	5
2.	21/11/B	0	00	74	மாமரம்	1
3.	21/11/B	0	00	74	வேப்பமரம்	1

III – கட்டமைப்புகள்

(21 - திருள்ளாறு வருவாய் கிராமம்)		கட்டமைப்பு				
வரிசை எண்	மறு அளவை எண்	பரப்பு			வகை	அடித்தள பரப்பு
(1)	(2)	(3)			(4)	(5)
		ஹெ.	ஆர்.	சா.		No./Nos.
1.	21/11/B	0	00	74	குடியிருப்பு கட்டிடம்	1
2.	23/9/B	0	01	89	பகுதி குடியிருப்பு கட்டிடம்	1

இந்த அறிவிக்கையானது, 2013-ஆம் ஆண்டு நிலம் கையகப்படுத்துதல், மறுவாழ்வளிப்பு மற்றும் மறுகுடியமர்வில் நியாயமான இழப்பீடு மற்றும் வெளிப்படைத்தன்மை உரிமை சட்டத்தின் (சட்டம் எண் : 30/2013) 11-ஆம் பிரிவின் (1)-ஆம் உட்பிரிவு வகைமுறைகளின் கீழ் தொடர்புடைய அனைவருக்காகவும் வெளியிடப்படுகிறது.

நிலத்தின் திட்ட வரைபடமானது சார்பு/துணை ஆட்சியர் (வருவாய்) மற்றும் நில ஆர்ஜித அதிகாரி, காரைக்கால் அலுவலகத்தில் பார்வைக்கு வைக்கப்பட்டுள்ளது. அதை எந்தவொரு வேலை நாளிலும் வேலை நேரத்தில் பார்வையிடலாம்.

நிலத்தினுள் நுழைவதற்கு, நில அளவை செய்வதற்கு, நிலம் எதனையும் சமநிலைப்படுத்துவதற்கு, நிலத்தடி மண்ணை அகழ்ந்தெடுப்பதற்கு அல்லது துளை இடுவதற்கு மற்றும் மேற்சொன்ன சட்டத்தின் 12-ஆம் பிரிவில் குறித்துரைக்கப்பட்டுள்ளவாறு அவர்களுடைய பணியை உரியவாறு மேற்கொள்வதற்குத் தேவையான பிற அனைத்து செயல்பாடுகளை செய்வதற்கு சார்பு/துணை மாவட்ட ஆட்சியர் (வருவாய்) மற்றும் நில ஆர்ஜித அதிகாரி, காரைக்கால் மற்றும் அவரது அலுவலக பணியாளர்களுக்கு இந்த அரசால் அதிகாரமளிக்கப்படுகிறது.

சட்டத்தின் 11-ஆம் பிரிவின் (4)-ஆம் உட்பிரிவின் கீழ் இந்த அறிவிக்கை வெளியிடப்பட்ட தேதியிலிருந்து ஆட்சியரின் முன் ஒப்புதலின்றி நிலத்தின் வணிக நடவடிக்கை எதையும் செய்ய அல்லது வணிக நடவடிக்கை நிகழ்வதற்கு காரணமாக இருக்கக்கூடாது. அதாவது அந்த நிலத்தை விற்பனை செய்தல், விலைக்கு வாங்குதல் அந்த நிலத்தின் மீது வில்லங்கம் எதையும் உருவாக்குதல் கூடாது.

இந்த நில கையகப்படுத்துதலுக்கு மறுப்புகள் ஏதேனும் இருப்பின் அந்த மறுப்புகளானவை அக்கரையுள்ள நபரால் இச்சட்டத்தின் 15-ஆம் பிரிவின் கீழ் வகைசெய்யப்பட்டவாறு, இந்த அறிவிக்கை வெளியிடப்பட்ட தேதியிலிருந்து 60 (அறுபது) நாட்களுக்குள் சார்பு/துணை ஆட்சியர் (வருவாய்) மற்றும் நில ஆர்ஜித அதிகாரி, காரைக்கால், அவர்களின் முன்பு தாக்கல் செய்யலாம்.

புதுச்சேரி, 2023 (வரு) பிப்ரவரி மீ 17 வ.

(துணைநிலை ஆளுநரின் ஆணைப்படி)

Dr. **தீ. அருண்,** இ.ஆ.ப.,
அரசு செயலர் (வருவாய்).

GOVERNMENT OF PUDUCHERRY

DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT, PUDUCHERRY

(G.O. Ms. No. 01/2023/1009, Puducherry, dated 17th February 2023)

PRELIMINARY NOTIFICATION

(under section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013)

Whereas, it appears to the Government that an extent of 00.75.19 H.A.C., lands at 21-Thirunallar Revenue Village in the Karaikal District, are required for public purpose, namely "Construction of Railway Station with yard arrangements at Thirunallar under New Broad Gauge line between Peralam-Karaikal". Social Impact Assessment (SIA) Study was carried out by SIA Unit and a report submitted/preliminary investigation was conducted by a team constituted by the Special Secretary(Revenue) as laid down under section 4 of the Act. The Social Impact Assessment report was already published.

The Sub/Deputy Collector (Revenue), Karaikal, is appointed as the Administrator for the purpose of rehabilitation and resettlement of the affected families. Therefore, it is notified that for the abovesaid project in 21-Thirunallar Revenue Village of Karaikal District , the lands measuring to an extent of 00.75.19 H.A.C., whose detailed description is as follows, is under acquisition:-

I – LANDS

Taluk : Thirunallar Revenue Village : 21 - Thirunallar.

Sl. No.	Re-survey No.	Type of title	Type of land	Name of the land-owners/ interested persons	Extent to be acquired			Boundaries			
								N	E	S	W
(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				Thiru/Tmt./Selvi :	H.	A.	Ca.				
1.	20/4B/2	Temple Land	Ryot Wet	1. Mohamed Ismail @ Muthu Maraikayar, S/o. Mohamed Idris; 2. Manjula, W/o. Sekar.	0	00	01	20/4B/1	20/4B/1	20/9	20/8
2.	21/9B	Patta	Ryot Wet	Present Trustee, Vellai Pillaiyar Kovil.	0	00	96	21/9 A	21/13	21/13, 21/14	21/9 A
3.	21/11B	Patta	Ryot Wet	1. Somasundaram Pillai, S/o. Marimuthu Pillai; 2. Vembu, W/o. Duraisamy.	0	00	74	20	20	21/11A	22

(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				Thiru/Tmt./Selvi :	H.	A.	Ca.				
4.	23/5B	Patta	Ryot Dry	Present Trustee, Vellai Pillaiyar Kovil.	0	02	12	22	23/19	23/5C	23/5A
5.	23/8B	Patta	Ryot Wet	1. Vaithinathan, S/o. Mahadeva Iyyar; 2. Thiyagarajan, S/o. Mahadeva lyyar.	0	00	60	22	23/14	23/8A	23/13
6.	23/9/A	Patta	Ryot Wet	1. Gurusamy Sasthriyar, S/o. Saminatha Sasthriyar; 2. Ramanatha Sasthriyar, S/o. Saminatha Sasthriyar; 3. Ananthakrishna Sasthriyar, S/o. Saminatha Sasthriyar.	0	00	50	22	23/10	23/9B/2	23/9B/2
7.	23/9/B2	Patta	Ryot Wet	Devaki, W/o. Baskaran.	0	01	89	22	23/10, 23/15	23/9B/1	23/14
8.	23/10	Patta	Ryot Wet	1. Gurusamy Sasthriyar, S/o. Saminatha Sasthriyar; 2. Ramanatha Sasthriyar, S/o. Saminatha Sasthriyar; 3. Ananthakrishna Sasthriyar, S/o. Saminatha Sasthriyar.	0	00	50	199	198	23/15	23/9 A, 23/9B/2
9.	198/1	Patta	Ryot Wet	1. Gurusamy Sasthriyar, S/o. Saminatha Sasthriyar; 2. Ramanatha Sasthriyar, S/o. Saminatha Sasthriyar; 3. Ananthakrishna Sasthriyar, S/o. Saminatha Sasthriyar.	0	06	00	199	198/3B	198/16	23
10.	198/3B	Patta	Ryot Wet	1. Panchanatham, S/o. Sellaperumapillai; 2. Parvaththammal, W/o. Murugesan; 3. Subramaniyan, S/o. Somasundaram Pillai; 4. Venkadasalam Pillai, S/o. Sellaperumal Pillai; 5. Kalyani, W/o. Samamoorthi.	0	02	31	199	198/17	198/3A	198/1, 198/16
11.	200/1B	Patta	Ryot Wet	Selvarasu, S/o. Rajamanickam.	0	06	16	200/1A	200/2B	199	20
12.	200/2B	Patta	Ryot Wet	Srinivasan, S/o. Narayanasamy @ Thirumalaipillai.	0	06	73	200/2A	200/4B	199	200/1B

(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				Thiru/Tmt./Selvi :	H.	A.	Ca.				
13.	200/4B	Patta	Ryot Wet	Punithavalli, W/o. Ramasamy.	0	08	89	200/4A	206	199	200/2B
14.	206/2B	Temple Land	Ryot Wet	The Present Trustee, Sri Dharbaraneeswarar Devasthanam.	0	00	13	206/2A	206/5	206/3B	206/3B
15.	206/3 B	Patta	Ryot Wet	1. Mohamed Salim Ravuthar, S/o. Asham Ravuthar; 2. Samsul Geetha, W/o. Hasha Kalickal; 3. Rasul Beevi, W/o. Sheik Dawood.	0	05	74	206/3A	206/5	199	200
16.	217/1B	Patta	Ryot Wet	1. Thirunarayanan, S/o. Panjanatham Pillai; 2. Rajasulachana, W/o. Thamburaj.	0	07	06	217/1A	217/2C	185	217/11
17.	217/2B	Patta	Ryot Wet	1. Rajasulachana, W/o. Thamburaj; 2. Rajammal Souri @ Arokiyamary, W/o. Arulantha Muthaliar.	0	00	23	217/2A	217/1A, 217/1B	217/1B	217/11
18.	217/2C	Patta	Ryot Wet	1. Rajasulachana, W/o. Thamburaj; 2. Rajammal Souri @ Arokiyamary, W/o. Arulantha Muthaliar.	0	04	15	217/2A	217/12	185	217/1B
19.	217/6B	Patta	Ryot Wet	Chandra, W/o. Chidambaram.	0	01	02	217/6A	217/8A, 217/8B	217/8B	217/12
20.	217/8B	Patta	Ryot Wet	Sambantham @ Thirungna Pillai, S/o. Rathinasamy Pillai.	0	04	81	217/6A, 217/8A	217/8A, 217/9, 217/13	217/13, 185	185 217/12
21.	217/10B	Patta	Ryot Wet	Velayutha Muthaliar, S/o. Murugaiya Muthaliar.	0	07	76	217/9, 217/13, 217/10A	253	185	185
22.	253/13B	Patta	Ryot Wet	Velayutha Muthaliar, S/o. Murugaiya Muthaliar.	0	00	89	253/13A	253/14B	253	253/26
23.	253/14B	Patta	Ryot Wet	1. Natesan, S/o. Pitchaikaran; 2. Jeeva, W/o. Arumugam.	0	01	57	253/14A	252	254	253/13B
24.	253/22B	Patta	Ryot Manai	Pazhanivel Pillai, S/o. Vaithilingam Pillai.	0	01	44	253/22A	253/23B	254	253/27
25.	253/23B	Patta	Ryot Manai	Vaiyaburi Mudaliar, S/o. Murugaiya Mudaliar.	0	01	77	253/23A	253/24B	254	253/22B

(1)	(2)	(3)	(4)	(5)	(6)			(7)	(8)	(9)	(10)
				Thiru/Tmt./Selvi :	H.	A.	Ca.				
26.	253/24B	Patta	Ryot Manai	Soundrarasu, S/o. Arunachalampillai.	0	01	21	253/24A	253/26	254	253/23B
				Total	**00**	**75**	**19**				

II – TREES

(21 - Thirunallar Revenue Village)

Sl. No.	Re-survey No.	Trees: Extent			Variety	Number
(1)	(2)	(3)			(4)	(5)
		H.	A.	Ca.		No./Nos.
1.	21/11/B	0	00	74	Coconut Tree	5
2.	21/11/B	0	00	74	Mango Tree	1
3.	21/11/B	0	00	74	Neem Tree	1

III – STRUCTURES

(21 - Thirunallar Revenue Village)

Sl. No.	Re-survey No.	Structure: Extent			Type	Plinth area in sq.mt.
(1)	(2)	(3)			(4)	(5)
		H.	A.	Ca.		No.
1.	21/11/B	0	00	74	Residential Building	1
2.	23/9/B	0	01	89	Partial Residential Building	1

This notification is made under the provisions of sub-section (1) of section 11 of the Right to fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013), to all whom it may concern.

A plan of the land may be inspected in the Office of the Sub/Deputy Collector (Revenue)-*cum*-Land Acquisition Officer, Karaikal on any working day during the working hours.

The Government is pleased to authorise the Sub/Deputy Collector (Revenue)-*cum*-Land Acquisition Officer, Karaikal, to enter upon and survey land, take levels of any land, dig or bore into the sub-soil and do all other acts required for the proper execution of their work as provided and specified in section 12 of the said Act.

Under sub-section (4) of section 11 of the Act, no person shall make any transaction or cause any transaction of land, *i.e.,* sale/purchase, *etc.,* or create any encumbrances on such land without prior approval of the Sub/Deputy Collector (Revenue)-*cum*-Land Acquisition Officer, Karaikal, from the date of publication of the notification.

Objections to the acquisition, if any, may be filed by the person interested within 60 (sixty days) from the date of publication of this notification as provided under section 15 of the said Act before the Sub/Deputy Collector(Revenue)-*cum*-Land Acquisition Officer, Karaikal.

(By order of the Lieutenant-Governor)

Dr. **ARUN, T.** I.A.S.,
Secretary to Government (Revenue).

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 03/AIL/Lab./T/2022, Puducherry, dated 5th January 2023)

NOTIFICATION

Whereas, an Award in I.D (L) No. 48/2017 dated 22-11-2022 of the Industrial Tribunal-*cum*-Labour Court, Puducherry, in respect of Dispute between the management of M/s. Ramanathapuram Co-operative Milk Producers Society, Puducherry and its workman Thiru S. Murugan, Puducherry, over reinstatement with back wages;

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.

Tuesday, the 22nd day of November 2022.

I.D. (L) No. 48/2017

CNR. No. PYPY06-000079-2017

Murugan, s/o. Srinivasan,
No. 53, Manjalai Street,
Ramanathapuram,
Thondamanatham Post,
Puducherry. . . Petitioner

Versus

The Managing Director,
M/s. Ramanathapuram Co-operative
Milk Producers Society Limited,
No. P.440, Ramanathapuram,
Thondamanatham Post,
Puducherry. . . Respondent

This Industrial Dispute coming on 08-11-2022 before me for final hearing in the presence of Thiruvalargal L. Swaminathan and I. Ilankumar, Counsel for the Petitioner, Thiruvalargal C. Prabagarane, K. Karpaganadan and S. Chandrasekaran, Counsels for the Respondent, and after hearing the both sides 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. 135/AIL/Lab./T/2017, dated 29-08-2017 of the Labour Department, Puducherry, to resolve the following dispute between the Petitioner and the Respondents, *viz.,*

(a) Whether the dispute raised by Petitioner Thiru S. Murugan, Puducherry, against the Management of M/s. Ramanathapuram Co-operative Milk Producers Society Limited, Puducherry over reinstatement with back wages is justifiable 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 averred in the claim petition:*

The then Board of Directors of the Ramanathapuram Co-operative Milk Producers' Society passed a Resolution on 12-04-1985 for Appointment of a Measurer to the Society. Accordingly the name of the Claim Petitioner was proposed in the said Board Meeting which had given its consent for his Appointment as Measurer with effect from 01-05-1985 with pay of ₹ 125 per month. Upon satisfaction of the performance in the post of Measurer, the Petitioner was promoted to the next higher post of Milk Tester and was paid ₹ 1,200 per month. Thereafter, the Petitioner was accorded with further promotion and was designated as paid Secretary of the Society with effect from 01-01-1996 carrying the pre-revised Scale of Pay of ₹ 1,500-3,500.

(ii) In this milieu, the Petitioner was issued with an Office Order, dated 22-09-2001 by the then Administrator of the Ramanathapuram Co-operative Milk Producers Society fixing the duties and responsibilities. When the matter stood thus, Mr. R. Jayamurthy who was deputed from the Co-operative Department to act as the Administrator of the Society in the absence of the elected Board of Directors, called for an explanation from the Petitioner pertaining to certain corrections noticed in the ledger/register maintained for the purpose of making entries to the supply of Milk by the Members of the Society by his letter, dated 01-06-2002.

(iii) The then Administrator Mr. R. Jayamurthy without any *prima facie* grounds and due to certain external compulsions, issued a Memorandum, dated 25-06-2002 to the Petitioner alleging three baseless charges and directed the Petitioner to submit an explanation to the said memorandum on or before 28-06-2002. Before the Petitioner could apply his mind on the baseless charges, the then Administrator Mr. R. Jayamurthy with a predetermined mind and without waiting for any explanation had issued the Order of Suspension, dated 29-06-2002 and the Petitioner had to face Suspension with effect from 01-07-2002 and no Subsistence Allowance was paid during the entire period of Suspension.

(iv) The Petitioner had approached the Hon'ble High Court of Judicature, Madras in W.P. No. 49211/2006 challenging the Order of Suspension by clearly stating that the Petitioner was not paid Subsistence Allowance for nearly 52 months and Hon'ble High Court of Judicature by its Order, dated 12-12-2006 directed the Society to pay the Subsistence Allowance which is also not paid till date. While so, the then President of the Society Mr. S. Munisamy had reinstated the Petitioner with a condition that he should withdraw W.P. No. 49211/2006 and should also not seek Subsistence Allowance from 01-07-2002 to 11-02-2007 and accordingly the Petitioner was reinstated on 12-02-2007 based on the Resolution of the Board of Society dated 11-02-2007. Meanwhile, another team of Board of Directors assumed the Office of the Society and the then President without any cause of action/reasons had suspended the Petitioner again on 04-03-2008. Charge memorandum, dated 30-06-2008 is only about the so-called commissions that took place from the year 1998 – 2001 which suffers from delay and latches and hence the entire Charge Memorandum is vitiated for the purpose of victimizing the Claim Petitioner.

(v) The Enquiry Officer had conducted an *ex parte* enquiry without affording a reasonable opportunity to the petitioner and based on the *ex parte* Enquiry Report, dated 22-09-2008 followed by the Board Resolution, dated 22-09-2008, the Petitioner was dismissed from service on 30-09-2008 and till date is without any employment suffering for the next day meal, was reduced to penury coupled with lot of family difficulties which could not expressed in terms of words and was not in a position to apply his mind to the illegal Order of dismissal from services and also the breach of trust committed by the Society and became sole victim for the Political game played by the Board of Directors of the Society.

(vi) After recovering slightly from the mental trauma and as nothing progressed, the Petitioner was left with no other alternative than to knock the doors of the Labour Officer (Conciliation), Puducherry on 09-11-2016 under Section 2-A of the Industrial Disputes Act, to issue Notice to the Ramanathapuram Co-operative Milk Producers Society, Ramanathapuram, Thondamanatham, Puducherry to conciliate on the illegal Order of dismissal, dated 30-09-2008 and prayed to issue a direction to the Society to reinstate into services with all back wages and attendant benefits.

(vii) The then Administrator of the Respondent Society without application of mind had filed the reply statement, dated 29-11-2016 before the Labour Officer (Conciliation), Puducherry and had stated that "there exists no necessity in the Society to employ additional staff to run the Society. The Society is not in a position to reinstate the Petitioner into services of the Society". To the said reply statement, the Petitioner had submitted his objections, dated 10-12-2016 in which it has been clearly emphasized that the Respondent Society had dismissed the Petitioner based on an improper enquiry report by stating a flimsy and whimsical reason that the Petitioner was an additional staff who had rendered regular service and further stating that there was no revenue to incur the recurring expenditure of the Respondent Society such as staff salary, transportation, electricity charges cannot be a sound reason for non-employment of the Petitioner in the Respondent Society.

(viii) It is a clear case of victimisation, non-application of mind of the Respondent Society. As there was no consensus between the Petitioner and the Respondent Society on the ground of re-employment, the Labour Officer (Conciliation), Puducherry had submitted a Report of failure of Conciliation through letter, dated 21-07-2017 addressed to the Secretary to Government (Labour), Government of Puducherry which was subsequently published in the Gazette *vide* Notification, dated 29-08-2017 of Under Secretary to Government (Labour), Government of Puducherry.

(ix) The Petitioner was made a scape-goat by the Ramanathapuram Co-operative Milk Producer's Society herein for not withdrawing W.P. No. 49211/2006 and was again suspended from service on 04-03-2008 is a clear case of arbitrariness and victimization. Hence, the order of Suspension, dated 04-03-2008 and the consequent Order of Termination, dated 30-09-2008 are *mala fide* without any

prima facie grounds. The Enquiry Officer without affording a reasonable opportunity had conducted an *ex parte* enquiry based on the dictums of the then Board of Directors which is evident from the Enquiry Report and was terminated from service on 30-09-2008. Thus, the principles of natural justice of *Audi Alteram Partem* (No one should be condemned unheard) had taken a specific beating in this case. The Enquiry Officer had submitted the Enquiry Report, dated 22-09-2008 and the order of Termination, dated 30-09-2008 based on the said Enquiry Report depicts the fanciful speculation made out by the Respondent Society in terminating the Petitioner in a hurried manner.

(x) Hence, the Petitioner prays to direct the Respondent Society to reinstate the Petitioner into service with all attendant and consequential benefits incidental thereto from the date of Termination, dated 30-09-2008 till the date of Petitioner's reinstatement into services. Hence the Petition.

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

The Ramanathapuram Co-operative Milk Producers Society is a registered Co-operative Society, registered under the Puducherry Co-operative Societies Act 1972 and the Rules 1973 made there under. The registered Co-operative society has got its own Bye-laws and also registered Subsidiary Regulations Governing the Service Conditions of the Employees of the Ramanathapuram Co-operative Milk Producers Society. Further, the Petitioner was an employee of the said Society when he was dismissed from the Society on 30-09-2008, and therefore, all the provisions contained in the Puducherry Co-operative Societies Act 1972, and Rule 1973, the Bye-laws of the Society and the Society Regulations Governing the Service Conditions of the Employees of the said Society, are applicable to him also.

(ii) The approved Subsidiary Regulations Governing the Service conditions of the employees of the Ramanathapuram Co-operative Milk Producers Society got various provisions relating to the service conditions, and also how to suspend an employee from the Society, powers to appoint the Enquiry Officer, Presenting Officer and also the procedure to conduct the Disciplinary Enquiry and how the show cause notice to be issued to the employees of the society before giving the punishment in the disciplinary proceedings, *etc.,* In the Subsidiary Regulations it is also given who is the competent Authority to take a disciplinary case, and accordingly the President of the Society is the Competent Authority to take disciplinary action against the employees and in the said Subsidiary Regulations it is also stated that to whom an Appeal on the punishment imposed can be filing and the points to be covered in the Appeal petition, *etc.*

(iii) According to the provisions contained in the Subsidiary Regulations Governing the Service Conditions of the employees of the society at page 25, rule 24(2), the President of the Society is the Competent Authority to initiate and decide on any disciplinary proceedings, against the employees of the Society, following the procedures prescribed in rule 31 of the Subsidiary Regulations and if the employee aggrieved by the punishment given by the President of the Society then those employees can file an Appeal before the Committee of Management of the Society, under rule 27 of the said Subsidiary Regulations Governing the Service Conditions of the employees of the Society. In the Subsidiary Regulations under Rule 26, the appointing authority (the President) of the society may place an employee under suspension pending disciplinary proceedings against the employee.

(iv) The Petitioner was dismissed by a Termination Order on 30-09-2008 after conduct of Disciplinary Enquiry by a third person and after following all the procedures enumerated in the Subsidiary Regulations, by the President of Society, who is the competent authority to take disciplinary action, as state above. The Petitioner on receipt of the Termination Order not filed any appeal before the Committee of Management of the society as per the procedure contemplated in the Subsidiary Regulations, under rule 27, but filed a petition before the Labour Officer (Conciliation), Puducherry straight away only on 09-11-2016 under section 2A of the Industrial Disputes Act *i.e.,* after a lapse of 8 years and one month and 8 days and on failure of the Conciliation, now this dispute is before this Court.

(v) The Petitioner without exhausting the alternate, effective and efficacious remedy available in the form of Appeal before the Committee of Management of the Society, or Revision under Section 141 of the Puducherry Co-operative Societies Act 1972, before the Registrar of Co-operative Societies filed petition before the Conciliation Officer in the Labour Department. It is a well settled law that an aggrieved employee should first exhaust the alternate, effective and efficacious remedy at the lower lever before coming for higher forum. Similarly, it is up to the delinquent employee to prefer Revision before the

Registrar of Co-operative Societies under the Administrative side or comes under the Industrial Disputes Act under the labour laws. Whereas the delinquent employee, the Petitioner should have filed an appeal petition before the Committee of Management of the Society, as stated in the subsidiary Regulations Governing the Service Condition of the Society, before stepping into the other alternate forum to get his grievance redressed, which was not done by the Petitioner, and for that only reason the Dispute petition should be dismissed in limine.

(vi) The Petitioner was dismissed from the service of the Society on 30-09-2008 after conducting the disciplinary enquiry in which the Petitioner was not participated in spite of the summon issued by the Enquiry Officer to participate in the enquiry. The Petitioner filed the petition before the Labour Officer (Conciliation), Puducherry only on 09-11-2016 that is after a lapse of 8 years, 1 month and 9 days, it shows that the Petitioner has accepted the punishment of dismissal. Further, the Petitioner has also not submitted any Appeal Petition before the Committee of Management of the Society under the provisions of the Subsidiary Regulations, and also not submitted any representation/reply for the show cause notice issued to him, to show cause why punishment should not be imposed to him. Therefore, the dismissal order issued by the President of the Society to the Petitioner, is legally correct and therefore there is no need to set-aside the impugned order.

(vii) The Petitioner even after receipt of the dismissal order, not submitted any representation to consider his dismissal and stated any reason for not participated in the Disciplinary Enquiry, to the Disciplinary authority namely the President of the Society. It means the Petitioner accepted the dismissal order and only after a period of 8 years, he has initiated to file a petition in this regard before the Labour Officer (Conciliation), Puducherry under the Labour law. It shows that the Petitioner has accepted the dismissal order and kept quiet for a long period of 8 years and more and therefore he is estopped, from filing this dispute petition before this Court.

(viii) The application referred to in sub-section (2) shall be made to the Labour Court or Tribunal before the expiry of 3 years from the date of discharge, dismissal, retrenchment or otherwise Termination of service as specified in sub-section (1). The dispute petition is filed after more than 8 years of the dismissal and therefore liable to be dismissed in limine.

(ix) The Petitioner himself given a letter accepting to forgo the Subsistence Allowance the Petitioner accepted to withdraw the case filed before the Hon'ble High Court of Judicature at Madras under W.P. No. 49211/2006 during the discussion held by the President and the Committee of management of the society and submitted a letter in this regard on 10-02-2007, stating that he will withdraw the case filed by him before the Hon'ble High Court, but, the Petitioner not acted accordingly and the President of the Society given reminder letters to the Petitioner but he has not responded for the same but continued to work in the Society and received the salary for the period worked in the Society. The Hon'ble High Court of Madras dismissed the W.P.49211/2006 stating the reason that "dismissed for non-prosecution" on 27-06-2014.

(x) As per the Bye-law of the Society only a member who have participated in the business of the Society, *i.e.,* supply of Milk and the prescribed liter of the Milk in the previous financial year and then only his/her name can be included in the Eligible voter list. Those members name found in the Eligible voter list alone can contest in the election and/or vote for the Director Post. The main cause for the Law and Order situation arise in the area of operation of the Village is the President included the name of one C. Vijayalatchumi Member No. 31 in the voter list by falsification and correction of the members payment and procurement ledgers, so as to show that, she is eligible to voter and contest in the Society election. The same was done by the Petitioner for the reason known to him. Due to the illegal and unwarranted things done in the ledgers, a quarrel was started among the members, since she contested and her nomination also accepted. The elections was stopped and therefore the new Committee of Management of the Society could not enter into the office and therefore, Administrator was appointed to the Society to look after the day to day affairs of the Society by the Registrar of Co-operative Societies. The Administrator, assumed office and checked the accounts of the society and found out that the paid Secretary made corrections in the members milk payment registers, by overwriting, striking out the figures written earlier, and removing the written letters by blade and erase the same, *etc.,* Therefore, he issued a memorandum to the petitioner on 01-06-2002 and again on 25-06-2002. The Memorandum, dated 25-06-2002 served in person by the Administrator of the Society was not received by the Petitioner and refused to receive the same, which is insubordination and disobedience of the orders of the superior which amount to be Misconduct under

the Subsidiary Regulations Governing the Service Condition of the employees of the Society. Since the Paid Secretary the Petitioner, not submitted any reply till 29.06.2002 the Petitioner was suspended from the service of the Society with effect from 29-06-2002.

(xi) After the election was conducted and new committee of Management assumed office and the President of Society, continued the matter stated above and issued a memorandum to the Petitioner on 16-10-2002 as the Paid Secretary, he is responsible for the maintenance of the Ledgers/documents of the Society, stating that the reply called for by the Administrator was not submitted till date, and therefore further time of 7 days was given to the petitioner, to submit his explanation for the show cause notice issued to him. The Petitioner, the Paid Secretary of the Society who was under suspension, not responded for the memorandum issued calling for his explanation, by the President of the Society, which also amounts to insubordination and disobedience of the orders of the superior leads to Misconduct under the Subsidiary Regulations Governing the Service Condition of the employees of the Society.

(xii) The Petitioner was called for and the matter was discussed before the Deputy Registrar (Milk) and arrived a solution, and accordingly the Petitioner, Thiru S. Murugan submitted a letter, dated 10-02-2007 to the President of the Society with the following conditions:

(1) The case Number W.P.49211/2006 filed by him before the Hon'ble High Court of Judicature, will be withdrawn by him.

(2) Milk tester posted to be given to him with effect from 16-02-2007.

(3) Basic pay should be fixed as ₹ 1,360.

(4) Subsistence Allowance for the period from 01-07-2002 to 30-09-2002 that is for the month of July, August and September should be given.

(5) Bonus for the year 2001-2002 to be paid to him.

(6) Salary for the month of June 2022 to be paid.

(7) Bonus for the period from 01-04-2002 to 30-09-2002 to be paid.

(8) The amount to be paid by him to the Society will be paid by him.

(9) The Subsistence Allowance for the period from 01-10-2002 to 15-02-2007 will not be asked or claimed by the Petitioner.

(xiii) Based on the letter of Thiru S. Murugan, and the decision taken by the committee of Management of the Society, Office Order was issued to the petitioner on 15-02-2007 appointing him as the Milk Tester in the Society with effect from 16-02-2007. The Petitioner also accepted the order and received and acknowledged the same. The Petitioner Thiru S. Murugan also submitted a letter on 15-02-2007 accepting to work as the Milk Tester with effect from 16-02-2007.

(xiv) The first condition of withdrawing the Writ Petition by the Petitioner was not fulfilled by him in spite of the Management executed the conditions like payment of Subsistence Allowance, Bonus, Salary and Posting as the Milk Tester *etc.,* to him. The Writ Petition is found to be dismissed for non-prosecution only on 27th June 2014. The Petitioner not responded and given any reply. The Petitioner is the habit of non respond to any letter/memorandum issued to him from the beginning of the memorandum issued by the Administrator till the Petitioner was dismissed from the service of the Society.

(xv) Since, the Petitioner not submitted any reply it was decided to initiate the Disciplinary action, and therefore, a memorandum of charges was issued to him *vide* memorandum, dated 30-06-2008. On perusal of the Enquiry Report, submitted by the Enquiry Officer on 22-09-2008, page 4 of the Enquiry Report it is understood that the Petitioner was not appeared for the enquiry on 29-07-2008 up to 1.45 A.m and therefore, in the interest of natural justice one more chance was given and instructed to appear on 06-08-2008, but, the Petitioner delinquent official not appeared for the enquiry and therefore, the Enquiry Officer concluded the enquiry without the presence of the Petitioner. On perusal of the Enquiry Report the Enquiry Officer stated that out of 13 charges framed 12 charges are proved and one charge regarding his qualification and appointment only partly proved. Out of 13 charges 12 charges are found to be proved. This Respondent also submits that all the charges are found to be proved by documentary evidence.

(xvi) Even if it is taken as the old commissions taken place from 1998 to 2001, the Petitioner not denied by way of documentary evidence to show that the irregularities was not done by him at least in the claim petition. The petition filed under Section 2 A of the Industrial Disputes Act 1947 only on 09-11-2016, that is after a lapse of 8 years, 1 month and 9 days of the final orders issued to the Petitioner.

The Petitioner filed the petition only on 09-11-2016 and therefore, the amendment of section 2 in the year 2010 is applicable and accordingly, the application referred to in sub-section (2) shall be made to the Labour Court or Tribunal before the expiry of three years from the date of discharge, Dismissal, Retrenchment or otherwise Termination of service as specified in sub-section (1). The Respondent therefore prays that this Court may dismiss the petition as a time barred one. By issuing proper charge memorandum, conducted enquiry and based on the findings of the Enquiry Report, speaking show cause notice was issued by the President, and since the Petitioner not responded for the show cause notice, proper final orders on the basis of the merit of the case was issued and therefore, the legal order issued to the Petitioner dismissing from the service of the Society, is maintainable under the law. Therefore, the prayer to direct the Respondent Society to reinstate the claim Petitioner into service with all attendant and consequential benefits incidental thereto from the date of Termination, dated 30-09-2008 till the date of the Petitioners reinstatement into services should be dismissed in limine.

4. *Point for determination:*

Whether the Petitioner employee is entitled for an order of reinstatement with full back wages and all attendant and consequential benefits as claimed in the claim petition?

5. *On Point:*

Petitioner himself examined as PW.1 and Ex.P1 to P15 were marked. On Respondent side no witness examined. Ex.R1 to R14 were marked during the cross-examination of PW.1. Written Arguments filed on Respondent side.

6. *On the point:*

On the side of the Respondent Management of the Society, it is contended that the petition under section 2-A of Industrial Disputes Act moved by the Petitioner before the Labour Officer (Conciliation), Puducherry directly on 09-11-2016, *i.e.,* after a lapse of 8 years 1 month and 8 days. On failure, the dispute is referred by the Government of Puducherry to this Court under the reference. Therefore, he concluded that application under section 2-A of Industrial Disputes Act, it should be made before the expiry of 3 years from date of discharge, dismissal, retrenchment or otherwise termination of service as specified in sub-section (1). Thus, he prayed to dismiss this application which was filed after 8 years of his dismissal.

7. Petition under section 2-A of Industrial Disputes Act filed by the Petitioner before the Labour Officer (Conciliation), Government of Puducherry, on 09-11-2016. Whereas, he was dismissed from service on 30-09-2008. The Conciliation was ended in failure. Based on the Failure report, the said reference made by the Labour Department, Government of Puducherry to this Court on 29-08-2017. These are admitted positions on either side.

8. On close and careful perusal, I could find that section 2-A of Industrial Disputes Act has been inserted and thereafter amended by inserting sub-section 1 and 2. As per the Amendment which was made in the year 2010, the dismissed employee can directly approach the Labour Officer (Conciliation) for his relief by way of filing an application under section 2-A of Industrial Disputes Act. The dismissed employee can approach directly the Labour Court after expiry of 45 days from the date of application under section 2-A of Industrial Disputes Act before the Labour Officer (Conciliation). This Amendment in the year 2010 which enables the dismissed worker to approach the Labour Court directly without waiting for the result of the Conciliation beyond 45 days. Only in such circumstances, to avail this protection to approach the Labour Court directly, the dismissed worker ought to have approach the Labour Court within 3 years from the date of his dismissal. But, in this case, the dismissed worker filed an application under section 2-A of Industrial Disputes Act before the Labour Officer (Conciliation), Government of Puducherry and waited for the decision in the said conciliation. Since, the Labour Officer (Conciliation), submitted a Failure Report, the present reference was made to this Court for disposal. Petitioner herein did not rush to this Court pending conciliation proceedings. Only the Government has referred the industrial dispute under sub-section (1) of sec 10 of Industrial Disputes Act after the conciliation ended in failure. Therefore, the Respondent argument that industrial dispute should be filed within 3 years from the date of dismissal does not applicable in the instant case and the objection in this regard made on the side of the Management Society is not sustainable and thus rejected.

9. The next point of defence placed on the side of Management Society is that the Petitioner has come to this Court with an inordinate delay, *i.e.,* 8 years from the date of his dismissal. Admittedly, his date of dismissal was 30-09-2008. He approached the Labour Officer (Conciliation), Puducherry, only on 09-11-2016. During arguments, the learned Counsel appearing for Petitioner submitted a case law reported in 1999 (2) SCR 505 wherein, it is held that "the provisions of Article 137

of the Schedule to Limitation Act, 1963 are not applicable to the proceedings under the Industrial Disputes Act and that the relief under it cannot be denied to the workman nearly on the ground of delay..... No reference to the Labour Court can be generally questioned on the ground of delay alone. Even in a case where the delay is shown to be existing, the Tribunal, Labour Court or Board, dealing with the case can appropriately mould the relief by declining to grant back wages to the workmen till the date he raised the demand regarding this illegal retrenchment/ termination or dismissal."

10. On this point of delayed demand, the Hon'ble Supreme Court of India in Sri. Prabhakar *vs.* Joint Director, Sericulture ... on 7th September, 2015 held that,

Para 40. On the basis of aforesaid discussion, we summarise the legal position as under:

Para 41. An industrial dispute has to be referred by the appropriate Government for adjudication and the workman cannot approach the Labour Court or Industrial Tribunal directly, except in those cases which are covered by section 2-A of the Act. Reference is made under section 10 of the Act in those cases where the appropriate Government forms an opinion that 'any industrial dispute exists or is apprehended'. The words 'industrial dispute exists' are of paramount importance unless there is an existence of an industrial dispute (or the dispute is apprehended or it is apprehended such a dispute may arise in near future), no reference is to be made. Thus, existence or apprehension of an industrial dispute is a *sine qua non* for making the reference. No doubt, at the time of taking a decision whether a reference is to be made or not, the appropriate Government is not to go into the merits of the dispute. Making of reference is only an administrative function. At the same time, on the basis of material on record, satisfaction of the existence of the industrial dispute or the apprehension of an industrial dispute is necessary. Such existence/apprehension of industrial dispute, thus, becomes a condition precedent, though it will be only subjective satisfaction based on material on record. Since, we are not concerned with the satisfaction dealing with cases where there is apprehended industrial dispute, discussion that follows would confine to existence of an industrial dispute. Dispute or difference arises when one party make a demand and other party rejects the same. It is held by this Court in number of cases that before raising the industrial dispute making of demand is a necessary pre-condition. In such a scenario, if, the services of a workman are terminated and he does not make the demand and/or raise the issue alleging wrongful termination immediately thereafter or within reasonable time and raises the same after considerable lapse of period, whether it can be said that industrial dispute still exist. Since, there is no period of limitation, it gives right to the workman to raise the dispute even belatedly. However, if, the dispute is raised after a long period, it has to be seen as to whether such a dispute still exists? Thus, notwithstanding the fact that law of limitation does not apply, it is to be shown by the workman that there is a dispute in praesenti. For this purpose, he has to demonstrate that even if, considerable period has lapsed and there are laches and delays, such delay has not resulted into making the industrial dispute seized to exist. Therefore, if, the workman is able to give satisfactory explanation for these laches and delays, and demonstrate that the circumstances discloses that issue is still alive, delay would not come in his way because of the reason that law of limitation has no application. On the other hand, if, because of such delay dispute no longer remains alive and is to be treated as "dead", then it would be non-existent dispute which cannot be referred. ……..where there was no agitation by the workman against his termination and the dispute is raised belatedly and the delay or laches remain unexplained, it would be presumed that he had waived his right or acquiesced into the act of termination and, therefore, at the time when the dispute is raised it had become stale and was not an 'existing dispute'. In such circumstances, the appropriate Government can refuse to make reference. In the alternative, the Labour Court/Industrial Court can also hold that there is no "industrial dispute" within the meaning of section 2(k) of the Act and, therefore, no relief can be granted.

Para 42. To summarise, although, there is no limitation prescribed under the Act for making a reference under section 10(1) of the Act, yet it is for the 'appropriate Government' to consider whether it is expedient or not to make the reference. The words 'at any time' used in section 10(1) do not admit of any limitation in making an order of reference and laws of limitation are not applicable to proceedings under the Act. However, the policy of industrial adjudication is that very stale claims should not be generally encouraged or allowed in as much as unless there is satisfactory explanation for delay as, apart from the obvious risk to industrial peace from the entertainment of claims after long lapse of time, it is necessary also to take into account the unsettling effect which it is likely to have on the employers' financial arrangement and to avoid dislocation of an industry.

Para 43. On the application of the aforesaid principle to the facts of the present case, we are of the view that High Court correctly decided the issue holding that the reference at such a belated stage, *i.e.,* after fourteen years of termination without any justifiable explanation for delay, the appropriate Government had not jurisdiction or power to make reference of a non-existing dispute.

11. By applying the above dictum held by our Hon'ble Apex Court in the present case, the time taken for the petitioner to approach the Labour Officer (Conciliation) was more than 8 years from the date of his dismissal without any justifiable explanation for delay. From the available records, it could be seen that the delay or laches remain unexplained. The claim Petitioner failed to give satisfactory explanation for these laches and delays. He has also failed to demonstrate that the industrial dispute is still alive and delay would not come in his way because of the reason that law of limitation has no application. Under these facts and circumstance, I hold that reference at such a belated stage, *i.e.,* after 8 years of termination without any justifiable explanation for delay is not maintainable.

12. Next, comes the question, whether when there is a specific provision for Appeal on any order such as dismissal in the Regulations/Rules of the Respondent Milk Co-operative Society, the Petitioner employee of the said Co-operative Society can file an industrial dispute directly and approach the Labour Officer (Conciliation) without exhausting the efficacious alternative remedy available under the Regulation of the Respondent Co-operative Society is the short but complex question.

13. On this point, it is contended on the side of the Respondent Management of the Society that the Subsidiary Regulations Governing the Service Conditions of the employees of the Society at page 25, Rule 24(2), the President of the Society is the Competent Authority to initiate and decide on any disciplinary proceedings, against the employees of the Society, following the procedures prescribed in Rule 31 of the Subsidiary Regulations and if, the employee aggrieved by the punishment given by the President of the Society then those employees can file an Appeal before the Committee of Management of the Society, under Rule 27 of the said Subsidiary Regulations Governing the Service Conditions of the employees of the Society. In the Subsidiary Regulations under Rule 26, the Appointing Authority (the President) of the Society may place an employee under suspension pending disciplinary proceedings against the employee. He also referred the same during his arguments.

14. Thus, it is submitted that the Petitioner without exhausting the alternate, effective and efficacious remedy available in the form of Appeal before the Committee of Management of the Society, or Revision under section 141 of the Puducherry Co-operative Societies Act 1972, before the Registrar of Co-operative Societies filed this dispute petition before the Conciliation Officer in the Labour Department. It is a well settled law that an aggrieved employee should first exhaust the alternate, effective and efficacious remedy at the lower lever before coming for higher forum. Similarly, it is up to the delinquent employee to prefer Revision before the Registrar of Co-operative Societies under the Administrative side or comes under the Industrial Disputes Act under the Labour laws.

15. Further, it is argued that the condition of withdrawing the Writ Petition by the Petitioner was not fulfilled by him in spite of the Management executed the conditions like payment of Subsistence Allowance, Bonus, Salary and Posting as the Milk Tester, *etc.,* to him. The W.P.49211/2006 is found to be dismissed for non-prosecution only on 27th June 2014 (Ex.R8). The Petitioner had not responded and given any reply. The Petitioner is the habit of non-responding to any Letter/ Memorandum issued to him from the beginning of the Memorandum issued by the Administrator till the Petitioner was dismissed from the service of the Society. Since, the Petitioner had not submitted any reply it was decided to initiate the Disciplinary Action, and therefore, a Memorandum of charges was issued to him *vide* Memorandum, dated 30-06-2008. It is further submitted by the Respondent Society Counsel that on perusal of the Enquiry Report, submitted by the Enquiry Officer on 22-09-2008, it is understood that the Petitioner was not appeared for the enquiry on 29-07-2008 and therefore, in the interest of natural justice one more chance was given and instructed to appear on 06-08-2008, but, the Petitioner delinquent official not appeared for the enquiry and therefore, the Enquiry Officer concluded the enquiry without the presence of the Petitioner. In the Enquiry Report it is stated that out of 13 charges framed 12 charges are proved and one charge regarding his qualification and appointment only partly proved.

16. Further, it is urged by the learned Counsel for the Respondent Milk Society even if, it is taken as the old commissions taken place from 1998 to 2001, the Petitioner not denied by way of documentary evidence to show that the irregularities was not done by him at least in the claim petition. The petition filed under section 2-A of the Industrial Disputes Act, 1947 only on 09-11-2016, that is after a lapse of 8 years, 1 month and 9 days of the final orders issued to the Petitioner.

By issuing proper charge Memorandum, conducted enquiry and based on the findings of the Enquiry Report, speaking show cause notice was issued by the President, and since the Petitioner not responded for the show cause notice, proper final orders on the basis of the merit of the case was issued and therefore, the legal order issued to the Petitioner dismissing from the service of the Society, is maintainable under the law.

17. I have heard the learned Counsel for both the parties and perused the material available on record on this issue. Factually, in the present case, the disciplinary proceeding against the employee was initiated and the Enquiry Report was submitted wherein, the charges Nos. 1 and 12 were found to be proved. Since, there was no question of recording of any disagreement with the findings recorded by the Enquiry Officer, a show cause notice (Ex.R13) was subsequently served upon the Petitioner and thereby Petitioner was given an opportunity for personal hearing as well. But, he did not participate in the Domestic Enquiry and no explanation offered to the Respondent Society. Thereafter, an order of punishment was passed by the Society. No explanation given by the Petitioner on the show cause notice issued upon him on the charges. No explanation given on the show cause notice issued upon him on the point of Punishment. It is also not proved by the Petitioner that the Enquiry Officer without affording a reasonable opportunity had conducted an *ex parte* enquiry based on the dictums of the then Board of Directors.

18. I find that the Termination order passed by the President of the Society, dated 30-09-2008 Ex.R14 is an appealable order under Regulation 27 (1) of the Subsidiary Regulations Governing the Service Conditions of the employees of the Society. Any person who feels aggrieved by any decision or order passed by the Adjudicating Authority, is required to file an appeal before the Appellate Authority (The Board) within a period of 60 days. I further find that the order which is assailed before this Court, can be challenged before the Appellate Authority. The grounds which have been urged before this Court, can also be raised by the Petitioner before the Appellate Authority.

19. Thus, from perusal of Regulation 27 (1) of the Subsidiary Regulations Governing the Service Conditions of the employees of the Society, it is evident that if aggrieved with the punishment passed by the President of the Society, Petitioner ought to have preferred an Appeal before the Board for further adjudication. But, no Appeal preferred by him as against his Termination order Ex.R14. In view of the fact that the Petitioner has had an alternative efficacious remedy to raise the dispute under Regulation 27 (1) of the Subsidiary Regulations Governing the Service Conditions of the employees of the Society, but, failed to prefer the same, the Claim Petitioner has failed to show to this Court that he is entitled for the claim of reinstatement. Having not participated in the Enquiry proceedings and left the matter to be decided and slept over on his opportunities to give explanations while it was called for by the Management of the Society on various occasions even thereafter, *i.e.,* after the lapse of more than 8 years from the date of his dismissal, in absence of any reason for such an inordinate delay, the claim for reinstatement made by the Petitioner is not maintainable on any valid grounds. Moreover, the domestic enquiry held and 12 charges out of 13 were proved according to EX.P7 (Enquiry Report). It clearly speaks about the opportunities given for the Petitioner to submit his defence version before the Enquiry Officer, but, he who failed to utilize the same for no reasons. Even in his claim Petition he did not state the reason for his non-participation in the Domestic enquiry. From EX.P6, it could be seen that the enquiry was conducted by following the Principles of Natural Justice. Hence, from all the above discussions and findings, I am not inclined to pass any order in his favour. Thus, the point for determination is decided as against the Claim Petitioner.

20. In the result, the Reference is decided as unjustified and the industrial dispute is dismissed. No costs.

Dictated to the Stenographer, directly typed by him, corrected and pronounced by me in open Court on this the 22nd day of November 2022.

V. Sofana Devi,
Presiding Officer,
Industrial Tribunal-*cum*-
Labour Court, Puducherry.

List of petitioner's witness:

PW.1 — 20-01-2020 Murugan

List of petitioner's exhibits:

Ex.P1	—	12-12-2006	Photocopy of the Order passed in W.P. No. 49211/ 2006.
Ex.P2	—	12-02-2007	Photocopy of the Letter issued by Ramanathapuram Co-operative Milk Producers Society to the Registrar (Co-operative Department, Puducherry).

Ex.P3	—	15-02-2007	Photocopy of the Office Order issued by Ramanathapuram Co-operative Milk Producers Society to the Petitioner S. Murugan.
Ex.P4	—	24-02-2008	Photocopy of the letter issued by Ramanathapuram Co-operative Milk Producers Society to the Petitioner S. Murugan.
Ex.P5	—	04-03-2008	Photocopy of the Suspension Order issued by the Ramanathapuram Co-operative Milk Producers Society to the Petitioner S. Murugan.
Ex.P6	—	30-06-2008	Photocopy of the Charge Memorandum given to S. Murugan (under Suspension).
Ex.P7	—	22-09-2008	Photocopy of the Enquiry Report.
Ex.P8	—	22-09-2008	Photocopy of the Second Show Cause notice.
Ex.P9	—	30-09-2008	Photocopy of the Order of Termination issued by the Ramanathapuram Co-operative Milk Producers Society.
Ex.P10	—	09-11-2016	Photocopy of the petition, filed u/s. 2-A of ID Act, by the Petitioner before the Labour Officer (Conciliation), Puducherry.
Ex.P11	—	29-11-2016	Photocopy of the reply statement filed by the Respondent before the Labour Officer (Conciliation), Puducherry.
Ex.P12	—	10-12-2016	Photocopy of the objections filed by the Petitioner before the Labour Officer (Conciliation), Puducherry.
Ex.P13	—	19-01-2017	Photocopy of the Additional Reply Statement by the Respondent before the Labour Officer (Conciliation), Puducherry.
Ex.P14	—	21-07-2017	Photocopy of the Failure Report.
Ex.P15	—	29-08-2018	Photocopy of the Reference notice issued by the Labour Department, Puducherry in G.O.Rt.No.135/AIL/Lab./2017.

List of respondent's witnesses: Nil

List of respondent's exhibits:

Ex.R1	—	—	Photocopy of Bye-laws of the Society.
Ex.R2	—	—	Photocopy of the Transfer Certificate of the Petitioner S. Murugan.
Ex.R3	—	30-06-2008	Photocopy of the Charge Memorandum given to S. Murugan.
Ex.R4	—	16-10-2002	Photocopy of the Show Cause notice.
Ex.R5	—	29-06-2002	Photocopy of the Suspension Order issued to the Petitioner.
Ex.R6	—	—	Photocopy of the Order issued to the Petitioner for terminating from the service of the Society with effect from 01-10-2022.
Ex.R7	—	—	Photocopy of the Affidavit filed by the Petitioner before the Hon'ble High Court, Madras.
Ex.R8	—	20-12-2006	Photocopy of the Order in W.P.49211/2006 passed by the Hon'ble High Court, Madras.
Ex.R9	—	10-02-2007	Photocopy of the letter sent by the Petitioner to the President of the Ramanathapuram Co-operative Milk Producers Society.
Ex.R10	—	15-02-2007	Photocopy of the Office Order issued by the Ramanathapuram Co-operative Milk Producers Society to the Petitioner.

Ex.R11 —	24-02-2008	Photocopy of the letter sent by the President of Ramanathapuram Co-operative Milk Producers Society to the Petitioner.
Ex.R12 —	18-07-2008	Photocopy of the letter sent by the President of Ramanathapuram Co-operative Milk Producers Society to S. Rajangam.
Ex.R13 —	22-07-2008	Photocopy of the notice of hearing issued by the Enquiry Officer to the Petitioner.
Ex.R14 —	30-09-2008	Photocopy of the Termination Order of the Petitioner issued by the President, Ramanathapuram Co-operative Milk Producers Society.

V. Sofana Devi,
Presiding Officer,
Industrial Tribunal-*cum*-
Labour Court, Puducherry.

GOVERNMENT OF PUDUCHERRY

CHIEF SECRETARIAT
(HIGHER AND TECHNICAL EDUCATION)

(*G.O. Ms. No. 10, Puducherry, the 21st February 2023*)

NOTIFICATION

In exercise of the powers conferred under Central Civil Service Rules (CCA) 1965, the Disciplinary Authority imposed the major penalty of 'Compulsory Retirement' under rule 11 of Central Civil Service (CCA) Rules on Dr. A. Arul Jothi, Assistant Professor of History, Tagore Government Arts and Science College, Puducherry, with immediate effect, *vide* Order No. C. 13011/06/2020-CVO/379, dated 31-01-2023 of the Chief Vigilance Office, Confidential and Cabinet Department, Puducherry.

2. Accordingly, Dr. A. Arul Jothi, Assistant Professor of History, Tagore Government Arts and Science College, Puducherry, is admitted into 'Compulsory Retirement' with effect from the afternoon of 31-01-2023.

(By order)

M. V. Hiran,
Under Secretary to Government,
(Higher and Technical Education).

GOVERNMENT OF PUDUCHERRY

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS (PERSONNEL WING)

[*G.O. Ms. No. 12/DP&AR-SS.II(1), Puducherry, dated 22nd February 2023]*

NOTIFICATION

The Notice of voluntary retirement given under rule 48-A of Central Civil Service (Pension) Rules, 1972 by Tmt. S. Santhi, Superintendent, Department of Women and Child Development, Puducherry, is accepted.

2. Accordingly, she stands retired from service with effect from the afternoon of 23-01-2023.

(By order)

V. Jaisankar,
Under Secretary to Government (Personnel).

GOVERNMENT OF PUDUCHERRY

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS (PERSONNEL WING)

[*G.O. Ms. No. 13/DP&AR-SS.II(1), Puducherry, dated 22nd February 2023]*

NOTIFICATION

On attaining the age of superannuation, the following Superintendents shall retire from service with effect from the afternoon of 28-02-2023.

Sl. No.	Name of the Official and Department/Office
(1)	(2)
1	Thiru V. Senguttuvan, Superintendent, Directorate of School Education, Puducherry.
2	Thiru A. Saktynarayanane, Superintendent, Department of Art and Culture, Puducherry.

(By order)

V. Jaisankar,
Under Secretary to Government (Personnel).

புதுச்சேரி அரசு

துணை மாவட்ட ஆட்சியர் (வருவாய்) அலுவலகம், காரைக்கால்

எண் 1308/மாசாஆ/காரை/சீ3/2023.

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	நகர/மறு அளவை எண்	நிலத்தின் பரப்பளவு	நில ஒப்படை ஆணை எண்
(1)	(2)	(3)	(4)	(5)
			ஹெ. ஆ. சா.	
எண் 14, கீழகாசாகுடி வருவாய் கிராமம்				
1	திரு. ராஜேந்திரன், த/பெ. ஜோசப்,	1/2-13/111	0 00 76	158/04-05

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, 2023 ஆவது பிப்ரவரி மீ 22 ஆ.

சு. பாஸ்கரன்,
துணை ஆட்சியர் (வருவாய்).

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 23/Lab./AIL/T/2023, Puducherry, dated 23rd February 2023)

NOTIFICATION

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. REIL Electricals India Limited, Puducherry and REIL Employees Union, over charter of demands regarding wage revision and other allied welfare measures, 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 REIL Employees Union, against the management of M/s. REIL Electricals India Limited, Puducherry, over charter of demands with regard to wage revision and other allied welfare measures is justified or not? If justified, to give appropriate direction?

(ii) To what other relief, the workmen represented by the Union are entitled to?

(iii) 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. 24/Lab./AIL/T/2023, Puducherry, dated 23rd February 2023)*

NOTIFICATION

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. Superfil Products Private Limited, Puducherry and the Superfil Products Workers Union, over leave entitlement, 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 Superfil Products Workers Union, against the management of M/s. Superfil Products Private Limited, Uruvaiyar, Mangalam Road, Puducherry, over leave entitlement to Thiruvalargal (1) K. Muthusamy, (2) M. Umapathy, (3) C. Murugan and (4) S. Anjapuli, for a period of 2 days during May 2020 and 2 days during June 2020 is justified or not?

(ii) If justified, to what relief, the workers represented by the Union are entitled to?

(iii) 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. 25/Lab./AIL/T/2023, Puducherry, dated 23rd February 2023)*

NOTIFICATION

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. Gencor Pacific Auto Engineering Private Limited, Puducherry and the Petitioner Thiru T. Jayakumar, over his non-employment with continuity of service along with back wages and other 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 petitioner Thiru T. Jayakumar, against the management of M/s. Gencor Pacific Auto Engineering Private Limited, Thirubuvanai, Puducherry, over non-employment with continuity of service along with back wages and other attendant benefits is justified or not?

(ii) If justified, to what relief, the petitioner is entitled in this dispute?

(iii) 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

INDUSTRIAL DEVELOPMENT (POWER) DEPARTMENT

(*G.O. Ms. No. 11, Puducherry, dated 24th February 2023)*

NOTIFICATION

On attaining the age of superannuation, Thiru S. Pazhanisamy, Executive Engineer (CDC), Rural (South) O&M, Electricity Department, Puducherry, is admitted into retirement with effect from the afternoon of 31-03-2023.

(By order)

S. Murugesan,
Under Secretary to Government (Power).

AFFIDAVIT

I, Sivapragasam, K, son of Kothandapani, Service No. JC-724480A NB/Sub, aged 63 years, residing at No. 26, 7th Cross Extension, Rainbow Nagar, Puducherry-605 011, do hereby solemnly and sincerely affirm and state on oath as follows:

That I am the deponent herein and made this affidavit on behalf of me.

I state that my name is entered as 'Sivapragasam K' in my Pension Payment Order, issued by the Office of the Principal, C.D.A. (Pensions), Allahabad, bearing PPO No. S/052059/2000 (ARMY).

I state that my name is entered as 'Sivapragasam K' (Construction Helper) in my Government of Puducherry, issued by the Directorate of Accounts and Treasuries bearing PPO No. DAT/Pen-I/A2/2020/ PPO No. NPS-550/478, dated 29-06-2020.

I state that my name is entered as 'Sivapragasam K' in my Discharge Certificate Book, issued by the Indian Army.

I state that my name is entered as 'Sivapragasam K' in my ECHS Card, issued by ECHS Bhavan, New Delhi bearing No. CH 0000 0346 2686, dated 08-05-2019.

I state that my name is entered as 'Sivapragasame' in my Elector's Photo Identity Card, issued by the Election Commission of India bearing No. KVY0411017, dated 19-10-2020.

I state that my name is entered as 'Sivapragasam K' in my Transfer Certificate, issued by the Jeevanandam Government High School, Mudaliarpet, Puducherry bearing Sl.No. 27265, dated 22-05-1978.

I state that my name is entered as 'Sivapragassame' in my Bank Passbook, issued by the Indian Bank, Bussy Street Branch, Puducherry bearing Account No. XXXXX4322, dated 04-02-2000.

I state that my name is entered as 'Sivapragassame K' in my Aadhaar Card, issued by the Unique Identification Authority of India bearing No. XXXX XXXX 3869.

I state that my name is entered as 'Sivapragasam' in my PAN Card, issued by the Income-tax Department, Government of India bearing No. ECPPS2627C, dated 04-02-2017.

I state that my name is entered as 'Sivapragassame' in my Birth Certificate issued by Pondicherry Municipality, Puducherry bearing No. PM/P/1960/ 000175, dated 24-05-1960.

I state that my name is entered as 'K Sivapragasam' in my Grocery Card, issued by the Government of India bearing No. GB05030676130200R02.

I state that my name is entered as 'Sivapragasam K' in my Indentity Card, issued by the Kendriya Sainik Board, Ministry of Defence, Puducherry, bearing No. PDY-0 1-1680.

I state that my name is entered as 'சிவப்பிரகாசம்' in my Family Ration Card, issued by the Department of Civil Supplies and Consumer Affairs, Puducherry bearing No. 126175, dated 19-03-2020.

Hence, I submit that the names described in the above records as 'Sivapragasam K', 'K Sivapragasam', 'Sivapragassame K' and 'சிவப்பிரகாசம்' are referring one and the same person *i.e.,* myself only.

Finally, I declare my correct name is 'Sivapragassame K' only.

The above statements in the foregoing paragraphs is true to the best of my knowledge and belief.

Solemnly affirmed and signed before the Notary Public at Puducherry, on this 21st day of February 2023.

562246 **K. SIVAPRAGASAM.**

———

AFFIDAVIT

I, Vadivelan, presently transgender, previously son of Iyyavu and Loganayagy, at present residing at the house situated at No. 49, Mariamman Kovil Street, Panayadikuppam, Puducherry-605 106, do hereby solemnly and sincerely affirm to whomsoever it may concern as follows:

That I am the deponent herein. I state that I was born as a male, as such in my Certificate of Birth, under Registration No. C/1996/00011, registered with the Bahour Commune Panchayat, Puducherry my name has been mentioned as 'Vadivelan'.

In my Secondary School Leaving Certificate under Sl.No. SEC9452579, in my Higher Secondary Course Certificate under Sl.No. HSG7981883, and in my School Transfer Certificate under Admission No. 5137, my name has been mentioned as 'Vadivelan.I'.

In the College Transfer Certificate under Serial No. 976485, my name has been mentioned as 'I.Vedivelan'.

Further, I state that later, I have transformed myself into third gender through proper surgery and became a transgender, as such In the Sex Reassignment Surgery (male to female) Certificate, dated 20-06-2017, issued by the Mahatma Gandhi Medical College and Research Institute, Puducherry, my name has been mentioned as 'Rithika'.

In my Aadhaar Card under No. XXXX XXXX 0065, and in my Elector's Photo Identity Card under No. AJJ0065177, my name has been mentioned as 'Rithika (ரிதிக்கா)'.

In my Savings Account Passbook, issued by the Indian Bank, Microsate Branch, my name has been mentioned as 'Rithika'.

In my PAN Card under No. BACPL5121L, my name has been mentioned as 'Rithika'.

In the Family Ration Card under No. 471058, my name has been mentioned as 'ரிதிக்கா'.

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 henceforth I shall be known and identified only the name with initial as 'I.Rithika' (ஐ.ரித்திக்கா) 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 22nd day of February 2023.

562248 **I. VADIVELAN.**

———

AFFIDAVIT

I, C.Djiva, son of Codandabani, residing at No. A1, First Floor, Ganapathi Ramaraja Apartment, Third Cross Street, Ganapathi Nagar, Thanthai Periyar Nagar Extension, Nellithope, Puducherry-605 005, do hereby solemnly affirm and sincerely state on oath as follows:

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

I state that in my Birth Certificate, dated 29-09-2016 bearing No. 78/1999, issued by Registrar of Births and Deaths, Ariyankuppam Commune Panchayat, Puducherry, my name has been mentioned as 'Djiva'.

I state that my name has been entered as 'C Djiva, in my Aadhaar Card bearing No. XXXX XXXX 5324, issued by the Unique Identification Authority of India and the name 'Djiva' has been mentioned in my Elector's Photo Identity Card bearing No. ZHN0207571, issued by Electoral Registration Officer, Kathirkamam Assembly Constituency, Puducherry.

Further, in my Savings Account Passbook of Indian Bank bearing No. XXXXX344-2, my name has been entered as 'Jeeva C'.

Further, I state that in my ICICI Demat Account, bearing No. XXXXXX3861, my name has been entered as 'C Jeeva'.

Further, I state that in my NSDL Demat Account, bearing ID No. XXXXX8576, my name has been entered as 'C Jeeva'.

Further, I state that the abovesaid names *viz.,* 'C Djiva', 'Djiva', 'Jeeva C' and 'C Jeeva' are referring one and the same person that is myself only.

Further, I state that henceforth, I will be known and called only as 'C.Djiva'.

I submit that the above contents are true and correct to the best of my knowledge, belief and information, and nothing has been concealed thereon.

Solemnly affirmed and signed before the Notary Public at Puducherry, on this 21st day of February 2023.

562249 **C. Djiva.**

AFFIDAVIT

I, Pravesh Saaye, son of Narayanassamy, Indian inhabitant, aged 21 years and residing at the house bearing Door No.12, Raja Rajeswari Street, Thamizh Thai Nagar, Vanarapet, Puducherry-605 001, do hereby solemnly and sincerely affirm to whomsoever it may concern as follows:

That I am the deponent herein. I state in my Birth Certificate under Registration No. PM/C/2001/002368, in my Driving Licence under DL No. PY01 20180005360 and in my PAN Card under No. FKOPP4149E, my name has been mentioned as 'Pravesh Saaye'.

In my Copie D' Acte de Naissance and in my Extrait de l'a acte de naissance, under acte No. 6/2002, my name has been mentioned as 'Pravesh-Saaye Amourdalingam'.

In my Secondary School Leaving Certificate under Sl No. SEC8332717 and in my Grade Sheet, under Folio No. BBE13574, my name has been mentioned as 'Pravesh Saaye .N'.

In my Aadhaar Card under No. XXXX XXXX 5410, my name has been mentioned as 'Pravesh Saaye (பிரவேஷ் சாய்)'.

In my Passport, issued by the Republique Francaise, under No. 19EK77912, my surname has been mentioned as 'Amourdalingam' and my given name has been mentioned as 'Pravesh-Saaye'.

In my Overseas Citizen of India, Certificate of Registration under No. A2047704, my surname has been mentioned as 'Amourdalingam' and my given name has been mentioned as 'Pravesh Saaye'.

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 22nd day of February 2023.

562250 **Pravesh Saaye.**

உறுதிமொழிப் பத்திரம்

2023-ஆம் ஆண்டு பிப்ரவரி மாதம், 21-ஆம் தேதி (21-02-2023), புதுச்சேரி-605 004, முதலியார்பேட்டை, முருங்கப்பாக்கம், லட்சுமி வீதி, கதவிலக்கம் 3 கொண்ட இல்லத்தில் வசிக்கும் அருணாச்சலம் அவர்களின் குமாரர் கல்யாணசுந்தரம் (Calianasoundirame) ஆகிய நான் எழுதிக்கொடுக்கும் உறுதிமொழிப் பத்திரம் யாதெனில்-

எனது பெயர், அரியாங்குப்பம் கொம்யூன் பஞ்சாயத்து பிறந்த பதிவு எண் 56/1953-ல் 'Calianasoundirame' என்றும், புதுவை முதலாவது கூடுதல் மாவட்ட உரிமையியல் நீதிமன்றத்தால் கொடுக்கப்பட்ட தீர்மான வழக்கு எண் O.S.450/94-ல் 'Calianasoundirame' என்றும், எனது மெட்ரிக்குலேஷன் மாற்றுச் சான்றிதழில் 'Kalyanasundaram' என்றும், எனது மெட்ரிக்குலேஷன் தேர்வு சான்றிதழில் 'Kalianasundram.A' என்றும், தமிழ்நாடு அரசு கூட்டுறவு ஒன்றியம் அளித்த சான்றிதழ் எண் N.R.5820-ல் 'Kalyanasundaram.A' என்றும், எனது ஆதார் அடையாள அட்டை எண் XXXX XXXX 0991-ல் 'Kalyanasundaram' என்றும், எனது வாக்காளர் புகைப்பட அடையாள அட்டை எண் UEB0210799-ல் 'Kalyanasundaram' என்றும், எனது M.Com Degree மதிப்பெண் சான்றிதழ் எண் 18693-ல் 'A.Kalyanasundaram' என்றும், வருமான வரித்துறை வழங்கிய எனது PAN Card No. ALQPK5533P-ல் 'A.Kalyanasundaram' என்றும், எனது திருமண சான்றிதழ் எண் 69/1985-ல் 'Arunachalam Calianasoundiram' என்றும் மற்றும் எனது குடும்ப உணவுப் பங்கீட்டு அட்டை எண் 096035-ல் 'கல்யாணசுந்தரம்' என்றும் குறிப்பிடப்பட்டுள்ளது. மேற்கண்ட பெயர்கள் அனைத்தும் என்னுடைய பெயர்கள்தான், வெவ்வேறு நபர்களுடைய பெயர்கள் இல்லை என்று இதன்மூலம் உறுதியளிக்கிறேன். இனிவரும் காலங்களில் நான் 'A. Kalyanasundaram (கல்யாணசுந்தரம்)' என்றே அழைக்கப்படுவேன்.

மேற்படி நான் அளித்த உறுதிமொழி சம்பந்தமாக பிற்காலத்தில் ஏதேனும் சிக்கல்கள் ஏற்பட்டால் எனது சொந்த செலவில் தீர்த்துக்கொள்வேன் என்றும், அரசு எடுக்கும் அனைத்து சட்டதிட்டங்களுக்கும் கட்டுப்படுவேன் என்றும் இதன்மூலம் உறுதியளிக்கின்றேன்.

புதுச்சேரி சான்றுரைஞர் முன்னிலையில் 2023-ஆம் ஆண்டு, பிப்ரவரி மாதம், 20-ஆம் தேதி கையொப்பமிடப்பட்டது.

562252 **A. Kalyanasundaram.**

AFFIDAVIT

I, B Jameel, son of B. Babu, Muslim, aged 34 years, residing at No.21, Ramsing Street, Shanmugam Nagar, Ariyankuppam, Puducherry-605 007, do hereby solemnly and sincerely affirm and state on oath as follows:

That my name is mentioned as 'Jameel' in my Birth Certificate under Registration No. PM/M/1989/000164, dated 04-01-1989, issued by Pondicherry Municipality, Puducherry, in my Aadhaar Card No. XXXX XXXX 8783, issued by the Unique Identification Authority of India, in my Elector's Photo Identity Card No. ZQJ0027508, issued by Election Commission of India, in my PAN Card No. CRRPJ1901P, issued by Income-tax Department, Government of India and in my Bank Passbook *vide* Account No. XXXXX1229, issued by Indian Bank, Ariyankuppam Branch, Puducherry.

I state that my name is mentioned as 'B. Jagan' in my Secondary School Leaving Certificate bearing Register, No. 475913, issued by State Board of School Education, Government of Tamil Nadu, and in my Transfer Certificate Admission No. 44, Serial No. 829, issued by Indira Gandhi College of Arts and Science, Kathirkamam, Puducherry, Affiliated to Pondicherry University.

I state that my name is mentioned as 'B Jagan' in my Higher Secondary Course Certificate bearing Register No. 906047, issued by State Board of Examination, Government of Tamil Nadu.

I state that my name is mentioned as 'Jagan B' in my Consolidated Statement of Marks bearing Register No. 271492010, issued by Pondicherry University, Puducherry.

I state that my name is mentioned in our Family Ration bearing Card No. 365461 as 'ஜெமீல்' issued by the Department of Civil Supplies and Consumer Affairs, Government of Puducherry.

Hence, I do hereby declare that the abovesaid names *viz.,* 'Jameel', 'B. Jagan', 'B Jagan', 'Jagan B' and 'ஜெமீல்' are referring one and the same person that is myself only.

I state that I am always writing and signing my name as 'Jameel' on all records, papers and all affairs of my life.

The above deposition is true and correct to the best of my knowledge and belief, and nothing material has been concealed thereon.

Solemnly affirmed and signed before the Notary Public at Puducherry, on this 24th day of February 2023.

562253 **B. JAMEEL.**

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