

[३३००१/९९]

भारत का राजपत्र

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सं० 31] नई दिल्ली, शनिवार, अगस्त 4 2001/श्रावण 13, 1923
No. 31] NEW DELHI, SATURDAY, AUGUST 4, 2001/SRAVANA 13, 1923

इस भाग में सिवा पृष्ठ संख्या की जाती है जिससे कि यह भाग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)
PART II—Section 3—Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सचिविक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

कार्मिक, लोक-शिक्षा तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 18 जुलाई, 2001

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION

(Department of Personnel and Training)

New Delhi, the 18th July, 2001

का.आ. 1882.—केंद्रीय सरकार एन्डोरा दंड प्रक्रिया, संहिता, 1973 (1974 का अधिनियम सं 2) की धारा 25 की उपधारा (1-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये श्री टी. रवि शंकर, उक्त विधिक सलाहकार, केंद्रीय अन्वेषण ब्यूरो को किसी राज्य अथवा सब राज्य-क्षेत्र में, जिस पर पूर्वोक्त धारा के उपबन्ध लागू होते हैं, मजिस्ट्रेट न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संचालित मामलों का संचालन करने के लिये सहायक लोक अभियोजक नियुक्त करती है।

S. O. 1882.—In exercise of the powers conferred by sub-section (1A) of section 25 of the Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Sh. T. Ravi Shankar, Deputy Legal Adviser of the Central Bureau of Investigation as Assistant Public Prosecutor for conduct of cases instituted by Delhi Special Police Establishment in the Courts of Magistrates in any State or Union Territory to which the provision of the aforesaid section apply.

[सं 225/1/2000-ए की डी-II]
हरि सिंह, अव्वर सचिव

[No. 225/1/2000-AVD. II]
HARI SINGH, Under Secy.

नई दिल्ली, 19 जुलाई, 2001

का.प्रा. 1883.—केन्द्रीय सरकार एतद्वारा बंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, श्री वी.एन. ओजा, अधिवक्ता, नई दिल्ली को विशेष न्यायाधीश, दिल्ली के न्यायालय में मामला सं. आरसी 3(ए) 96-एसीयू-1, नई दिल्ली तथा उससे संबंधित अथवा तात्कालिक रूप से जुड़े अन्य किसी मामले के विचारण तथा अन्य कार्यवाहियों का संचालन करने के लिये विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/11 2001-ए.बी.डी-II]

हरि सिंह, अवसर सचिव

New Delhi, the 19th July, 2001

S. O. 1883.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Sh. V.N. Ojha, Advocate New Delhi as Special Public Prosecutor to conduct the prosecution and other proceedings in the Case No. RC-3(A)/96-ACU-1, New Delhi in the court of Special Judge, Delhi and any other matter connected therewith or incidental thereto.

[No. 225/11/2001-AVD.II]

HARI SINGH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 18 जुलाई, 2001

का.प्रा. 1884.—सर्वसाधारण की जानकारी के लिये यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 28 के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2001-2002, 2002-2003 और 2003-2004 के लिये नीचे पैरा 3 में उल्लिखित उद्यम औद्योगिक उपक्रम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि :—

- (1) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 28 के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा,
- (2) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम/औद्योगिक उपक्रम :
 - (क) अवसररचनात्मक सुविधा को जारी रखना बन्द कर देता है, और

(ख) खाता बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 28 के उप नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा

(ग) आयकर नियमावली, 1962 के नियम 28 के उप-नियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

1. अनुमोदित उद्यम/औद्योगिक उपक्रम निम्न प्रकार है :

निदेशक (बी.एस.-III) (पूर्व टी.एम.-1) दूर संचार विभाग के जरिए कार्यकारी मैसर्स राम एसोसिएट्स लिमिटेड, भारत सरकार और मैसर्स एल श्याम कम्प्युनिकेशन लिमिटेड के मध्य दिनांक 28-3-95 के लाइसेंस करार सं. 815-25/94-टी.एम. तथा दिनांक 28-9-97 के त्रिपक्षीय करार के अन्तर्गत मैसर्स एल श्याम कम्प्युनिकेशन लि. सी-138, नारायणा औद्योगिक क्षेत्र, फेस-1, नई दिल्ली-28 द्वारा डोमेस्टिक वैल्यू एण्ड क्लोस्ड यूजर ग्रुप 64 के बी पी एस प्रदान करने वाली बी एस ए टी डाटा नेटवर्क सेवा का विकास अनुसरण और प्रचालन।

- [अधिसूचना सं. 213/का.सं. 205/13/2001-आयकर नि. II]

पंकज कुमार, अवसर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

(CENTRAL BOARD OF DIRECT TAXES)

New Delhi, the 18th July, 2001

S. O. 1884.—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2001-2002, 2002-2003, and 2003-2004.

2. The approval is subject to the condition that :

- (i) the enterprise/industrial undertaking will conform to and comply with the provisions of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;
- (ii) the Central Government shall withdraw this approval if the enterprise/industrial undertaking :
 - (a) ceases to carry on infrastructure facility; or
 - (b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or
 - (c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise/industrial undertaking approved is—

Development, maintenance and operation of providing domestic, value added closed user group 64KBPS, VSAT data network service by M/s Essel Shyam Communication Ltd., C-138, Naraina Indl. Area, Phase-I, New Delhi-28 under the license agreement No. 815-25 94-TM date 28-3-95 and a tri-patriate agreement dated 28-9-97 between M/s Rama Associates Ltd., Government of India, acting through Director (VAS-III) (earlier TM-1) Department of Telecommunication and M/s Essel Shyam Communication Limited.

[Notification No. 213/F. No. 205/13/2001-ITA-II]
PANKAJ KUMAR, Under Secy.

नई दिल्ली, 18 जुलाई, 2001

का.आ. 1885—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ गठित आयकर अधिनियम, 1961 की धारा 10(23छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2001-2002, 2002-2003 और 2003-2004 के लिए नीचे पैरा 3 में उल्लिखित उपक्रम/औद्योगिक उद्यम को अनुमोदित करती है।

2 यह अनुमोदन इस शर्त के अधीन है कि —

- (i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23छ) के उप-बंधों के अनुरूप होगा और उनका अनुपालन करेगा,
- (ii) केन्द्र सरकार यह अनुमोदन वापस ले लेगी यदि उद्यम औद्योगिक उपक्रम —
 - (क) अवसरपरमात्मक सुविधा को जारी रखना बंद कर देता है, और
 - (ख) खाताबहियों को रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 2ड के उप नियम (2) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा
 - (ग) आयकर नियमावली, 1962 के नियम 2ड के उपनियम (7) द्वारा यथाअपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3 अनुमोदित उद्यम/औद्योगिक उपक्रम है — द्वारा मैसर्स अशोक बिल्डकोन (प्रा.) लि., मैसर्स राजदीप रोड डेवलपर्स (पी) लि और महाराष्ट्र सरकार के बीच दिनांक 28 मई, 1999 के करार के अंतर्गत मैसर्स राजदीप रोड डेवलपर्स (प्रा.) लि “राजदीप हाउस” सावेडी रोड, अहमदनगर-114001 द्वारा बो ओ टी आधार पर परागांव

ग्राम के निकट मांजरा नदी पर सोलापुर बीड, ओस्मानाबाद-औरंगाबाद रोड पर पुल का विकास।

[अधिसूचना सं. 214/फा.सं. 205/75/2001-आ.क.नि -II]

पंकज कुमार, अवर सचिव

New Delhi, the 18th July, 2001

S.O. 1885.—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2001-2002, 2002-2003 and 2003-2004.

2. The approval is subject to the condition that—

(i) the enterprise/industrial undertaking will conform to and comply with the provisions of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;

(ii) the Central Government shall withdraw this approval if the enterprise/industrial undertaking:—

- (a) ceases to carry on infrastructure facility; or
- (b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or
- (c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise/industrial undertaking approved is—development of major bridge on Solapur Beed, Osmanabad-Aurangabad Road, across river Manjra, near Paragaon Village on BOT basis by M/s Rajdeep Road Developers (P) Ltd. “Rajdeep House” Savedi Road, Ahmednagar-414001 under agreement dated 28th May, 1999 between M/s. Ashoka Buildcon (P) Ltd., M/s Rajdeep Road Developers (P) Ltd. and Government of Maharashtra.

[Notification No. 214/F.No.205/75/2000-ITA-II]

PANKAJ KUMAR, Under Secy.

नई दिल्ली, 18 जुलाई, 2001

का.आ. 1886—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2001-2002 और 2002-2003 के लिए नीचे पैरा 3 में उल्लिखित उद्यम/औद्योगिक उपक्रम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि —

(i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 28 के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23G) के उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा ;

(ii) केन्द्र सरकार यह अनुमोदन वापस ले लेगी यदि उद्यम/औद्योगिक उपक्रम :—

(क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है; और

(ख) खाता बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 28 के उपनियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है ;

(ग) आयकर नियमावली, 1962 के नियम 28 के उपनियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है ।

(घ) टेलीकम्यूनिकेशन विभाग के साथ लाइसेंस समझौते में हस्ताक्षर करने में असफल रहना ।

3. उक्त अनुमोदित उद्यम/औद्योगिक उपक्रम है —

मैसर्स श्याम एस (इण्डिया) प्रा. लि. ए-60, नारायणा औद्योगिक क्षेत्र फेस-1, नई दिल्ली-110028 द्वारा दिनांक 19-1-2001 के सहमति पत्र सं. 800-54/2000 बी ए एस के अंतर्गत भारत में उपग्रह सेवा द्वारा ग्लोबल मोबाइल पर्सनल कम्यूनिकेशन ।

[अधिसूचना सं. 215/2001/फा.स. 205/12/2001-आयकर नि.-II]

पंकज कुमार, अवसर सचिव

New Delhi, the 18th July, 2001

S.O.1886.—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2001-2002 and 2002-2003.

2. The approval is subject to the condition that—

(i) the enterprise/industrial undertaking will conform to and comply with the provisions of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;

(ii) the Central Government shall withdraw this approval if the enterprise/industrial undertaking:—

(a) ceases to carry on infrastructure facility; or

(b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or

(c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

(d) Fails to sign the licence agreement with the Department of Telecommunication.

3. The enterprise/industrial undertaking approved is—

Global Mobile Personal Communication by Satellite Service in India by M/s Shyam Aces (India) Pvt. Ltd., A-60, Naraina Industrial Area Phase-I, New Delhi-110028, under letter of Intent No. 800-54/2000-VAS dated 19-1-2001.

[Notification No. 215/2001/F.No.205/12/2001-ITA-II]

PANKAJ KUMAR, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 11 जुलाई, 2001

का.आ. 1887.—राष्ट्रीय बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (i) के साथ पठित बैंककारी कपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा वित्त मंत्रालय आर्थिक कार्य विभाग, बैंकिंग प्रभाग, नई दिल्ली से निदेशक की गम सुईवाह को तत्काल प्रभाव से और जगल आदेश होने तक युनाईटेड बैंक आफ इंडिया के बोर्ड से निदेशक के रूप में नामित करती है।

[फा. सं. 9/8/2000-बी. ओ. I]

रमेश चन्द, अवसर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 11th July, 2001

S.O. 1887.—In exercise of the powers conferred by clause (b) of sub-section (3) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (i) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970 the Central Government, hereby nominates Shri Rar Muivah, Director, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi as a Director on the Board of United Bank of India with immediate effect and until further orders.

[F. No. 9/8/2000-B.C
RAMESH CHAND, Under Sec

बाणिज्य और उद्योग मंत्रालय

(बाणिज्य विभाग)

नई दिल्ली, 19 जुलाई, 2001

का.आ. 1888 :—केन्द्रीय सरकार निर्यात (क्यालिटी, नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स फ्यूमीगेशन सर्विसिज, द्वार संख्या 19-7-15, पहली मंजिल, संधीप बिल्डिंग मंत्रीप्रागडा वरी स्ट्रीट, काकीनाडा को, इस अधिसूचना की प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए (i) तेल रहित चावल की भूसी और (ii) हड्डी का चूरा तथा खुरों के, निर्यात से पूर्व धूमिकरण के लिए एक धूमिकरण अधिकरण के रूप में निम्नलिखित शर्तों के अधीन रहते हुए मायता प्रदान करती है, अर्थात् :—

- (i) कि मैसर्स फ्यूमीगेशन सर्विसिज काकीनाडा, निर्यात निरीक्षण परिषद द्वारा इस निमित्त नामनिर्दिष्ट किए गए अधिकारियों को, तेल रहित चावल की भूसी का निर्यात (निरीक्षण) नियम 1966 के नियम 4 के उपनियम (4) और हड्डियों का चरा सींग और खुर निर्यात (निरीक्षण) नियम 1977 के नियम 5 के अधीन धूमिकरण प्रमाणपत्र प्रदत्त करते समय, उनके द्वारा अपनाई गई धूमिकरण पद्धति की परीक्षा करने के लिए पर्याप्त सुविधाएं देगा ;
- (ii) कि मैसर्स फ्यूमीगेशन सर्विसिज काकीनाडा, इस अधिसूचना के अधीन धूमिकरण अधिकरण के रूप में अपने कर्तव्यों का निष्पादन करते समय ऐसे निदेशों से आबद्ध होगा जो निदेशक (निरीक्षण और निर्यात) नियंत्रण समय-समय पर लिखित में दे ;
- (iii) कि मैसर्स फ्यूमीगेशन सर्विसिज काकीनाडा, केवल अल्युमिनियम फॉस्फाइड और मिथाइल ब्रोमाइड का ही धूमिकरणों के रूप में प्रयोग करेगा।

[का. सं. 5/4/2001-ई आई एंड ई पी]

राज सिंह, उप सचिव

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

New Delhi, the 19th July, 2001

S.O. 1888.—In exercise of the powers conferred by b-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period three years from the date of publication of this notification, M/s Fumigation Services, Door No. 19-15, 1st Floor, Sandeep Building, Mantripragada Street, Kakinada, as a fumigation agency for the De-oiled Rice Bran and (ii) Crushed Bones, Horns

and Hooves prior to their export at Kakinada, subject to following conditions, namely:

(i) that M/s Fumigation Services, Kakinada shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of fumigation followed by them in granting the certificate of fumigation under sub rule (4) of rule 4 of the Export of De-oiled Rice Bran (Inspection) Rules, 1966 and rule 5 of the Export of Crushed Bones, Horns and Hooves (Inspection) Rules, 1977;

(ii) that M/s Fumigation Services, Kakinada in the performance of their function as a fumigation agency under the notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time;

(iii) that M/s Fumigation Services, Kakinada shall use only Aluminium Phosphide and Methyl Bromide as fumigants.

[File No. 5/4/2001-EI&EP]

RAJ SINGH, Dy. Secy.

कोयला मंत्रालय

आवेश

नई दिल्ली, 17 जुलाई, 2001

का.आ. 1889 :—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उपधारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का. आ. 2725, तारीख 4 दिसम्बर, 2000 के भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 16 दिसम्बर, 2000 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि में या उस पर के अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (i) के अधीन, सभी विलंगमों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गए थे ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड लि. बिलासपुर (छत्तीसगढ़), सरकारी कंपनी है (जिसे इसमें इसके पश्चात् उक्त कंपनी कहा गया है) ऐसे निबंधनों और शर्तों का, जो केन्द्रीय सरकार इस निमित्त अधिरोपित करता उचित समझे अनुपालन करने के लिए रजामंद है ;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 11 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निवेश देती है कि इस प्रकार निहित उक्त भूमि में या उस पर के उक्त अधिकार तारीख 16 दिसम्बर, 2000

से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त कंपनी में निहित हो जायेंगे, अर्थात् :—

(1) उक्त कंपनी, उक्त अधिनियम के उपबंधों के अधीन अवधारित प्रतिकर, व्याज, नुकसानी और वैसे ही मर्दों की बाबत, किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपत्ति करेगी ;

(2) उक्त कंपनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संवेद्य रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किंगी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, उक्त कंपनी वहन करेगी और इसी प्रकार, इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के लिए या उनके संबंध में सभी विधिक कार्य-बाहियों, जैसे अपील आदि की बाबत, उपगत, सभी व्यय भी, उक्त कंपनी वहन करेगी ;

(3) उक्त कंपनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, अनिपूति करेगी ।

(4) उक्त कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी, और

(5) उक्त कंपनी, ऐसे निर्देशों और शर्तों का, जो केन्द्रीय सरकार द्वारा जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिए दिए जाएं या अधिरोपित की जाए, पालन करेगी ।

[फा. सं. 43015/14/96-एल एस डब्ल्यू/पी आर आई डब्ल्यू]

संजय बहादुर, उप सचिव

MINISTRY OF COAL ORDER

New Delhi, the 17th July, 2001

S. O. 1889.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal number S. O. 2725, dated the 4th December, 2000 in the Gazette of India Part II, Section 3, Sub-section (ii) dated the 16th December, 2000, issued under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), hereinafter referred to as the said Act, the rights in or over the land described in the Schedule appended to the said notification (hereinafter referred to as the said rights) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of section 10 of the said Act ;

And whereas the Central Government is satisfied that the South Eastern Coalfields Limited, Bilaspur, (Chhattisgarh), a Government Company, (hereinafter referred to as the Company), is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 11 of the said Act, the Central Government hereby directs that the said rights in or over the land, so vested, shall, with effect from the 16th December, 2000 instead of continuing to so vest in the Central Government, vest in the said Company, Subject to the following terms and conditions namely, :—

(1) the said Company shall reimburse the Central Government all payments made in respect of compensation, interest, damages and the like, as determined under the provisions of the said Act ;

(2) a tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the said Company under condition (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all proceedings like appeals etc., for or connection with the rights in or over the lands, so vesting shall also be borne by said Company ;

(3) the said Company shall indemnify the Central Government or its Official against other expenditure that may be necessary in connection with any proceedings or against the Central Government or official regarding the rights in or over said lands vesting ;

(4) the said Company shall have no power to transfer the said lands to any persons without the previous approval of the Central Government ; and

(5) the said Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said lands, as and when necessary.

[No. 43015/14/96-/LSWPRIW]

SANJAY BAHADUR, Dy. Secy.

शुद्धि पत्र

नई दिल्ली, 18 जुलाई, 2001

का.आ. 1890.—भारत के राजपत्र, तारीख 24 मार्च, 2001 के भाग II, खंड-3, उपखंड (ii) में पृष्ठ क्रमांक-1187 में 1188 पर प्रकाशित, भारत सरकार, कोयला मंत्रालय की अधिसूचना का.आ. 598 तारीख 12 मार्च 2001 में

पृष्ठ क्रमांक-1187, अधिसूचना में,

पंक्ति 8, “बिलासपुर—495006 (मध्य प्रदेश)” के स्थान पर “बिलासपुर—95006 (छत्तीसगढ़)” पढ़ें।

पंक्ति 12, 13, “बिलासपुर—95006 (मध्य प्रदेश)” के स्थान पर “बिलासपुर—495006 (छत्तीसगढ़)” पढ़ें।

तालिका में, स्तम्भ टिप्पण के नीचे,

क्रम संख्या 1, “भा” के स्थान पर “भाग” पढ़ें।

“कुल . 483, 0004 हेक्टर” के स्थान पर “कुल 483 004 हेक्टर” पढ़ें।

[सं. 43015/9/99-पी.आर.आई. डब्ल्यू.]

संजय बहादुर, उप सचिव

CORRIGENDA

New Delhi, the 18th July, 2001

S. O. 1890.—In the notification of the Government of India in the Ministry of Coal number S. O. 598, dated the 12th March, 2001, published at pages 1188 to 1189 of the Gazette of India Part-II, Section-3, Sub-section (ii). dated the 24th March, 2001.

at page 1188,

in line 4, for “(20 of 1957)” read “(20 of 1957)”;

in line 6, for “covered b” read “covered by”;

in line 9, for “ (Revenue Section:,” read “(Revenue Section)”;

at page 1189, in boundary description, A-B-C-D, in line 1, for “Sirou ja and Chhirhar” read “Sirounja and Chhirhati”.

[No. 43015/9/99-PRIW]

SANJAY BAHADUR, Dy. Secy.

नई दिल्ली, 24 जुलाई, 2001

का.आ. 1891.—केन्द्रीय सरकार, कोयला खान भविष्य निधि तथा प्रकीर्ण उपबंध अधिनियम, 1948 (1948 का 46) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री राजेश कुमार को कोयला खान भविष्य निधि संगठन में तारीख 25-4-2001 (अपराह्न) से तीन वर्ष की अवधि तक या अगले आदेशों तक, इसमें से जो भी पूर्वतर हो, कोयला खान भविष्य निधि आयुक्त के रूप में नियुक्त करती है।

[सं. 20/29/2000-ए.एस.ओ./पी.आर.आई. डब्ल्यू. I]

संजय बहादुर, उप सचिव

New Delhi, the 24th July, 2001

S.O. 1891.—In exercise of the powers conferred by sub-section (1) of section 3C of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby appoints Shri Rajesh Kumar as the Coal Mines Provident Fund Commissioner in the Coal Mines Provident Fund Organisation with effect from 25-4-2001 (Afternoon) for a period of three years or until further orders, whichever is earlier.

[No. 20/29/2000-ASO/PRIW-I]

SANJAY BAHADUR, Dy. Secy.

नई दिल्ली, 24 जुलाई, 2001

का.आ. 1892.—केन्द्रीय सरकार कोयला खान भविष्य निधि तथा प्रकीर्ण उपबंध अधिनियम, 1948 (1948 का 46) की धारा 9 की उपधारा (2) के अन्तर्गत में, श्री राजेश कुमार कोयला खान भविष्य निधि आयुक्त, धनवाद को उक्त उपधारा के प्रयोजनों के लिए 25-4-2001 (अपराह्न) से तीन वर्ष की अवधि के लिए प्राधिकारी के रूप में विनिश्चित करती है।

[सं. 20/29/2000-ए. एस. ओ./पी. आर. आई. डब्ल्यू-II]

संजय बहादुर, उप सचिव

New Delhi, the 24th July, 2001

S.O. 1892.—In pursuance of sub-section (2) of section 9 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby specifies Shri Rajesh Kumar, the Coal Mines Provident Fund Commissioner, Dhanbad as the authority with effect from 25-4-2001 (Afternoon) for a period of three years for the purposes of the said sub-section.

[No. 20/29/2000-ASO/PRIW-II]
SANJAY BAHADUR, Dy. Secy.

विदेश मंत्रालय

(सी. पी. वी. प्रभाग)

नई दिल्ली, 20 जुलाई, 2001

का.प्र. 1893:—राजनयिक कोसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का प्रधान कोसलायाम मैदान में श्रोगती सन्निता गार्ग, पी ए को 20-07-2001 से सहायक कोसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2000]

योगेश नारंग, उप सचिव (कॉन्सुलर)

MINISTRY OF EXTERNAL AFFAIRS
(CPV Division)

New Delhi, the 20th July, 2001

S.O. 1892.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Mrs. Savita Garg, P.A. in the Consulate General of India, Medan to perform the duties of Assistant Consular Officer with effect from 20-07-2001.

[No. T.4330/1/2000]

Y. C. NARANG, Dy. Secy. (Cons.)

नई दिल्ली, 20 जुलाई, 2001

का.प्र. 1894:—राजनयिक कोसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां की धारा 2

के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का दूतावास बुएनोस आइरेस में श्री जॉनसन एप्पन, सहायक को 20-07-2001 से सहायक कोसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2001]

योगेश नारंग, उप सचिव (कॉन्सुलर)

New Delhi the 20th July, 2001

S.O.1894.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Mr. Johnson Eappen, Assistant in the E/I Buenos Aires to perform the duties of Assistant Consular Officer with effect from 20-07-2001.

[No. T.4330/1/2001]

Y. C. NARANG, Dy. Secy. (Cons.)

नई दिल्ली, 20 जुलाई, 2001

का.प्र. 1895:—राजनयिक कोसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1947 (1946 का 41-प्र) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का दूतावास ब्रुसेल्स में श्री सी. एम. शर्मा, सहायक को 20-07-2001 से सहायक कोसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2001]

योगेश नारंग, उप सचिव (कॉन्सुलर)

New Delhi, the 20th July, 2001

S.O.1895.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Mr. C. M. Sharma, Assistant in the E/I Brussels to perform the duties of Assistant Consular Officer with effect from 20-07-2001.

[No. T. 4330/1/2001]

Y.C. NARANG, Dy. Secy. (Cons)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

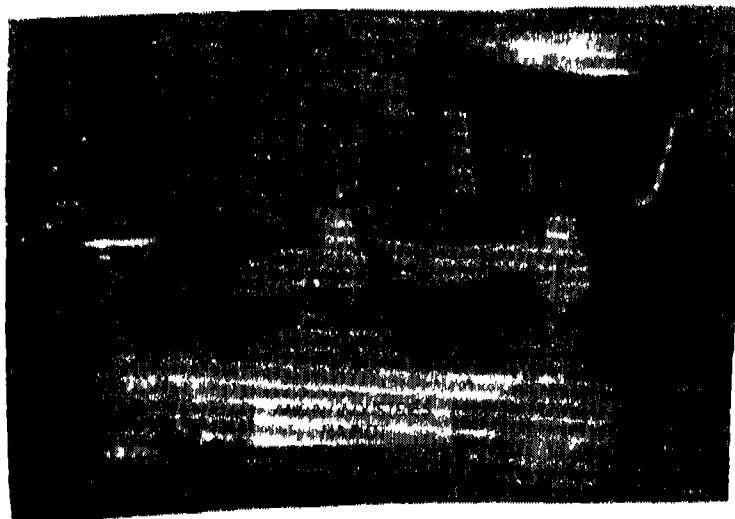
(उपभोक्ता मामले विभाग)

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1896.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (आकृति नीचे दी गई है) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलो का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अम्बा इंडस्ट्रीज, 4-परसाना सोसायटी, न्यू नेहरू नगर, मेन रोड डेवर रोड, (दक्षिण) राजकोट, (गुजरात) द्वारा विनिर्मित अस्वच्छालित अनुरूप सूचन सहित तोलन उपकरण (प्लेटफार्म मशीन) के माडल का, जिसके ब्रांड का नाम "अम्बा" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/272 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) काउंटर मशीन (यांत्रिक) है इसकी अधिकतम क्षमता 10 कि. ग्रा. है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है।

[फा० सं० डब्ल्यू० एम० 21(68)/2000]

पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

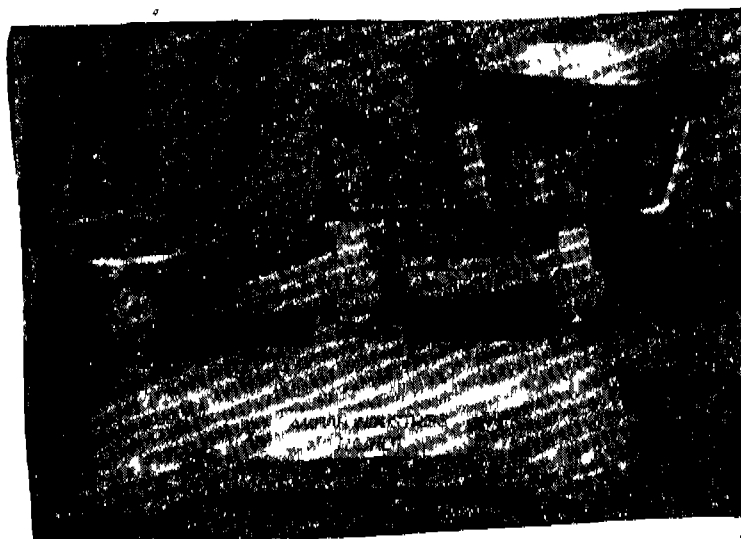
(Department of Consumer Affairs)

New Delhi, the 20th July, 2001

S. O. 1896.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of (mechanical) counter machine with brand name “Ambah” (herein referred to as the Model), manufactured by M/s Ambah Industries, 4-Parsana Society, New Nehrunagar, Main Road, Dhebar Road (South), Rajkot (Gujarat) and which is assigned the approval mark IND/09/2000/272;

The said model (see the figure) is counter machine, (Mechanical). The maximum capacity is 10 kg



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model have been manufactured.

[F. No. WM-21(68)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1897.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अम्बा इंडस्ट्रीज, 4-परसाना सोसायटी, न्यू नेहरू नगर, मेन रोड, ठेबर रोड, (दक्षिण) राजकोट, (गुजरात) द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले अस्वचालित अनुरूप सूचन सहित तोलन उपकरण (प्लेटफार्म मशीन) के माडल का, जिसके ब्रांड का नाम "अम्बा" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/273 समनुदेशित किया है; अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) (प्लेटफार्म मशीन लूज चेट प्रकार का) अस्वचालित यांत्रिक तोलन उपकरण है। जिसकी अधिकतम क्षमता 300 कि. ग्रा. और न्यूनतम क्षमता 1 कि. ग्रा. है। सत्यापन मापमान (ई) का मान 50 ग्राम है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5000 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है।

[फा० सं० डब्ल्यू० एम० 21(68)/2000]

पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1897.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of non automatic weighing instrument (platform machine) with analogue indication and with brand name Ambah (herein referred to as the Model), belonging to Medium accuracy class III, manufactured by M/s Ambah Industries, 4-Parsana Society, New Nehrunagar, Main Road, Dhebar Road (South), Rojakt (Gujarat) and which is assigned the approval mark IND/09/2000/273.

The said model (see the figure) is non automatic mechanical weighing instrument with analogue indication (platform machine loose weight type) with maximum capacity is 300kg and minimum capacity is 1kg value of verification scale interval (e) is 50g



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5000 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. N. WM-21(68)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1898.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे फिजिकलिसच-टैक्निच बुंदेसानस्टाल्ट, ब्राउनस्ववे खंड बर्लिन द्वारा मंजूर माडल के अनुमोदन और परीक्षण परिणाम सहित प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स शैक प्रोसेस, जी एम बी एच, डी-डर्मस्टाट द्वारा विनिर्मित और मैसर्स शैक जेनसन एंड निकलसन लिमिटेड, 2255, ए जे सी बोस रोड, कलकत्ता-700020 द्वारा भारत में विक्रय किए जाने वाले, गति में तोलन के लिए "स्वचालित रेल-वे ब्रिज" के माडल का, जिसके ब्रांड का नाम "न्यूटन" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/13/2001/46 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल अंकक सूचन सहित स्वचालित रेल-वे ब्रिज है और असंयुक्त एकल वैगन, सम्मुख या पश्च इंजन ट्रेन में संयुक्त वैगन, सम्मुख या पश्च इंजन वाली कुल ट्रेन एकल तोलन प्रचालन प्रति वैगन (एकल या बहुल तोलन प्लेटफार्मों पर कुल तोलन) या अधिकतम दो आंशिक तोलनों के लिए है। मापमान अंतराल (डी) यथार्थता वर्ग 0.2, 0.5, 1 या 2 के अनुसार 50 कि. ग्रा., 100 कि. ग्रा., 200 कि. ग्रा. या 500 कि. ग्रा. से कम है या उसके बराबर है। अधिकतम वैगन भार/डी यथार्थता वर्ग 0.2, 0.5, 1 या 2 के अनुसार 1000 से 5000, 500 से 2,500, 250 से 1250 या 100 से 600 होगा।

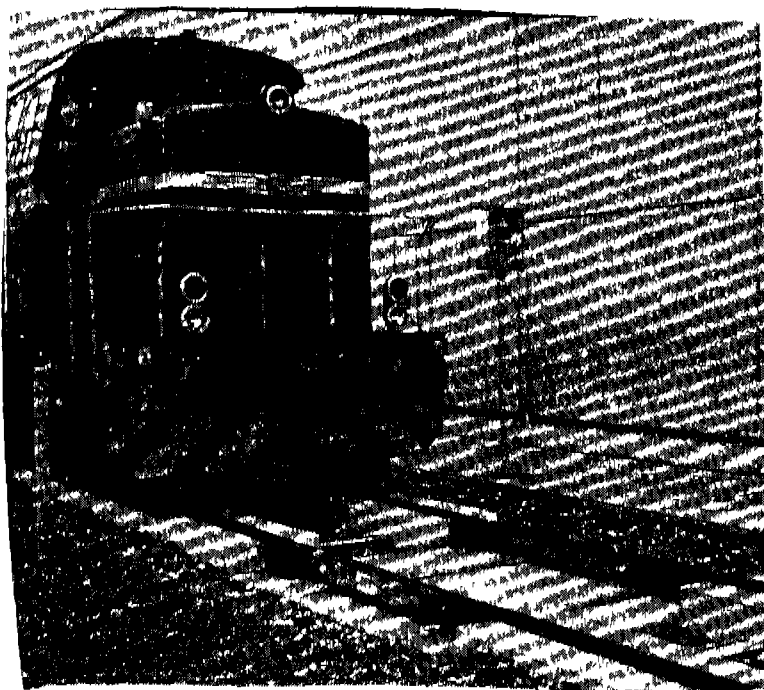
[फा० सं० डब्ल्यू० एम० 21(39)/2000]

पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1898.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with model approval and test results, granted by Physikalisch-Technisch Bundesanstalt, Braunschweig und Berlin is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the "Automatic rail-weigh bridge" for in motion weighing with brand name "Newtown" manufactured by M/s. Schenck Process, GmbH, Darmstadt and sold in India by M/s. Schenck Jenson and Nicholson Limited, 2255, A. J. C. Bose Road, Calcutta-700020 and which is assigned the approval mark IND/13/2001/46



The model is automatic rail-weigh bridge with digital display and for in-motion weighing of decoupled single wagons, coupled wagons in train-front or rear engine, total trains-front or rear engine with one weighing operation per wagon (total weighing on one or multiple weighing platforms) or with maximum two partial weighings. Scale interval(d) shall be less than or equal to 50kg, 100kg, 200kg, or 500kg corresponding to accuracy class 0.2, 0.5, 1 or 2. The value of maximum wagon weight/d shall be 1000 to 5000, 500 to 2,500, 250 to 1250 or 100 to 600 corresponding to accuracy class 0.2, 0.5, 1 or 2.

[F. N WM-21(39)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

फा०आ० 1899.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्री भाग्य लक्ष्मी इंडस्ट्रीज, जशोदा नगर, चार रास्ता निकट-काडिला ब्रिज, रामेश्वर हार्डवेयर टूल्स के सामने, अहमदाबाद-382445 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एम बी आई टी टी" श्रृंखला के अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के माडल का, जिसके ब्रांड का नाम "श्रीलक्ष्मी" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/299 समनुदेशित किया है अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त माडल (आकृति देखें) अस्वचालित तोलन उपकरण है। जिसकी अधिकतम क्षमता 11 किलोग्राम और न्यूनतम क्षमता 50 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 किलोग्राम तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 1 मि. ग्राम से 50 मि. ग्राम "ई" मान के लिए 100 से 100,000 की रेंज में और 100 मि. ग्राम, या अधिक के "ई" मान के लिए 5000 से 100,000 की रेंज में तथा जिनका "ई" मान 1×10 के, 2×10 के और 5×10 के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा० सं० डब्ल्यू० एम० 21(76)/2000]

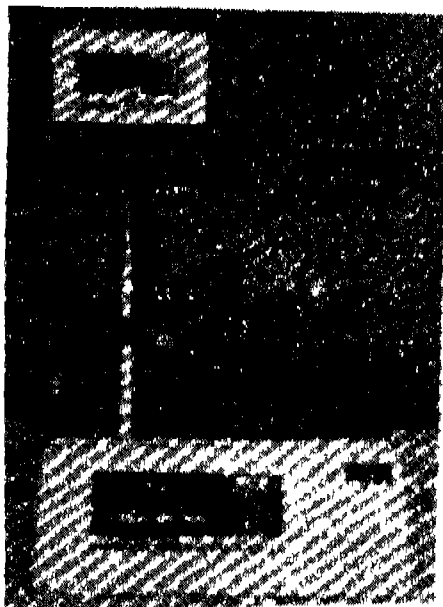
पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1899.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Table Top Type) belonging to High Accuracy (Accuracy Class II) of 'SBI-TT' series with brand name "Shreelak" (herein referred to as the model) manufactured by M/s. Shree Bhagyalaxmi Industries, Jasodanagar Char rasta, Near Cadila Bridge, Opp Rameshwar Hardware Tools, Ahmedabad—382445 and which is assigned the approval mark IND/09/2000/299,

The said model (the figure given) is non automatic weighing instrument. The maximum capacity is 11 kg and minimum capacity of 50 g. The value of verification scale interval (e) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with number of verification scale (n) in the range of 100 to 100,000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range 5000-to 100,000 for 'e' value of 100mg or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured

[F N. WM-21(76)/2000]

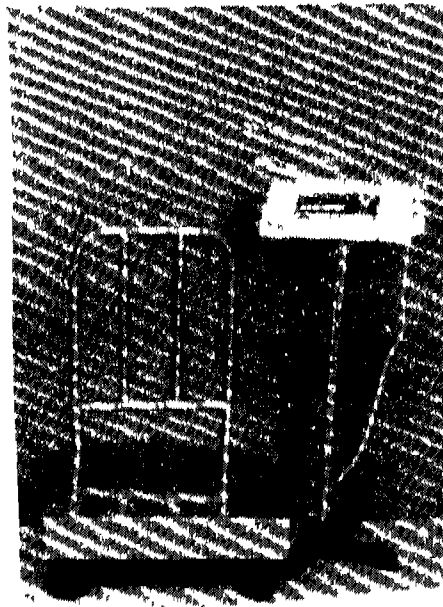
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1900.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्री भाग्य लक्ष्मी इंडस्ट्रीज, जशोदा नगर, चार रास्ता निकट-काडिला ब्रिज, रामेश्वर हरद्वारे टूल्स के सामने, अहमदाबाद-382445 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एस बी आई पी एफ" श्रृंखला के अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "श्रीलक" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/300 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल (आकृति देखें) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 50 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 100 मि. ग्रा. से 2 ग्रा. "ई" मान के लिए 100 से 10,000 की रेंज में और 5 ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में तथा जिनका "ई" मान 1×10^6 , 2×10^6 और 5×10^6 है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा० सं० डब्ल्यू० एम० 21(76)/2000]

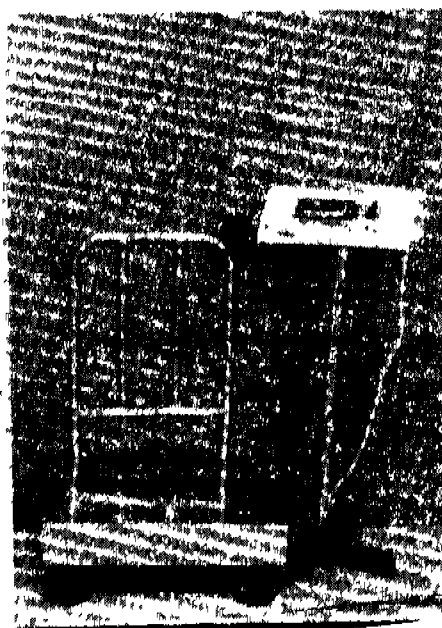
पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1900.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (Platform type) belonging to Medium Accuracy (Accuracy class II) of 'SBI-PF' series with brand name "Shreelak" (herein referred to as the model) manufactured by M/s. Shree Bhagyalaxmi Industries, Jasodanagar Char rasta, Near - Cadila Bridge, Opp. Rameshwar Hardware Tools, Ahmedabad-382445 and which is assigned the approval mark IND/09/2000/300;

The said model (the figure given) is non automatic weighing instrument. The maximum capacity is 50 kg. and minimum capacity of 100 g. The value of verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5 tonne and with number of verification scale interval (n) in the range 100 to 10,000 for 'e' value of 100 mg to 2g and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value 5 g. or more and with 'c' value 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(76)/2000]

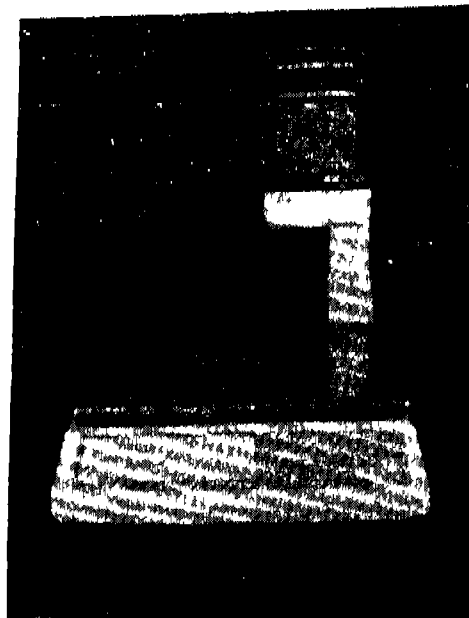
P A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1901.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा,

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ऐसे इलैक्ट्रॉनिक्स प्राइवेट लिमिटेड नं. 377, छटपां क्रॉस विल्सन गार्डन, बंगलौर-560027 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "ई एस-20" श्रृंखला के स्वतः सूचक अस्वचालित अंकक सूचन सहित (टेबल टॉप प्रकार) के तोलन उपकरण के मॉडल का, जिसके ब्रांड का नाम "ईएसएसई" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/249 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) तोलन उपकरण है। जिसकी अधिकतम क्षमता 6 किलोग्राम और न्यूनतम क्षमता 20 ग्राम है। सत्पापन मापमान (ई) का माप 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरेसेंट प्रदर्श तोलन परिणाम उपदर्शित करता है। भार अभिग्राहक 280×340 मिलीमीटर के आकार के आयताकार खंड का है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 किलोग्राम तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और 100 मि. ग्राम से 2 ग्राम "ई" मान के लिए सत्पापन मापमान अन्तराल (एन) की संख्या 100 से 1,000 है और 5 या इससे अधिक के "ई" मान के लिए सत्पापन मापमान अन्तराल (एन) की अधिकतम संख्या 500 से 10,000 है तथा जिनका "ई" मान 1×10^3 , 2×10^3 और 5×10^3 है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा० सं० डब्ल्यू० एम० 21(156)/2000]

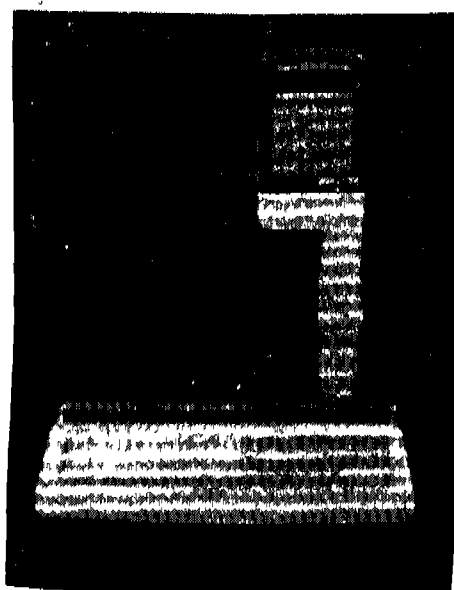
पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1901.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating non-automatic (Table top type) weighing instrument with digital indication of 'ES-20' series of Medium Accuracy (Accuracy class III) and with brand name "ESSAE" (hereinafter referred to as the model) manufactured by M/s. Essae-electronics Private Limited, No 377, 6th cross Wilson Garden, Bangalore-560 027 and which is assigned the approval mark IND/09/2000/249;

The said model (figure given) is a weighing instrument with a maximum capacity of 6kg. and minimum capacity of 20 g. The verification scale interval (e) is 1 g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum flourscent display indicates the weighing result. The load receptor is of rectangular section of side 280×340 millimetre. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range 100 to 1,000 for 'e' value of 100 mg to 2g. and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value 5 or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model have been manufactured.

[F. N. WM-21(156)/2000]

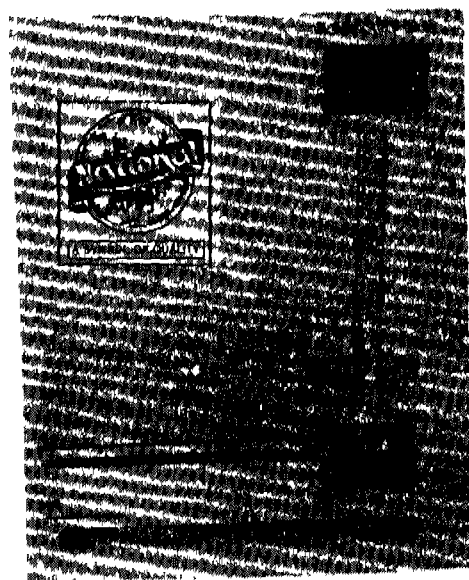
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1902.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अंब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स नेशनल इलैक्ट्रोनिक्स, 55/56, साई कृपा सोसायटी, समीप अमन सोसायटी, जीवन ज्योत सिनेमा के पीछे, उधमा, सूरत-394210 द्वारा विनिर्मित वर्ग III यथार्थता (मध्यम यथार्थता) वाले "एनटीटी" शृंखला के स्वतः सूचक अस्वचालित इलैक्ट्रॉनिक अंकक सूचक सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "नेशनल" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/19 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल (आकृति देखें) मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है। इसकी अधिकतम क्षमता 10 किलोग्राम और न्यूनतम क्षमता 20 ग्राम है। सत्यापन मापमान (ई) का मान 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 किलोग्राम तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 100 मि.ग्रा. से 2 ग्राम तक "ई" मान वाले उपकरणों के लिए 100 से 10,000 की रेंज में तथा 5 ग्रा. या अधिक "ई" मान वाले उपकरणों के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है जिसमें के वनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा० सं० डब्ल्यू० एम० 21(181)/2000]

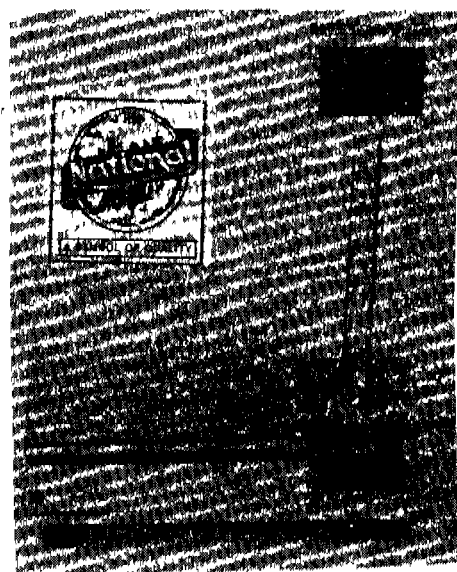
पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1902.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating non-automatic, electronic (Table top type) weighing instrument with digital indication of 'NTT' series of Class III Accuracy (Medium Accuracy) and with brand name "NATIONAL" (hereinafter referred to as the model) manufactured by M/s. National Electronics, 55/56, Saikripa Society, Near Aman Society, Behind Jivanyot Cinema, Udhna. Surat-394210 and which is assigned the approval mark IND/09/2001/19;

The said model (figure given) is a medium accuracy (Accuracy class III) weighing instrument with maximum capacity of 10 kg and minimum capacity of 20 g. The verification scale interval (e) is 1 g. It has a tare device with a 100 per cent subtractive retained tare effect. The light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts, and frequency 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of the said Section 36 the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. N. WM-21(181)/2000]

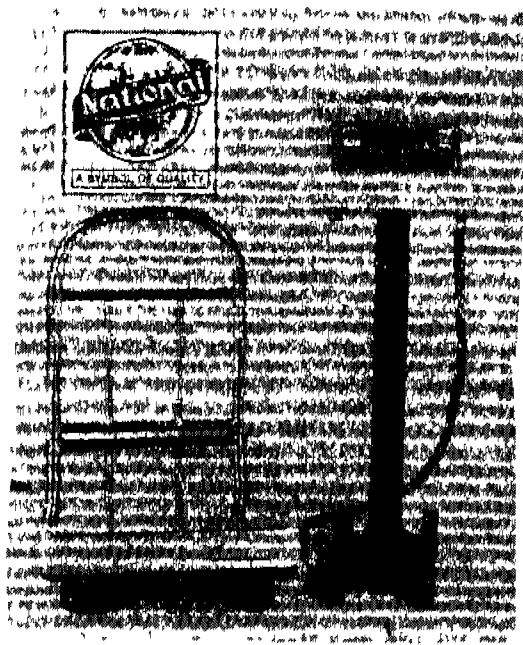
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1903.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स नेशनल इलैक्ट्रोनिक्स, 55/56, साई कृपा सोसायटी, समीप अमन सोसायटी, जीवन प्योत सिनेमा के पीछे, उधमा, सूरत-394210 द्वारा विनिर्मित वर्ग III यथार्थता (मध्यम यथार्थता) वाले "एनपीएफ" शृंखला के स्वतः सूचक अस्वचालित इलैक्ट्रॉनिक अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "नेशनल" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/20 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल (आकृति देखें) मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है। इसकी अधिकतम क्षमता 100 किलोग्राम और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान (ई) का मान 10 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उम्मी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5000 किलोग्राम तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 5 ग्रा. या अधिक "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा० सं० डब्ल्यू० एम० 21(181)/2000]

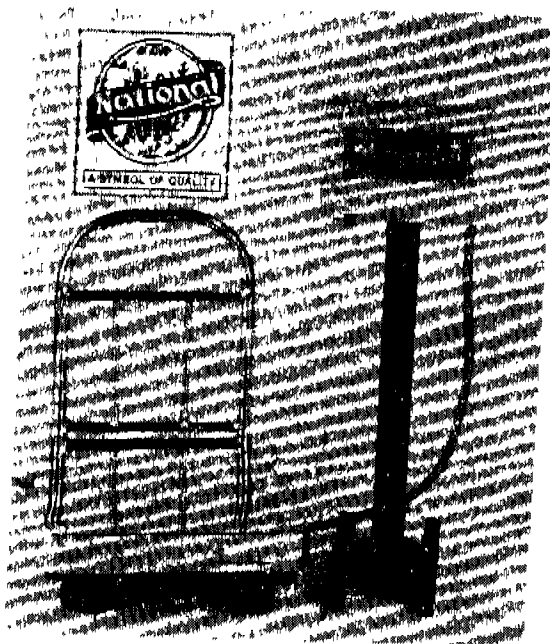
पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1903.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating, non-automatic, electronic (Platform type) weighing instrument with digital indication of 'NPF' series of accuracy Class III (Medium Accuracy) and with brand name "NATIONAL" (herein after referred to as the model) manufactured by M/s. National Electronics, 55/56, Saikripa Society, Near Aman Society, Behind Jivanjyot Cinema, Udhna, Surat-394210 and which is assigned the approval mark IND/09/2001/20.

The said model (figure) is a medium accuracy (accuracy class III) weighing instrument with maximum capacity of 100kg. and minimum capacity of 200 g. The verification scale interval (e) is 10 g. It has a tare device with a 100 percent subtractive retained tare effect. The light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts and frequency 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of said Section 36 the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5000kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured:

[F. N. WM-21(181)/2000]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1904.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (3) के तीसरे परन्तुक और उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सील टैक इंडस्ट्रीज, 162/5, यमुना नगर बस स्टॉप के पीछे, ए पी त्रिवेणी नगर, तलवाडे, पुणे-412109 द्वारा विनिर्मित "एस सी पी" श्रृंखला की स्वतः भरण मशीन (कप फिलर) के मॉडल का, (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/309 समुद्देशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह मॉडल एक स्वतः भरण मशीन (कप फिलर) है। इसकी क्षमता रेंज 2 ग्राम से 5000 ग्राम के लिए है। इसका निर्मुक्त प्रवाही उत्पादों जैसे चाय, काफी, मसाले, चीनी दानों, रासायनिक और भैषजिक चूर्ण आदि के लिए प्रयोग किया जाता है। इसकी भरण रेंज 10 पाउन्ड प्रति मिनट है। सिंगल फेस ए सी 230 वोल्ट, 50 हर्ट्ज है।

[फा० सं० डब्ल्यू० एम०-21(196)/2000]

पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1904.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to be sub-section (3) and sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model in respect of Automatic filling machine (Cup filler) of SCP series (herein referred to as model) manufactured by M/s Sealttech Industries, 162/5, Behind Yamuna Nagar Bus Stop, A.P. Triveninagar, Talwade, Pune-412109 which is assigned the approval of Model mark IND/09/2000/309;



The Model is a Automatic filling machine (Cup filler). The capacity range is for 2g. to 5000g. It is used for non-free flowing products such as tea, coffee, species, sugar, granules chemical and pharmaceutical powder etc. The range of filling is 10 pouches per minute. Single phase AC 230V. 50 Hz.

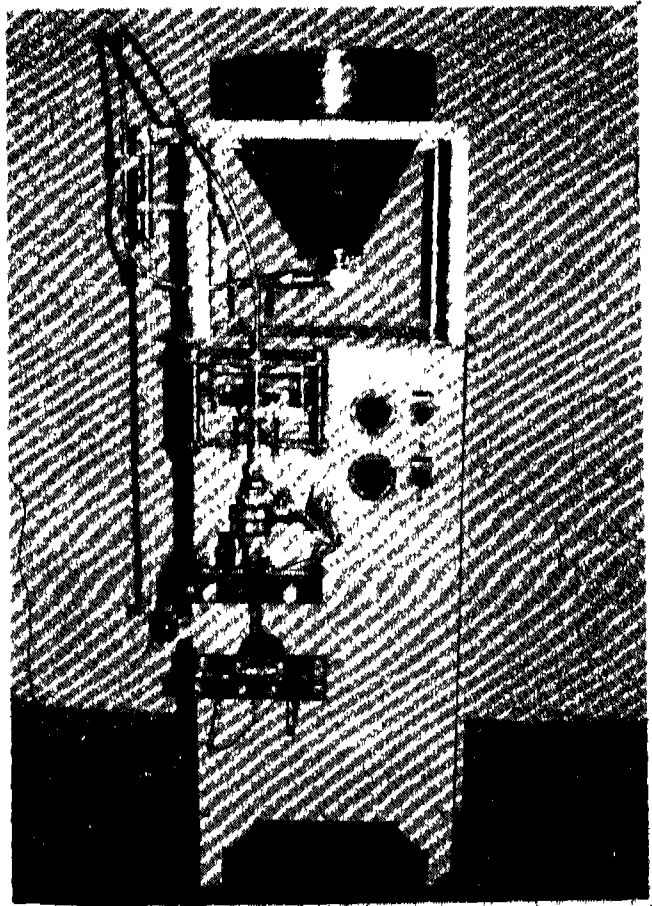
[F No WM-21(196)/2000]

P. A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 20 जुलाई, 2001

का०आ० 1905.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा व्यापार और उद्योग मिडल सेक इंग्लैंड के राष्ट्रीय बाट और माप प्रयोगशाला विभाग द्वारा अनुदत्त और अनुमोदित मॉडल अनुमोदन और परीक्षण परिणामों के साथ प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उचित सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (3) के तिसरे परन्तुक और उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सील टैक इंडस्ट्रीज, 162/5, यमुना नगर बस स्टॉप के पीछे, ए पी त्रिवेणी नगर, तलवाडे, पुणे-412109 द्वारा विनिर्मित "एस वी पी" श्रृंखला के स्वतः भरण मशीन (पिस्टन फिलर) के मॉडल का, (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/310 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह मॉडल एक स्वतः भरण मशीन (पिस्टन फिलर) है। इसकी क्षमता रेंज 2 ग्राम से 1000 ग्राम या समतुल्य आयतन के लिए है। इसका निर्मुक्त प्रवाही उत्पादों जैसे विस्कोस तरलों, वनस्पति, घी, मक्खन, खाद्य तेल, पेन्ट आदि के लिए प्रयोग किया जाता है। इसकी भरण रेंज 10 पाउन्ड प्रति मिनट है। सिंगल फेस ए सी 230 वोल्ट, 50 हर्ट्ज है।

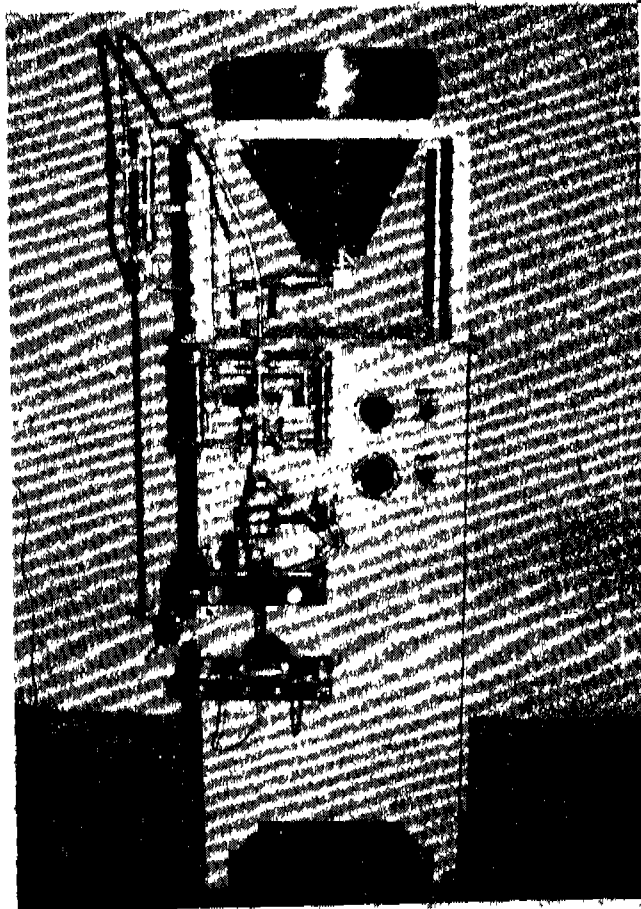
[फा० सं० डब्ल्यू० एम०-21(196)/2000]

पी० ए० कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th July, 2001

S. O. 1905.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the model Approval and test results, granted and approved by the National Weights and Measures Laboratory, Department of Trade and Industry, Middle sex, England is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model in respect of Automatic filling machine (Piston filler) "SVP" series (herein referred to as model) manufactured by M/s Sealtch Industries, 162/5, Behind Yamuna Nagar Bus Stop, A.P. Triveninagar, Talwade, Pune-412109 and which is assigned the approval of Model mark IND/07/2000/310,



The Model is a Automatic filling machine (piston filler). The capacity range is for 2g. to 1000g or equivalent volumn. It is used for non-free flowing products such as viscous liquids, vanaspathi ghee, butter, edible oil, paints etc. The range of filling is 10 pouches per minute. Single phase AC 230V. 50 Hz

[F No. WM-21(196)/2000]

P A. KRISHNAMOORTHY, Director, Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 23 जुलाई, 2001

का.आ. 1906.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 17 के अधीन बनाए गए पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अधीन नियम 4 के परन्तुक के अनुसरण में, सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, (राजस्थान राज्य) गैस अथॉरिटी ऑफ इंडिया लिमिटेड, जिसे, यथास्थिति, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है या उस क्षेत्र में पाइपलाइन का स्वामित्व प्रदान किया गया है, के परामर्श से इससे संलग्न अनुसूची के स्तम्भ (8) में यथा वर्णित काण्डला/जामनगर से लोनी तक तरल पेट्रोलियम गैस पाइपलाइन बिछाने के कार्य की समाप्ति की तारीख की घोषणा करता हूँ।

अनुसूची

जिला	तहसील	गांव	अधिसूचना धारा 3(1)		अधिसूचना धारा 6(1)		समापन कार्य की तारीख
			राजपत्र के प्रकाशन की तिथि	का आ. सं० और तिथि	राजपत्र के प्रकाशन की तिथि	का आ. सं० और तिथि	
पाली	रायपुर	रायपुर	55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
		चावण्डिया खुर्द	55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
		सबलपुरा	55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
		मोहरा खुर्द	55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999 677 दिनांक 15 नवम्बर, 1999	452(अ) दिनांक 17 जून, 1999 1095(अ) दिनांक 11 नवम्बर, 1999	26 मई 2000
	लवाचा		55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
					544 दिनांक 6 सितम्बर, 1999	721(अ) दिनांक 2 सितम्बर, 1999	
	दोपावास		55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
					544 दिनांक 6 सितम्बर, 1999	721(अ) दिनांक 2 सितम्बर, 1999	
	माकडवाली		55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून 1999	26 मई, 2000
	बिराटिया खुर्द		55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
					544 दिनांक 6 सितम्बर, 1999	721(अ) दिनांक 2 सितम्बर, 1999	
	बिराटिया कलां		55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
	रामाणस खुर्द		55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	544 दिनांक 6 सितम्बर, 1999	721(अ) दिनांक 2 सितम्बर, 1999	26 मई, 2000
	बाबरा		55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
					544 दिनांक 6 सितम्बर, 1999	721(अ) दिनांक 2 सितम्बर, 1999	
					677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	

जिला	तहसील	गांव	अधिसूचना धारा 3(1)		अधिसूचना धारा 6(1)		समापन कार्य की तारीख
			राजपत्र के प्रकाशन की तिथि	का.आ. सं० और तिथि	राजपत्र के प्रकाशन की तिथि	का.आ. सं० और तिथि	
		कोलपुर	55 दिनांक 2 फरवरी, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		सुमेल	55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999 677 दिनांक 15 नवम्बर, 1999	452(अ) दिनांक 17 जून, 1999 1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		मोहरा	55 दिनांक 2 फरवरी, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		नारगढ़	55 दिनांक 2 फरवरी, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		खीबल	55 दिनांक 2 फरवरी, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		गोपालपुर	55 दिनांक 2 फरवरी, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		बर	55 दिनांक 2 फरवरी, 1999 488 दिनांक 9 अगस्त, 1999 453 दिनांक 24 जुलाई, 1999 544 दिनांक 6 सितम्बर, 1999	59(अ) दिनांक 2 फरवरी, 1999 642(अ) दिनांक 9 अगस्त, 1999 597(अ) दिनांक 24 जुलाई, 1999 716(अ) दिनांक 2 सितम्बर, 1999	345 दिनांक 17 जून, 1999 677 दिनांक 15 नवम्बर, 1999 793 दिनांक 23 सितम्बर, 1999	452(अ) दिनांक 17 जून, 1999 1095(अ) दिनांक 11 नवम्बर, 1999 1281(अ) दिनांक 23 दिसम्बर, 1999	26 मई, 2000
		गिरी	55 दिनांक 2 फरवरी, 1999 488 दिनांक 9 अगस्त, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 642(अ) दिनांक 9 अगस्त, 1999 597(अ) दिनांक 24 जुलाई, 1999	419 दिनांक 7 जुलाई, 1999 677 दिनांक 15 नवम्बर, 1999	552(अ) दिनांक 7 जुलाई, 1999 1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		नाहरपुर	55 दिनांक 2 फरवरी, 1999 488 दिनांक 9 अगस्त, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 642(अ) दिनांक 9 अगस्त, 1999 597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000
		रामगढ़	55 दिनांक 2 फरवरी, 1999 453 दिनांक 24 जुलाई, 1999	59(अ) दिनांक 2 फरवरी, 1999 597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1095(अ) दिनांक 11 नवम्बर, 1999	26 मई, 2000

जिला	तहसील	गांव	अधिसूचना धारा 3(1)		अधिसूचना धारा 6(1)		समापन कार्य की तारीख
			राजपत्र के प्रकाशन की तिथि	का.आ. सं० और तिथि	राजपत्र के प्रकाशन की तिथि	का.आ. सं० और तिथि	
		मेरदडा	55 दिनांक 2 फरवरी, 1999	59(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	452(अ) दिनांक 17 जून, 1999	26 मई, 2000
			453 दिनांक 24 जुलाई, 1999	597(अ) दिनांक 24 जुलाई, 1999	793 दिनांक 23 दिसम्बर, 1999	1281(अ) दिनांक 23 दिसम्बर, 1999	
			544 दिनांक 6 सितम्बर, 1999	716(अ) दिनांक 2 सितम्बर, 1999			
पाली	सोजत	केरतवाड	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
			488 दिनांक 9 अगस्त, 1999	641(अ) दिनांक 9 अगस्त, 1999	677 दिनांक 15 नवम्बर, 1999	1096(अ) दिनांक 11 नवम्बर, 1999	
		बगडी	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
					793 दिनांक 23 दिसम्बर, 1999	1276(अ) दिनांक 23 दिसम्बर, 1999	
		दूण्डा लाम्बोई	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
					677 दिनांक 15 नवम्बर, 1999	1096(अ) दिनांक 11 नवम्बर, 1999	
		गुढाबीजा	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
					793 दिनांक 23 दिसम्बर, 1999	1276(अ) दिनांक 23 दिसम्बर, 1999	
		लाङपुरा	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
					677 दिनांक 15 नवम्बर, 1999	1096(अ) दिनांक 11 नवम्बर, 1999	
		रायरा कलां व खुर्द	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
			488 दिनांक 9 अगस्त, 1999	641(अ) दिनांक 9 अगस्त, 1999	677 दिनांक 15 नवम्बर, 1999	1096(अ) दिनांक 11 नवम्बर, 1999	
		पीपलाद	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
		सांरगाबास	828 दिनांक 22 दिसम्बर, 1998	1096(अ) दिनांक 22 दिसम्बर, 1998	255 दिनांक 17 मई, 1999	345(अ) दिनांक 17 मई, 1999	26 मई, 2000
			453 दिनांक 24 जुलाई, 1999	597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1096(अ) दिनांक 11 नवम्बर, 1999	

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 23rd July, 2001

S.O. 1906.—In pursuance of proviso to rule 4 under explanation of the petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963 framed under section 17 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Competent Authority, Gas Authority of India Limited (Rajasthan State), in consultation with the Gas Authority of India Limited, with whom the right of user in land in that area has been vested or ownership of the pipeline in that area vest, as the case may be hereby declare the date of termination of operation of laying liquified petroleum gas pipelines from Kandla/Jamnagar to Loni as mentioned in column (8) of the Schedule annexed herewith

SCHEDULE

District	Tehsil	Village	Notification U/s 3(1)		Notification U/s6(1)		Date of Termination of Operations
			Date of Publication of Gazette	S O No and Date	Date of Publication	S O No and Date	
1			2	3	4	5	6
Pali	Raipur	Raipur	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999	452(E) dated 17 June, 1999	26 May 2000
		Chawandia Khurd	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June 1999	452(E) dated 17 June, 1999	26 May, 2000
		Sabalpur	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999	452(E) dated 17 June, 1999	26 May, 2000
		Mohara Khurd	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	452(E) dated 17 June, 1999 1095(E) 11 November, 1999	26 May 2000
		Lawach	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999 544 dated 6 September, 1999	452(E) dated 17 June, 1999 721(E) dated 2 September, 1999	26 May 2000
		Deepawas	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999 544 dated 6 September, 1999	452(E) dated 17 June, 1999 721(E) dated 2 September 1999	26 May, 2000
		Makardwahi	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999	452(E) dated 17 June 1999	26 May, 2000
		Biratiya Khurd	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999 544 dated 6 September, 1999	452(E) dated 17 June, 1999 721(E) dated 2 September, 1999	26 May 2000
		Biratiya Kala	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	345 dated 17 June, 1999	452(E) dated 17 June, 1999	26 May, 2000
		Ramawas Khurd	55 dated 2 Feb , 1999	59(E) dated 2 Feb , 1999	544 dated 6 September, 1999	721(E) dated 2 September, 1999	26 May, 2000

1	2	3	4	5	6
Babara	55 dated 2 Feb., 1999	59(E) dated 2 Feb., 1999	345 dated 17 June, 1999 544 dated 6 September, 1999 677 dated 15 November, 1999	452(E) dated 17 June, 1999 721(E) dated 2 September, 1999 1095(E) dated 11 November, 1999	26 May, 2000
Kolapura	55 dated 2 February, 1999 453 dated 24 July, 1999	59(E) dated 2 February, 1999 597(E) dated 24 July, 1999	677 dated 15 November, 1999	1095(E) 11 November, 1999	26 May, 2000
Sumel	55 dated 2 Feb., 1999	59(E) dated 2 Feb., 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	452(E) dated 17 June, 1999 1095(E) 11 November, 1999	26 May, 2000
Narghar	55 dated 2 Feb., 1999 453 dated 24 July, 1999	59(E) dated 2 February, 1999 597(E) dated 24 July, 1999	677 dated 15 November, 1999	1095(E) 11 November, 1999	26 May, 2000
Khiwal	55 dated 2 Feb., 1999 453 dated 24 July, 1999	59(E) dated 2 February, 1999 597(E) dated 24 July, 1999	677 dated 15 November, 1999	1095(E) 11 November, 1999	26 May, 2000
Gopalpura	55 dated 2 Feb., 1999 453 dated 24 July, 1999	59(E) dated 2 February, 1999 597(E) dated 24 July, 1999	677 dated 15 November, 1999	1095(E) 11 November, 1999	26 May, 2000
Bar	55 dated 2 Feb., 1999 488 dated 9 August, 1999 453 dated 24 July, 1999 544 dated 6 September, 1999	59(E) dated 2 February, 1999 642(E) dated 9 August, 1999 597(E) dated 24 July, 1999 716(E) dated 2 September, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999 793 dated 3 December, 1999	452(E) dated 17 June, 1999 1095(E) 11 November, 1999 1281(E) 23 December, 1999	26 May, 2000
Giri	55 dated 2 Feb., 1999 488 dated 9 August, 1999 453 dated 24 July, 1999	59(E) dated 2 February, 1999 642(E) dated 9 August, 1999 597(E) dated 24 July, 1999	419 dated 7 July, 1999 677 dated 15 November, 1999	4552(E) 7 July, 1999 1095(E) 11 November, 1999	26 May, 2000
Mohara	55 dated 2 Feb., 1999 453 dated 24 July, 1999	59(E) dated 2 Feb., 1999 597(E) dated 24 July, 1999	677 dated 15 November, 1999	1095(E) 11 November, 1999	26 May, 2000
Naharpura	55 dated 2 Feb., 1999 488 dated 9 August, 1999 453 dated 24 July, 1999	59(E) dated 2 February, 1999 642(E) dated 9 August, 1999 597(E) dated 24 July, 1999	677 dated 15 November, 1999	1095(E) 11 November, 1999	26 May, 2000

1		2	3	4	5	6	
		Ramgarh	55 dated 2 Feb., 1999 453 dated 24 July, 1999	59(E) dated 2 Feb., 1999 597(E) dated 24 July, 1999	677 dated 15 November, 1999	1095(E) 11 November, 1999	26 May, 2000
		Megadra	55 dated 2 Feb., 1999 544 dated 6 Septemb., 1999 453 dated 24 July, 1999	59(E) dated 2 February, 1999 716(E) dated 2 September, 1999 597(E) dated 24 July, 1999	345 dated 17 June, 1999 793 dated 23 December, 1999	452(E) dated 17 June, 1999 1281(E) dated 23 December, 1999	26 May, 2000
Pali	Sojat	Kelwad	828 dated 22 December, 1998 488 dated 9 August, 1999	1096(E) dated 22 December, 1998 641(E) dated 9 August, 1999	255 dated 17 May, 1999 677 dated 15 November, 1999	345(E) dated 17 May, 1999 1096(E) dated 11 November, 1999	26 May, 2000
		Bagri	828 dated 22 December, 1998	1096(E) dated 22 December, 1998	255 dated 17 May, 1999 793 dated 23 December, 1999	345(E) 17 May, 1999 1276(E) dated 23 December, 1999	26 May, 2000
		Dhunda Lamboi	828 dated 22 December, 1998	1096(E) dated 22 December, 1998	255 dated 17 May, 1999 677 dated 15 November, 1999	345(E) dated 17 May, 1999 1096(E) dated 11 November, 1999	26 May, 2000
		Gudha bija	828 dated 22 December, 1998	1096(E) dated 22 December, 1998	255 dated 17 May, 1999 793 dated 23 December, 1999	345(E) dated 17 May, 1999 1276(E) dated 23 December, 1999	26 May, 2000
		Ladpura	828 dated 22 December, 1998	1096(E) dated 22 December, 1998	255 dated 17 May, 1999 677 dated 15 November, 1999	345(E) dated 17 May, 1999 1096(E) dated 11 November, 1999	26 May, 2000
		Rayara Kalan & Khurd	828 dated 22 December, 1998 488 dated 9 August, 1999	1096(E) dated 22 December, 1998 641(E) dated 9 August, 1999	255 dated 17 May, 1999 677 dated 15 November, 1999	345(E) dated 17 May, 1999 1096(E) dated 11 November, 1999	26 May, 2000
		Pip Lad	828 dated 22 December, 1998	1096(E) dated 22 December, 1998	255 dated 17 May, 1999	345(E) 17 May, 1999	26 May, 2000
		Sarangawas	828 dated 22 December, 1998 453 dated 24 July, 1999	1096(E) dated 22 December, 1998 597(E) dated 24 July, 1999	255 dated 17 May, 1999 677 dated 15 November, 1999	345(E) 17 May, 1999 1096(E) dated 11 November, 1999	26 May, 2000

नई दिल्ली, 23 जुलाई, 2001

का. आ. 1907.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 17 के अधीन बनाए गए पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अधीन नियम 4 के परन्तुक के अनुसार में, सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, (राजस्थान राज्य) गैस अथॉरिटी ऑफ इंडिया लिमिटेड, जिसे, यथास्थिति, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है या उस क्षेत्र में पाइपलाइन का स्वामित्व प्रदान किया गया है, के परामर्श से इससे संलग्न अनुसूची के स्तम्भ (8) में यथा वर्णित काण्डला/जामनगर से लोनी तक तरल पेट्रोलियम गैस पाइपलाइन बिछाने के कार्य की समाप्ति की तारीख की घोषणा करता है।

अनुसूची

जिला	तहसील	गांव	अधिसूचना धारा 3(1)		अधिसूचना धारा 6(1)		समापन कार्य की तारीख
			राजपत्र के प्रकाशन की तिथि	क्रम सं. और तिथि	राजपत्र के प्रकाशन की तिथि	क्रम सं. और तिथि	
1	2	3	4	5	6	7	8
जयपुर	कोटपूतली	पांचूडाला	797 दिनांक 9 दिसम्बर, 1998	1053(अ) 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) 16 मार्च, 1999	30 जून, 2000
					488 दिनांक 9 अगस्त, 1999	646(ब) दिनांक 9 अगस्त, 1999	
		भाखरी	797 दिनांक 9 दिसम्बर, 1998	1053(अ) 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) दिनांक 16 मार्च, 1999	30 जून, 2000
					488 दिनांक 9 अगस्त, 1999	646(अ) दिनांक 9 अगस्त, 1999	
					793 दिनांक 23 दिसम्बर, 1999	1282(अ) दिनांक 23 दिसम्बर, 1999	
		बडनगर	797 दिनांक 9 दिसम्बर, 1998	1053(अ) दिनांक 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) दिनांक 16 मार्च, 1999	30 जून, 2000
		ठीकरिया	797 दिनांक 9 दिसम्बर, 1998	1053(अ) दिनांक 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) दिनांक 16 मार्च, 1999	30 जून, 2000
					488 दिनांक 9 अगस्त, 1999	646(अ) दिनांक 9 अगस्त, 1999	
		टोरडाब्राह्मण	797 दिनांक 9 दिसम्बर, 1998	1053(अ) 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) दिनांक 16 मार्च, 1999	30 जून, 2000
					544 दिनांक 2 सितम्बर, 1999	724(अ) दिनांक 2 सितम्बर, 1999	
		पंधपहाडी	797 दिनांक 9 दिसम्बर, 1998	1053(अ) 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) दिनांक 16 मार्च, 1999	30 जून, 2000
					488 दिनांक 9 अगस्त, 1999		
		करौली	797 दिनांक 9 दिसम्बर, 1998	1053(अ) 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) दिनांक 16 मार्च, 1999	30 जून, 2000
		मण्डा	797 दिनांक 9 दिसम्बर, 1998	1053(अ) 9 दिसम्बर, 1998	140 दिनांक 16 मार्च, 1999	173(अ) दिनांक 16 मार्च, 1999	30 जून, 2000
					488 दिनांक 9 अगस्त, 1999	646(अ) दिनांक 9 अगस्त, 1999	
		तुलसीपुरा	362 दिनांक 23 जून, 1999	477(अ) 23 जून, 1999	677 दिनांक 15 नवम्बर, 1999	1103(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000

1	2	3	4	5	6	7	8
अवधपुर	शाहपुर	उदाथाला	209 दिनांक 20 अप्रैल, 1999	269(अ) दिनांक 20 अप्रैल, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		नबलपुर	55 दिनांक 2 फरवरी, 1999	56(अ) 2 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		लाखनी	55 दिनांक 2 फरवरी, 1999	56(अ) दिनांक 2 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		माधो का बास	55 दिनांक 2 फरवरी, 1999 362 दिनांक 23 जून, 1999	56(अ) दिनांक 2 फरवरी, 1999 477(अ) दिनांक 23 जून, 1999	677 दिनांक 15 नवम्बर, 1999	1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		कांट	55 दिनांक 2 फरवरी, 1999	56(अ) दिनांक 2 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		जांघे खुर्द उर्फ विशनपुर	55 दिनांक 2 फरवरी, 1999	56(अ) दिनांक 2 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		लोट का बास	55 दिनांक 2 फरवरी, 1999	56(अ) दिनांक 2 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		शाहपुर	55 दिनांक 2 फरवरी, 1999	56(अ) दिनांक 2 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		देवन	55 दिनांक 2 फरवरी, 1999 362 दिनांक 23 जून, 1999 453 दिनांक 24 जुलाई, 1999	56(अ) दिनांक 2 फरवरी, 1999 477(अ) दिनांक 23 जून, 1999 597(अ) दिनांक, 24 जुलाई, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		मामटोरी खुर्द	55 दिनांक 2 फरवरी, 1999	56(अ) दिनांक 2 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		मिठरा	209 दिनांक 20 अप्रैल, 1999	269(अ) दिनांक 20 अप्रैल, 1999	488 दिनांक 9 अगस्त, 1999	643(अ) दिनांक 9 अगस्त, 1999	30 जून, 2000

1	2	3	4	5	6	7	8
जयपुर	शाहपुरा	मनोहरपुरा	209 दिनांक 20 अप्रैल, 1999 453 दिनांक 24 जुलाई, 1999	269(अ) दिनांक 20 अप्रैल, 1999 597(अ) दिनांक 24 जुलाई, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
		लोथु का बास	209 दिनांक 20 अप्रैल, 1999	269(अ) दिनांक 20 अप्रैल, 1999	488 दिनांक 9 अगस्त, 1999 677 दिनांक 15 नवम्बर, 1999	643(अ) दिनांक 9 अगस्त, 1999 1104(अ) दिनांक 11 नवम्बर, 1999	30 जून, 2000
	जयपुर	मनसिंहपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999	457(अ) दिनांक 17 जून, 1999	31 मई, 2000
		रामसिंहपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999	457(अ) दिनांक 17 जून, 1999	31 मई, 2000
		फत्तेहपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999 677 दिनांक 15 नवम्बर, 1999	457(अ) दिनांक 17 जून, 1999 1102(अ) दिनांक 11 नवम्बर, 1999	31 मई, 2000
		हिम्मतपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999	457(अ) दिनांक 17 जून, 1999	31 मई, 2000
		जयसिंहपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	274(अ) दिनांक 20 अप्रैल, 1999	31 मई, 2000
		किशोरपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	274(अ) दिनांक 20 अप्रैल, 1999	31 मई, 2000
		कांकोरोदा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	274(अ) दिनांक 20 अप्रैल, 1999	31 मई, 2000
		चक मोण्या	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	274(अ) दिनांक 20 अप्रैल, 1999	31 मई, 2000
		मुण्डिया	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999	457(अ) दिनांक 17 जून, 1999	31 मई, 2000
		पुरोहितान	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	274(अ) दिनांक 20 अप्रैल, 1999	31 मई, 2000
		नन्दगांव	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	274(अ) दिनांक 20 अप्रैल, 1999	31 मई, 2000
		बरसागा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999	457(अ) दिनांक 17 जून, 1999	31 मई, 2000
		मुण्डिया	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999	457(अ) दिनांक 17 जून, 1999	31 मई, 2000
		रामसर	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999	457(अ) दिनांक 17 जून, 1999	31 मई, 2000
		पिण्डोलाई	453 दिनांक 24 जुलाई, 1999	597(अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1102(अ) दिनांक 11 नवम्बर, 1999	31 मई, 2000
		सिवार	828 दिनांक 22 दिसम्बर, 1998 453 दिनांक 24 जुलाई 1999	1097(अ) दिनांक 22 दिसम्बर, 1998 597(अ) दिनांक 24 जुलाई, 1999	345 दिनांक 17 जून, 1999 677 दिनांक 15 नवम्बर, 1999	457(अ) दिनांक 17 जून, 1999 1102(अ) दिनांक 11 नवम्बर, 1999	31 मई, 2000
		माचवा	828 दिनांक 22 दिसम्बर, 1998 453 दिनांक 24 जुलाई, 1999 666 दिनांक 8 नवम्बर, 1999	1097(अ) दिनांक 22 दिसम्बर, 1998 597(अ) दिनांक 24 जुलाई, 1999 1078 (अ) दिनांक 5 नवम्बर, 1999	677 दिनांक 15 नवम्बर, 1999 544 दिनांक 6 सितम्बर, 1999 74 दिनांक 2 फरवरी, 2000	1102(अ) दिनांक 11 नवम्बर, 1999 722(अ) दिनांक 2 सितम्बर, 1999 100(अ) दिनांक 2 फरवरी, 2000	31 मई, 2000
		पीथावास उर्फ नारीकाबास	666 दिनांक 8 नवम्बर, 1999	1078 (अ) दिनांक 5 नवम्बर, 1999	74 दिनांक 2 फरवरी, 2000	100(अ) दिनांक 2 फरवरी, 2000	31 मई, 2000
		हातोदे	666 दिनांक 8 नवम्बर, 1999	1078 (अ) दिनांक 5 नवम्बर, 1999	74 दिनांक 2 फरवरी, 2000	100(अ) दिनांक 2 फरवरी, 2000	31 मई, 2000

1	2	3	4	5	6	7	8
अयपुर	अयपुर	लालचन्दपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	345 दिनांक 17 जून, 1999 74 दिनांक 2 फरवरी, 2000	457(अ) दिनांक 17 जून, 1999 100(अ) दिनांक 2 फरवरी, 2000	31 मई, 2000
		बक आगडी	199 दिनांक 13 अप्रैल, 1999	256(अ) दिनांक 13 अप्रैल, 1999	544 दिनांक 6 सितम्बर, 1999	722(अ) दिनांक 2 सितम्बर, 1999	31 मई, 2000
		बागडी	199 दिनांक 13 अप्रैल, 1999	256(अ) दिनांक 13 अप्रैल, 1999	677 दिनांक 15 नवम्बर, 1999	1102(अ) दिनांक 11 नवम्बर, 1999	31 मई, 2000
		मकसूदनपुरा	828 दिनांक 22 दिसम्बर, 1998	1097(अ) दिनांक 22 दिसम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	271(अ) दिनांक 20 अप्रैल, 1999	31 मई, 2000
अयपुर	फागी	बुकनी	50 दिनांक 12 दिसम्बर, 1998	2557 दिनांक 27 नवम्बर, 1998	209 दिनांक 20 अप्रैल, 1999	27 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		श्रीगोविन्दपुरा	50 दिनांक 12 दिसम्बर, 1998	2557 दिनांक 27 नवम्बर, 1998	209 दिनांक 20 अप्रैल, 1999	271(अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		नन्दलालपुरा	50 दिनांक 12 दिसम्बर, 1998	2557 दिनांक 27 नवम्बर, 1998	209 दिनांक 20 अप्रैल, 1999	271(अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		छारदडा	50 दिनांक 12 दिसम्बर, 1998	2557 दिनांक 27 नवम्बर, 1998	209 दिनांक 20 अप्रैल, 1999	271(अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		शेरपुरा	50 दिनांक 12 दिसम्बर, 1998	2557 दिनांक 27 नवम्बर, 1998 719 (अ) दिनांक 2 सितम्बर, 1999	209 दिनांक 20 अप्रैल, 1999	271(अ) दिनांक 20 अप्रैल, 1999 1283 (अ) दिनांक 23 दिसम्बर, 1999	1 जून, 2000
अयपुर	सांगानेर	दहमी	604 दिनांक 15 सितम्बर, 1998	814(अ) दिनांक 15 सितम्बर, 1998	102 दिनांक 23 फरवरी, 1999	128(अ) दिनांक 23 फरवरी, 1999	31 मई, 2000
		छितरौली	604 दिनांक 15 सितम्बर, 1998	814(अ) दिनांक 15 सितम्बर, 1998	102 दिनांक 23 फरवरी, 1999	128(अ) दिनांक 23 फरवरी, 1999	31 मई, 2000
		बडी का खेडा	604 दिनांक 15 सितम्बर, 1998 749 दिनांक 7 दिसम्बर, 1999	814(अ) दिनांक 15 सितम्बर, 1998 1216(अ) दिनांक 6 दिसम्बर, 1999	102 दिनांक 23 फरवरी, 1999 74 दिनांक 2 फरवरी, 2000	128(अ) दिनांक 23 फरवरी, 1999 102(अ) दिनांक 2 फरवरी, 2000	31 मई, 2000
		सांझरिया	604 दिनांक 15 सितम्बर, 1998	814(अ) दिनांक 15 सितम्बर, 1998	102 दिनांक 23 फरवरी, 1999	128(अ) दिनांक 23 फरवरी, 1999	31 मई, 2000
		बगरू रावान	604 दिनांक 15 सितम्बर, 1998	814(अ) दिनांक 15 सितम्बर, 1998	102 दिनांक 23 फरवरी, 1999	128(अ) दिनांक 23 फरवरी, 1999	31 मई, 2000
		श्योंसिंहपुरा	604 दिनांक 15 सितम्बर, 1998	814(अ) दिनांक 15 सितम्बर, 1998	102 दिनांक 23 फरवरी, 1999	128(अ) दिनांक 23 फरवरी, 1999	31 मई, 2000
		धेधा	604 दिनांक 15 सितम्बर, 1998	814(अ) दिनांक 15 सितम्बर, 1998	102 दिनांक 23 फरवरी, 1999	128(अ) दिनांक 23 फरवरी, 1999	31 मई, 2000
		बगरू कलां	604 दिनांक 15 सितम्बर, 1998 749 दिनांक 7 दिसम्बर, 1999 666 दिनांक 8 नवम्बर, 1999	814(अ) दिनांक 15 सितम्बर, 1998 1216(अ) दिनांक 6 दिसम्बर, 1999 1080(अ) दिनांक 5 नवम्बर, 1999	102 दिनांक 23 फरवरी, 1999 74 दिनांक 2 फरवरी, 2000 793 दिनांक 23 दिसम्बर, 1999	128(अ) दिनांक 23 फरवरी, 1999 102(अ) दिनांक 2 फरवरी, 2000 1275(अ) दिनांक 23 दिसम्बर, 1999	31 मई, 2000

1	2	3	4	5	6	7	8
जयपुर	सांगानेर	बिम्बनपुरा	604 दिनांक 15 सितम्बर, 1998	814(अ) दिनांक 15 सितम्बर, 1998	102 दिनांक 23 फरवरी, 1999	128(अ) दिनांक 23 फरवरी, 1999	31 मई, 2000
		अवागिया	604 दिनांक 15 सितम्बर, 1998 749 दिनांक 7 दिसम्बर, 1999	814(अ) दिनांक 15 सितम्बर, 1998 1216(अ) दिनांक 6 दिसम्बर, 1999	102 दिनांक 23 फरवरी, 1999 74 दिनांक 2 फरवरी, 2000	128(अ) दिनांक 23 फरवरी, 1999 102(अ) दिनांक 2 फरवरी, 2000	31 मई, 2000
जयपुर	आमेर	दौलपुरा	102 दिनांक 23 फरवरी, 1999	129(अ) दिनांक 23 फरवरी, 1999	488 दिनांक 9 अगस्त, 1999	645(अ) दिनांक 9 अगस्त, 1999	31 मई, 2000
		नीदड	199 दिनांक 13 अप्रैल, 1999	257 (अ) दिनांक 13 अप्रैल, 1999	793 दिनांक 23 दिसम्बर, 1999	1273 (अ) दिनांक 23 दिसम्बर, 1999	31 मई, 2000
		नांगल पुरोहिता	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	31 मई, 2000
		छंवरका बास	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
		चेतावाला	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
		बदनपुरा	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		खोराश्याम दास	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
		देगडा बास	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
		चौप	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		ईशरकीनांगल	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		बिलौनी	199 दिनांक 13 अप्रैल, 1999	257(अ) दिनांक 13 अप्रैल, 1999	488 दिनांक 9 अगस्त, 1999	645 (अ) दिनांक 9 अगस्त, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		श्रीगोविन्दपुरा	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		घटवाडा	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	

1	2	3	4	5	6	7	8
जयपुर	आमेर	मानपुरा माचेडी	544 दिनांक 6 सितम्बर, 1999	711(अ) दिनांक 2 सितम्बर, 1999	25 दिनांक 12 जनवरी, 2000	37 (अ) दिनांक 12 जनवरी, 2000	30 जून, 2000
		पूठ का बास	199 दिनांक 13 अप्रैल, 1999	257(अ) दिनांक 13 अप्रैल, 1999	488 दिनांक 9 अगस्त, 1999	645 (अ) दिनांक 9 अगस्त, 1999	30 जून, 2000
			666 दिनांक 8 नवम्बर, 1999	1079(अ) दिनांक 5 नवम्बर, 1999	677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
					74 दिनांक 2 फरवरी, 2000	101 (अ) दिनांक 2 फरवरी, 2000	
		बीलपुरबीलिया	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून 2000
			543 दिनांक 24 जुलाई, 1999	597 (अ) दिनांक 24 जुलाई, 1999	677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		सुन्दरपुरा	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून 2000
		सुन्दरकाबास	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		देवकाहरमाडा	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
		चकमनोहरपुर	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	30 जून, 2000
		राजाबास	55 दिनांक 2 फरवरी, 1999	58(अ) दिनांक 2 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	31 मार्च, 2000
		खोराबीसल	102 दिनांक 23 फरवरी, 1999	129(अ) दिनांक 23 फरवरी, 1999	345 दिनांक 17 जून, 1999	458 (अ) दिनांक 17 जून, 1999	31 मार्च, 2000
					677 दिनांक 15 नवम्बर, 1999	1106 (अ) दिनांक 11 नवम्बर, 1999	
जयपुर	हृद	गंगालीखुर्द	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		आखेपुरा	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		मानपुरा	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000

1	2	3	4	5	6	7	8
जयपुर	दूध	चांदरमूल	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		मोजमाबाद	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		बागेत	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		खुडियाला	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		दूध	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		छपिया	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		गागरडू	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		गेगा	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
		चरासडा	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	55 दिनांक 2 फरवरी, 1999	66(अ) दिनांक 2 फरवरी, 1999	1 जून, 2000
					793 दिनांक 23 दिसम्बर, 1999	1272(अ) दिनांक 23 दिसम्बर, 1999	
		महेशपुरा	604 दिनांक 15 सितम्बर, 1998	813(अ) दिनांक 15 सितम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	273 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
					793 दिनांक 23 दिसम्बर, 1999	1272(अ) दिनांक 23 दिसम्बर, 1999	
		गुठा बल्लभजी	50 दिनांक 12 दिसम्बर, 1998	2556(अ) दिनांक 27 नवम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	273 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
			666 दिनांक 8 नवम्बर, 1999	1076(अ) दिनांक 5 नवम्बर, 1999	74 दिनांक 2 फरवरी, 2000	99(अ) दिनांक 2 फरवरी, 2000	
		मंढला	50 दिनांक 12 दिसम्बर, 1998	2556(अ) दिनांक 27 नवम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	273 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		कल्याणपुरा	50 दिनांक 12 दिसम्बर, 1998	2556(अ) दिनांक 27 नवम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	273 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		खटवाड	50 दिनांक 12 दिसम्बर, 1998	2556(अ) दिनांक 27 नवम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	273 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		गंगातीकलां	50 दिनांक 12 दिसम्बर, 1998	2556(अ) दिनांक 27 नवम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	273 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		हरसौली	50 दिनांक 12 दिसम्बर, 1998	2556(अ) दिनांक 27 नवम्बर, 1998	210 दिनांक 20 अप्रैल, 1999	273 (अ) दिनांक 20 अप्रैल, 1999	1 जून, 2000
		रहलाना	50 दिनांक 12 दिसम्बर, 1998	2556(अ) दिनांक 27 नवम्बर, 1998	793 दिनांक 23 दिसम्बर, 1999	1272 (अ) दिनांक 23 दिसम्बर 1999	1 जून 2000
			453 दिनांक 24 जुलाई, 1999	597 (अ) दिनांक 24 जुलाई, 1999	419 दिनांक 7 जुलाई, 1999	560 (अ) दिनांक 7 जुलाई, 1999	
			488 दिनांक 9 अगस्त, 1999	638 (अ) दिनांक 9 अगस्त, 1999			

New Delhi, the 23rd July, 2001

S.O. 1907.—In pursuance of proviso to rule 4 under explanation of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, framed under section 17 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Competent Authority, Gas Authority of India Limited (Rajasthan State), in consultation with the Gas Authority of India Limited, with whom the right of user in land in that area has been vested or ownership of the pipeline in that area vest, as the case may be, hereby declare the date of termination of operation of laying liquified petroleum gas pipelines from Kandla/Jamnagar to Loni as mentioned in column (8) of the Schedule annexed herewith.

SCHEDULE

District	Tehsil	Village	Notification U/s 3(1)		Notification U/s 6(1)		Date of Termination Operations
			Date of Publication of Gazette	S O. No. and Date	Date of Publication of Gazette	S O No and Date	
1	2	3	4	5	6	7	8
Jaipur	Kotputli	Pachhudala	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999 488 dated 9 Aug., 1999	173 (E) dated 16 March, 1999 646 (E) 9 Aug., 1999	30th June, 2000
		Bhankri	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999 488 dated 9 Aug., 1999 793 dated 23 Dec., 1999	173 (E) dated 16 March, 1999 646 (E) dated 9 Aug., 1999 1282 (E) dated 23 Dec., 1999	30th June, 2000
		Badnagar	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999	173 (E) dated 16 March, 1999	30th June, 2000
		Thnkariya	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999 488 dated 9 Aug., 1999	173 (E) dated 16 March, 1999 646 (E) dated 9 Aug., 1999	30th June, 2000
		Torda Brahmanan	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999 544 dated 2 Sept., 1999	173 (E) dated 16 March, 1999 724 (E) dated 2 Sept., 1999	30th June, 2000
		Pachahadi	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999	173 (E) dated 16 March, 1999	30th June, 2000
		Mandha	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999 488 dated 9 Aug., 1999	173 (E) dated 16 March, 1999 646 (E) dated 9 Aug., 1999	30th June, 2000
		Karoli	797 dated 9 Dec., 1998	1053 (E) dated 9 Dec., 1998	140 dated 16 March, 1999	173 (E) dated 16 March, 1999	30th June, 2000
		Tulsiपुरा	362 dated 23 June, 1999	477 (E) dated 23 June, 1999	677 dated 15 Nov., 1999	1103 (E) dated 11 Sept., 1999	30th June, 2000
		Mamtori Khurd	55 dated 2 Feb., 1999	56 (E) dated 2 Feb., 1999	488 dated 9 Aug., 1999 677 dated 15 Nov., 1999	643 (E) dated 9 Aug., 1999 1104 (E) dated 11 Nov., 1999	30th June, 2000

1	2	3	4	5	6	7	8
Jaipur	Shahapura Nithara	209 dated 20 April, 1999	269 (E) dated 20 April, 1999	488 dated 9 Aug, 1999	643 (E) dated 9 Aug, 1999	30th June, 2000	
	Manoharpura	209 dated 20 April, 1999 453 dated 24 July, 1999	269(E) dated 20 April, 1999 597(E) dated 24 July, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Lochu ka was	209 dated 20 April, 1999	269 (E) dated 20 April, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Udawala	209 dated 20 April, 1999	269 (E) dated 20 April, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Nawalpura*	55 dated 2 February, 1999	56 (E) dated 2 February, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Lakhami	55 dated 2 February, 1999	56 (E) dated 2 February, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Madho ka was*	55 dated 2 February, 1999 362 dated 23 June, 1999	56 (E) dated 2 February, 1999 477(E) dated 23 June, 1999	677 dated 15 November, 1999	1104(E) dated 11 November, 1999	30th June, 2000	
	Kant	55 dated 2 February, 1999	56 (E) dated 2 February, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Janje Khurd urf Vishanpura	55 dated 2 February, 1999	56 (E) dated 2 February, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Let Ka Was	55 dated 2 February, 1999	56 (E) dated 2 February, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Shahapura	55 dated 2 February, 1999	56 (E) dated 2 February, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	
	Dewan	55 dated 2 February, 1999 362 dated 23 June, 1999 453 dated 24 July, 1999	56 (E) dated 2 February, 1999 477(E) dated 23 June, 1999 597(E) dated 24 July, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	643(E) dated 9 August, 1999 1104(E) dated 11 November, 1999	30th June, 2000	

1	2	3	4	5	6	7	8
Jaipur	Jaipur	Mansinghpura	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	345 dated 17 June, 1999	457(E) dated 17 June, 1999	31st May, 2000
		Ramsinghpura	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	345 dated 17 June, 1999	457(E) dated 17 June, 1999	31st May, 2000
		Fetahpura	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	345 dated 17 June, 1999 677 dated 15 November, 1999	457(E) dated 17 June, 1999 1102(E) dated 11 November, 1999	31st May, 2000
		Hummatpura	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	345 dated 17 June, 1999	457(E) dated 17 June, 1999	31st May, 2000
		Jaisinghpura	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	210 dated 20 April, 1999	274(E) dated 20 April, 1999	31st May, 2000
		Kishorepura	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	210 dated 20 April, 1999	274(E) dated 20 April, 1999	31st May, 2000
		Kakaroda	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	210 dated 20 April, 1999	274(E) dated 20 April, 1999	31st May, 2000
		Chk Mojya	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	210 dated 20 April, 1999	274(E) dated 20 April, 1999	31st May, 2000
		Mundiya Purohitan	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	345 dated 17 June, 1999	457(E) dated 17 June, 1999	31st May, 2000
		Nandgaonv Barsana	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	210 dated 20 April, 1999	274(E) dated 20 April, 1999	31st May, 2000
		Mundiya Ramsar	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	345 dated 17 June, 1999	457(E) dated 17 June, 1999	31st May, 2000
		Pindolai	453 dated 24 July, 1999	597(E) dated 24 July, 1999	677 dated 15 November, 1999	1102(E) dated 11 November, 1999	31st May, 2000
		Siwari	828 dated 22 December, 1998 453 dated 24 July, 1999	1097(E) dated 22 Dec, 1998 597(E) dated 24 July, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	457(E) dated 17 June, 1999 1102(E) dated 11 November, 1999	31st May, 2000
		Machwa	828 dated 22 December, 1998 453 dated 24 July, 1999 666 dated 8 November, 1999	1097(E) dated 22 Dec, 1998 597(E) dated 24 July, 1999 1078(E) dated 5 November, 1999	677 dated 15 Nov, 1999 544 dated 6 September, 1999 74 dated 2 February, 2000	1102(E) dated 11 Nov, 1999 722(E) dated 2 September, 1999 100(E) dated 2 February, 2000	31st May, 2000
		Pithawas Urf Nari ka was	666 dated 8 November, 1999	1078(E) dated 5 November, 1999	74 dated 2 February, 2000	100(E) dated 2 February, 2000	31st May, 2000
		Hatod	666 dated 8 November, 1999	1078(E) dated 5 November, 1999	74 dated 2 February, 2000	100(E) dated 2 February, 2000	31st May, 2000
		Lalchandpura	828 dated 22 December, 1998	1097(E) dated 22 Dec, 1998	345 dated 17 June, 1999 74 dated 2 February, 2000	457(E) dated 17 June, 1999 100(E) dated 2 February, 2000	31st May, 2000
		Chk Bavadi	199 dated 13 April, 1999	256(E) dated 13 April, 1999	544 dated 6 September, 1999	722(E) dated 2 September, 1999	31st May, 2000
		Bavadi	199 dated 13 April, 1999	256(E) dated 13 April, 1999	677 dated 15 November, 1999	1102(E) dated 11 November, 1999	31st May, 2000

1	2	3	4	5	6	7	8
Jaipur	Jaipur	Makudan pura	828 dated 22 December, 1998	1097 (E) dated 22 Dec., 1998	210 dated 20 April, 1999	274(E) dated 20 April, 1999	31st May, 2000
Jaipur	Phagi	Bukani	50 dated 27 November, 1998	2557 (E) dated 27 Nov., 1998	209 dated 20 April, 1999	271(E) dated 20 April, 1999	1st June, 2000
		Shri Govindpura	50 dated 27 November, 1998	2557 (E) dated 27 Nov., 1998	209 dated 20 April, 1999	271(E) dated 20 April, 1999	1st June, 2000
		Nandlalpura	50 dated 27 November, 1998	2557 (E) dated 27 Nov., 1998	209 dated 20 April, 1999	271(E) dated 20 April, 1999	1st June, 2000
		Chardada	50 dated 27 November, 1998	2557 (E) dated 27 Nov., 1998	209 dated 20 April, 1999	271(E) dated 20 April, 1999	1st June, 2000
		Sherpura	50 dated 27 November, 1998	2557 (E) dated 27 Nov., 1998 719 (E) dated 2 September, 1999	209 dated 20 April, 1999	271(E) dated 20 April, 1999 1283(E) dated 23 December, 1999	1st June, 2000
Jaipur	Sanaganer	Dehmi	604 dated 15 September, 1998	814 (E) dated 15 September, 1998	102 dated 23 February, 1999	128(E) dated 23 February, 1999	31st May, 2000
		Chhitorli	604 dated 15 September, 1998	814 (E) dated 15 September, 1998	102 dated 23 February, 1999	128(E) dated 23 February, 1999	31st May, 2000
		Bari Ka Khera	604 dated 15 September, 1998 749 dated 7 December, 1999	814 (E) dated 15 September, 1998 1216(E) dated 6 December, 1999	102 dated 23 February, 1999 74 dated 2 February, 2000	128(E) dated 23 February, 1999 102(E) dated 2 February, 2000	31st May, 2000
		Sanjariya	604 dated 15 September, 1998	814 (E) dated 15 September, 1998	102 dated 23 February, 1999	128(E) dated 23 February, 1999	31st May, 2000
		Bagru Rawan	604 dated 15 September, 1998	814 (E) dated 15 September, 1998	102 dated 23 February, 1999	128(E) dated 23 February, 1999	31st May, 2000
		Shyosingh- pura	604 dated 15 September, 1998	814 (E) dated 15 September, 1998	102 dated 23 February, 1999	128(E) dated 23 February, 1999	31st May, 2000
		Gegha	604 dated 15 September, 1998	814 (E) dated 15 September, 1998	102 dated 23 February, 1999	128(E) dated 23 February, 1999	31st May, 2000
		Bagru Kalan	604 dated 15 September, 1998 749 dated 7 December, 1999 666 dated 8 November, 1999	814 (E) dated 15 September, 1998 1216(E) dated 6 December, 1999 1080(E) dated 8 November, 1999	102 dated 23 February, 1999 74 dated 2 February, 2000 793 dated 23 December, 1999	128(E) dated 23 February, 1999 102(E) dated 2 February, 2000 1275 (E) dated 23 December, 1999	31st May, 2000

1	2	3	4	5	6	7	8
Jaipur	Sanaganer	Chumanpura	604 dated 15 September, 1998	814 (E) dated 15 September, 1998	102 dated 23 February, 1999	128(E) dated 23 February, 1999	31st May, 2000
		Awaniya	604 dated 15 September, 1998 749 dated 7 December, 1999	814 (E) dated 15 September, 1998 1216(E) dated 6 December, 1999	102 dated 23 February, 1999 74 dated 2 February, 2000	128(E) dated 23 February, 1999 102(E) dated 2 February, 2000	31st May, 2000
Jaipur	Amair	Daulatpura	102 dated 23 February, 1999	129 (E) dated 23 February, 1999	488 dated 9 August, 1999	645(E) dated 9 August, 1999	31st May, 2000
		Neendad	199 dated 13 April, 1999	257(E) dated 13 April, 1999	793 dated 23 December, 1999	1273(E) dated 23 December, 1999	31st May, 2000
		Nangal purohitn	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	31st May, 2000
		Chhanwar Ka Bass	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	30th June, 2000
		Chetawalla	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	30th June, 2000
		Badanpura	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Khora Shyamdas	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	30th June, 2000
		Degada Bas	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	30th June, 2000
		Choump	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Isar Ki Nagal	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Billochi	199 dated 13 April, 1999	257 (E) dated 13 April, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999	645 (E) dated 9 August, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Shri Govindpura	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Ghatwara	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000

1	2	3	4	5	6	7	8
Jaipur	Amair	Manpura Machedi	544 dated 6 September, 1999	711 (E) dated 2 September, 1999	25 dated 12 January, 2000	37 (E) dated 12 January, 2000	30th June, 2000
		Pooth Ka Bass	199 dated 13 April, 1999 666 dated 8 November, 1999	257 (E) dated 13 April, 1999 1079 (E) dated 5 November, 1999	488 dated 9 August, 1999 677 dated 15 November, 1999 74 dated 2 February, 2000	645 (E) dated 9 August, 1999 1106(E) dated 11 November, 1999 101 (E) dated 2 February, 2000	30th June, 2000
		Bilpur Biliya	55 dated 2 February, 1999 453 dated 24 July, 1999	58 (E) dated 2 February, 1999 597 (E) dated 24 July, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Sunderpura	55 dated 2 February, 1999	58 dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	30th June, 2000
		Sunder Ka Bas	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Dev Ka Harmada	55 dated 2 February, 1999	58 (E) dated 2 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	30th June, 2000
		Chak Manohapur	55 dated 2 February, 1999	58 dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	30th June, 2000
		Rajawas	55 dated 2 February, 1999	58 dated 2 February, 1999	345 dated 17 June, 1999	458 (E) dated 17 June, 1999	31st May, 2000
		Khora bissal	102 dated 23 February, 1999	129 (E) dated 23 February, 1999	345 dated 17 June, 1999 677 dated 15 November, 1999	458 (E) dated 17 June, 1999 1106(E) dated 11 November, 1999	31st May, 2000
Jaipur	Dudu	Gangati Khurd	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Akhepura	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Manpura	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Chandar Mool	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Mojmabad	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Baget	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000

1	2	3	4	5	6	7	8
Jaipur	Dudu	Khudiyala	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Dudu	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Chapiya	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Gagradu	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Gaiga	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
		Charasda	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	55 dated 2 February, 1999	66 (E) dated 2 February, 1999	1st June, 2000
					793 dated 23 December, 1999	1272(E) dated 23 December, 1999	
		Meheshpura	604 dated 15 September, 1998	813 (E) dated 15 September, 1998	210 dated 20 April, 1999	273 (E) dated 20 April, 1999	1st June, 2000
					793 dated 23 December, 1999	1272(E) dated 23 December, 1999	
		Gudha Ballabhji	50 dated 12 December, 1998 666 dated 8 November, 1999	2556 dated 27 Nov, 1999 1076 (E) dated 5 November, 1999	210 dated 20 April, 1999 74 dated 2 February, 2000	273 (E) dated 20 April, 1999 99(E) dated 2 February, 2000	1st June, 2000
		Mahala	50 dated 12 December, 1998	2556 dated 27 Nov., 1998	210 dated 20 April, 1999	273 (E) dated 20 April, 1999	1st June, 2000
		Kalyanpura	50 dated 12 December, 1998	2556 dated 27 Nov., 1998	210 dated 20 April, 1999	273 (E) dated 20 April, 1999	1st June, 2000
		Khatwara	50 dated 12 December, 1998	2556 dated 27 Nov., 1998	210 dated 20 April, 1999	273 (E) dated 20 April, 1999	1st June, 2000
		Gangati Kalan	50 dated 12 December, 1998	2556 dated 27 Nov., 1998	210 dated 20 April, 1999	273 (E) dated 20 April, 1999	1st June, 2000
		Harsoli	50 dated 12 December, 1998	2556 dated 27 Nov., 1998	210 dated 20 April, 1999	273 (E) dated 20 April, 1999	1st June, 2000
		Rahlana	50 dated 12 December, 1998 453 dated 24 July, 1999 488 dated 9 August, 1999	2556 dated 27 Nov., 1998 597 (E) dated 24 July, 1999 638(E) dated 9 August, 1999	793 dated 23 December, 1999 419 dated 7 July, 1999	1272 (E) dated 23 December, 1999 560(E) dated 7 July, 1999	1st June, 2000

नई दिल्ली 24, जुलाई 2001

का.आ. 1908.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 615(अ) तारीख 29 जून, 2000 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गैस आर्थोरिटी ऑफ इंडिया लिमिटेड द्वारा राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए गैस आर्थोरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र की अधिसूचना की प्रतियां तारीख 25 जुलाई, 2000, को जमता को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के स्थान पर सभी विल्लगनों से मुक्त गैस आर्थोरिटी ऑफ इंडिया लि. में निहित होगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का: आ: उ: के लिए अर्जित की जाने वाली भूमि हेक्टेअर में
क	ख	ग	घ	ङ
सिरोही	पिण्डवाडा	धनारी	1946	0 0160
			योग	0 0160
		भीमाना	297	0 0245
			283	0 1188

क	ख	ग	घ	ङ
सिरोही	पिण्डवाडा	भीमाना	338	0 0830
			339/4	0 1070
			योग	0 3333
		भारजा	691	0 0720
			632	0 0700
			631	0 1600
			601	0 0740
			598	0 1250
			509	0 0800
			686	0 0350
			योग	0 6160
		कोदरला	452	0 1610
			योग	0 1610
		भांवरी	1994	0 1400
			1324	0 0420
			1312	0 4200
			योग	0 6020
		पिण्डवाडा	18	0 0800
			19	0 1100
			20	0 1300
			21	0 1320
			25	0 1390
			153	0 0040
			1019	0 0400
			1020	0 0700
			1021	0 0480
			1028	0 1100
			1031	0 0800
			1032	0 0400
			योग	0 9830

[सं. एल-14014/3/01-जी पी (भाग-II)]

स्वामी सिंह, निदेशक

New Delhi, the 24th July 2001

S.O.1908.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas. No. 615(E) dated the 29th June, 2000, issued under sub-section 1 of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of liquid petroleum gas through ~~Kanolia~~—Jamnagar—Lon Pipeline Project in the State of Rajasthan by the Gas Authority of India Limited;

And, whereas, copies of the said Gazette notifications were made available to the public on the 25th day of July, 2000;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act submitted report to the Central Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the land shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Gas Authority of India Limited, free from all encumbrances.

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. in Hectares
A	B	C	D	E
Sirohi	Pindwara	Dhanari	1946	0.0160
			Total	0.0160
		Bhumana	297	0.0245
			283	0.1188
			338	0.0830
			339/4	0.1070
			Total	0.3333

A	B	C	D	E	
Sirohi	Pindwara	Bhrajia	691	0.0720	
			632	0.0700	
			631	0.1600	
			601	0.0740	
			598	0.1250	
			509	0.0800	
			686	0.0350	
				Total	0.6160
		Kodarla	452	0.1610	
			Total		0.1610
		Bhanwari	1994	0.1400	
			1324	0.0420	
			1312	0.4200	
			Total		0.6020
		Pindwara	18	0.0800	
			19	0.1100	
			20	0.1300	
			21	0.1320	
			25	0.1390	
			153	0.0040	
			1019	0.0400	
			1020	0.0700	
			1021	0.0480	
			1028	0.1100	
			1031	0.0800	
			1032	0.0400	
		Total		0.9830	

[No L/14014/3/01-G P (Part-II)]

SWAMI SINGH, Director

नई दिल्ली, 24 जुलाई 2001

का.आ.1909.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2558 तारीख 27 नवम्बर, 1998 और का.आ. 1218 (अ) तारीख 6 दिसम्बर, 1999 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र की अधिसूचना की प्रतियां जनता को क्रमशः 15 दिसम्बर, 1998 और 29 जनवरी, 2000, को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के स्थान पर सभी विल्लगमों से मुक्त गैस अथॉरिटी ऑफ इंडिया लि में निहित होगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का: आ: उ: के लिए अर्जित की जाने वाली भूमि हेक्टेअर में
क	ख	ग	घ	ङ
अलवर	बानसूर	फतेहपुरा	705	0 1069
		कुल योग		0 1069
अलवर	तिजारा	चौपानकी	421	0 0450
			422	0 2709

क	ख	ग	घ	ङ
अलवर	तिजारा	चौपानकी	425	0 0544
			426	0 1563
			419	0 3960
			202	0 4400
			204	0 0035
			205	0 0115
			206	0 1028
		योग		1 4804
	गन्धोला		191	0 0020
			189	0 0158
			188	0 0634
			186	0 1584
		योग		0 2396
	गवालदा		800	0 3465
			831	0 0712
			834	0 0832
			835	0 0792
			793	0 3485
			31	0 1980
		योग		1 1266

[सं एल-14014/3/01-जी पी (भाग-II)]

स्वामी सिंह, निदेशक

New Delhi, the 24th July, 2001

S.O.1909.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas No 2558 dated the 27th November 1998 and S O 1218(E) dated the 6th December, 1999 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of liquid petroleum gas through Kandla—Jamnagar—Lonl Pipeline Project in the State of Rajasthan by the Gas Authority of India Limited

And, whereas, copies of the said Gazette notifications were made available to the public on the 15th day of December, 1998 and 29th day of January 2000 respectively,

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the land shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Gas Authority of India Limited, free from all encumbrances.

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. in Hectares
A	B	C	D	E
Alwar	Bansur	Fatchpur	705	0.1069
			Total	0.1069
Alwar	Tijara	Chopanki	421	0.0450
			422	0.2709
			425	0.0544
			426	0.1563
			419	0.3960
			202	0.4400
			204	0.0035
			205	0.0115
			206	0.1028
			Total	1.4804
		Gandhola	191	0.0020
			189	0.0158
			188	0.0634
			186	0.1584
			Total	0.2396

A	B	C	D	E
		Guwalda	800	0.3465
			831	0.0712
			834	0.0832
			835	0.0792
			793	0.3485
			31	0.1980
		Total		1 1266

[No. L-14014/3/01-G.P. (Part II)]

SWAMI SINGH, Director

नई दिल्ली 24 जुलाई, 2001

का.आ.1910.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 255(अ) तारीख 22 मार्च, 2000, का.आ. 317 (अ) तारीख 29, मार्च 2000 का.आ. 173 (अ) तारीख 23, फरवरी, 2000, का.आ. 752(अ) तारीख 16, अगस्त 2000, का. आ. 751 (अ) तारीख 16 अगस्त, 2000 और का.आ. 2685 (अ) तारीख 10 दिसम्बर, 1998 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र की अधिसूचना की प्रतियां जनता को क्रमशः 15 अप्रैल, 2000, 25 अप्रैल, 2000, 30 मार्च, 2000, 15 सितम्बर, 2000 और 30 दिसम्बर 2000 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में

निहित होने के स्थान पर सभी विल्लंगनों से मुक्त गैस अथॉरिटी ऑफ इंडिया लि. में निहित होगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का. आ. उ. के लिए अर्जित की जाने वाली भूमि हेक्टेअर में
क	ख	ग	घ	ङ
अजमेर	नसीराबाद	राजगढ़	1894	0 0515
		उर्फ चाट सरदारपुरा	1825	0 0911
			1824	0 0080
			1826	0 0356
			1823	0 0475
			1822	0 1148
			1820	0 0435
			1819	0 0594
			1813	0 0198
			1812	0 0040
			1725	0 0020
			1732	0 0020
			1811	0 0435
			1810	0 0673
			1809	0 0594
			1807	0 0950
			1747	0 0040
			1748	0 0792
			1749	0 0871
			1751	0 0010
			1750	0 0703
			1753	0 0010
			1754	0 1158
			1695	0 0020
			1692	0 0277
			1687	0 0515
			1684	0 0475
			1682	0 0040
			1683	0 0633
			1217	0 0832
			1216	0 0554
			1218	0 0900

क	ख	ग	घ	ङ
अजमेर	नसीराबाद	राजगढ़	1208	0 0040
		उर्फ चाट	1207	0 0436
		सरदारपुरा	1205	0 0673
			1204	0 0356
			1203	0 0158
			1202	0 0020
			1201	0 0633
			1200	0 0020
			1199	0 2376
			1145	0 0832
			1132	0 6178
			1806	0 0158
			1214	0 0010
			1896	0 0792
			1818	0 0713
			1694	0 0871
			1685	0 0515
			खाली	0 0792
			1130	0 0673
			योग	3 1520
अजमेर	नसीराबाद	गादेरी	60	0 0200
			61	0 0200
			62	0 0200
			योग	0 0600
अजमेर	नसीराबाद	बनेबड़ी	884	0 0158
			योग	0 0158
		जलावड़ा	1507	0 0158
			योग	0 0158
		मोडी	1367	0 0792
			497	0 0237
			योग	0 1029
		कानपुरा	447	0 0079
			423	0 0079
			424	0 0158
			397	0 0040
			योग	0 0356

क	ख	ग	घ	ङ	क	ख	ग	घ	ङ
अजमेर	नसीराबाद	राजगढ़	1993	0 0040	अजमेर	अजमेर	तबीजी	3340	0 0634
			2285	0 0747				3339	0 0752
			3778	0 0633				3330	0 1109
			1847	0 0079				3329	0 1069
			योग	0 1499				3316	0 0871
अजमेर	अजमेर	तबीजी	3473	0 0020				3315	0 0634
			3458	0 0920				3314	0 0317
			3457	0 0753				3317	0 0158
			3460	0 0010				3311	0 0119
			3456	0 0713				3310	0 0990
			3455	0 0098				3280	0 0475
			3480	0 0554				3281	0 0317
			3454	0 0020				3279	0 0158
			3452	0 0079				3285	0 0713
			3451	0 0238				3275	0 2297
			3450	0 0238				3276	0 1148
			3433	0 0020				3184	0 0872
			3434	0 0010				2658	0 3113
			3493	0 1800				2662	0 0015
			3435	0 0040				2659	0 1505
			3436	0 0150				3301	0 0158
			3442	0 0950				3185	0 1980
			3406	0 0475				3186	0 0950
			3405	0 0990				2680	0 1584
			3389	0 0475				योग	3 7938
			3394	0 0436	अजमेर	अजमेर	चक कक-	1439	0 0079
			3395	0 0792			लाना	1440	0 0713
			3396	0 0119				योग	0 0792
			3393	0 0238	अजमेर	पीसांगन	बिडकचिया-	1203	0 0158
			3391	0 0158			वास	1815	0 0158
			3392	0 0515				योग	0 0316
			3383	0 0317	अजमेर	किशनगढ़	टिहरी	238	1 1088
			3387	0 1188				योग	1 1088
			3344	0 0119					
			3347	0 0436					
			3348	0 0119					
			3345	0 3010					

[सं. एल-14014/3/01-जी पी (भाग-II)]

स्वामी सिंह, निदेशक

New Delhi, the 24th July, 2001

S.O. 1910.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas No. 255(E) dated the 22nd March, 2000, S.O. 317(E) dated the 29th March, 2000, S.O. 173(E) dated the 23rd February, 2000, S.O. 752(E) dated the 16th August, 2000, S.O. 751(E) dated the 16th August, 2000 and S.O. 2685 dated the 10th December, 1998, issued under sub-section 1 of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of liquid petroleum gas through Kandla—Jamnagar—Loni Pipeline Project in the State of Rajasthan by the Gas Authority of India Limited;

And, whereas, copies of the said Gazette notifications were made available to the public on the 15th day of April 2000, 25th day of April, 2000, 30th day of March 2000, 15th day of September 2000 and 30th day of December 1998 respectively,

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the land shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Gas Authority of India Limited, free from all encumbrances.

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R O.U. (in Hectares)
A	B	C	D	E
Ajmer	Nasirabad	Rajgarh	1894	0 0515
		Urf Chat	1825	0 0911
		Sardarpura	1824	0 0080
			1826	0 0356

A	B	C	D	E
Ajmer	Nasirabad	Rajgarh	1823	0 0475
		Urf Chat	1822	0 1148
		Sardarpura	1820	0 0435
			1819	0 0594
			1813	0 0198
			1812	0 0040
			1725	0 0020
			1732	0 0020
			1811	0 0435
			1810	0 0673
			1809	0 0594
			1807	0 0950
			1747	0 0040
			1748	0 0792
			1749	0 0871
			1751	0 0010
			1750	0 0703
			1753	0 0010
			1754	0 1158
			1695	0 0020
			1692	0 0277
			1687	0 0515
			1684	0 0475
			1682	0 0040
			1683	0 0633
			1217	0 0832
			1216	0 0554
			1218	0 0900
			1208	0 0040
			1207	0 0436
			1205	0 0673
			1204	0 0356
			1203	0 0158
			1202	0 0020
			1201	0 0633
			1200	0 0020
			1199	0 2376

A	B	C	D	E	A	B	C	D	E
Ajmer	Nasirabad	Rajgarh	1145	0.0832	Ajmer	Ajmer	Tabiji	3451	0.0238
			Urf Chat	1132				3450	0.0238
		Sardarpura	1806	0.0158				3433	0.0020
			1214	0.0010				3434	0.0010
			1896	0.0792				3493	0.1800
			1818	0.0713				3435	0.0040
			1694	0.0871				3436	0.0150
			1685	0.0515				3442	0.0950
			Empty	0.0792				3406	0.0475
			1130	0.0673				3405	0.0990
			Total	3.1520				3389	0.0475
		Gaderi	60	0.0200				3394	0.0436
			61	0.0200				3395	0.0792
			62	0.0200				3396	0.0119
			Total	0.0600				3393	0.0238
Ajmer	Nasirabad	Banevari	884	0.0158				3391	0.0158
			Total	0.0158				3392	0.0515
		Jalawada	1507	0.0158				3383	0.0317
			Total	0.0158				3387	0.1188
		Modi	1367	0.0792				3344	0.0119
			497	0.0237				3347	0.0436
			Total	0.1029				3348	0.0119
								3345	0.3010
		Kanpura	447	0.0079				3340	0.0634
			423	0.0079				3339	0.0752
			424	0.0158				3330	0.1109
			397	0.0040				3329	0.1069
			Total	0.0356				3316	0.0871
		Rajgarh	1993	0.0040				3315	0.0634
			2285	0.0747				3314	0.0317
			3778	0.0633				3317	0.0158
			1847	0.0079				3311	0.0119
			Total	0.1499				3310	0.0990
Ajmer	Ajmer	Tabiji	3473	0.0020				3280	0.0475
			3458	0.0920				3281	0.0317
			3457	0.0735				3279	0.0158
			3460	0.0010				3285	0.0713
			3456	0.0713				3275	0.2297
			3455	0.0098				3276	0.1148
			3480	0.0554				3184	0.0872
			3454	0.0020				2658	0.3113
			3452	0.0079					

A	B	C	D	E
Ajmer	Ajmer	Tabuji	2662	0 0015
			2659	0 1505
			3301	0 0158
			3185	0 1980
			3186	0 0950
			2680	0 1584
			Total	3 7938
Ajmer	Ajmer	Chak	1439	0 0079
		Kaklana	1440	0 0713
		Total	0 0792	
Ajmer	Pisangan	Birakchiryawas	1203	0 0158
			1815	0 0158
		Total	0 0316	
Ajmer	Kishangarh	Tihari	238	1 1088
		Total	1 1088	

[No L-14014/3/01-G P (Part II)]

SWAMI SINGH, Director

नई दिल्ली, 24 जुलाई, 2001

का.आ. 1911.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके इसमें पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 599(अ) तारीख 27 जून, 2000, का.आ. 256(अ) तारीख 22 मार्च, 2000, का.आ. 110(अ) तारीख 7 फरवरी, 2000, का.आ. 600(अ) तारीख 26 जून, 2000 और का.आ. 54(अ) तारीख 8 जनवरी, 2000 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गैस आर्थोरिटी ऑफ इंडिया लिमिटेड द्वारा राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए गैस आर्थोरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को क्रमशः तारीख 9 जुलाई, 2000, 5 मार्च, 2000 और 14 फरवरी, 2000 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के स्थान पर सभी विस्लगमों से मुक्त गैस आर्थोरिटी ऑफ इंडिया लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं	का आ उ के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
1	2	3	4	5
जयपुर	सांगानेर	हसनपुरा बास	156	0 0840
		भाखरोटा	162	0 0640
			161	0 0960
			163	0 0760
			205	0 3600
			204	0 4560
		योग		1 1360
		सुखदेवपुरा उर्फ	5	0 0020
		नोहरा	17	0 0750
			80/379	0 0030
		योग		0 0800
		श्रीराम की नांगल	89	0 0560
			124	0 0480
			900	0 0400
			890	0 0240
			821	0 0240
		योग		0 1920
	मोहनपुरा		341	0 0020
			339	0 1000
		योग		0 1020
		चिमनपुरा	33	0 0280
			147	0 0240
			154	0 1760
			154/266	0 0480
			155	0 3120
			163	0 1040
			170/250	0 0040
			170	0 1260
			162	0 0100
			169	0 0020
			171	0 1820
			195	0 3000
		योग		1 3160

New Delhi, the 24th July, 2001

क	ख	ग	घ	ङ	
जयपुर	सांगानेर	सायपुरा	222	0.3040	
			98	0.0960	
			91	0.0400	
			218	0.1440	
			219	0.0720	
			92	0 1310	
			676/886	0 0040	
			योग	0.7910	
			गोविन्दपुरा	866/1002	0.0080
			बास		
जयपुर	जयपुर	मुकन्दपुरा	131	0.0238	
			132	0.0950	
			135	0.0990	
			136	0 0238	
			137	0.2416	
			140	0 6336	
			148	0 1782	
			149	0.1465	
			150	0.1425	
			153	0.1267	
जयपुर	जयपुर	निमेडा	335	0.0020	
			रास्ता	0.0080	
			योग	0 0100	
			सिखार	756	0 2218
				898	0.0060
				योग	0.2278

[सं. एल-14014/3/जी.पी.-2001 (भाग-II)]

स्वामी सिंह, निदेशक

S.O. 1911.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas. No. 599(E) dated the 27th June, 2000, S.O. 256(E) dated the 22nd March 2000, S.O. 110(E) dated the 7th February, 2000, S.O. 600(E) dated the 27th June, 2000, and S.O. 54(E) dated the 18th January, 2000, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of liquid petroleum gas through Kandla—Jamnagar—Loni Pipeline Project in the State of Rajasthan by the Gas Authority of India Limited,

And, whereas, copies of the said Gazette notifications were made available to the public on the 9th day of July, 2000, 15th day of April, 2000, 5th day of March, 2000, and 14th day of February, 2000 respectively.

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification,

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the land shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Gas Authority of India Limited, free from all encumbrances.

SCHEDULE

Distt.	Tehsil	Village	Survey No	Land to be acquired for R O U (in Hectares)
A	B	C	D	E
Jaipur	Sanganer	Hasampura bas	156	0.0840
		Bhakhrota	162	0.0640
			161	0 0960
			163	0 0760

1	2	3	4	5
Jaipur	Sanganer	Bhakhrota	205	0 3600
			204	0 4560
		Total		1 1360
	Sukhdevpura		5	0 0020
	urf Nohara		17	0 0750
			80/379	0 0030
		Total		0 0800
	Shri ram ki		89	0 0560
	Nangal		124	0 0480
			900	0 0400
			890	0 0240
			821	0 0240
		Total		0 1920
	Mohanpura		341	0 0020
			339	0 1000
		Total		0 1020
	Chimanpura		33	0 0280
			147	0 0240
			154	0 1760
			154/266	0 0480
			155	0 3120
			163	0 1040
			170/250	0 0040
			170	0 1260
			162	0 0100
			169	0 0020
			171	0 1820
			195	0 3000
		Total		1 3160
	Saipura		222	0 3040
			98	0 0960
			91	0 0400
			218	0 1440
			219	0 0720
			92	0 1310
			676/886	0 0040
		Total		0 7910
	Govind-	866/1002		0 0080
	pura Bas			
	Bambala	Total		0 0080

1	2	3	4	5
Jaipur	Jaipur	Mukandpura	131	0 0238
			132	0 0950
			135	0 0990
			136	0 0238
			137	0 2416
			140	0 6336
			148	0 1782
			149	0 1465
			150	0 1425
			153	0 1267
			154	0 2376
			173	0 1980
			169	0 1012
			170	0 0375
			171	0 0673
			167	0 1228
			177	0 1188
		Total		2 5939
Jaipur	Jaipur Nimeda		335	0 0020
		Way		0 0080
		Total		0 0100
		Siwar	756	0 2218
			898	0 0060
		Total		0 2278

[No L-14014/3/2001-G P (Part II)]

SWAMI SINGH, Director

नई दिल्ली, 24 जुलाई, 2001

का. आ. 1912.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में दहेज-बेमार-विजयपुर पाइपलाइन प्रोजेक्ट गैस पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है उपयोग के अधिकार का अर्जन करना आवश्यक है और जो इस अधिसूचना से सलग्न अनुसूची में वर्णित है;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार के अर्जन या भूमि में पाइपलाइन बिछाने के सम्बंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, दर्पण बिल्डिंग, आर. सी. दत्त रोड, अलकापुरी, बड़ोदा (गुजरात) को कर सकेगा।

दहेज-वेमार-बिजयपुर पाइप लाइन प्रोजेक्ट

अनुसूची

जिला	तहसील	ग्राम	सर्वे नंबर/ ब्लॉक नंबर	उ.का.अ. के लिए अर्जित की जाने वाली भूमि (हेक्टेयर में)
1	2	3	4	5
बड़ोदा	करजण	(24) मेसराह	549	0-38-84
			548	0-47-36
			547	0-02-14
			546	0-57-48
			कारट्रेक	0-01-82
			533	0-62-86
			532	0-08-68
			531	0-24-58
			523	0-21-28
			524	0-29-76
			522	0-04-15
			521	0-19-82
			520	0-12-58
			517	0-19-59
			516	0-25-00
			515	0-28-02
			कारट्रेक	0-02-50
			505	0-41-42
			504	0-15-24
			503	0-26-64
			502	0-24-26
			501	0-28-49
			500	0-11-22

1	2	3	4	5
			496	0-07-83
			497	0-00-34
			नाला	0-08-81
			477	0-00-03
			478	0-99-63
			484	0-00-79
			479	0-20-58
			480	0-35-34
			472	0-36-81
			कारट्रेक	0-10-47
			459	0-28-58
			458	0-01-94
			460	0-01-78
			461	0-25-80
			462	0-51-49
			443	0-55-70
			463	0-01-15
			442	0-01-70
			426	0-40-79
			427	0-27-88
			रोड	0-06-61
			420	0-10-65
			416	0-36-56
			407	0-50-52
			411	0-32-07
			386	0-07-81
			388	0-14-02
			383	0-23-87
			384	0-18-21
			863	0-17-88
			381	0-17-88
			380	0-01-71
			379	0-26-01
			358	0-33-72
			360	0-07-70
			357	0-08-13
			356	0-27-92
			355	0-23-78

1	2	3	4	5
बड़ोदा	करजण	(24) मेसराड	354	0-03-24
			353	0-39-57
			डेन	0-05-05
			336	0-02-70
			337	0-32-84
			334	0-24-17
			कुल	14-84-19
बड़ोदा	करजण	(25) मांकण	391	0-09-66
			393	0-00-32
			392	0-23-87
			388	0-14-20
			387	0-32-79
			408	0-32-45
			407	0-04-47
			413	0-16-19
			414	0-21-15
			415	0-17-78
			416	0-10-12
			422	0-28-82
			424	0-00-55
			429	0-32-24
			रोड	0-07-74
			478	0-12-16
			477	0-71-00
			471	0-03-98
			फिल्डकेनाल	0-05-96
			482	0-32-83
			484	0-45-49
			486	0-26-52
			485	0-26-10
			487	0-14-06
			488	0-25-00
			कुल	05-15-45
बड़ोदा	करजण	(26) चलण	76	0-02-77
			75	0-23-80
			रोड	0-05-10
बड़ोदा	करजण	(26) चलण (जारी)	रोड	0-09-41
			74	0-34-55
			73	0-00-05
			46/2	0-24-24
			47	0-24-61
			48	0-24-60
			52	0-37-85
			51	0-04-41
			53	0-40-12
			54	0-01-40
			58	0-01-30
			57/1	0-34-22
			57/2	0-19-86
			रोड	0-07-39
			1825	0-63-60
			1826	0-41-38
			1816	0-19-58
			1817	0-00-12
			1815	0-22-69
			1813	0-30-06
			1812	0-19-05
			1810	0-00-40
			केनाल	0-05-08
			1911/1	0-05-75
			रेलवे	0-07-97
			1714	0-19-52
			1712	0-29-85
			कारट्रेक	0-03-44
			1698	0-02-08
			1699	0-31-74
			1684	0-17-83
			1685/1	0-06-38
			1685/2	0-08-68
			1686/1	0-01-09
			1686/2	0-32-30
			कारट्रेक	0-13-16
			1478	0-72-16

1	2	3	4	5	1	2	3	4	5
बड़ोदा	करजण	(26) वलण (जारी)	रोड केनाल रोड 1470 कारट्रेक 1471 1443 1442 कारट्रेक 1441 1439 1436/1 1436/2 1436/3 1435 1434 1422 1433 1428 1427	0-00-80 0-04-80 0-17-63 0-00-50 0-03-22 0-55-74 0-32-98 0-31-76 0-02-43 0-01-91 0-41-42 0-11-48 0-13-55 0-04-63 0-10-83 0-09-99 0-01-50 0-03-96 0-49-43 -0-11-18	बड़ोदा	करजण	(27) किया (जारी)	493 केनाल 492 491 478 402 403 400 405 404 406 401 407 425 424	0-77-20 0-06-19 0-00-03 0-15-17 0-23-26 0-78-92 0-00-21 0-08-90 0-27-33 0-00-12 0-58-08 0-30-65 0-68-13 0-61-47 0-02-60
			कुल	10-61-33				कुल :	10-76-49
बड़ोदा	करजण	(27) किया	रोड 254 257 291 290 259 289 287 288 285 283 रोड 311 510 313 314 कारट्रेक 349 348 352 रोड 369 368 370 374 रोड	0-06-92 0-41-32 0-35-61 0-02-21 0-39-99 0-00-99 0-27-24 0-17-72 0-27-05 0-44-49 0-31-04 0-07-59 0-33-83 0-16-70 0-11-83 0-24-89 0-02-75 0-29-78 0-73-53 0-26-87 0-05-19 0-29-49 0-03-68 0-34-44 0-34-29 0-08-79	बड़ोदा	करजण	(28) चौरंदा	884 883 रोड 882 881 844 880 846 847 848 840 849 850 831 851 852 नाला 853 783 780	0-20-85 0-20-97 0-06-87 0-09-22 0-41-33 0-07-82 0-02-35 0-53-25 0-00-01 0-06-96 0-07-08 0-28-04 0-20-08 0-04-16 0-14-63 0-41-39 0-06-00 0-06-62 0-01-62 0-01-00 रेलवे लाइन 0-05-45

1	2	3	4	5	1	2	3	4	5
बडोदा	करजण	(28) चोरंदा	781	0-23-41	बडोदा	करजण	(28) चोरंदा	611	0-22-77
			782	0-05-05				610	0-18-19
			721	0-41-85				561	0-13-82
			कार ट्रैक	0-07-03				609	0-03-48
			772	0-20-16				568	0-04-52
			774	0-17-18				557	0-45-30
			रोड	0-06-20				567	0-20-28
			752	0-12-46				586	0-17-30
			753	0-35-53				572	0-16-50
			754	0-06-74				585	0-21-61
			750	0-41-98				574	0-04-17
			749	0-17-54				584	0-21-64
			748	0-16-32				583	0-34-83
			739	0-14-07				582	0-13-36
			738	0-29-69				580	0-00-03
			737	0-02-02				581	0-19-56
			रोड	0-15-08				कार ट्रैक	0-03-17
			666	0-09-46				कुल :	12-90-33
			665	0-18-15				(29) कासमपुर कार ट्रैक	0-03-26
			526	0-24-30				207	0-55-30
			527	0-26-62				रोड	0-09-01
			529	0-07-55				154	0-32-24
			530	0-36-09				150	0-20-34
			कार ट्रैक	0-08-22				155/बी	0-00-55
			534	0-24-05				155/अ	0-14-87
			533	0-08-26				151	0-28-62
			657	0-06-72				149	0-02-79
			536	0-06-60				148	0-22-94
			655	0-22-24				147	0-12-74
			654	0-11-38				146	0-63-27
			636	0-21-18				145	0-00-04
			633	0-17-24				166	0-25-64
			634	0-25-55				167 अने 168	0-30-31
			रोड	0-15-76				177	0-18-57
			619	0-21-42				175	0-46-61
			618	0-20-41				कुल :	03-87-10
			617	0-61-47					

1	2	3	4	5	1	2	3	4	5
बड़ोदा	करजण	(30) कोंठाव	397	0-05-77	बड़ोदा	करजण	(30) कोंठाव	365	0-01-02
			227/1	0-24-35				354	0-30-63
			227/2	0-11-16				353	0-21-30
			230	0-13-56				352	0-00-23
			229	0-17-76				348/1	0-05-55
			228	0-35-34				349/1	0-12-30
			235	0-00-04				349/2	0-09-85
			268/1	0-20-36				347/1	0-14-58
			268/2	0-12-83				347/2	0-01-99
			268/3	0-02-44				346/3	0-09-75
			268/4	0-02-93				कुल :—	6-05-35
			268/5	0-06-96	बड़ोदा	करजण	(31) वेमार	388	0-19-21
			268/9	0-04-10				389	0-13-45
			268/8	0-57-24				390	0-02-44
			268/7	0-42-34				391	0-10-67
		केनाल	0-06-68					392	0-07-23
		286/1	0-46-89					382	0-02-04
		271	0-00-04					381	0-17-48
		फिल्ड केनाल	0-05-33					नाला	0-09-25
		290	0-05-01					373	0-11-79
		287	0-10-60					374	0-15-77
		रोड	0-08-57					375	0-05-68
		356/10	0-21-03					354	0-11-47
		356/11	0-07-08					355	0-36-27
		356/8	0-12-40					353	0-04-00
		356/7	0-14-78					350	0-15-63
		356/6	0-11-68					350/1	0-15-66
		356/5	0-07-58					349	0-01-65
		356/4	0-26-47					रोड	0-00-94
		356/3	0-08-55					कुल :—	02-00-63
		356/1-अ	0-11-85					(32) अंटासी	515
		303	0-01-64						0-07-60
		304	0-07-18					517	0-37-20
		355	0-27-53					519	0-14-96

1	2	3	4	5	1	2	3	4	5
बड़ोदा	करजण	(32) अटाली	537	0-06-16	बड़ोदा	करजण	(33) ओस्लाम	487	0-07-85
			539	0-42-99				486	0-09-76
			542	0-37-46				456/पैकी	0-12-29
			541	0-25-45				769	0-08-03
			540	0-33-33				रोड	0-01-91
			562	0-00-35				457/पैकी	0-14-12
			578	0-28-42				480	0-13-27
			577	0-19-94				479	0-00-29
			576	0-12-53				475	0-15-41
			575	0-03-48				471	0-12-26
			579	0-35-71				476	0-15-04
			595	0-17-88				466	0-08-98
			585	0-02-77				469	0-18-72
			586	0-66-87				465	0-07-04
		केमाल		0-05-29				415	0-37-30
			589	0-08-41				414	0-06-60
			588	0-01-28				413	0-03-31
			कुल :	04-08-08				412	0-08-08
		(33) ओस्लाम	553	0-14-92				359	0-65-23
			555	0-00-10				358	0-28-01
			554	0-25-58				328	0-06-78
			556	0-02-17				329	0-27-20
			552	0-19-43				354	0-16-81
		रोड		0-10-54				331	0-06-98
			549	0-05-06				332	0-09-72
			550	0-19-64				333	0-18-31
			551	0-47-05				324	0-02-85
			527	0-00-06				334	0-34-98
			528	0-44-07				335	0-01-55
			531	0-18-26				322	0-35-89
			538	0-16-55				321	0-01-19
			537	0-17-37				323	0-08-79
			533	0-02-42				कुल :	07-35-65
			485	0-08-02					
			535	0-12-07					
			467	0-07-79					

[फाइल नम्बर एल-14014/8/01-जी. पी.]

स्यामी सिंह, निदेशक

New Delhi, the 24th July, 2001

S.O. 1912.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transport of natural gas from Dahej-Vemar-Vijaipur pipeline project in Gujarat State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land, under which the said pipeline is proposed to be laid, and which is described in the schedule annexed to this notification,

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein,

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Darpan building, R C Dutt Road, Alkapuri, Vadodara, (Gujarat)

DAHEJ VEMAR BIJAIPUR PIPELINE PROJECT

SCHEDULE

Dist	Tehsil	Village	Survey No / Block No	Land to be acquired for R O U in Hectares
1	2	3	4	5
Vadodara	Karjan	(24) Mesrad	549	0-38-84
			548	0-47-36
			547	0-02-14
			546	0-57-48
			Car-Track	0-01-82
			533	0-62-86
			532	0-8-68
			531	0-24-58
			523	0-21-28
			524	0-29-76
			522	0-04-15
			521	0-19-82
			520	0-12-58
			517	0-19-59

1	2	3	4	5
Vadodara	Karjan	(24) Mesrad	516	0-25-00
			515	0-28-02
			Car-Track	0-02-50
			505	0-41-42
			504	0-15-24
			503	0-26-64
			502	0-24-26
			501	0-28-49
			500	0-11-22
			496	0-07-83
			497	0-00-34
			Nala	0-08-81
			477	0-00-03
			478	0-99-63
			484	0-00-79
			479	0-20-58
			480	0-35-34
			472	0-36-81
			Car-Track	0-10-47
			459	0-28-58
			458	0-01-94
			460	0-01-78
			461	0-25-80
			462	0-51-49
			443	0-55-70
			463	0-01-15
			442	0-01-70
			426	0-40-79
			427	0-27-88
			Road	0-06-61
			420	0-10-65
			416	0-36-56
			407	0-50-52
			411	0-32-07
			386	0-07-81
			388	0-14-02
			383	0-23-87
			384	0-18-21
			863	0-17-88
			381	0-17-88
			380	0-01-71

1	2	3	4	5	1	2	3	4	5
Vadodara Karjan	(24) Mesrad	379	0-26-01		Vadodara Karjan	(26)Valan	76	0-02-77	
		358	0-33-72				75	0-23-80	
		360	0-07-70				Road	0-05-10	
		357	0-08-13				Road	0-09-41	
		356	0-27-92				74	0-34-55	
		355	0-23-78				73	0-00-05	
		354	0-03-24				46/2	0-24-24	
		353	0-39-97				47	0-24-61	
		Dram	0-05-05				48	0-24-60	
		336	0-02-70				52	0-37-85	
		337	0-32-84				51	0-04-41	
		334	0-24-17				53	0-40-12	
		Total —	14-84-19				54	0-01-40	
							58	0-01-30	
Vadodara Karjan	(25) Makan	391	0-09-66				57/1	0-34-22	
		393	0-00-32				57/2	0-19-86	
		392	0-23-87				Road	0-07-39	
		388	0-14-20				1825	0-63-60	
		387	0-32-79				1826	0-41-38	
		408	0-32-45				1816	0-19-58	
		407	0-04-47				1817	0-00-12	
		413	0-16-19				1815	0-22-69	
		414	0-21-15				1813	0-30-06	
		415	0-17-78				1812	0-19-05	
		416	0-10-12				1810	0-00-40	
		422	0-28-82				Canal	0-05-08	
		424	0-00-55				1911/1	0-05-75	
		429	0-32-24				Railway	0-07-97	
		Road	0-07-74				1714	0-19-52	
		478	0-12-16				1712	0-29-85	
		477	0-71-00				Car-track	0-03-44	
		471	0-03-98				1698	0-02-08	
		Field-Canal	0-05-96				1699	0-31-74	
		482	0-32-83				1684	0-17-83	
		484	0-45-49				1685/1	0-08-38	
		486	0-26-52				1685/2	0-08-68	
		485	0-26-10				1686/1	0-01-09	
		487	0-14-06				1686/2	0-32-30	
		488	0-25-00				Car-track	0-13-16	
		Total —	05-15-45				1478	0-72-16	
							Road	0-00-80	

1	2	3	4	5	1	2	3	4	5
Vadodara Karjan	(26)Valan	Canal	0-04-80		Vadodara Karjan	(27)Kiya	349	0-29-78	
		Road	0-17-63				348	0-73-53	
		1470	0-00-50				352	0-26-87	
		Car-track	0-03-22				Road	0-05-19	
		1471	0-55-74				369	0-29-49	
		1443	0-32-98				368	0-03-68	
		1442	0-31-76				370	0-34-44	
		Car-track	0-02-43				374	0-34-29	
		1441	0-01-91				Road	0-08-79	
		1439	0-41-42				493	0-77-20	
		1436/1	0-11-48				Canal	0-04-19	
		1436/2	0-13-55				492	0-00-03	
		1436/3	0-04-63				491	0-15-17	
		1435	0-10-83				478	0-23-26	
		1434	0-09-99				402	0-78-92	
		1422	0-01-50				403	0-00-21	
		1433	0-03-96				400	0-08-90	
		1428	0-49-43				405	0-27-33	
		1427	0-11-18				404	0-00-12	
		Total —	10-61-33				406	0-58-08	
Vadodara Karjan	(27)Kiya	Road	0-06-92				401	0-30-65	
		254	0-41-32				407	0-68-13	
		257	0-35-61				425	0-61-47	
		291	0-02-21				424	0-02-60	
		290	0-39-99				Total —	10-76-49	
		259	0-00-99		Vadodara Karjan	(28)Choranda	884	0-20-85	
		289	0-27-24				883	0-20-97	
		287	0-17-72				Road	0-06-87	
		288	0-27-05				882	0-09-22	
		285	0-44-49				881	0-41-33	
		283	0-31-04				844	0-07-82	
		Road	0-07-59				880	0-02-35	
		311	0-33-83				846	0-53-25	
		510	0-16-70				847	0-00-01	
		313	0-11-83				848	0-06-96	
		314	0-24-89				840	0-07-08	
		Car-track	0-02-75				849	0-28-04	

1	2	3	4	5	1	2	3	4	5
Vadodara Karjan (28)Choranda	850		0-20-08		Vadodara Karjan (28)Choranda	655		0-22-24	
	831		0-04-16			654		0-11-38	
	851		0-14-63			636		0-21-18	
	852		0-41-39			633		0-17-24	
	Nala		0-04-00			634		0-25-55	
	853		0-06-62			Road		0-15-76	
	783		0-01-62			619		0-21-42	
	780		0-01-00			618		0-20-41	
	Railway-Line		0-05-45			617		0-61-47	
	781		0-23-41			611		0-22-77	
	782		0-05-05			610		0-18-19	
	721		0-41-85			561		0-13-82	
	Car-track		0-07-03			609		0-03-48	
	772		0-20-16			568		0-04-52	
	774		0-17-18			557		0-45-30	
	Road		0-06-20			567		0-20-28	
	752		0-12-46			586		0-17-30	
	753		0-35-53			572		0-16-50	
	754		0-06-74			585		0-21-61	
	750		0-41-98			574		0-04-17	
	749		0-17-54			584		0-21-64	
	748		0-16-32			583		0-34-83	
	739		0-14-07			582		0-13-36	
	738		0-29-69			580		0-00-03	
	737		0-02-02			581		0-19-56	
	Road		0-15-08			Car-track		0-03-17	
	666		0-09-46			Total :---		12-90-33	
	665		0-18-15		Vadodara Karjan (29) Kasampur	Car-track		0-03-26	
	526		0-24-30			207		0-55-30	
	527		0-26-62			Road		0-09-01	
	529		0-07-55			154		0-32-24	
	530		0-36-09			150		0-20-34	
	Car-track		0-08-22			155/B		0-00-55	
	534		0-24-05			155/A		0-14-87	
	533		0-08-26			151		0-28-62	
	657		0-06-72			149		0-02-79	
	536		0-06-60			148		0-22-94	

1	2	3	4	5	1	2	3	4	5
Vadodara Karjan (28) Kasampur	147			0-12-74	Vadodara Karjan (30) Kothav	356/3			0-08-55
	146			0-63-27				356/1-A	0-11-85
	145			0-00-04				303	0-01-64
	166			0-25-64				304	0-07-18
	167 & 168			0-30-31				355	0-27-53
	177			0-18-57				365	0-01-02
	175			0-46-61				354	0-30-63
			Total —	03-87-10				353	0-21-30
(30) Kothav	397			0-05-77				352	0-00-23
	227/1			0-24-35				348/1	0-05-55
	227/2			0-11-16				349/1	0-12-30
	230			0-13-56				349/2	0-09-85
	229			0-17-76				347/1	0-14-58
	228			0-35-34				347/2	0-01-99
	235			0-00-04				346/3	0-09-75
	268/1			0-20-36				Total	6-05-35
	268/2			0-12-83					
	268/3			0-02-44	(31) Vemar	388			0-19-21
	268/4			0-02-93		389			0-13-45
	268/5			0-06-96		390			0-02-44
	268/9			0-04-10		391			0-10-67
	268/8			0-57-24		392			0-07-23
	268/7			0-42-34		382			0-02-04
	Canal			0-06-68		381			0-17-48
	286/1			0-46-89		Nala			0-09-25
	271			0-00-04		373			0-11-79
	Field Canal			0-05-33		374			0-15-77
	290			0-05-01		375			0-05-68
	287			0-10-60		354			0-11-47
	Road			0-08-57		355			0-36-27
	356/10			0-21-03		353			0-04-00
	356/11			0-07-08		350			0-15-63
	356/8			0-12-40		350/1			0-15-66
	356/7			0-14-78		349			0-01-65
	356/6			0-11-68		Road			0-00-94
	356/5			0-07-58		Total			02-00-63
	356/4			0-26-47					

1	2	3	4	5	1	2	3	4	5
Vadodara Karjan	(32) Atali	515	0-07-60		Vadodara Karjan	(33) Oslam	487	0-07-85	
		517	0-37-20				486	0-09-76	
		519	0-14-96				456/Paiki	0-12-29	
		537	0-06-16				769	0-08-03	
		539	0-42-99				Road	0-01-91	
		542	0-37-46				457/Paiki	0-14-12	
		541	0-25-45				480	0-13-27	
		540	0-33-33				479	0-00-29	
		562	0-00-35				475	0-15-41	
		578	0-28-42				471	0-12-26	
		577	0-19-94				476	0-15-04	
		576	0-12-53				466	0-08-98	
		575	0-03-48				469	0-18-72	
		579	0-35-71				465	0-07-04	
		595	0-17-88				415	0-37-30	
		585	0-02-77				414	0-06-60	
		586	0-66-87				413	0-03-31	
		Canal	0-05-29				412	0-08-08	
		589	0-08-41				359	0-65-23	
		588	0-01-28				358	0-28-01	
		Total :-	04-08-08				328	0-06-78	
	(33) Oslam	553	0-14-92				329	0-27-20	
		555	0-00-10				354	0-16-81	
		554	0-25-58				331	0-06-98	
		556	0-02-17				332	0-09-72	
		552	0-19-43				333	0-18-31	
		Road	0-10-54				324	0-02-85	
		549	0-05-06				334	0-34-98	
		550	0-19-64				335	0-01-55	
		551	0-47-05				322	0-35-89	
		527	0-00-06				321	0-01-19	
		528	0-44-07				323	0-08-79	
		531	0-18-26				Total	07-35-65	
		538	0-16-55						
		537	0-17-37						
		533	0-02-42						
		485	0-08-02						
		535	0-12-07						
		467	0-07-79						

[File No L-14014/8/01-G P]

SWAMI SINGH, Director

नई दिल्ली, 24 जुलाई, 2001

1	2	3	4	5
भरुच	वागरा	(1)लखीगाम	603	0-28-59
			602	0-10-27
			601	0-11-74
			597	0-04-55
			598	0-69-86
			599	0-37-96
			रोड	0-13-28
			450	0-02-92
			423	0-11-80
			448	0-29-62
			449	0-00-32
			447	0-02-20
			446	0-07-87
			443	0-10-98
			442	0-09-62
			441	0-12-37
			440	0-24-27
			439	0-13-69
			433	0-37-73
			432	0-14-64
			कारद्रेक	0-07-61
			397	0-24-78
			398	0-33-10
			400	0-01-94
			रोड	0-10-51
			401	0-26-00
			402	0-06-73
			रोड	0-04-73
			279	0-04-69
			280	0-04-38
			278	0-16-64
			277	0-15-87
			276	0-17-67
			275	0-00-46
			263	0-11-47
			264	0-15-58
			265	0-23-98
			266	0-08-07

का. आ. 1913.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में दहेज-वेमार बिजयपुर पाइपलाइन प्रोजेक्ट गैस पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है उपयोग के अधिकार का अर्जन करना आवश्यक है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार के अर्जन या भूमि में पाइपलाइन बिछाने के सम्बन्ध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, दर्पण बिल्डिंग, आर. सी. दत्त रोड अलका पुरी, बड़ोदा, (गुजरात) को कर सकेगा।

दहेज-वेमार-बिजयपुर पाइप लाइन प्रोजेक्ट

अनुसूची

जिला	तहसील	ग्राम	सर्वे नंबर/ ब्लोक नंबर	उ.का.अ. के लिए अर्जित की जाने वाली भूमि (हेक्टेयर में)
1	2	3	4	5
भरुच	वागरा	(1)लखीगाम	544	0-55-90
			558	0-00-02
			559	0-30-46
			560	0-48-27
			575	0-27-85
			579	0-33-37
			580	0-37-09
			588	0-13-42
			590	0-20-97
			591	0-19-89
			592	0-08-76

1	2	3	4	5	1	2	3	4	5
भरूच	वागरा	(1) लखीगाम	227	0-15-25	भरूच	वागरा	(3)अंभेटा	156	0-39-59
			226	0-09-86				155	0-01-68
			225	0-32-25				154	0-06-27
			224	0-05-78				148	0-42-40
			रोड	0-15-69				130	0-23-19
			93	0-12-26				149	0-02-33
			95	0-02-00				126	0-27-17
			96	0-09-34				127	0-45-49
			97	0-09-52				123	0-23-91
			98	0-01-78				121	0-19-90
			99	0-39-17				76	0-34-76
			100	0-00-30				75	0-24-55
			161	0-44-93				74	0-29-94
			162	0-02-93				73	0-13-83
			158	0-15-03				72	0-23-64
			167	0-28-30				रोड	0-07-00
			139	0-01-93				71	0-33-48
			138	0-11-67				रोड	0-12-58
			136	0-14-29				68	0-15-05
			168	0-16-89				69	0-15-16
			133	0-19-67				66	0-05-19
			132	0-25-67				63	0-38-36
			131	0-51-16				59	0-08-08
			कुल :—	12-70-86				61	0-54-28
		(2)दहेज	158	0-11-60				60	0-11-06
			166	0-41-92				54	0-12-31
			168	0-19-48				53	0-52-57
			165	0-13-74				50	0-16-94
			164	0-23-81				51	0-18-49
			170	0-36-14				48	0-14-65
			171	0-01-96				684	0-11-51
			कारट्रेक	0-05-85				686	0-04-23
			411	0-10-80				683	0-27-86
			410	0-17-11				682	0-10-21
			412	0-69-77				681	0-11-11
			414	0-00-08				680	0-07-80
			कुल :—	02-52-26				679	0-04-23
		(3)अंभेटा	158	0-10-15				663	0-35-66
			157	0-39-79				664	0-33-54
								662	0-04-28

1	2	3	4	5	1	2	3	4	5
भरूच	वागस	(3)अंभेटा	661	0-35-95	भरूच	वागस	(4)जोलवा	329	0-20-92
			657	0-36-02				331/अ	0-12-33
			655	0-19-40				331/ब	0-17-22
			654	0-08-86				330/अ	0-10-50
			653	0-12-25				332	0-04-59
			652	0-13-78				334	0-11-36
			649	0-30-77				कुल	02-00-15
			648	0-07-24					
			650	0-02-16			(5)अटासी	85	0-07-03
			646	0-12-53				82	0-24-90
		कारट्रेक	0-05-09					81	0-40-40
		647	0-24-57					74	0-00-52
		629	0-26-09					80	0-10-14
		628	0-23-94					75	0-26-73
		627	0-29-17					73	0-06-06
		618	0-04-04					76	0-25-06
		615	0-14-78					77	0-21-46
		616	0-10-00					72	0-15-96
		617	0-01-25					70	0-61-13
		613	01-43-08					57	0-20-98
		612	0-42-08					100	0-37-90
		605	0-10-69					56	0-01-11
		601	0-22-91					55	0-00-08
		598	0-29-99					101	0-26-13
		596	0-03-20					54	0-54-62
		597	0-16-58					रोड	0-08-58
		586	0-11-16					31	0-61-49
		587	0-09-99					32	01-07-95
		595	0-01-30					43	0-01-60
		588	0-14-56					37	0-90-44
		594	0-00-31					41	0-19-73
		589	0-07-15					39	0-02-12
		591	0-88-65					कारट्रेक	0-08-50
		573	0-41-90					38	0-06-07
		कारट्रेक	0-12-17					352	0-48-41
		कुल जेरीया	15-46-83					353	0-01-15
		(4)जोलवा	324	0-07-44				350	0-48-91
			325	0-30-70				349	0-21-11
			326	0-55-94				348	0-83-52
			328	0-29-15				347	0-03-04

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1	2	3	4	5	1	2	3	4	5
भरूच	वागरा	(8)बहियाल	436	0-74-09	भरूच	वागरा	(9)जुनेद	रोड	0-07-77
			437	0-29-75				149	0-10-75
			440	0-02-44				150	0-२6-81
			438	0-35-10				153	0-46-66
			439	0-16-02				155	0-27-62
			431	0-36-22				154	0-32-44
			418	0-33-37				156	0-15-49
			419	0-03-45				158	0-07-78
			429	0-43-29				कारट्रेक	0-18-10
			428	0-10-50				192	0-19-85
			427	0-19-61				191	0-29-45
			531	0-51-76				180	0-61-25
			426	0-34-11				181	0-37-47
			371	0-04-14				कारट्रेक	0-05-75
			381	0-43-73				240	0-32-39
			360	01-14-47				247	0-25-10
			361	0-00-01				246	0-00-63
			कारट्रेक	0-04-26				248	0-25-88
			334	0-06-93				250	0-26-03
			331	0-40-80				251	0-31-92
			333	0-02-26				252	0-17-39
			332	0-56-58				253	0-12-95
			कारट्रेक	0-04-16				कुल :-	05-19-48
			274	0-00-59	भरूच	वागरा	(10)सारन	241	0-25-45
			275	0-85-10				242	0-07-60
			272	0-31-68				240	0-51-01
			271	0-38-76				239	0-56-20
			265	0-03-49				238	0-56-32
			268	0-37-67				265	0-65-26
			267	0-23-54				264	0-01-72
			रोड	0-06-19				276	0-46-09
			225	0-39-41				275	0-21-56
			226	0-72-24				267	0-09-15
			231	0-98-34				274	0-47-74
			230	0-35-24				पोन्ड	'0-03-02
			239	0-05-80				कारट्रेक	0-10-17
								334	0-03-55
			कुल	16-37-07				333	0-06-71

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1	2	3	4	5	1	2	3	4	5
भरूच	वागस	14 : रहीयाद	428	0-06-60	भरूच	वागस	15 ऑकोट	219	0-06-59
		(जारी)	475	0-26-16			(जारी)	206	0-33-11
			474	0-24-04				205	0-29-09
			473	0-18-94				कारट्रेक	0-01-42
			432	0-30-82				कुल	06-89-52
			472	0-14-66	भरूच	वागस	16 : वछनाद	108	0-62-34
			471	0-19-07				107	0-11-48
			434	0-36-24				110	0-55-89
			439	0-08-24				105	0-04-06
			440	0-26-90				104	0-38-04
			438	0-13-48				99	0-02-91
			442	0-36-93				87	0-97-58
			437	0-09-29				88	0-27-11
			कुल —	12-03-37				89	0-39-05
भरूच	वागस	15 : ऑकोट	68	01-02-92				कारट्रेक	0-06-83
			66	0-35-12				70	0-50-58
			65	0-33-02				67	0-09-47
			77-अ	0-09-75				69	0-10-06
			77-ब	0-62-81				68	0-30-91
			80	0-28-96				64	0-04-36
			81	0-24-55				60	0-93-17
		अस. अच-6	0-11-40					कारट्रेक	0-06-37
		13	0-00-45					39	0-07-82
		14	0-51-92					30	0-06-05
		केनाल	0-09-91					252	0-30-58
		11-अ	0-17-30					32	0-30-84
		15	0-37-73					33	0-11-07
		16	0-24-45					34	0-22-48
		10-अ, ब	0-20-65					19/1,2	0-22-80
		17	0-00-07					केनाल	0-05-85
		रोड	0-07-58					कुल	06-87-70
		213	0-45-07		भरूच	भरूच : 17 : कारूला	563	0-09-34	
		215	0-00-32				562	0-36-89	
		214	0-36-54				561	0-25-55	
		216	0-26-72				559	0-16-37	
		217	0-30-23				558	0-09-52	
		218	0-01-84				557	0-28-07	
							556	0-32-40	

[illegible]

1	2	3	4	5	1	2	3	4	5
भरूच	आमोद	21 : समनी (जारी)	340 कारट्रेक 350 351 352 354 355 357 356 कारट्रेक 387 388 390 391 392 396 केनाल 393 395 394 400 कुल	0-75-80 0-06-09 0-12-84 0-27-71 0-31-91 0-31-32 0-52-31 0-09-86 0-13-02 0-07-87 0-40-08 0-04-30 0-48-53 0-15-44 0-18-61 0-13-23 0-01-46 0-22-36 0-24-57 0-33-09 0-18-05 10-38-41	भरूच	आमोद	23 : वांतरसा (जारी)	356 362 364 363 367 373 372 368 369 370 कारट्रेक 276 261 260 258 रोड 163 कारट्रेक 244 245 243 242 247 248 249 251 236 237 238 239 232 230 231 220 219 218 217 रोड 205 कुल	0-00-01 0-09-88 0-22-45 0-15-28 0-17-04 0-32-78 0-02-81 0-15-40 0-14-98 0-19-90 0-09-87 0-25-80 0-20-86 0-47-45 0-38-13 0-05-40 0-07-42 0-08-99 0-16-60 0-03-37 0-48-15 0-14-28 0-26-22 0-00-29 0-33-04 0-27-73 0-29-49 0-05-65 0-07-47 0-21-51 0-14-46 0-04-53 0-35-59 0-19-19 0-18-86 0-32-56 0-00-69 0-05-11 0-05-79 10-99-07
भरूच	आमोद	22 : कुरचन	510 509 कुल	0-11-97 0-01-12 0-13-09	भरूच	आमोद	23 : वांतरसा	डेन 455 453 452 448 444 447 425 417 408 396 397 398 394 रोड 357 358	0-11-32 0-00-12 0-24-75 0-24-39 0-20-03 0-19-58 0-87-73 0-13-28 0-40-73 0-17-72 0-26-25 0-29-98 0-05-89 0-41-61 0-07-81 0-23-29 0-19-56

[फर मं एल-14014/8/01 जी पी]

स्वामी सिंह, निदेशक

New Delhi, the 24th, July, 2001

S.O. 1913.— whereas, it appears to the Central Government that it is necessary in the public interest that for the transport of natural gas from Dahej-Vemmar-Vijaipur pipeline project in Gujarat State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land, under which the said pipeline is proposed to be laid, and which is described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Darpan Building, R.C. Dutt Road, Alkapuri, Vadodara (Gujarat).

SCHEDULE

Dahej-Vemmar-Bijaipur Pipeline Project

Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra	(1)Lakhigam	544	0-55-90
			558	0-00-02
			559	0-30-46
			560	0-48-97
			575	0-27-85
			579	0-33-37
			580	0-37-09
			588	0-13-42
			590	0-20-97
			591	0-19-89
			592	0-08-76
			603	0-28-59
			602	0-10-27
			601	0-11-74
			597	0-04-55
			598	0-69-86
			599	0-37-96

Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra	(1)Lakhigam	Road	0-13-28
			450	0-02-92
			423	0-11-80
			448	0-29-62
			449	0-00-32
			447	0-02-20
			446	0-07-87
			443	0-10-98
			442	0-09-62
			441	0-12-37
			440	0-24-27
			439	0-13-69
			433	0-37-73
			432	0-14-64
			Cart-track	0-07-61
			397	0-24-78
			398	0-33-10
			400	0-01-94
			Road	0-10-51
			401	0-26-00
			402	0-06-73
			Road	0-04-73
			279	0-04-69
			280	0-04-38
			278	0-16-64
			277	0-15-87
			276	0-17-67
			275	0-00-46
			263	0-11-47
			264	0-15-58
			265	0-23-98
			266	0-08-07
			227	0-15-25
			226	0-09-86
			225	0-32-25
			224	0-05-78
			Road	0-15-69
			93	0-12-26

Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares	Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra	(1) Lakhigam	95	0-02-00	Bharuch	Vagra	(3) Ambheta	130	0-23-19
			96	0-09-34				149	0-02-33
			97	0-09-52				126	0-27-17
			98	0-01-78				127	0-45-49
			99	0-39-17				123	0-23-91
			100	0-00-30				121	0-19-90
			161	0-44-93				76	0-34-76
			162	0-02-93				75	0-24-55
			158	0-15-03				74	0-29-94
			167	0-28-30				73	0-13-83
			139	0-01-93				72	0-23-64
			138	0-11-67				Road	0-07-00
			136	0-14-29				71	0-33-48
			168	0-16-89				Road	0-12-58
			133	0-19-67				68	0-15-05
			132	0-25-67				69	0-15-16
			131	0-51-16				66	0-05-19
			Total Area	12-70-86				63	0-38-36
								59	0-08-08
								61	0-54-28
Bharuch	Vagra	(2) Dahej	158	0-11-60				60	0-11-06
			166	0-41-92				54	0-12-31
			168	0-19-48				53	0-52-57
			165	0-13-74				50	0-16-94
			164	0-23-81				51	0-18-49
			170	0-36-14				48	0-14-65
			171	0-01-96				684	0-11-51
			Cart-Track	0-05-85				686	0-04-23
			411	0-10-80				683	0-27-86
			410	0-17-11				682	0-10-21
			412	0-69-77				681	0-11-11
			414	0-00-08				680	0-07-80
			Total Area	02-52-26				679	0-04-23
Bharuch	Vagra	(3) Ambheta	158	0-10-15				663	0-35-66
			157	0-39-79				664	0-33-54
			156	0-39-59				662	0-04-28
			155	0-01-68				661	0-35-95
			154	0-06-27				657	0-36-02
			148	0-42-40					

Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares	Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra	(3) Ambheta	655	0-19-40	Bharuch	Vagra	(4) Jolva	329	0-20-92
			654	0-08-86				331/A	0-12-33
			653	0-12-25				331/B	0-17-22
			652	0-13-78				330/A	0-10-50
			649	0-30-77				332	0-04-59
			648	0-07-24				334	0-11-36
			650	0-02-16				Total	02-00-15
			646	0-12-53					
			Cart-Track	0-05-09	Bharuch	Vagra	(5) Atali	85	0-07-03
			647	0-24-57				82	0-24-90
			629	0-26-09				81	0-40-40
			628	0-23-94				74	0-00-52
			627	0-29-17				80	0-10-14
			618	0-04-04				75	0-26-73
			615	0-14-78				73	0-06-06
			616	0-10-00				76	0-25-06
			617	0-01-25				77	0-21-46
			613	01-43-08				72	0-15-96
			612	0-42-08				70	0-61-13
			605	0-10-69				57	0-20-98
			601	0-22-91				100	0-37-90
			598	0-29-99				56	0-01-11
			596	0-03-20				55	0-26-08
			597	0-16-58				101	0-00-13
			586	0-11-16				54	0-54-62
			587	0-09-99				Road	0-08-58
			595	0-01-30				31	0-61-49
			588	0-14-56				32	01-07-95
			594	0-00-31				43	0-01-60
			589	0-07-15				37	0-90-44
			591	0-88-65				41	0-19-73
			573	0-41-90				39	0-02-12
			Cart-Track	0-12-17				Cart-Track	0-08-50
			Total Area	15-46-83				38	0-06-07
Bharuch	Vagra	(4) Jolva	324	0-07-44				352	0-48-41
			325	0-30-70				353	0-01-15
			326	0-55-94				350	0-48-91
			328	0-29-15				349	0-21-11
								348	0-83-52

Dist.	Tehsil	Village	Survey No / Block No	Land to be acquired for R.O.U. in Hectares	Dist.	Tehsil	Village	Survey No / Block No	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra (5)	Atali	347 NALA	0-03-04 0-09-13	Bharuch	Vagra (7)	Nandida	542	0-25-40
			Total	09-01-96			Road		0-05-78
								551	0-03-69
Bharuch	Vagra (6)	Akhod	246	0-06-23			Nala		0-04-37
			267	0-41-00			552		0-27-64
			273	0-05-49			473		0-57-03
			Total	0-52-72			472		0-08-32
Bharuch	Vagra (7)	Nandida	36	0-07-56			474		0-01-02
		Nala		0-20-41			471		0-20-33
			35	0-29-98			470		0-21-05
			39	0-18-20			469		0-21-11
			38	0-47-71			Road		0-08-08
			40	0-66-76			352		0-51-91
			41	0-04-73			347		0-50-97
			66	0-29-53			348		0-17-40
			49	0-40-76			343		0-01-22
			52	0-65-05			345		0-05-47
			51	0-05-37			344		0-49-96
			54	0-59-62			353		0-05-33
			8	0-00-67			355		0-00-08
			7	0-60-46			360		01-04-32
			Cart-Track	0-10-71			359		0-28-34
			531	0-15-86			Cart-Track		0-07-85
			538	0-28-72			361		0-01-24
			539	0-01-94			435		0-34-18
			536	0-26-42			433		01-18-11
			535	0-25-96			416		0-01-02
			540	0-21-34			417		0-23-08
			543	0-38-51			418		0-16-80
							421		0-11-51

Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares	Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra	(7) Nandida	420	0-21-95	Bharuch	Vagra	(8) Wahiyal	429	0-43-29
			419	0-40-66				428	0-10-50
			422	0-05-54				427	0-19-61
			Total Area : 14-28-03					531	0-51-76
Bharuch	Vagra	(8) Wahiyal	Gocher	0-05-88				426	0-34-11
			487	0-13-18				371	0-04-14
			490	0-40-16				381	0-43-73
			491	0-31-50				360	01-14-47
			492	0-29-29				361	0-00-01
			481	0-13-20				Cart-Track	0-04-26
			480	01-31-65				334	0-06-93
			462	0-20-34				331	0-40-80
			477	0-06-13				333	0-02-26
			476	0-59-02				332	0-56-58
			472	0-12-79				Cart-Track	0-04-16
			470	0-00-61				274	0-00-59
			471	0-19-12				275	0-85-10
			469	0-45-48				272	0-31-68
			468	0-41-78				271	0-38-76
			445	0-06-34				265	0-03-49
			467	0-15-50				268	0-37-67
			436	0-74-09				267	0-23-54
			437	0-29-75				Road	0-06-19
			440	0-02-44				225	0-39-41
			438	0-35-10				226	0-72-24
			439	0-16-02				231	0-98-34
			431	0-36-22				230	0-35-24
			418	0-33-37				239	0-05-80
			419	0-03-45				Total Area 16-37-07	

Distt.	Tehsil	Village	Survey No / Block No	Land to be acquired for R.O.U in Hectares	Distt.	Tehsil	Village	Survey No / Block No	Land to be acquired for R.O.U in Hectares
Bharuch	Vagra (9)	Juned	Road	0-07-77	Bharuch	Vagra (10)	Saran	317	0-14-25
				149				331	01-11-79
				150				330	0-20-34
				153				329	0-39-35
				155				327	0-21-47
				154				326	0-59-16
				156					
				158				Total area	07-32-835
			Cart-Track	0-18-10	Bharuch	Vagra (11)	Sayakha	26/P	0-65-66
				192				29	0-83-93
				191				31	0-01-83
				180				32	0-56-70
				181				39	0-21-35
								38	0-19-40
			Cart-Track	0-05-75				42	0-32-11
				240				37	0-23-23
				247				43	0-42-61
				246				Nala	0-16-53
				248				71	0-42-61
				250				Cart-Track	0-08-41
				251				77	0-22-08
				252				78	0-27-54
				253				75	0-23-45
			Total Area	05-19-48				Road	0-06-26
Bharuch	Vagra (10)	Saran		241				129	02-40-17
				242				131	0-26-14
				240				132	0-42-77
				239				134	0-84-13
				238				117	0-07-67
				265				116	0-83-60
				264				139	0-05-21
				276				115	0-05-80
				275					
				267				Total Area	09-89-19
				274					
			Pond	0-03-02	Bharuch	Vagra (12)	Suwa	455	0-53-38
								454	0-00-40
			Cart-Track	0-10-17				466	0-51-65
				334				472	0-06-29
				333				473	0-23-65
				332				477	0-45-18

Distt.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares.	Distt.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra	(12) Suwa	470	0-05-81	Bharuch	Vagra	(13) Rahad	170	0-52-37
			478	0-07-75				Road	0-04-42
			484	0-04-40				233	0-40-42
			483	0-02-12				234	0-10-72
			479	0-30-69				226	0-11-90
			482	0-03-21				Cart-Track	0-06-67
			481	0-14-45				221	0-26-67
			493	0-51-48				225	0-22-01
			501	0-14-92				224	0-16-28
			502	0-07-62				222	0-30-37
			500	0-43-50				Cart-Track	0-04-86
			499	0-09-67				220	0-09-07
			498	0-33-17				Cart-Track	0-08-05
			377	02-75-04				12	0-41-32
			237	0-12-29				10	0-27-08
			238	0-10-82				13	0-21-22
			236	0-18-33				14	0-30-60
			235	0-05-87				15	0-10-37
			233	0-28-68				Cart-Track	0-08-92
			234	0-21-08				44	0-09-75
			230	0-18-90				34	0-99-77
			231	0-22-00				33	0-35-16
			Cart-Track	0-03-76				31	0-82-68
			171	0-27-78				Total —	08-12-05
			167	0-32-07	Bharuch	Vagra	(14) Rahuyad	722	0-05-92
			166	0-35-62				711	0-03-07
			165	0-01-95				709	0-30-50
			164	0-10-22				710	0-03-32
			Road	0-08-26				708	0-29-95
			162	0-39-55				Cart-Track	0-05-48
			147	0-32-70				706	0-45-88
			Cart-Track	0-25-09				703	0-06-41
			Total :—	10-39-35				704	0-65-91
								683	0-46-78
								Cart-Track	0-03-25
								664	0-08-73
								663	0-08-55
Bharuch	Vagra	(13) Rahad	166	0-63-87				662	0-27-94
			Road	0-04-86				Road	0-07-87
			175	0-07-00					
			174	01-00-23					
			172	0-24-62					
			169	0-00-98					

Bharuch Vagra (13) Rahad

[भाग II—खण्ड 3(ii)]

भारत का राजपत्र : अगस्त 4, 2001/श्रावण 13, 1923

3945

Distt.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares.	Distt.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares.
Bharuch	Vagra	(14) Rahiyad	296	0-01-19	Bharuch	Vagra	(14) Rahiyad	474	0-24-04
			297	0-50-99				473	0-28-94
		Cart-Track		0-04-75				432	0-30-82
			300	0-27-99				472	0-14-66
			301	0-00-38				471	0-19-07
		Cart-Track		0-04-71				434	0-36-24
			286	0-00-81				439	0-08-24
			287	0-09-95				440	0-26-90
			302	0-33-00				438	0-13-48
			306	0-03-72				442	0-36-93
			304	0-10-38				437	0-09-29
			305	0-20-39					
		Cart-Track		0-05-76				Total :—	12-03-37
			276	0-19-42	Bharuch	Vagra	(15) Ankot	68	01-02-92
			275	0-08-19				66	0-35-12
			273	0-18-93				65	0-33-02
			274	0-19-91				77/A	0-09-75
		Cart-Track		0-14-17				77/B	0-62-81
			258	0-89-43				80	0-28-96
			257	0-00-30				81	0-24-55
		Road		0-02-20				SH-6	0-11-40
			261	0-34-92				13	0-00-45
			224	0-13-37				14	0-51-92
			370	0-35-09				Canal	0-09-91
			371	0-06-38				11-A	0-17-30
			372	0-01-41				15	0-37-73
			369	0-16-62				16	0-24-45
			374	0-52-04				0-A-B	0-20-65
			375	0-11-88				17	0-00-07
			376	0-11-00				Road	0-07-58
			420	0-13-38				213	0-45-07
			419	0-00-68				215	0-00-32
			422	0-15-83				214	0-36-54
			423	0-33-64				216	0-26-72
			512	0-18-04				217	0-30-23
			511	0-20-59				218	0-01-84
			510	0-00-55				219	0-06-59
			428	0-06-60				206	0-33-11
			475	0-26-16					

Distt	Tehsil	Village	Survey No / Block No	Land to be acquired for R.O.U. in Hectares	Distt	Tehsil	Village	Survey No / Block No	Land to be acquired for R.O.U. in Hectares
Bharuch	Vagra	(15) Ankot	205	0-29-09	Bharuch	Bharuch	(17) Karela	554	0-27-34
			Cart-Track	0-01-42				Cart-Track	0-03-86
			Total —	06-89-52				552/Pauka	0-23-73
Bharuch	Vagra	(16) Vachhnad	108	0-62-34				552	0-08-73
			107	0-11-48				551	0-03-19
			110	0-55-89				588	0-07-35
			105	0-04-06				549	0-21-74
			104	0-38-04				547	0-35-83
			99	0-02-91				546	0-18-52
			87	0-97-58				544/Pauka	0-41-49
			88	0-27-11				543	0-16-56
			89	0-39-05				542	0-26-46
			Cart-Track	0-06-83				541	0-10-88
			70	0-50-58				540	0-19-74
			67	0-09-47				539	0-11-37
			69	0-10-06				537	0-32-57
			68	0-30-91				534	0-07-62
			64	0-04-36				533	0-22-83
			60	0-93-17				532	0-16-38
			Cart-Track	0-06-37				Cart-Track	0-13-36
			39	0-07-82				528	0-23-13
			30	0-06-05				529	0-39-07
			252	0-30-58				Total —	06-32-07
			32	0-30-84	Bharuch	Bharuch	(18) Simaliya	Nala	0-02-52
			33	0-11-07				53	0-15-43
			34	0-22-48				64	0-17-74
			19/1-2	0-22-80				63	0-21-56
			Canal	0-05-85				65	0-07-21
			Total	06-87-70				62	0-02-46
Bharuch	Bharuch	(17) Karela	563	0-09-34				66	0-45-98
			562	0-36-89				67	0-00-08
			561	0-25-55				93	0-39-38
			559	0-16-37				94	0-07-35
			558	0-09-52				92	0-60-71
			557	0-28-07				Total —	02-20-42
			556	0-32-40	Bharuch	Bharuch	(19) Padria	257	0-40-79
			555	0-40-24				Car-Track	0-14-93
			553	0-01-94				263	0-42-04

Distt.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares.	Distt	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares
Bharuch	Bharuch (19) Padria		271	0-55-66	Bharuch	Amod	(21) Samni	340	0-75-80
			269	0-45-24				Cart-Track	0-06-09
			279	0-35-94				350	0-12-84
			283	0-33-04				351	0-27-71
			Cart-Track	0-04-66				352	0-31-91
			288	0-48-85				354	0-31-32
			285	0-44-61				355	0-52-31
			287	0-18-73				357	0-09-86
			286	0-06-66				356	0-13-02
			Canal	0-02-62				Cart-Track	0-07-87
			Total:—	03-93-77				387	0-40-08
								388	0-04-30
								390	0-48-53
								391	0-15-44
								392	0-18-61
								396	0-13-23
Bharuch	Amod	(20) Kothu	76	0-00-65				Canal	0-01-46
			75	0-10-67				393	0-22-36
			72	0-07-75				395	0-24-57
			74	0-11-04				394	0-33-09
			73	0-00-40				400	0-18-05
			Road	0-01-45				Total :—	10-38-41
			Total :—	0-31-96					
Bharuch	Amod	(21) Samni	Canal	0-02-75	Bharuch	Amod	(22) Kurchan	510	0-11-97
			157	0-32-61				509	0-01-12
			160	0-80-03				Total :—	0-13-09
			170	0-51-76					
			173	0-20-14					
			Stat-High	0-09-03					
			way						
			Rly-Line	0-13-43			(23) Wantarsa	Drain	0-11-32
			194	0-32-86				455	0-00-12
			191	0-39-82				453	0-24-75
			190	0-14-58				452	0-24-39
			195	0-24-77				448	0-20-03
			Cart-Track	0-07-30				444	0-19-58
			219	0-52-58				447	0-87-73
			274	0-05-39				425	0-13-28
			276	0-43-37				417	0-40-73
			277	0-15-68				408	0-17-72
			295	0-34-76				396	0-26-25
			296	0-01-98				397	0-29-98
			297	0-47-12				398	0-05-89

Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares.	Dist.	Tehsil	Village	Survey No./ Block No.	Land to be acquired for R.O.U. in Hectares.
Bharuch	Amod (23)	Wantarsa	394	0-41-61	Bharuch	Amod (23)	Wantarsa	243	0-48-15
			Road	0-07-81				242	0-14-28
			357	0-23-29				247	0-26-22
			358	0-19-56				248	0-00-29
			356	0-00-01				249	0-33-04
			362	0-09-88				251	0-27-73
			364	0-22-45				236	0-29-49
			363	0-15-28				237	0-05-65
			367	0-17-04				238	0-04-47
			373	0-32-78				239	0-21-51
			372	0-02-81				232	0-14-46
			368	0-15-40				230	0-04-53
			369	0-14-98				231	0-35-59
			370	0-19-90				220	0-19-19
			Cart-Track	0-09-87				219	0-18-86
			276	0-25-80				218	0-32-56
			261	0-20-86				217	0-00-69
			260	0-47-45				Road	0-05-11
			258	0-38-13				205	0-05-79
			Road	0-05-40				Total :—	10-99-07
			163	0-07-42					
			Car-Track	0-08-99					
			244	0-16-60					
			245	0-03-37					

[File No. L-14014/8/01-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 30 जुलाई, 2001

का. आ. ~~1914~~ केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक राजस्थान राज्य में चाकसू से होती हुई कच्चे तेल के परिवहन के लिये, इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्द्धन” के कार्यान्वयन हेतु एक पाइपलाईन बिछाई जानी चाहिए,

और केन्द्रीय सरकार को यह प्रतीत होता है कि ऐसी भूमि जिसके नीचे उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से सलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन करना आवश्यक है,

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, उस तारीख से जिसको, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने, उक्त भूमि के नीचे पाइपलाइन बिछाने के संबंध में लिखित रूप में आक्षेप, श्री सुनील शर्मा, सक्षम प्राधिकारी, सलाया-मथुरा पाइपलाइन (संवर्द्धन) परियोजना, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, 33, मुक्तानन्द नगर, गोपालपुरा, बाईपास के निकट, जयपुर (राजस्थान) -302018, को भेज सकेगा ।

अनुसूची

तहसील: कोटपुतली

जिला जयपुर

राज्य: राजस्थान

गौव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
लाडा का बास	858	0	04	84
	858	0	03	55
	855	0	07	15
	853	0	10	56
	851	0	12	54
	783	0	08	15
	782	0	00	73
	781	0	03	35
	780	0	05	23
	759	0	17	13
	725	0	17	60
	700	0	26	22
	697	0	13	20
	692	0	13	20
खेलना	2323	0	10	89
	2321	0	05	06
	2320	0	04	95
	2319	0	05	72
	2317	0	06	16
	2262	0	06	16
	2263	0	05	28
	2256	0	04	07
	2257	0	04	07
	2250	0	07	15
	2251	0	03	14
	2249	0	01	22
	2243	0	10	23
	2236	0	02	64
	2235	0	09	46
	2275	0	00	77
	1404	0	05	83
	1405	0	06	05
	1406	0	07	70
	1411	0	04	07
	1410	0	03	96
	1413	0	06	05

1	2	3	4	5
	1281	0	07	15
	1284	0	05	18
	1285	0	04	30
	1313	0	03	29
	1311	0	01	00
	1310	0	03	42
	1309	0	01	68
	1323	0	05	08
	1322	0	00	21
	1324	0	02	68
	1325	0	00	83
	1326	0	02	07
	1327	0	01	75
	1334	0	06	82
	1336	0	03	86
	1336/2693	0	03	84
	1218	0	03	96
	1219	0	03	74
	1213/2524	0	05	28
	1179	0	05	94
	1168	0	05	50
	1168/2623	0	05	50
	1170	0	03	74
	1161	0	08	14
	1160	0	05	94
	1142	0	03	30
	1141	0	07	37
	1140	0	06	38
	1133	0	07	68
	1134	0	00	44
	1135	0	06	96
पावटा	2351	0	00	73
	2352	0	12	43
	2347	0	01	21
	2346	0	03	30
	2345	0	03	25
	2339	0	04	51
	2335	0	06	16
	2331	0	05	50
	2329	0	05	61
	2328	0	05	50
	2320	0	07	89
	2319	0	00	55
	2201	0	13	20
	2167	0	01	71

1	2	3	4	5
	2178	0	08	20
	2175	0	08	03
	2174	0	07	92
	2160	0	14	08
	2131	0	10	34
	2130	0	05	47
	2129/2386	0	11	55
	2123	0	09	43
	930	0	05	06
	929	0	02	42
	925	0	09	24
	909	0	10	65
	906	0	12	04
प्रागपुरा	1897	0	09	52
	1893	0	08	76
	1830	0	06	27
	1833	0	07	15
	1866	0	09	54
	1865	0	01	32
	1864	0	10	68
	1862	0	00	20
	1646	0	04	80
	1648	0	00	77
	1644	0	03	53
	1649	0	08	39
	1650	0	00	20
	1654	0	00	72
	1653	0	08	71
	1652	0	00	20
	1683	0	08	40
	1686	0	10	91
	1687	0	08	57
	1634	0	13	94
	1629	0	04	63
	1626	0	06	83
	1630	0	02	33
	1620	0	07	73
	1619	0	04	21
किरारोष	656	0	00	20
	652	0	09	24
	651	0	13	56
	639	0	19	19
	640	0	00	43
	521	0	17	46
	522	0	14	80

1	2	3	4	5
	519	0	03	77
	523	0	00	88
	528	0	05	85
	528	0	04	98
	525	0	05	25
	524	0	06	68
	558	0	05	58
	567	0	10	84
	557	0	00	26
	569	0	12	17
	568	0	01	86
	575	0	08	24
	576	0	08	79
	496	0	08	79
	497	0	06	59
	446	0	06	04
	389	0	11	80
	388	0	07	72
	387	0	07	19
	386	0	02	62
	385	0	08	60
	367	0	09	94
	368	0	00	60
	362	0	05	60
	303	0	06	07
	304	0	05	61
	305	0	11	47
	308	0	02	02
	309	0	09	43
	244	0	09	31
	243	0	09	75
	239	0	00	20
	240	0	05	23
	237	0	05	24
	236	0	03	96
	232	0	08	36
	231	0	05	74
	229	0	02	25
	181	0	07	19
	158	0	09	88
	150	0	10	82
	133	0	01	43
	132	0	08	69
	131	0	02	53
पाथरेडी	131	0	02	06

1	2	3	4	5
	129	0	02	66
	128	0	06	52
	127	0	03	44
	124	0	03	78
	51	0	08	47
	57	0	03	59
	56	0	04	07
	63	0	03	44
	64	0	08	80
	54	0	00	66
	65	0	01	49
	66	0	07	86
	69	0	06	16
	70	0	05	45
	111	0	08	94
	110	0	08	79
	109	0	11	59
	108	0	04	43
	107	0	00	84
	208	0	00	78
	209	0	18	65
	210	0	00	75
	211	0	17	09
	212	0	00	51
रघुनाथपुरा	324	0	03	33
	443	0	10	03
	444	0	09	16
	445	0	03	70
	449	0	00	90
	457	0	07	64
	456	0	00	27
	452	0	02	07
	453	0	07	42
	429	0	00	20
	431	0	00	20
	433	0	17	40
	432	0	00	73
	420	0	02	82
	422	0	02	98
	423	0	03	38
	390	0	02	88
	391	0	00	51
	392	0	01	55
	393	0	03	02
	398	0	04	24

1	2	3	4	5
	164	0	02	93
	165	0	02	61
	159	0	04	50
	160	0	00	62
	150	0	00	43
	149	0	03	42
	148	0	04	75
	124	0	00	20
	125	0	00	92
	126	0	01	76
	118	0	02	70
	113	0	02	26
	112	0	02	64
	107	0	02	31
	106	0	00	51
गोरधनपुरा	1651	0	02	04
	1566	0	68	28
	1561	0	30	48
	1570	0	00	20
	1560	0	12	28
	1535	0	03	55
	1536	0	02	04
	1537	0	02	15
	1538	0	02	68
	1539	0	01	78
	1531	0	05	03
	1530	0	06	49
	1526	0	04	84
	1523	0	09	21
	1477	0	08	34
	1476	0	11	64
	1446	0	05	57
	1447	0	11	68
	1443	0	09	79
	1442	0	02	17
	1441	0	00	26
	1448	0	05	56
	1267	0	06	02
	1266	0	02	05
	1265	0	03	26
	1264	0	03	67
	1263	0	01	12
	1240	0	14	67
	1053	0	04	90
	1052	0	04	40

1	2	3	4	5
	1051	0	04	73
	1057	0	03	18
	1060	0	04	74
	1061	0	04	79
	1065	0	10	29
	1066	0	08	66
	1032	0	00	55
	1034	0	07	13
	1031	0	02	08
	1030	0	05	41
	1026	0	00	95
	1024	0	00	34
	1025	0	00	66
	1023	0	03	10
	1013	0	05	40
	1015	0	07	39
कंवरपुरा	994	0	07	05
	997	0	06	60
	998	0	06	88
	1002	0	07	40
	987	0	12	38
	961	0	08	55
	960	0	21	53
	668	0	09	25
	669/1057	0	02	39
	669	0	06	84
	670	0	05	13
	671	0	07	02
	672	0	10	26
	676	0	05	58
	681	0	03	60
	680	0	04	14
	685	0	06	48
	690	0	12	15
	692	0	01	16
	693	0	00	20
	775	0	17	68
	774	0	12	78
	768	0	12	15
	767	0	11	04
	764	0	08	09
	763	0	02	86
	754	0	02	20
	755	0	03	58
	758	0	01	49

1	2	3	4	5
	759	0	02	64
कल्याणपुरा खुर्द	713	0	01	08
	714	0	00	40
	715	0	07	51
	722	0	06	52
	723	0	02	53
	724	0	02	55
	725	0	02	46
	729	0	02	57
	730	0	04	57
	732	0	08	05
	505	0	05	59
	504	0	03	11
	507	0	05	76
	509	0	01	90
	510	0	00	20
	508	0	10	08
	488	0	08	64
	427	0	01	08
	425	0	10	53
	428	0	05	04
	424	0	01	64
	434	0	02	61
	422	0	01	20
	423	0	02	37
	436	0	03	54
	439	0	03	01
	437	0	00	20
	441	0	02	88
	438	0	04	90
	442	0	07	14
	398	0	09	04
	397	0	03	09
	369	0	02	94
	370	0	05	81
	371	0	06	13
	373	0	05	98
	388	0	03	71
	389	0	03	60
	385	0	09	59
	386	0	00	20
राहेड़ा	351	0	03	23
	350	0	06	45
	347	0	03	05
	346	0	00	96

1	2	3	4	5
	345	0	05	94
	343	0	09	81
	342	0	07	69
	341	0	06	63
	340	0	03	29
	339	0	07	92
	338	0	07	33
	337	0	08	49
	336	0	05	42
	209	0	08	33
पुतली	556	0	09	10
	558	0	04	28
	560	0	02	59
	559	0	00	20
	564	0	04	70
	565	0	04	09
	551	0	02	84
	543	0	15	27
	528	0	05	45
	529	0	02	83
	527	0	06	53
	526	0	05	80
	516	0	05	38
	515	0	05	29
	509	0	05	31
	482	0	17	66
	457	0	05	82
	456	0	06	56
	454	0	06	47
	436	0	15	24
	435	0	02	50
	437	0	00	20
	429	0	00	20
	438	0	10	70
	428	0	05	40
	427	0	05	95
	245	0	11	95
	244	0	04	93
	243	0	06	71
	230	0	00	65
	77	0	03	10
	76	0	03	67
	75	0	04	81
	61	0	05	58
	62	0	00	48

1	2	3	4	5
	60	0	05	45
	59	0	11	55
	32	0	13	00
	28	0	16	21
	20	0	05	42
	21	0	05	31
	14	0	05	34
	13	0	06	32
	12	0	00	24
	4	0	03	66
	5	0	03	53
सुन्दरपुरा	545	0	00	44
	544	0	05	36
	543	0	02	95
	541	0	00	42
	226	0	04	84
	225	0	05	28
	220	0	11	88
	217	0	12	42
	214	0	13	86
	212	0	14	40
	210	0	11	07
	211	0	01	76
	190	0	08	10
	189	0	06	12
बुचाहेडा	2259	0	44	73
	46	0	07	74
	45	0	04	68
	48	0	00	20
	44	0	00	90
	43	0	08	64
	42	0	00	20
	41	0	07	11
	40	0	00	37
	35	0	00	45
	36	0	12	87
	30	0	06	08
	29	0	26	10
	319	0	06	22
	277	0	01	02
	278	0	00	20
	318	0	07	54
	317	0	05	12
	322	0	06	88
	323/1	0	07	10

1	2	3	4	5
	328	0	09	57
श्यामनगर	738	0	01	17
	739	0	09	54
	740	0	09	09
	742	0	16	38
	725	0	11	80
	731	0	00	84
	726	0	00	90
	721	0	04	93
	727	0	14	15
बासड़ी	501	0	07	66
	508	0	05	94
	513	0	12	61
	520	0	05	20
	521	0	05	25
	531	0	10	09
	535	0	04	37
	536	0	00	63
	537	0	03	84
	546	0	04	86
	545	0	05	47
	548	0	00	77
	660	0	01	16
	657	0	09	57
	656	0	03	32
	649	0	04	26
	648	0	04	30
	647	0	02	42
	619	0	05	12
	618	0	04	63
	609	0	03	60
	607	0	00	65
	608	0	01	85
बडाबास	323	0	00	40
	324	0	01	73
	351	0	06	65
	352	0	04	37
	350	0	07	88
	353	0	00	70
	349	0	07	94
	356	0	06	73
	357	0	03	72
	345	0	00	50
रामसिंहपुरा	913	0	07	28

1	2	3	4	5
खेड़की पिरभान	25	0	04	40
	23	0	07	35
	22	0	03	40
	18	0	01	49
	19	0	01	55
	15	0	00	20
	14	0	02	62
	13	0	02	79
	12	0	08	37
	7	0	04	09
	41	0	08	09
	49	0	00	36
	48	0	04	79
	51	0	07	62
	557	0	04	83
खरखडी	558	0	04	00
	556	0	08	34
	554	0	06	57
	553	0	06	94
	551	0	05	41
	550	0	04	54
	545	0	00	20
	548	0	02	46
	547	0	05	28
	546	0	05	23
	423	0	07	87
	422	0	08	35
	421	0	03	84
	405	0	04	37
	404	0	06	27
	403	0	05	52
	402	0	05	11
	401	0	03	29
	400	0	00	20
	394	0	02	75
	344	0	06	08
	342	0	00	20
	346	0	04	09
	347	0	03	19
	361	0	00	20
	348	0	01	47
	349	0	10	62
	350	0	00	27
	333	0	02	25
	331	0	07	22

1	2	3	4	5
	332	0	00	20
	316	0	18	71
	328	0	00	52
	320	0	06	59
	321	0	10	65
	323	0	03	26
	322	0	05	60
	310	0	05	07
	304	0	00	68
मोलाहेड़ा	192	0	00	20
	191	0	02	99
	177	0	04	40
	176	0	02	55
	174	0	07	81
	173	0	07	99
	172/968	0	11	69
	172	0	00	20
शेखपुरा	924	0	04	62
	923	0	04	41
सांगरदेड़ा	903	0	03	55
	905	0	03	88
	904	0	04	57
	911	0	05	82
	912	0	09	46
	915	0	00	20
	948	0	12	09
	952	0	00	70
	953	0	05	15
	960	0	09	97
	962	0	03	80
	963	0	01	35
	971	0	04	22
	970	0	05	37
	974	0	00	20
	969	0	03	30
	968	0	00	72
	978	0	03	00
	865	0	03	14
	864	0	05	12
	501	0	04	48
	508	0	04	82
	507	0	00	34
	511	0	08	32
	638	0	03	88

1	2	3	4	5
	640	0	00	20
	641	0	01	18
	642	0	02	64
	643	0	02	93
	631	0	05	05
	630	0	04	72
	589	0	01	14
	588	0	01	81
	537	0	05	75
	550	0	08	38
	549	0	00	20
	545	0	10	07
	544	0	08	53
	543	0	08	76
	191	0	00	45
	189	0	13	15
	190	0	07	48
	183	0	04	42
	181	0	05	93
	180	0	06	45
	179	0	06	17
	177	0	18	30
	154	0	06	21
	153	0	23	12
	152	0	00	62
	149	0	02	31
	1142	0	04	71
	1143	0	08	81
	1147	0	07	98
	1148	0	06	02
	1149	0	03	89
	1150	0	05	29
	1158	0	03	08
	1163	0	00	99
	1170	0	06	77
	1171	0	04	30
	1172	0	08	61
	1175/1590	0	07	09
खेडकी मुक्कड़	919	0	05	39
	922	0	03	09
	923	0	02	86
	925	0	04	18
	926	0	06	65
	927	0	06	49
	928	0	06	27

1	2	3	4	5
	929	0	04	62
	930	0	01	65
	931	0	05	39
	932	0	04	65
	944	0	05	47
	978	0	02	27
	945	0	08	33
	948	0	06	05
	949	0	00	79
	951	0	09	02
	880	0	08	39
	869	0	06	75
	865	0	06	90
	851	0	03	58
	852	0	03	91
	853	0	00	20
	847	0	01	32
	846	0	05	58
	803	0	07	61
	807	0	00	20
	809	0	04	98
	808	0	02	04
	813	0	04	81
	814	0	15	84
	815	0	05	56
	816	0	13	26
पनीयाला	1131	0	03	37
	1137	0	04	47
	1136	0	07	66
	1143	0	07	69
	1144	0	07	72
	1145	0	08	43
	1196	0	05	93
	1197	0	07	43
	1233	0	05	88
	1232	0	06	37
	1231	0	07	66
	1251	0	07	68
	1252	0	05	57
	1253	0	08	80
	1254	0	05	98
	1220	0	00	74
	1255	0	00	33
	1219	0	05	19
	1357	0	07	82

1	2	3	4	5
	1373	0	09	68
	1374	0	04	97
	1375	0	09	96
	1381	0	08	97
	1716	0	06	54
	1738	0	08	08
	1739	0	06	35
	1896	0	07	42
	1833	0	00	20
	1834	0	03	66
	1835	0	04	99
	1848	0	04	74
	1847	0	05	32
	1846	0	04	96
	1845	0	05	19
	1856	0	06	44
	1857	0	06	02
	1858	0	03	96
	1862	0	00	20
	1822	0	07	46
	1823	0	06	03
मोरदा	363	0	05	91
	366	0	05	26
	367	0	00	21
	394	0	06	83
	393	0	04	63
	398	0	03	95
	392	0	09	87
	391	0	09	01
	390	0	05	12
	389	0	06	55
	388	0	05	31
	385	0	02	53
	386	0	01	35
	468	0	03	74
	471	0	11	11
	475	0	06	77
	516	0	06	53
	517	0	02	14
	518	0	03	46
	519	0	00	20
	521	0	10	80
	522	0	15	12
	192	0	13	55
	179	0	06	74

1	2	3	4	5
	184	0	07	36
	183	0	06	92
	182	0	03	42
	172	0	09	66
	145	0	05	32
	146	0	03	91
	142	0	06	11
	147	0	02	46
	141	0	14	94
	140	0	03	19
	577	0	02	55
	132	0	08	02
	131	0	08	73
	605	0	08	62
	606	0	01	11
	607	0	06	34
	608	0	05	43
	609	0	08	01
मलपुरा	102	0	02	09
	101	0	06	00
	97	0	02	48
	98	0	04	42
	95	0	02	92
	93	0	05	47
	94	0	04	29
	81	0	04	40
	89	0	07	59
	83	0	09	13
	64	0	00	73
	63	0	07	92
	62	0	07	54
	61	0	04	84
	60	0	04	40
	59	0	04	68
	58	0	09	74
	55	0	07	98
	54	0	07	98

[फा. सं. 25011/23/2001-ओ.आर-I]

एस चन्द्रशेखर, अवर सचिव

New Delhi, the 20th July

S.O. 1914.-Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of crude oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan, a pipeline should be laid by the Indian Oil Corporation Limited for implementing the “Augmentation of Viramgam – Chaksu, Chaksu- Panipat & Chaksu-Mathura sections of Salaya – Mathura Pipeline System”;

And, whereas, it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Sunil Sharma, Competent Authority, Salaya-Mathura Pipeline (Augmentation) Project, Indian Oil Corporation Limited, 33, Muktanand Nagar, near Gopalpura Bye-pass, Jaipur, Rajasthan-302018.

SCHEDULE**Tehsil : Kotputli****District : Jaipur****State : Rajasthan**

Name of Village	Khasra No	Area		
		Hectare	Are	Sq mtr
1	2	3	4	5
Lada ka bas	858	0	04	84
	856	0	03	55
	855	0	07	15
	853	0	10	58
	851	0	12	54
	763	0	08	15
	762	0	00	73
	761	0	03	35
	760	0	05	23
	759	0	17	13
	725	0	17	60
	700	0	26	22
	697	0	13	20
	692	0	13	20
Khelna	2323	0	10	89
	2321	0	05	06
	2320	0	04	95
	2319	0	05	72
	2317	0	06	16
	2262	0	06	16
	2263	0	05	28
	2256	0	04	07
	2257	0	04	07
	2250	0	07	15
	2251	0	03	14
	2249	0	01	22
	2243	0	10	23
	2236	0	02	64
	2235	0	09	46
	2275	0	00	77
	1404	0	05	83
	1405	0	06	05
	1406	0	07	70
	1411	0	04	07
	1410	0	03	96
	1413	0	06	05

1	2	3	4	5
	1281	0	07	15
	1284	0	05	18
	1285	0	04	30
	1313	0	03	29
	1311	0	01	00
	1310	0	03	42
	1309	0	01	68
	1323	0	05	08
	1322	0	00	21
	1324	0	02	68
	1325	0	00	83
	1326	0	02	07
	1327	0	01	75
	1334	0	08	82
	1336	0	03	86
	1336/2693	0	03	84
	1218	0	03	98
	1219	0	03	74
	1213/2524	0	05	28
	1179	0	05	94
	1168	0	05	50
	1168/2623	0	05	50
	1170	0	03	74
	1161	0	08	14
	1160	0	05	94
	1142	0	03	30
	1141	0	07	37
	1140	0	06	38
	1133	0	07	68
	1134	0	00	44
	1135	0	06	96
Paota	2351	0	00	73
	2352	0	12	43
	2347	0	01	21
	2346	0	03	30
	2345	0	03	25
	2339	0	04	51
	2335	0	06	16
	2331	0	05	50
	2329	0	05	61
	2328	0	05	50
	2320	0	07	89
	2319	0	00	55
	2201	0	13	20
	2167	0	01	71

1	2	3	4	5
	2178	0	08	20
	2175	0	08	03
	2174	0	07	92
	2160	0	14	08
	2131	0	10	34
	2130	0	05	47
	2129/2386	0	11	55
	2123	0	09	43
	930	0	05	08
	929	0	02	42
	925	0	09	24
	909	0	10	65
	906	0	12	04
Pragpura	1897	0	09	52
	1893	0	08	76
	1830	0	06	27
	1833	0	07	15
	1866	0	09	54
	1865	0	01	32
	1864	0	10	68
	1862	0	00	20
	1646	0	04	80
	1648	0	00	77
	1644	0	03	53
	1649	0	08	39
	1650	0	00	20
	1654	0	00	72
	1653	0	08	71
	1652	0	00	20
	1683	0	08	40
	1686	0	10	91
	1687	0	08	57
	1634	0	13	94
	1629	0	04	63
	1626	0	06	83
	1630	0	02	33
	1620	0	07	73
	1619	0	04	21
Kirarod	656	0	00	20
	652	0	09	24
	651	0	13	56
	639	0	19	19
	640	0	00	43
	521	0	17	46
	522	0	14	80

1	2	3	4	5
	519	0	03	77
	523	0	00	88
	528	0	05	85
	526	0	04	98
	525	0	05	25
	524	0	06	68
	558	0	05	58
	567	0	10	84
	557	0	00	26
	569	0	12	17
	568	0	01	86
	575	0	08	24
	576	0	08	79
	496	0	08	79
	497	0	06	59
	446	0	06	04
	389	0	11	80
	388	0	07	72
	387	0	07	19
	386	0	02	62
	385	0	08	60
	367	0	09	94
	368	0	00	60
	362	0	05	60
	303	0	06	07
	304	0	05	61
	305	0	11	47
	308	0	02	02
	309	0	09	43
	244	0	09	31
	243	0	09	75
	239	0	00	20
	240	0	05	23
	237	0	05	24
	236	0	03	96
	232	0	08	36
	231	0	05	74
	229	0	02	25
	181	0	07	19
	158	0	09	88
	150	0	10	82
	133	0	01	43
	132	0	08	69
	131	0	02	53
Pathredi	131	0	02	06

1	2	3	4	5
	129	0	02	66
	128	0	06	52
	127	0	03	44
	124	0	03	78
	51	0	08	47
	57	0	03	59
	58	0	04	07
	63	0	03	44
	64	0	08	80
	54	0	00	66
	65	0	01	49
	66	0	07	86
	69	0	06	16
	70	0	05	45
	111	0	08	94
	110	0	08	79
	109	0	11	59
	108	0	04	43
	107	0	00	84
	208	0	00	78
	209	0	16	65
	210	0	00	75
	211	0	17	09
	212	0	00	51
Raghunathpura	324	0	03	33
	443	0	10	03
	444	0	09	16
	445	0	03	70
	449	0	00	90
	457	0	07	64
	458	0	00	27
	452	0	02	07
	453	0	07	42
	429	0	00	20
	431	0	00	20
	433	0	17	40
	432	0	00	73
	420	0	02	82
	422	0	02	98
	423	0	03	38
	390	0	02	88
	391	0	00	51
	392	0	01	55
	393	0	03	02
	398	0	04	24

1	2	3	4	5
	164	0	02	93
	165	0	02	61
	159	0	04	50
	160	0	00	62
	150	0	00	43
	149	0	03	42
	148	0	04	75
	124	0	00	20
	125	0	00	92
	126	0	01	76
	118	0	02	70
	113	0	02	26
	112	0	02	64
	107	0	02	31
	106	0	00	51
Gordhanpura	1651	0	02	04
	1566	0	68	28
	1561	0	30	48
	1570	0	00	20
	1560	0	12	28
	1535	0	03	55
	1536	0	02	04
	1537	0	02	15
	1538	0	02	68
	1539	0	01	78
	1531	0	05	03
	1530	0	06	49
	1526	0	04	84
	1523	0	09	21
	1477	0	08	34
	1476	0	11	64
	1446	0	05	57
	1447	0	11	68
	1443	0	09	79
	1442	0	02	17
	1441	0	00	28
	1448	0	05	56
	1267	0	06	02
	1266	0	02	05
	1265	0	03	26
	1264	0	03	67
	1263	0	01	12
	1240	0	14	67
	1053	0	04	90
	1052	0	04	40

1	2	3	4	5
	1051	0	04	73
	1057	0	03	18
	1060	0	04	74
	1061	0	04	79
	1065	0	10	29
	1066	0	08	66
	1032	0	00	55
	1034	0	07	13
	1031	0	02	08
	1030	0	05	41
	1026	0	00	95
	1024	0	00	34
	1025	0	00	66
	1023	0	03	10
	1013	0	05	40
	1015	0	07	39
Kanwarpura	994	0	07	05
	997	0	06	60
	998	0	06	88
	1002	0	07	40
	967	0	12	38
	961	0	08	55
	960	0	21	53
	668	0	09	25
	669/1057	0	02	39
	669	0	06	84
	670	0	05	13
	671	0	07	02
	672	0	10	26
	676	0	05	58
	681	0	03	60
	680	0	04	14
	685	0	06	48
	690	0	12	15
	692	0	01	16
	693	0	00	20
	775	0	17	68
	774	0	12	78
	768	0	12	15
	767	0	11	04
	764	0	08	09
	763	0	02	86
	754	0	02	20
	755	0	03	58
	758	0	01	49

1	2	3	4	5
	759	0	02	64
Kalyanpura Khurd	713	0	01	08
	714	0	00	40
	715	0	07	51
	722	0	06	52
	723	0	02	53
	724	0	02	55
	725	0	02	46
	729	0	02	57
	730	0	04	57
	732	0	08	05
	505	0	05	59
	504	0	03	11
	507	0	05	76
	509	0	01	90
	510	0	00	20
	508	0	10	08
	488	0	08	64
	427	0	01	08
	425	0	10	53
	428	0	05	04
	424	0	01	64
	434	0	02	61
	422	0	01	20
	423	0	02	37
	436	0	03	54
	439	0	03	01
	437	0	00	20
	441	0	02	88
	438	0	04	90
	442	0	07	14
	398	0	09	04
	397	0	03	09
	369	0	02	94
	370	0	05	81
	371	0	06	13
	373	0	05	98
	388	0	03	71
	389	0	03	60
	385	0	09	59
	386	0	00	20
Rahera	351	0	03	23
	350	0	06	45
	347	0	03	05
	346	0	00	96

1	2	3	4	5
	345	0	05	94
	343	0	09	81
	342	0	07	69
	341	0	06	63
	340	0	03	29
	339	0	07	92
	338	0	07	33
	337	0	08	49
	336	0	05	42
	209	0	08	33
Putli	556	0	09	10
	558	0	04	28
	560	0	02	59
	559	0	00	20
	564	0	04	70
	565	0	04	09
	551	0	02	84
	543	0	15	27
	528	0	05	45
	529	0	02	83
	527	0	06	53
	526	0	05	80
	516	0	05	38
	515	0	05	29
	509	0	05	31
	462	0	17	68
	457	0	05	82
	456	0	06	56
	454	0	06	47
	436	0	15	24
	435	0	02	50
	437	0	00	20
	429	0	00	20
	438	0	10	70
	428	0	05	40
	427	0	05	95
	245	0	11	95
	244	0	04	93
	243	0	06	71
	230	0	00	65
	77	0	03	10
	76	0	03	67
	75	0	04	81
	61	0	05	58
	62	0	00	48

1	2	3	4	5
	60	0	05	45
	59	0	11	55
	32	0	13	00
	28	0	18	21
	20	0	05	42
	21	0	05	31
	14	0	05	34
	13	0	08	32
	12	0	00	24
	4	0	03	66
	5	0	03	53
Sundarpura	545	0	00	44
	544	0	05	38
	543	0	02	95
	541	0	00	42
	228	0	04	84
	225	0	05	28
	220	0	11	88
	217	0	12	42
	214	0	13	86
	212	0	14	40
	210	0	11	07
	211	0	01	76
	190	0	08	10
	189	0	08	12
Buchaheda	2259	0	44	73
	46	0	07	74
	45	0	04	68
	48	0	00	20
	44	0	00	90
	43	0	08	64
	42	0	00	20
	41	0	07	11
	40	0	00	37
	35	0	00	45
	36	0	12	87
	30	0	06	08
	29	0	26	10
	319	0	08	22
	277	0	01	02
	278	0	00	20
	318	0	07	54
	317	0	05	12
	322	0	08	88
	323/1	0	07	10

1	2	3	4	5
	328	0	09	57
Shyamnagar	738	0	01	17
	739	0	09	54
	740	0	09	09
	742	0	16	38
	725	0	11	80
	731	0	00	84
	726	0	00	90
	721	0	04	93
	727	0	14	15
Basari	501	0	07	66
	508	0	05	94
	513	0	12	61
	520	0	05	20
	521	0	05	25
	531	0	10	09
	535	0	04	37
	536	0	00	63
	537	0	03	84
	546	0	04	86
	545	0	05	47
	548	0	00	77
	660	0	11	16
	657	0	09	57
	6156	0	03	32
	649	0	04	26
	648	0	04	30
	647	0	02	42
	619	0	05	12
	618	0	04	63
	609	0	03	60
	607	0	00	65
	608	0	01	85
Badabas	323	0	00	40
	324	0	01	73
	351	0	06	65
	352	0	04	37
	350	0	07	88
	353	0	00	70
	349	0	07	94
	356	0	06	73
	357	0	03	72
	345	0	00	50
Ramsinghpura	913	0	07	28

1	2	3	4	5
Khedkivirbhan	25	0	04	40
	23	0	07	35
	22	0	03	40
	18	0	01	49
	19	0	01	55
	15	0	00	20
	14	0	02	62
	13	0	02	79
	12	0	08	37
	7	0	04	09
	41	0	08	09
	49	0	00	36
	48	0	04	79
	51	0	07	62
Kharkari	557	0	04	83
	558	0	04	00
	556	0	08	34
	554	0	06	57
	553	0	06	94
	551	0	05	41
	550	0	04	54
	545	0	00	20
	548	0	02	46
	547	0	05	28
	546	0	05	23
	423	0	07	87
	422	0	08	35
	421	0	03	84
	405	0	04	37
	404	0	06	27
	403	0	05	52
	402	0	05	11
	401	0	03	29
	400	0	00	20
	394	0	02	75
	344	0	06	08
	342	0	00	20
	346	0	04	09
	347	0	03	19
	361	0	01	20
	348	0	01	47
	349	0	10	62
	350	0	00	27
	333	0	02	25
	331	0	07	22

1	2	3	4	5
	332	0	00	20
	316	0	18	71
	326	0	00	52
	320	0	06	59
	321	0	10	65
	323	0	03	26
	322	0	05	60
	310	0	05	07
	304	0	00	68
Molaheda	192	0	00	20
	191	0	02	99
	177	0	04	40
	176	0	02	55
	174	0	07	81
	173	0	07	99
	172/968	0	11	69
	172	0	00	20
Shekhpur	924	0	04	62
	923	0	04	41
Sangteda	903	0	03	55
	905	0	03	88
	904	0	04	57
	911	0	05	82
	912	0	09	46
	915	0	00	20
	948	0	12	09
	952	0	00	70
	953	0	05	15
	960	0	09	97
	962	0	03	80
	963	0	01	35
	971	0	04	22
	970	0	05	37
	974	0	00	20
	969	0	03	30
	968	0	00	72
	978	0	03	00
	665	0	03	14
	664	0	05	12
	501	0	04	48
	508	0	04	82
	507	0	00	34
	511	0	08	32
	638	0	03	88

1	2	3	4	5
	640	0	00	20
	641	0	01	18
	642	0	02	* 64
	643	0	02	93
	631	0	05	05
	630	0	04	72
	589	0	01	14
	588	0	01	81
	537	0	05	75
	550	0	08	38
	549	0	00	20
	545	0	10	07
	544	0	08	53
	543	0	08	76
	191	0	00	45
	189	0	13	15
	190	0	07	48
	183	0	04	42
	181	0	05	93
	180	0	06	45
	179	0	06	17
	177	0	18	30
	154	0	06	21
	153	0	23	12
	152	0	00	62
	149	0	02	31
	1142	0	04	71
	1143	0	08	81
	1147	0	07	98
	1148	0	06	02
	1149	0	03	89
	1150	0	05	29
	1158	0	03	08
	1163	0	00	99
	1170	0	06	77
	1171	0	04	30
	1172	0	08	61
	1175/1590	0	07	09
Khedki Mukkar	919	0	05	39
	922	0	03	09
	923	0	02	86
	925	0	04	18
	926	0	06	65
	927	0	06	49
	928	0	06	27

1	2	3	4	5
	929	0	04	62
	930	0	01	65
	931	0	05	39
	932	0	04	65
	944	0	05	47
	978	0	02	27
	945	0	08	33
	948	0	06	05
	949	0	00	79
	951	0	09	02
	880	0	08	39
	869	0	06	75
	885	0	06	90
	851	0	03	58
	852	0	03	91
	853	0	00	20
	847	0	01	32
	846	0	05	58
	803	0	07	61
	807	0	00	20
	809	0	04	98
	808	0	02	04
	813	0	04	81
	814	0	15	84
	815	0	05	56
	816	0	13	26
Paniyala	1131	0	03	37
	1137	0	04	47
	1138	0	07	66
	1143	0	07	69
	1144	0	07	72
	1145	0	08	43
	1196	0	05	93
	1197	0	07	43
	1233	0	05	88
	1232	0	06	37
	1231	0	07	66
	1251	0	07	68
	1252	0	05	57
	1253	0	08	80
	1254	0	05	98
	1220	0	00	74
	1255	0	00	33
	1219	0	05	19
	1357	0	07	82

1	2	3	4	5
	1373	0	09	68
	1374	0	04	97
	1375	0	09	96
	1381	0	08	97
	1716	0	06	54
	1738	0	08	08
	1739	0	06	35
	1896	0	77	42
	1833	0	00	20
	1834	0	03	66
	1835	0	04	99
	1848	0	04	74
	1847	0	05	32
	1846	0	04	96
	1845	0	05	19
	1856	0	06	44
	1857	0	06	02
	1858	0	03	96
	1862	0	00	20
	1822	0	07	46
	1823	0	06	03
Morda	363	0	05	91
	366	0	05	26
	367	0	00	21
	394	0	06	83
	393	0	04	63
	398	0	03	95
	392	0	09	87
	391	0	09	01
	390	0	05	12
	389	0	06	55
	388	0	05	31
	385	0	02	53
	386	0	01	35
	468	0	03	74
	471	0	11	11
	475	0	06	77
	516	0	06	53
	517	0	02	14
	518	0	03	46
	519	0	00	20
	521	0	10	80
	522	0	15	12
	192	0	13	55
	179	0	06	74

1	2	3	4	5
	184	0	07	38
	183	0	08	92
	182	0	03	42
	172	0	09	66
	145	0	05	32
	146	0	03	91
	142	0	08	11
	147	0	02	46
	141	0	14	94
	140	0	03	19
	577	0	02	55
	132	0	08	02
	131	0	08	73
	605	0	08	62
	606	0	01	11
	607	0	06	34
	608	0	05	43
	609	0	08	01
Malpura	102	0	02	09
	101	0	06	00
	97	0	02	48
	98	0	04	42
	95	0	02	92
	93	0	05	47
	94	0	04	29
	81	0	04	40
	89	0	07	59
	83	0	09	13
	64	0	00	73
	63	0	07	92
	62	0	07	54
	61	0	04	84
	60	0	04	40
	59	0	04	68
	58	0	09	74
	55	0	07	98
	54	0	07	98

[File No 25011/23/2001-OR-I]
S CHANDRASEKHAR, Under Secy

श्रम मंत्रालय

नई दिल्ली, 5 जुलाई, 2001

का. आ. 1915.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत गोल्ड माइन्स लि. के प्रबन्धतंत्र के संगठन नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बैंगलूर के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[स. एल-43012/2/99-आई आर (एम)]
बी. एम. डेविड, अवसर सचिव

MINISTRY OF LABOUR

New Delhi, the 5th July, 2001

S.O. 1915.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore (Karnataka) as shown in the Annexure, in the industrial dispute between the employers in relation to the Bharat Gold Mines Ltd., and their workmen which was received by the Central Government on the 5-7-2001.

[No. L-43012/2/99/IR(M)]
B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
"SHRAM SADAN"

G.G. PALYA, TUMKUR ROAD,
YESHWANTPUR, BANGALORE-560022

Dated : 29th June 2001

PRESENT :

Hon'ble V. N. Kulkarni, Presiding Officer.
C. R. No. 79/99

I Party

The Vice President,
BGML Labour Association,
Oorgaum Post,
Kolar Gold Fields-563119.

II Party

The Managing Director,
Bharat Gold Mines Limited,
Oorgaum Post,

Kolar Gold Fields-563120.

APPEARANCES :

I Party : —

II Party : A.S. Bopanna, Advocate.

AWARD

1. The Central Government by exercising the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-43012/2/99-IR(M) dated 16-6-1999 for adjudication on the following schedule. 2269 GI/2001—17

SCHEDULE

"Whether the termination of service of Shri William by the management of Bharat Gold Mines Ltd. is justified? If not, to what relief the workman is entitled to?"

2. I party was working with the II party. His services are terminated and therefore, Industrial dispute is referred.

3. When the reference was referred to this tribunal notices were sent. Both parties remained absent. No representation by both sides. Claim statement is not filed by the I party even after giving many adjournments. In my opinion no purpose will be served in adjourning the matter. It appears that the I party is not interested in going on with this dispute.

4. Accordingly, I proceed to pass the following order.

ORDER

Reference is rejected.

(Dictated to the L.D.C., transcribed by him, corrected and signed by me on 20th June 2001)

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 5 जुलाई, 2001

का. आ. 1916—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हुट्टी गोल्ड माइन्स कं. लि. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बैंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-43012/18/2000-आई आर (एम)]
बी. एम. डेविड, अवसर सचिव

New Delhi, the 5th July, 2001

S.O. 1916—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore (Karnataka) as shown in the Annexure, in the Industrial Dispute between the employers in relation to the Hutti Gold Mines Co. Ltd. and their workmen which was received by the Central Government on the 5-7-2001.

[No. L-43012/18/2000-IR(M)]
B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT "SHRAM SADAN".
G G PALYA, TUMKUR ROAD, YESHWANTPUR.

BANGALORE-560022

Dated : 21st June 2001

PRESENT :

Hon'ble V. N. Kulkarni, Presiding Officer.
C. R. No. 63/00

I Party

Sh. L. Alexander, Ex. T. No. 476,
No. D39-A, Labour Colony,
Tambanagar Post, P.B. No. 4,
PA

II Party

The General Manager,
Hutti Gold Mines Co. Ltd.
Chitradurga Gold Unit, P.B. No. 4,
Chitradurga.

APPEARANCES :

I Party : N. Madhusudan, Advocate.

II Party : N.S. Rajaram, Advocate.

AWARD

1. The Central Government by exercising the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-43012/18/2000-IR(M) dated 11-8-2000 for adjudication as the following schedule.

SCHEDULE

"Whether the action of the management of Hutti Gold Mines Co. Ltd., in dismissing the services of Sh. L. Alexander is justified? If not, to what relief the concerned workman is entitled?"

2. On the first day of hearing, when the advocate appeared for the parties and it was submitted that the matter is settled. Memo is filed by the I party stating that the I party is given work.

3. In view of the memo filed by the I party, the following order is passed.

ORDER

Case is closed as the matter is settled with the Management. (Dictated to the L.D.C., transcribed by him, corrected and signed by me on 20th June, 2001)

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 5 जुलाई, 2001

का. भा. 1917—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में। केन्द्रीय सरकार मैसूर मिनेरल्स लि. के प्रबन्धतंत्र के संबद्ध निपोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण मैंगलूर के पंचद्वय को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-29012/3/94-आई आर (एम)]

बी. एम. डेविड, ग्रवर सचिव

New Delhi, the 5th July, 2001

S.O. 1917.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Mysore Minerals Ltd. and their workman, which was received by the Central Government on 5-7-2001.

[No. L-29012/3/94-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT "SHRAM SADAN", III MAIN, III CROSS, II PHASE, TUMKUR ROAD, YESHWANTHPUR, BANGALORE

Dated : 18th June, 2001

PRESENT :

Hon'ble Shri V. N. Kulkarni, B Com., LLB., Presiding Officer.

CGIT-cum-Labour Court, Bangalore

C. R. No. 88/94

I Party

The General Secretary,
Mysore Minerals Ltd.,
Employees Union,
No. 39, M.G. Road,
Bangalore-1
(Advocate-General Secretary)

II Party

The Chairman/Managing Director,
Mysore Minerals Ltd.,
No. 39, M.G. Road,
Bangalore-1
(Advocate-Shri R. Sharathchandra)

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-29012/3/94-IR(Misc.) dated 5-10-1994 for adjudication on the following schedule :

SCHEDULE

"Whether the action of the management of M/s. Mysore Minerals Ltd. in promoting Shri Gangadhariah, Superceding his senior, Shri K. H. Javarappa is justified? If not, to what relief Shri K. H. Javarappa is entitled?"

2. The first party union workman was working with the second party. His grievance is that the management has promoted Shri Gangadhariah who virtually junior to the first party union workman. So industrial dispute is raised.

3. First party Union workman filed Claim Statement.

4. According to the Claim Statement the case of the first party is that the first party was joined the second party management as Supervisor on 18-12-96 and Gangadhariah joined the second party management as Supervisor on 25-7-1997, first party is a union.

5. The case of the first party is that Shri Gangadhariah is junior to him and the management illegally promoted him as an Assistant Manager. Therefore, first party union workman has prayed to pass award in its favour.

6. Second party filed objections.

7. The case of the second party as per the objections is as under :

8. According to the management Gangadhariah was appointed as Supervisor on 25-7-77 and worked at Tiptur Stock Yard. Earlier to 1982, the supervisors who were working at Mines and passed mining competency examination, were promoted to the cadres or Mines Mates, Mine foreman keeping in view the length of service rendered in the respective cadres.

9. It is the further case of the management that the supervisors who were working in the Ports and Stock yards were having an opportunity of getting promoted as Field Inspector by virtue of service seniority, performance and merits of each case.

10. So far as First party Union is concerned he was appointed as Supervisor on 18-12-1976 and he worked at mines and has not passed any mining competency examination and therefore, his case for promotion was not considered to any higher cadre. The second party has prayed to reject the reference.

11. It is seen from the records that on behalf of the management MW1 is examined. Against this first party has not examined himself and the union has not adduced any evidence. I have read the evidence of MW1 carefully. I have heard the counsel for Second Party. The first party union and the counsel remained absent. The evidence of MW1 is that on 18-12-76 the first party union workman was appointed as a Supervisor and he was regularised in the same cadre on 1-6-81 and according to his competency as a Mine Mate he was promoted and designated as Mine Mate from 1-4-1995. Again he was promoted as Mine Foreman. There are recruitment rules and all the promotions are done according to the recruitment rules. The category of Field Inspector and Mine Mate are all together two different categories Gangadhariah was working in the stock yard.

12. According to the evidence of MW1 the work of the Mine Mate is confined to the work in the Mines. The promotion to both these cadres will be made by persons who are working in Supervisory Cadre and therefore, separate channel of promotions were created. It is in the evidence of MW1 that till 1991 first party union workman has not made any representation questioning the promotion given to Gangadhariah. It is categorically stated that promotion was given considering the mining competency certificate and availability of vacancies. Promotions are given as per the recruitment rules and seniority cum competency and the same cannot be claimed as of right. There is no merit in this reference and accordingly I proceed to pass the following order

ORDER

The reference is rejected

(Dictated to P.A. transcribed by her corrected and signed by me on 18-6-2001)

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 6 जुलाई, 2001

क. आ. 1918—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कॉर्पोरेशन बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय बंगलोर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-12012/211/90-आई आर (बी-II)]

सी. गंगाधरन, अध्वर सचिव

New Delhi, the 6th July, 2001.

S.O. 1918.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Corporation Bank and their workman, which was received by the Central Government on 5-7-2001.

[No. L-12012/211/90-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT "SHRAM SADAN", III MAIN, III CROSS, II PHASE, TUMKUR ROAD, YESHWANTHPUR, BANGALORE

Dated : 28th June, 2001

PRESENT :

Hon'ble Shri V.N. Kulkarni, B.Com., LL.B., Presiding Officer.

CGIT-cum-Labour Court, Bangalore

C. R. No. 58/90

I Party

Shri B. Umesh Rao,
C/o Shri Shambu Namboodiri,
Advocate, Sullia-574239
D.K. District.

II Party

The Chairman,
Corporation Bank,
Head Office,
Bangalore-575001.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-section 2A of the section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-12012/211/90-IR-B(II) dated 16-10-1990 for adjudication on the following schedule:

SCHEDULE

"Whether the action of the management of Corporation Bank in terminating the services of Shri B. Umesh Rao, Janata Deposit Collector w.e.f. 28-4-88 is justified? If not, to what relief the said workman is entitled to?"

2 The First party was working as Janata Deposit Collector with the Second Party from 27-11-1972 He was terminated w.e.f. 28-4-88 and therefore industrial dispute is raised.

3. First party appeared and filed Claim Statement.

4. It is the case of the first party that he was appointed as Janata Deposit Collector by an order dated 27-11-1972 and he worked continuously and promoted the business of the

bank and on appreciation, he was also promoted to collect FD to the Bank. He was getting an average commission of Rs. 3,300 as monthly income. The Incharge Manager adopted unfair labour practice and show cause memo was issued asking him to give explanation for late coming and non submission of leave letter.

5. It is the further case of the first party that the allegations are not correct and the order of termination is illegal. First party for these reasons has prayed to allow the reference.

6. The case of the second party is brief is as follows :

7. The main contention of the Second Party is that the first party was not a workman as defined in Section 2(s) of the Industrial Disputes Act and there is no master and servant relationship between the first party and the Second Party.

8. It is the further case of the management that the appointment order was made as per the terms and conditions set out in the order dated 27-11-1972 read with the agreement executed by the first party on the said date. He was getting only commission and therefore, he is not the workman. Some of the conditions of the agreement are given in the Counter Statement.

9. The first party was not subject to the normal working hours of the bank. He was not paid any salary or wages. Only commission was paid. The work of the first party is not comparable with the work of regular employees. The average monthly income is not correctly shown by the first party. The question of issuing charge sheet and conducting an enquiry does not arise. Second party for these reasons has prayed to reject the reference.

10. It is seen from the records that this is a very old case. It is the case of 1990 and we are in the middle of 2001. Parties have not taken any interest for adducing evidence. Many adjournments were given but no evidence was adduced. In view of the judgement of the Apex Court "Indian Bank Association Vs. Workmen of the Syndicate Bank and others" I am of the opinion that no purpose will be served in adjourning this matter and therefore I closed the evidence and heard the counsels.

11. I have read the above decision of the Apex Court carefully and as per the above decision of the Hon'ble Apex Court the first party is workman and the contention of the management that the first party is not a workman will not hold good.

12. It is seen from the counter that mainly the management has contested this case on the ground that the first party is not a workman. Now in view of the judgement of the Hon'ble Apex Court that stand of the management goes.

13. I felt it is not necessary to give adjournment as per the wish of the parties, so I closed this case. Further in view of the decision of the Hon'ble Apex Court, now it is clear that the first party is a workman.

14. Once it is held that the first party is a workman, the termination of first party by the management without any notice, enquiry, and paying any compensation as required under the Industrial dispute act is illegal. Therefore, I am of the opinion that this reference has to be allowed and accordingly I proceed to pass the following order:

ORDER.

The reference is allowed. The order of termination is set aside and the management is directed to take the first party as agent accordance with the principles held in the above decision of the Apex Court. Accordingly reference is disposed off.

(Dictated to PA transcribed by her corrected and signed by me on 28th June, 2001.)

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 6 जुलाई, 2001

का. आ. 1919.—अधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन बैंक के प्रबन्धतन्त्र के सबद्ध निधोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय बंगलोर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[स. एल-12012/190/90-आदे आर (बी-II)]
सी. गंगाधरण, अवर सचिव

New Delhi, the 6th July, 2001

S.O. 1919.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Bank and their workman, which was received by the Central Government on 5-7-2001.

[No. L-12012/190/90-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT 'SHRAM SADAN',
III MAIN, III CROSS, II PHASE, TUMKUR ROAD,
YESHWANTPUR, BANGALORE

Dated : 26th June, 2001

PRESENT :

Hon'ble Shri V. N. Kulkarni, B. Com., LLB., Presiding Officer.

CGIT-cum-Labour Court, Bangalore

C. R. No. 67/91

I Party

The General Secretary,
Indian Bank Staff Union,
908 C, 19th Main,
Shri Rajeshwari Nagar,
Bangalore-560039.

II Party

The Zonal Manager,
Indian Bank
P.B. No. 3573, 38/1672 B&C,
Chitoor Road,
Ernakulam-682035.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-12012/190/90-IR(B-II) dated 1-10-1991 for adjudication on the following schedule :

SCHEDULE

"Whether the action of the management of Indian Bank in imposing the punishment of stoppage of two increments on Shri V. R. Srinivasan, Clerk is justified? If not, to what relief is the workman entitled?"

2. First party is working with the Second party Management. Charge sheet was issued and enquiry was conducted against him. On the basis of enquiry report the management has imposed the punishment of stoppage of two increments and therefore, industrial dispute is raised.

3. Parties appeared and filed Claim Statement and Counter respectively.

4. The case of the first party in brief is as under :

5. The first party entered the services of the second party on 15-6-1977 at Basavanagudi Branch. Charge sheet was issued and enquiry was held and punishment was imposed. It is the case of the first party that the charge was false and all the documents were fabricated and the enquiry is not correct. It is also the case of the first party that the Enquiry Officer and Disciplinary Authority have not applied their mind to the evidence and have stopped increment. First party has said that the punishment is incorrect and the entire enquiry is prejudicial. First party for these reasons has prayed to pass award in his favour.

6. The case of the second party is that the dispute raised is not an Industrial Dispute. It is the further case of the management that on 3-8-1995 the Branch Management of the Bank asked the first party to sign office order and perform the duty allotted to him. But the first party in utter disobedience of the order refused to sign and refused to work allotted to him.

7. Again on 8-11-1985 the first party was asked to work in the Cash Receipt Counter but he refused to work and disobeyed the orders. On 1-8-1985 the first party without permission left the office causing disruption of the work. It is also the case of the management that the first party remained absent and his absence was unauthorised. The parawise reply has given and said that the enquiry is correct and all the allegations made by the first party are not correct.

8. It is seen from the records that this court dated 4-1-1992 held that the DE is not fair and proper. It is seen from the records that the management again examined witnesses and the workman got examined himself. Various documents are marked in the evidence and after the closure of the evidence both sides have filed written arguments. I have heard both sides. I have carefully read the written arguments filed by the first party and Second party and I have considered the entire evidence.

9. In the instant case the charge against the first party is that the first party was charge sheeted on 24-8-1985 for insubordination of unauthorised absence.

10. Second party management in order to prove the charge has examined MW2 Shri V. S. Madhavan. The management has also examined MW3 and MW4 and MW5. MW1 has given evidence about the enquiry and the first party also gave evidence on 9-9-1992 so far as enquiry is concerned.

11. It is seen from the records that after the domestic enquiry was held as not fair and proper, The management examined MW2, 3, 4 and 5. Thereafter the workman got examined himself.

12. According to the evidence of MW2 on 3-8-1985 he was present in the bank and Shri A.L. Nagappan was the Chief Manager and the Chief Manager issued an office order to the first party allocating certain work. The office order was served on the first party but first party refused to obey the office order and acknowledge the same. MW2 has put his signature on the endorsement that the first party has refused to accept the office order. According to the evidence of MW2 the first party did not work on 3-8-85 and did not attend any work. This MW2 is cross examined by the first party, the fact remains that the first party did not sign the office order and has not worked as per the superiors. The first party has asked so many questions to MW2 in his cross examination but they are not useful to the first party. A question was asked to MW2 by the first party namely not signing the office order is misconduct. And next question was asked whether it is a gross misconduct or minor misconduct?

13. On going through the entire cross examination it is clear that the first party got himself engaged in doing this. Nothing is made out from the cross examination of MW2 to damage his statement that the first party refused to sign the office order and did not work on that day.

14. We are also having the evidence of MW3, Shri A.L. Nagappan. He says that on 3-8-85 he asked the first party to do cash work on that day and he issued office order to that effect as per Ex. M7(a) and currency chest is different from branch cash. He further says that the first party refused to accept the office order and his refusal was recorded as per Ex. M.7(b) and his explanation was called for as

per Ex. M-9 and reported the matter as per Ex. M10. He has also given evidence about leave. We have to see whether the charge of refusing to work and signing the office order is correct as deposed by MW3, Shri Nagappan. This MW3 is cross examined at length and the first party tried to establish that Chief Manager was dead against him and intentionally the Chief Manager tried to issue charge sheet but nothing is made out from the cross examination of MW3, that in order to harass the first party charge sheet was issued. From the evidence of MW3 also it is clear that the first party has refused to sign the office order and has also failed to work on that day as per the directions of the higher officer.

15. Then we have the evidence of MW4. He has also corroborated the evidence of other witnesses and has stated that the first party has refused to sign the office order. The first party has asked many questions to MW4 regarding standing orders etc. but on going through the evidence of MW4 it is clear that the Presiding Officer has not signed the deposition therefore his evidence cannot be used at all though he has corroborated other evidence. We have the evidence of MW-5 to say that he was present on 3-8-85. The Chief Manager of the Bank called the first party who was working in currency chest of the bank. The Chief Manager directed the first party to work in the branch but first party refused to work and the instructions were given by office order and he has signed on the office order. This witness is cross examined but nothing is elicited from his cross examination so as to say that the first party has made out any case as alleged by him.

16. From the evidence of MW2, 3 and 5 it is absolutely clear that the first party refused to sign the office order and also not worked on that day and has disobeyed the instructions of his superiors. The first party instead of establishing that he has not refused to sign and he has not refused to do work on that day he has been busy in saying that the Chief Manager has no authority to issue such office order and the office order is against the provisions of standing order etc. he went on challenging the authority of the superiors. Any how we are not concerned with all that I said so because nothing is made out by the first party that the Chief Manager was against the first party and intentionally the Manager has harassed the first party.

17. In the absence of all this, I am of the opinion that the management has proved the disobedience, I have not considered the evidence of MW4 because it was not signed by the Presiding Officer. The evidence record is sufficient to prove the charge of disobedience and penalty is proper. So far as evidence of MW4, Shri P. Dandhi is concerned the Examination In Chief on 8-2-1999 is signed by the Presiding Officer and the cross examination on 13-4-1999 is not signed by the Presiding Officer. Any how we have other evidence and documents to say that the first party has disobeyed the order of the superior and misconduct is proved.

18. In my opinion the punishment is also proportionate and there is no merit in this dispute. Accordingly I proceed to pass the following Order.

ORDER

The reference is rejected.

(Dictated to PA transcribed by her corrected and signed by me on 26th June 2001).

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 6 जुलाई, 2001

का. आ. 1920.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/

श्रम न्यायालय नागपुर के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-12012/182/98-आई आर (बी-II)
सी. गंगाधरण, अवसर सचिव]

New Delhi, the 6th July, 2001

S.O. 1920.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 05-07-2001.

[No. L-12012/182/98-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, NAGPUR

PRESENT:

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 31/2000

Employers in relation to the management of
Bank of India

AND

Their Workman Shri Liladhar Pandurang Kanholikar

AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by clause (d) of Sub Section (1) and Sub Section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-12012/182/98-IR(B-II) dated 22-02-1999/08-03-1999 on following schedule.

SCHEDULE

"Whether the action of the management. Bank of India in dismissal from service of Shri Liladhar Pandurang Kanholikar, workman w.e.f. 01-10-96 is legal and justified? If not, what relief the said workman is entitled and from what date?"

This claim has been filed by Liladhar Pandurang Kanholikar in the court of C.G.I.T. No. 2, Mumbai on 26-04-99. This case was received by transferred in this court at Nagpur in March, 2000.

The brief facts are that Liladhar P. Kanholikar was posted as Sub Staff (Sepoy) at Bank of India, Seloo Branch, Dist. Wardha from 05-10-84 to 01-10-94. One customer Shri Ashok Wamanrao Burande had opened Saving Bank Account No. 2833 at Bank of India, Seloo Branch on 18-07-77. He was the single account holder. The workman Liladhar P. Kanholikar was known to him from before. The workman was aware that Ashok W. Burande, Account holder had died in the year 1991 leaving behind a widow and a small child as the only legal heir. Liladhar Kanholikar was known to the family of Ashok W. Burande from his childhood. On 14-06-94 Liladhar P. Kanholikar unauthorisedly made available the Savings Bank Account Specimen Signature Card pertaining to Account No. 2833 of Mr. Ashok W. Burande (who had died) to the brother of Ashok Burande namely Ramesh W. Burande. He obtained the signature of Ramesh W. Burande as a joint depositor in the account of Ashok W. Burande (Deceased) with the purpose to show that Ramesh Burande was joint account holder with the deceased namely Ashok W. Burande. He kept the Saving Bank Specimen Signature Card of Account No. 2833 in the cabinet at its proper place without informing the concerned official and thereby helped Ramesh W. Burande in falsefying the Bank's records.

For withdrawing Rs. 26,500 which was available in the Saving Bank Account of Ashok W. Burande, the workman Liladhar P. Kanholikar filled in, in his own handwriting, the withdrawal slip of Rs. 26,500 on 14-06-94 and asked Ramesh W. Burande to present the withdrawal slip on the counter for further processing and passing along with the passbook.

Thus, Liladhar P. Kanholikar in collusion with the Counter Clerk managed to get the amount of Rs. 26,500 withdrawn from the Account No. 2833 of Ashok W. Burande. The workman Liladhar P. Kanholikar thus acted prejudicially to the Bank's interest and committed misconduct under clause 19.5(j) of the Bipartite Settlement. He caused financial loss to the bank.

For the above fraud, chargesheet was issued against Liladhar P. Kanholikar on 07-08-95.

Departmental enquiry was conducted by Shri K. Roy Cherian Zacharian, Deputy Chief Officer (C&IC/SSI), Regional Office, Wardha. The workman participated in enquiry. He was dismissed from the service w.e.f. 01-10-96 vide order dated 26-09-96.

The workman Liladhar P. Kanholikar has submitted his Statement of Claim and stated that during enquiry, no specific time was given to him to submit the reply of chargesheet, he therefore could not submit his reply. On 20-12-95 through his Defence Representative, he demanded some documents. He was allowed inspection of documents. The enquiry was not conducted fairly. Some witnesses were also not examined such as Shri W. S. Masram. He claimed his reinstatement with back wages.

The management of Bank of India in their Written Statement mentioned that all the relevant documents were given to the Defence Representative of the workman during the enquiry proceedings on 22-12-95. The Defence Representative has received photocopies of documents No. 2, 4, 5 and 8 of the list. The other documents were shown to him.

The management did not prefer to examine W. S. Masram. It was for the management to decide how many witnesses should be examined. The workman got full opportunity to submit his defence. His appeal was dismissed on 25-06-97.

The workman had admitted in his Statement (ME 8) that he had taken out the Saving Bank Specimen Signature Card (ME 1) from the Card Cabinet and after adding the name of Ramesh W. Burande and obtaining his signature, restored the card in the cabinet on 14-6-94.

Liladhar P. Kanholikar thus misappropriated bank's amount Rs. 26,500 in collusion with Ramesh W. Burande an outsider.

The management has also submitted documents M.1 to M.17 to prove the charges against the workman. On 30-03-2001 Liladhar P. Kanholikar was allowed to produce his witness Ramesh W. Burande. The application of the workman was allowed.

The statement of workman Liladhar P. Kanholikar was recorded in this court. He was cross examined on 22-08-2000 by the Bank's Officer P. M. Pandit. He admitted that he did not give any reply of the chargesheet upto three months. He also admitted that he had brought two witnesses with him. But these witnesses did not prefer to support his case during enquiry and went away. He further stated that he had called Masram in his defence, but Masram did not support him and did not prefer to appear as witness. The statement of Liladhar P. Kanholikar therefore shows that Ramesh W. Burande and Masram did not prefer to support to him and they did not appear as witness. Thus, no witness preferred to support the workman.

From the side of management of affidavit of K. Roy Cherian Zachariah was submitted on 12-09-2000. In his affidavit he had mentioned that during Enquiry Proceedings for about two and half month Shri Kanholikar did not submit his reply to the charge sheet. He was given full opportunity to defend himself through the defence representative of his choice. All the relevant documents asked for by Liladhar P. Kanholikar were provided him. His finding was based on documents and statement of the workman. Liladhar P. Kanholikar, workman was provided several opportunities to cross examine the witness but neither the workman himself prefer to cross examine the witness nor

his Defence Representative turned up to cross examine K. Roy Cherian Zachariah the Enquiry Officer.

Purushottam K. Dhokne, Staff Officer of Bank of India, Nagpur had also submitted his affidavit on 02-12-99. The representative of management P. M. Pandit represented on 01-03-2001 that the witness be discharged. Hence on the request of management this witness was discharged.

Considering the entire oral and documentary evidence on record, it is therefore established that the domestic enquiry was conducted against the workman according to principles of natural justice. The findings of Enquiry Officer are not perverse.

The Enquiry Officer had mentioned in his Enquiry Report that when the account was opened by deceased Ashok W. Burande on 18-07-77, his brother Ramesh W. Burande was minor and he therefore did not participate in opening the account with Ashok W. Burande.

The Saving Bank Account No. 2833 was single account in name of Ashok W. Burande and the workman fraudulently got the name of Ramesh W. Burande added in the account of Ashok W. Burande. The amount of Rs. 26,500 was thus fraudulently withdrawn by the workman Liladhar P. Kanholikar by filling in the withdrawal slip and getting the passbook submitted.

In view of the above facts the charge against the workman was proved during enquiry and punishment of dismissal from service awarded to him is legal and justified.

ORDER

The action of the management of Bank of India in dismissal from service of Shri Liladhar P. Kanholikar, workman w.e.f. 01-10-96 is legal and justified.

The workman is not entitled to any other relief.

The reference is answered accordingly.

Date : 10-5-2001.

B. G. SAXENA, Presiding Officer

नई दिल्ली, 6 जुलाई, 2001

का. आ. 1921.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-12012/125/2000-आई आर (बी-11)]

सी. गंगाधरण, अवसर सचिव

New Delhi, the 6th July, 2001

S.O. 1921.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 5-7-2001.

[No. L-12012/125/2000-IR(B-11)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B.G. Saxena, Presiding Officer.

REFERENCE NO. 311/2000

The Zonal Manager, Bank of India

AND

Shri V.R. Chupke

AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by clause (d) of Sub-Section (1) and sub section (A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication to this Tribunal vide order No. L-12012/125/2000/IR(B II) dated 8-11-2000 on the following schedule.

SCHEDULE

"Whether the action of the management of Bank of India through its Zonal Manager, Zonal Office, Nagpur in dismissing Shri V. R. Chapke Clerk w.e.f. 23-3-95 is legal, proper and justified? If not, what relief the said workman is entitled to?"

This reference was received on 28-11-2000 and 1-1-2001 was fixed for filing statement of claim. The Vakalatnama was filed by Rohit Deo, Advocate with his junior Amrish Joshi on 11-12-2000. He requested that the time be allowed to him for filing statement of claim.

On 1-1-2001 again the counsel for the workman Amrish Joshi moved application that he could not prepare for statement of claim and time be allowed. Again on 31-1-2001 the counsel moved the application for adjournment. The case was adjourned for 7-3-2001. The workman did not submit any statement of claim and the case was adjourned to 11-5-2001. On this date also the counsel for workman stated in his application that due to some unavoidable circumstances, he is unable to submit the statement of claim and another date be given.

The case was adjourned to 31-5-2001 but no statement of claim was filed. Again the case was adjourned to 19-6-2001.

Today i.e. 19-6-2001 the case was taken up at 12.05 P.M. Neither the workman B. R. Chapke turned up nor his counsel appeared to file the statement of claim. The workman and his counsel were given five adjournments but they did not prefer to submit any statement of claim. The counsel for Bank of India is present. The workman does not appear interested to proceeding with his case and has been regularly avoiding to submit the statement of claim. In this above circumstances the reference is disposed of for want of prosecution.

ORDER

The workman V. R. Chapke, Clerk, Bank of India has not submitted any statement of claim. His counsel also did not submit any statement of claim though several times this case was adjourned. The reference is therefore disposed of for want of prosecution.

B. G. SAXENA, Presiding Officer

नई दिल्ली, 6 जुलाई, 2001

का. आ. 1922—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कॉर्पोरेशन बैंक के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एन-12012/113/91-आई आर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 6th July, 2001

S.O. 1922.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Bangalore as shown in the

annexure in the Industrial Dispute between the employers in relation to the management of Corporation Bank and their workman, which was received by the Central Government on 5-7-2001.

[No. L-12012/113/91-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT 'SHRAM SADAN', III MAIN, III CROSS, II PHASE, TUMKUR ROAD, YESHWANTHPUR, BANGALORE

Dated : 28th June, 2001

PRESENT :

Hon'ble Shri V.N. Kulkarni, B.Com., LL.B., Presiding Officer.

CGIT-CUM-LABOUR COURT, BANGALORE

C. R. No. 66/91

I Party

The Joint Secretary,
Corporation Bank
Employees Union,
No. 93/4, IV Main,
Malleswaran,
Bangalore-560003.

II Party

The Chairman
Corporation Bank,
Head Office,
P.B. No. 38,
Mangalore-57500.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-12012/113/91/IR-B(II) dated 30-9-1991 for adjudication on the following schedule :

SCHEDULE

"Whether the action of the management of Corporation Bank in terminating the services of Shri D. Murthy, Janata Deposit Collector is justified? If not, to what relief is the workman entitled?"

2. The First Party was working as Janatha Deposit Collector with the Second Party from 28-2-1980. He was terminated w.e.f. 14-11-1988 and therefore industrial dispute is raised.

3. First party appeared and filed Claim Statement.

4. It is the case of the first party that he was appointed as Janatha Deposit Collector by an order dated 28-2-1980. The management has not issued any show cause notice or initiated any disciplinary proceedings and he was terminated on 14-11-1988.

5. It is the further case of the first party that the allegations are not correct and the order of termination is illegal. First party for these reasons has prayed to allow the reference. The case of the second party in brief is as follows:

6. The main contention of the Second Party is that the first party is not a workman as defined in Section 2(s) of the Industrial Disputes Act and there is no master and servant relationship between the first party and the Second Party.

7. It is the further case of the management that the appointment order was made as per the terms and conditions set out in the order dated 28-2-1980 read with the agreement executed by the first party on the said date. He was getting only commission and therefore, he is not the workman. Some of the conditions of the agreement are given in the Counter Statement.

8. The first party was not subject to the normal working hours of the bank. He was not paid any salary or wages.

Only commission was paid. The work of the first party is not comparable with the work of regular employees. The average monthly income is not correctly shown by the first party. The question of issuing charge sheet and conducting an enquiry does not arise. Second party for these reasons has prayed to reject the reference.

9. It is seen from the records that this is a very old case. It is the case of 1991 and we are in the middle of 2001. Parties have not taken any interest for adducing evidence. Many adjournments were given but no evidence was adduced. In view of the judgement of the Apex Court "Indian Bank Association Vs. Workmen of Syndicate Bank and others" I am of the opinion that no purpose will be served in adjourning this matter and therefore I closed the evidence and heard the counsels.

10. I have read the above decision of the Apex Court carefully and as per the above decision of the Hon'ble Apex Court the first party is workman and the contention of the management that the first party is not a workman will not hold good.

11. It is seen from the counter that mainly the management has contested this case on the ground that the first party is not a workman. Now in view of the judgement of the Hon'ble Apex Court the stand by the management goes.

12. It is felt that it is not necessary to give adjournment as per the wish of the parties so I have closed this case. Further in view of the decision of the Hon'ble Apex Court, now it is clear that the first party is a workman.

13. Once it is held that the first party is a workman, the termination of first party by the management without any notice, enquiry and paying any compensation as required under the Industrial dispute act is illegal. Therefore I am of the opinion that this reference has to be allowed and accordingly I proceed to pass the following order :

ORDER

The reference is allowed. The order of termination is set aside and the management is directed to take the first party as agent in accordance with the principles held in the above decision of the Apex Court. Accordingly reference is disposed off.

(Dictated to PA transcribed by her corrected and signed by me on 28th June 2001).

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 6 जुलाई, 2001

का. आ. 1923.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विजया बैंक के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निरिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय बंगलौर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-12012/87/91-आई आर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 6th July, 2001

S.O. 1923.—In pursuance of Section 17 of the Industrial Dispute Act 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Bangalore as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Vijaya Bank and their workman, which was received by the Central Government on 5-7-2001.

[No. L-12012/87/91-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT 'SHRAM SADAN', III MAIN, III CROSS, II PHASE, TUMKUR ROAD, YESHWANTHPUR, BANGALORE

Dated : 28th June, 2001

PRESENT :

Hon'ble Shri V. N. Kulkarni, B.Com., LLB., Presiding Officer.

CGIT-CUM-LABOUR COURT, BANGALORE

C. R. No. 64/91

I Party

Shri Hanumantsa T. Malji,
C/o. M. Ram Rao,
General Secretary,
D.D.B.E.A.,
9, Corporation Building,
Broadway,
Hubli-580020.

II Party

The Divisional Manager,
Vijaya Bank,
Divisional Office,
Lamington Road,
Hubli-580020.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-12012/87/91/IR-B(II) dated 30-9-1991 for adjudication on the following schedule

SCHEDULE

"Whether the action of the management of Vijaya Bank in terminating the services of Shri Hanumantsa T. Malji, Janata Deposit Collector is justified? If not to what relief the said workman is entitled?"

2. The first party was working as Janatha Deposit Collector with the Second Party from 19th September 1984. He was terminated w.e.f. 1st April 1990 and therefore industrial dispute is raised.

3. First party appeared and filed Claim Statement.

4. It is the case of the first party that the provisions of Industrial Disputes Act, 1947 and the Principles of natural justice are not followed by the second party in terminating the services of the first party and therefore the termination is illegal.

5. It is the further case of the first party that the allegations against the first party are not correct and the order of termination is illegal. First party for these reasons has prayed to allow the reference.

6. The case of the second party in brief is as follows:

7. The main contention of the Second Party is that the first party was not a workman as defined in Section 2(s) of the Industrial Disputes Act and there is no master and servant relationship between the first party and the Second Party.

8. It is the further case of the management that the first party was not an award staff of the Bank. The provisions of Desai Award and subsequent Bipartite settlement entered at industrial level between banks and workmen unions are not applicable. The first party is not a workman and he cannot raise industrial dispute. His income is not as alleged by the first party. The management for these reasons has prayed to reject the reference.

9. It is seen from the records that on behalf of the first party WW1 got examined himself on 19-11-1990 and he was cross examined. He has given detailed evidence saying that he joined as Janatha Deposit Collector on 19-9-1984. There was no enquiry and allegation against him and he was not given work. He represented the management many

times but nothing is done. His service conditions are in accordance with the award of Industrial Tribunal, Hyderabad. He has given detailed evidence. He has been cross examined but nothing is elicited from his cross examination. This is an old case and in view of the decision of the Apex Court "Indian Bank Association Vs. Workmen of Syndicate Bank and others" I am of the opinion that no purpose will be served in adjourning this matter and therefore I closed the evidence and heard the counsels.

10. I have read the above decision of the Apex Court carefully and as per the above decision of the Hon'ble Apex Court the first party is workman and the contention of the management that the first party is not a workman will not hold good.

11. It is seen from the counter that mainly the management has contested this case on the ground that the first party is not a workman. Now in view of the judgement of the Hon'ble Apex Court the stand of the management goes.

12. In the instant case first party and counsel did not represent the case at all. On behalf of the management I have heard Junior Counsel along with other connected matters on 27-6-2001.

13. I felt, it is not necessary to give adjournment as per the wish of the parties so I closed this case. Further in view of the decision of the Hon'ble Apex Court, now it is clear that the first party is a workman.

14. Once it is held that the first party is a workman, the termination of first party by the management without any notice, enquiry and paying any compensation as required under the Industrial dispute act is illegal. Therefore, I am of the opinion that this reference has to be allowed and accordingly I proceed to pass the following order.

ORDER

The reference is allowed. The order of termination is set aside and the management is directed to take the first party as agent, in accordance with the principles held in the above decision of the Apex Court. Accordingly reference is disposed off.

(Dictated to PA transcribed by her corrected and signed by me on 28th June, 2001.)

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 9 जुलाई, 2001

का. प्र. 1924.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधक के संबंध निधियों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अभियोगालय कण्टीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-42011/3/88-डी-II-बी/डी-IV (बी)]

सी. गंगाधरण, प्रवर सचिव

New Delhi, the 9th July, 2001

S.O. 1924.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 5-7-2001.

[No. L-42011/3/88-D-II-B/D-IV(B)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH
2269 GI/2001-18

Case No. ID. 58785

The General Secretary,
FCI Class-IV Employees Union,
Post Box 30,
Sangur (Pb.).

.... Workman

Versus

The Senior Regional Manager,
FCI, Punjab Region,
Chandigarh.

.... Management

APPEARANCES:

For the workman: None.

For the management: Shri. N. K. Zakhmi.

AWARD

(Passed on 15th of May, 2001)

The Central Government vide Gazette Notification No. L-42011/3/88-D-II-B/D-IV(B) dated 29th July 1988 to this Tribunal for adjudication:—

"Whether the action of the management of Sr. Regional Manager, FCI Punjab Region, Chandigarh in denying the change of cadre from typist to AG-III(D) to Sarv/S. Nand Kishore, Vidya Bhushan, Nazir Singh, Roshan Lal, Subhash Chander and Mehendra Pal Singh, typists, is justified? If not, to what relief the workman concerned are entitled and with what effect?"

2. Today the case was fixed for evidence of the management. None has put up appearance on behalf of the workmen despite several notices. It appears that workmen are not interested to pursue with the present reference. In view of the above, since the workman is not interested to pursue with the present reference, the same is returned to the Ministry for want of prosecution. Appropriate Government be informed.

Chandigarh:
15-5-2001

B. L. JATAV, Presiding Officer

नई दिल्ली, 9 जुलाई, 2001

का. प्र. 1925.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधक के संबंध निधियों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अभियोगालय कण्टीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-22012/298/99-आई प्रार (सी-II)]

सी. गंगाधरण, प्रवर सचिव

New Delhi, the 9th July, 2001

S.O. 1925.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 5-7-2001.

[No. L-22012/298/99-IR(C-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 128 of 2000

Sh. Satish Kumar,
S/o Sh. Labh Singh,
V. & P.O. Nahru Kheri
Karnal.

Petitioner

Versus

The Distt. Manager,
Food Corporation of India,
Karnal (Haryana).

Respondent

REPRESENTATIVES :

For the Workman : None.

For the Management : Shri Pramod Jain.

AWARD

(Passed on 22nd May, 2001)

The Central Government, Ministry of Labour vide Notification No. L-22012/298/99-IR(C-II) dated 23-2-2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of FCI in not regularising the services of the workmen Sh. Satish Kumar and 17 others engaged under Contract Labour (R & A) Act, 1970 in FCI after the Notification No. 779(E) dated 8-12-76 came into operation is legal and justified? If not, to what relief are the workmen are entitled?"

2. Today the case was fixed for filling of claim statement on behalf of the workman. None has put up appearance on behalf of the workman despite several notices. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the appropriate Government for want of prosecution. Ministry be informed.

Chandigarh :
22-5-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 9 जुलाई, 2001

का.प्र. 1926:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ.सी.आई. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-22012/270/एफ/92-आई आर (सी-II)]

सी. गंगाधरण, अवसर सचिव

New Delhi, the 9th July, 2001

S.O. 1926.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, New Delhi, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 5-7-2001.

[No. L-22012/270/F/92-IR(C-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI KESHAV SARAN SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 10/93

The General Secretary,
F.C.I Employees Union,
E-12/D, Mayapuri,
New Delhi-110064.

Versus

The Managing Director,
Food Corporation of India,
6-20 Barakhamba Lane,
New Delhi-110001.

AWARD

The Central Government in the Ministry of Labour has sent this reference under Section 10(1)(d) and sub-section 2(A) of Industrial Disputes Act 1947 vide Order No. L-22012/270/F/92-IR(C-II) dated 14-1-93 for the adjudication of the Industrial Dispute raised on behalf of the workman on the following terms:—

"Whether the demand of the Food Corporation of India Employees Union that the management of Food Corporation of India should not declare the Staff surplus in arbitrary manner resulting in transfer and it should be done only through a joint study taking norms and other factors into account is justified? If so to what relief the workmen are entitled to?"

2. The Statement of Claim, WS & Rejoinder were exchanged between the parties. It appears during the course of the proceedings a settlement between both the parties has arrived at out of the court. A joint application has been moved which is dated 4-6-2001 praying for closing down the further proceedings in the case on the ground that after the settlement and as per memorandum dated 29-4-2000 there exist no dispute.

3. In view of the fact a No Dispute Award is given in the case.

18th June, 2001

K S SRIVASTAV, Presiding Officer

नई दिल्ली, 10 जुलाई, 2001

का.प्र. 1927:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एल-22012/84/99-आई आर (सी-II)]

सी गंगाधरण, अवसर सचिव

New Delhi, the 10th July, 2001

S.O. 1927.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 10-7-2001.

[No. L-22012/84/99-IR(C-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

CASE NO. CGIT/LC/R/290/99

Shri K. M. Rai, Presiding Officer.

Shri Dayaram Mishra and 3 others,
through General Secretary,
Rashtriya Koyla Khadan Mazdoor Sangh,
Near Bus stand,
PO Nowrozabad,
Distt. Umaria

Appellant.

Versus

The General Manager,
Johilla Area of SECL,
PO Nowrozabad,
Distt. Umaria

Non-applicant.

AWARD

Passed on this 27th day of June, 2001

1. The Government of India, Ministry of Labour vide order No. I-22012/84/99/IR(C-II) dated 31-8-1999 has referred the following dispute for adjudication by this tribunal—

"Whether the action of the General Manager, Johilla Area of SECL, PO Nowrozabad, Distt. Umaria in not granting notional seniority/promotions w.e.f. 1-1-1991 to Shri Daya Ram Mishra, Amar Singh Gautam, Shri M. Krishna Rao and Shri Abdul Kayyum clerk is legal and justified? If not, to what relief the workmen are entitled?"

2. The representative of the Union filed an application to withdraw the claim as the dispute has been settled with the management. This application is considered. Management has agreed to give notional promotion/seniority to the workmen as claimed by them. In view of this circumstances, no dispute exists between the parties. Hence No Dispute Award is passed.

3. In view of the aforesaid fact, it is held that the management has agreed to give notional promotion to the workmen. No Dispute exists between the parties in the present case. Hence No Dispute Award is passed.

4. Copy of award be sent to the Ministry as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 10 जुलाई, 2001

काभ्रा 1928:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस सी. सी. एल. के प्रबंधन के संबद्ध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय गोदावरी खानी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था ।

[स एल-22012/25/2001-आइआर (सी-II)]

श्री गंगाधरन, अवर सचिव

New Delhi, the 10th July, 2001

S.O.1928.—In Pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Labour Court, Godavarikhani as shown in the annexure in the Industrial Dispute between the employers in relation

to the management of SCCL and their workman, which was received by the Central Government on 10-7-2001

[No. L-22012/25/2001-IR(C-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL : CUM : LABOUR COURT :

GODAVARIKHANI

PRESENT :

Sri P. Guranadha Rao, B.Sc., B.L.,
Chairman-cum-Presiding Officer.

Tuesday, the 26th day of June, 2001

INDUSTRIAL DISPUTE NO. 57 OF 1999

Between :

Anthu Posham, S/o Ramaiah,
Ex-Coal Filler, Age 50 yrs.,
E.No. 1199098, Qr. No.T2-1787,
Sector-3, 8 Incline colony,
Godavarikhani.

Petitioner.

AND

The General Manager,
Singareni Collieries Co. Ltd.,
Godavarikhani.

Respondent.

This petition coming before me for final hearing in the presence of Sri P. Vishweshwar Rao, Advocate for the petitioner and of Sri C.S.N. Reddy, Advocate for the respondent and having stood over for consideration till this date, the court passed the following :

AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Disputes Act, 1947, as amended by A.P., Amendment Act, 1987.

Facts of the case briefly are as follows :

The petitioner was appointed as Coal-filler in the year, 1973. The petitioner had put-in only 19 musters in the year, 1997. Hence charge-sheet was issued against him. The petitioner remained ex-parte in the enquiry. Charge-sheet was published in a Telugu daily. Show-cause notice was also published in a Telugu daily. The petitioner was dismissed from the service w.e.f., 7-1-99.

2. Respondent filed counter stating that the petitioner was habitually absent and had put-in a very poor attendance in the year, 1997. Charge-sheet was issued against him. It was returned unserved. Then the charge-sheet was published in 'Vaartha' Newspaper. Enquiry was conducted.

I.D. No 57/99.

The petitioner remained ex-parte in the enquiry. The petitioner had put-in 34 musters in 1994, 21 musters in 1995, 73 musters in 1996 and 19 muster

in 1997. The petitioner had put in only 1 muster in 1998. It clearly shows that the petitioner was habitually absent from duties.

3. Ex.W-1 and Ex.M-1 to Ex.M-13 are marked.

4. Heard both sides.

5. The point for consideration is whether the petitioner can be re-instated in to service.

6. POINT :—Ex.W-1 is order dt. 5-1-99 dismissing the petitioner w.e.f. 7-1-99.

7. The petitioner remained *ex parte* in the enquiry. Paper publication was made. It shows that the petitioner was not attending to duties even in the year, 1998. The petitioner did not apply for medical leave or any leave for his absence. The petitioner had put-in only 19 musters in the year, 1997. It shows that the petitioner was not willing to work in the respondent company.

I consider that the charge against the petitioner is proved and the punishment of dismissal from the service is in proportion to the charge. The petitioner cannot be re-instated into service. Hence, I answer the point accordingly.

In the result, this petition is dismissed. The order of dismissal of the petitioner from the service is confirmed. Each party do bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, 26th day of June, 2001.

P. GURUNADHA RAO, Chairman-cum-Presiding Officer

Appendix of Evidence Witnesses-examined

For workman :	For Management :
Nil	Nil

Exhibits

For workman :

Ex.W-1 dt.	Fitness certificate issued by civil Asst. Surgeon, Govt. Dist. Headquarters Hospital, Karimnagar.
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For Management :

Ex.M-1 dt.	Attendance particulars of the petitioner during the year, 1997.
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Ex.M-2 dt.	Pay-sheets of the petitioner from January, 97 to December, 1997.
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Ex.M-3 dt. 27-4-98	Charge-sheet.
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Ex.M-4 dt.29-4-98	Postal returned cover with ack.,
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Ex.M-5 dt.20-9-98	Appointment of enquiry officer.
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Ex.M-6 dt.11-9-98	Enquiry notice published in Vaartha telugu daily paper.
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Ex.M-7 dt.23-9-98	Enquiry proceedings.
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Ex.M-8 dt.	Enquiry report.
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Ex.M-9 dt.16-11-98	Show-cause notice.
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Ex.M-10 dt.23-11-98	Returned undelivered cover with ack., Second
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Ex.M-11 dt.16-12-98	Show-cause notice published in Vaartha Telugu daily-peper.
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Ex.M-12 dt.5-1-99	Office-order.
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Ex.M-13 dt.31-12-98	Dismissal-order.
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नई दिल्ली, 10 जुलाई, 2001

का.प्र. 1929.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय गोदावरी खानी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था ।

[सं. एल-22012/26/2001—आई आर (सी-II)]

सी. गंगाधरन, धवर-सचिव

New Delhi, the 10th July, 2001

S.O. 1929.—In Pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Godavarikhani as shown in the annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 10th July, 2001.

[No. L-22012/25/2001-IR(C-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL : CUM LABOUR COURT, GODAVARIKHANI

Present : Shri P. Gurunadha Rao, B.Sc., B.L.,
Chairman-Cum-Presiding Officer

Wednesday, the 27th day of June, 2001.

Industrial Dispute No. 64 of 1999.

Between:—

Md. Yaqub, S/o Peer Ahmed, Age 27 yrs.,
C/o Puli Raja Reddy, Qr. No. C-42,
SCC Township, Adilabad. —Petitioner

And

The General Manager,
Sreerampur (Project Area),
Singareni Collieries Co. Ltd.,
Adilabad.

—Respondent

This petition coming before me for final hearing in the presence of Sri G. Ravi Mohan, Advocate for the petitioner and of Sri C.S.N. Reddy, Advocate for the respondent and having stood over for consideration till this date, the court passed the following :—

AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Dispute Act, 1947, as amended by A.P. Amendment Act, 1987.

Facts of the case briefly are as follows:—

The petitioner was appointed as badli-filler in 1993. He fell sick in January, 1996. He took treatment in the Government Hospital, Karimnagar. He was absenting from duties now and then. Charge-sheet was issued on 17-5-97 for his habitual absence from duty. The petitioner submitted explanation alongwith medical certificate. The petitioner remained exparte in the enquiry. The petitioner was dismissed from the service on 21-7-98.

2. Respondent filed counter stating that the petitioner submitted a false medical certificate. The petitioner never informed of his sickness and taking treatment in the Government Hospital at Karimnagar. Charge-sheet was served on the petitioner, but the petitioner remained exparte in the enquiry. Paper publication was made in Andhra Jyothi daily for his appearance in the enquiry. Show-cause notice was published in 'Vaartha' Telugu daily on 23-6-98.

3. Ex.M-1 to Ex.M-18 are marked.

4. Heard both sides.

5. The point for consideration is whether the charge against the petitioner is proved, if so, whether the punishment of dismissal of the petitioner from the service is in proportion to the charge.

6. Point :— Ex.M-2 is charge-sheet.

The petitioner was absent for many days without leave in every month in the year, 1996.

The petitioner received charge-sheet.

Ex.M-4 is his explanation to the charge-sheet. The petitioner stated that he was not doing well and therefore, he could not attend to duty regularly in the year, 1996. He enclosed Medical certificate. There-

after, he remained exparte in the enquiry. Paper publication was made for his appearance in the enquiry. Even show-cause notice was issued by paper publication in 'Vaartha' Telugu daily.

7. Ex.M-15 is a letter addressed by the petitioner on 16-9-98. The petitioner admitted that he was dismissed from the service on 21-7-98.

8. The petitioner was absent from duties for many days in every month in the year, 1996. It appears that the petitioner was absent from duties in the year, 1997 also. That is why, paper publication was made for his appearance in the enquiry and for explanation for show-cause notice of dismissal.

I consider that the charge against the petitioner is proved and the punishment of dismissal of the petitioner from the service is in proportion to the charge. Hence, I answer the point accordingly.

In the result, this petition is dismissed. The order of dismissal of the petitioner from the service is confirmed. Each party do bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, 27th day of June, 2001.

P. GURUNADHA RAO, Chairman-cum-Presiding
Officer

Appendix of Evidence Witnesses-examined

For Workman :—
—Nil

For Management:—
—Nil—

Exhibits

For Workman :—
—Nil—

For Management:—

Ex.M-1 dt. —	Service particulars of the petitioner.
Ex.M-2 dt. 17-5-97	Charge-sheet.
Ex.M-3 dt. —	Acknowledgement.
Ex.M-4 dt. 18-7-97	Reply to the charge-sheet alongwith medical certificates.
Ex.M-5 dt. 26/28-8-96	Office-order.
Ex.M-6 dt. 29-8-97	Enquiry notice.
Ex.M-7 dt. 4-9-97	Postal returned cover with Ack.,
Ex.M-8 dt. 19-11-97	Enquiry notice published in Andhra Jyothi Telugu newspaper.
Ex.M-9 dt. 20-11-97	Corrigendum published in Andhra Jyothi Telugu daily newspaper.
Ex.M-10 dt. 25-11-97	Enquiry proceedings.
Ex.M-11 dt. -do-	Enquiry report.

Ex.M-12 dt. 23-2-98	Second show-cause notice.
Ex.M-13 dt. 24-2-98	Postal returned cover with Ack.,
Ex.M-14 dt. 26-3-98	Second show-cause notice published in Vaartha Telugu newspaper.
Ex.M-15 dt. 16-9-98	Application of the petitioner
Ex.M-16 dt. 21-9-98	-do-
Ex.M-17 dt. 21-7-98	Dismissal order.
Ex.M-18 dt. —	Acknowledgement.

नई दिल्ली, 10 जुलाई, 2001

का.आ. 1930.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/क्षम न्यायालय गोदावरी खानी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एल-22012/25/2001-आई आर (सी-II)]

सी. गंगाधरन, अव्वर सचिव

New Delhi, the 10th July, 2001

S.O.1930.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Godavari Khani as shown in the annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 10-7-2001.

[No. L-22012/25/2001-IR (C-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CHAIRMAN INDUSTRIAL TRIBUNAL : CUM : LABOUR COURT GODAVARIKHANI

PRESENT :

Sri P. Gurunadha Rao, B.Sc., B.L.,

Chairman-cum-Presiding Officer.

Monday, the 25th day of June, 2001.

INDUSTRIAL DISPUTE NO. 99 OF 1999.

Between:

Durgam Raja Mouli, S/o Lingaiah,
Age 43 yrs., Post : R/o Palakurthi
Mandal Ramagundam, Dist. Karimnagar
—Petitioner

AND

1. The Colliery Manager,
GDK. No. 5 Incline,
Godavarikhani.
2. The General Manager,
Ramagundam Area-I, Godavarikhani.
3. The Managing Director,
Singareni Collieries Co., Ltd.,
Kothagudam, Dist. Khammam —Respondents.

This petition coming before me for final hearing in the presence of Sri C.S.N. Reddy, Advocate for the respondents, but counsel for the petitioner reported 'No instructions', and having stood over for consideration till this date, the court passed the following:

AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Disputes Act, 1947, as amended by A.P. Amendment Act, 1987.

Facts of the case briefly are as follows:

The petitioner was appointed as badli-filler in the year, 1993. He could not attend to duties from 15-5-97 to 20-10-97. Exparte enquiry was conducted and the petitioner was removed from the service on 27-11-98.

2. Respondents filed counter stating that the petitioner is a habitual and chronic absentee. He had put-in 60 musters in 1995, 66 musters in 1996, 33 musters in 1997 and 7 musters in 1998. The petitioner remained exparte in the enquiry.

3. Counsel for the petitioner reported 'No instructions'.

Ex.M-I to Ex.M-II are marked.

Heard respondents.

4. The point for consideration is whether the petitioner can be reinstated into service.

5. POINT : Ex.M-I is charge-sheet dt. 11-8-98. The charge is that the petitioner had put-in only 33 musters during the year, 1997. It amounts to misconduct under company standing order No. 25(25) which reads as follows:

Habitual late attendance and habitual absence without leave or without sufficient cause.

Ex.M-2 is explanation of the petitioner. The petitioner stated that his absence during the year, 1997 was caused due to illness. He was under treatment from 15-5-97 to 20-10-97. He did not recover from the illness.

The petitioner did not submit any Medical Certificate for his absence.

The petitioner remained exparte in the enquiry.

Ex.M-10 is paper publication issuing show-cause notice to the petitioner.

Ex.M-11 is dismissal order dt. 22-11-98

6. The petitioner had put-in only 33 days of attendance in 1997. It shows that the petitioner was not serious of working in the respondent company.

I, therefore consider that the charge against the petitioner is proved and the punishment of dismissal of the petitioner from the service is in proportion to the charge. He cannot be reinstated into service. Hence I answer the point accordingly.

In the result, this petition is dismissed. The order of dismissal of the petitioner from the service is confirmed. Each party do bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, 25th day of June 2001.

P. GURUNADHA RAO, Chairman-cum-Presiding
Officer

Appendix of Evidence

Witnesses-examined

For workman : Nil
For Management : -Nil-

Exhibits

For workman:-
Nil

For Management:-

Ex.M-1 dt. 11-8-98 Charge-sheet.

Ex.M-2 dt. 12-8-98 Reply to the charge-sheet.

Ex.M-3 dt. 29-8-98 Appointment of enquiry
Officer.

Ex.M-4 dt. 16/17-8-98 Enquiry notice

Ex.M-5 dt. 27-8-98 Enquiry notice with ack., due.

Ex.M-6 dt. 30-8-98 Enquiry proceedings.

Ex.M-7 dt. Enquiry report.

Ex.M-8 dt. 13/15-10-98 Show-cause notice

Ex.M-9 dt. 24-10-98 Postal returned cover with
ack.,

Ex.M-10 dt. 18-11-98 Show-cause notice published
in Andhra Jyothi telugu
news-paper.

Ex.M-11 dt. 22-11-98 Dismissal order.

नई दिल्ली, 10 जुलाई, 2001

का.धा. 1931.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/भ्रम न्यायालय गोदावरी खानी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं एस-22012/25/2001-आई आर (सी-II)]

सी गंगाधरन, अवसर सचिव

New Delhi, the 10th July, 2001

S. O. 1931.—In pursuance of Section 17 of the Industrial Dispute Act, 1947(14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Godavarikhani as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 10-7-2001.

[No. L-22012/25/2001-IR (C-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL : CUM : LABOUR COURT, GODVARIKHANI.

PRESENT: Sri P. Gurunadha Rao, B. Sc., B. L.,
Chairman-cum-Presiding Officer.

Tuesday, The 26th Day of June, 2001.

Industrial Dispute No. 113 of 1992.

Between :—

Makala Kumar, S/o. Lingiah, 33 years.
Employee No. 2635160, Ex.-Coal Filler,
C/o. Narsaiah, Driver, Near Court Complex,
P.O. Ellanda, District. Khammam.

—Petitioner.

And

The General Manager,
Singareni Collieries Co. Ltd.,
Ramakrishnapur Area,
District Adilabad.

—Respondent.

This petition coming before me for final hearing in the presence of Sri B. Amarendar Rao, Advocate for the petitioner and of Sri C. S. N. Reddy, Advocate

for the respondent and having stood over for consideration till this date, the court passed the following :—

AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Dispute Act, 1947, as amended by A. P., Amendment Act, 1987.

Facts of the case briefly are as follows :—

The petitioner was appointed as Badli Coal-filler in 1991. He was appointed as Coal filler w. e. f., 1-9-95 with monetary benefits from 1-1-96. He was confirmed as coal-filler w. e. f., 1-7-96. He fell sick during the year, 1997. He took treatment in the Government Hospital, Khammam and in a private hospital in Mancherial. Charge-sheet was issued on 30-4-98 alleging that he was habitually absenting from duties without leave or prior permission as he was absent for 289 days in the year, 1997. He remained exparte in the enquiry. He was dismissed from the service on 13-2-99.

2. Respondent filed counter stating that the respondent company is maintaining a very big hospital with 200 beds at Ramakrishnapur to provide free treatment to its employees. If the petitioner was really sick, he would have taken treatment in the company hospital. All the employees are expected to take treatment in the company hospital. The petitioner had put in only 23 musters in the years 1997.

3. Ex. M-1 to Ex. M-10 are marked.

4. Heard both sides.

5. The point for consideration is whether the petitioner can be reinstated into service.

6. POINT : Ex. M-1 is charge-sheet dt. 30-4-98.

Ex. M-2 is explanation to charge-sheet. The petitioner admitted the charge that he attended to duty for 23 days only in the year, 1997. He further stated that he was suffering from liver problem. He took treatment in the Government hospital, Khammam. He submitted medical certificate.

The Petitioner submitted medical certificate along with his explanation. The petitioner did not submit any medical certificate during the year 1997. He did not take treatment in the company hospital. He did not apply for any leave. He remained exparte in the enquiry. He was dismissed from the service on 13-2-99.

7. The petitioner was confirmed as Coal filler w.e.f. 1-7-96 only. The petitioner was absent for 289 days in the years, 1997 without applying for any leave.

I, therefore, consider that the charge against the petitioner is proved and the punishment of dismissal from service is in proportion to the charge. He can-

not be re-instated into service. Hence, I answer the point accordingly.

In the result, this petition is dismissed. The order of dismissal of the petitioner from the service is confirmed. Each party do bear their own costs.

Typed to my dictation corrected and pronounced by me in the open court on this, 26th day of June, 2001.

P. GURUNADHA, RAO, Chairman, Cum-Presiding Officer,

Appendix of Evidence

Witnesses-examined

For Workman :— For Management :—
—Nil— —Nil—

Exhibits

For workman :—
—Nil—

For Management :—

Ex. M-1 dt. 30-4-98 Charge-sheet.

Ex. M-2 dt. 20-5-98 Reply to the charge-sheet with medical certificates xer. copy.

Ex. M-3 dt. 10-1-96 Office order xer. copy.

Ex. M-4 dt. 27-7-98

01-8-98 Enquiry notice.

Ex. M-5 dt. 12-8-98 Enquiry notice published in Andhra Jyothi Telugu Newspaper.

Ex. M-6 dt. 21-8-98 Enquiry proceedings.

Ex. M-7 dt. 26-8-98 Enquiry report.

Ex. M-8 dt. 26-9-98 Show-cause notice with returned undelivered postal cover.

Ex. M-9 dt. 9-12-98 Show-cause notice published in Andhra Jyothi Telugu Paper.

Ex. M-10 dt. 13-2-99 Dismissal letter.

नई दिल्ली, 10 जुलाई, 2001

का.प्र. 1932—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय गोदावरीखानी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एल-22012/25/2001-आई आर (सी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 10th July, 2001

S.O. 1932.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Godavari Khani as shown in the annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 10th July, 2001.

[No. L-22012/25/2001-IR(C-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GODAVARIKHANI

PRESENT :

Sri P. Gurunadha Rao, B.Sc., B.L., Chairman-cum-Presiding Officer.

Monday, the 25th day of June, 2001

Industrial Dispute No. 168 of 1999

BETWEEN

Ponaganti Lingaiah, S/o Sailu, Age 46 years,
Occ.: Ex-employee, R/o Godavarikhani in
Ramagundam Mandal of Karimnagar
District. Petitioner.

AND

1. The Colliery Manager,
Singareni Collieries Co. Ltd.,
Godavarikhani.
2. The General Manager,
Singareni Collieries Co. Ltd.,
Area-I at Godavarikhani.
3. The Managing Director,
Singareni Collieries Co. Ltd.,
Kothagudem, Post : Kothagudem,
District Khanmam. Respondents.

This petition coming before me for final hearing in the presence of Sri S. Bhagavantha Rao, Advocate for the petitioner and of Sri C. S. N. Reddy, Advocate for the respondents and having stood over for consideration till this date, the court passed the following:—

AWARD

1. This is a petition filed U/s. 2-A(2) of the Industrial Disputes Act, 1947, as amended by A.P., Amendment Act, 1987.

Facts of the case briefly are as follows :—

The petitioner was appointed as Casual Mazdoor on 27-3-1983. On 24-4-91 in the third shift, it was found that the petitioner was carrying company's cable wire measuring 9 metres. He was caught red-handed by the Security Guard. The petitioner thereafter did not attend to his duties. Charge-sheet was sent to his permanent address by registered post, but it was returned unserved. Then charge-sheet was published in Eenadu and Udayam Telugu daily papers on 17-7-91 2269 GI/2001—19

asking for the explanation of the petitioner and to attend the enquiry. The petitioner remained ex-parte in the enquiry. He was dismissed from the service on 28-8-91.

The petitioner filed I.D. No. 10/89 on the file of the Industrial Tribunal-I at Hyderabad for payment of wages for the period 14-7-87 to 16-7-87. It was pending as on the date of dismissal. Approval of the Tribunal was obtained for the dismissal order dated 28-8-91.

2. Respondents filed counter.

3. Ex. W1 and Ex. W2 and Ex. M1 to Ex. M-10 are marked.

4. Heard both sides.

5. The point for consideration is whether the petitioner can be reinstated into service.

6. Ex. M-1 is charge-sheet dated 26-4-91.

Ex M-2 is returned cover.

Ex. M-3 is paper publication of the charge-sheet.

Ex. M-9 is dismissal order dated 28-8-91.

7. The petitioner was involved in a theft case. He abstained from duties from the date of theft. The charge-sheet against the petitioner is that he was caught red-handed by the Security Guard while committing theft of cable wire. He remained ex-parte in the enquiry. He was removed from the service on 28-8-91. The petitioner filed I.D. No. 10/89 on the file of the Industrial Tribunal-I, Hyderabad and it was pending by the date of dismissal of the petitioner.

The dismissal of the petitioner was brought to the notice of the said Tribunal by filing M.P. No. 1/92. It shows that the petitioner was well aware of his dismissal from the service on 28-8-91. The petitioner filed the present petition on 16-11-99 i.e., more than eight years after his dismissal from the service. The claim of the petitioner for reinstatement is a stale claim because he was well aware of his dismissal in the year, 1991 itself and kept quiet for more than eight years

I, therefore, consider that the petitioner cannot be reinstated into service. Hence, I answer the point accordingly.

In the result, this petition is dismissed. The order of dismissal of the petitioner from the service is confirmed. Each party do bear their own costs.

Typed to my dictation, corrected and pronounced by me in the open court on this, 25th day of June, 2001.

P. GURUNADHA RAO, Chairman-cum-Presiding
Officer

APPENDIX OF EVIDENCE

Witnesses examined :

For workman :—

Nil.

For Management :—

Nil.

EXHIBITS

For Workman :—

Ex. W-1 dt. 6-7-89—Office order xer. copy.

Ex. W-2 dt. 29-7-91—Charge-sheet xer. copy.

For Management :—

Ex. M-1 dt. 26-4-91—Charge-sheet.

Ex. M-2 dt. 5-5-91—Returned undelivered registered cover with ack., (xer. copy).

Ex. M-3 dt. 27-6-91—Paper notification of charge-sheet (xer. copy).

Ex. M-4 dt. 29-7-91—Enquiry report xerox copy.

Ex. M-5 dt. 29-7-91—Enquiry proceedings xer. copy.

Ex. M-6 dt. 28-8-91—Money order receipt xer. copy.

Ex. M-7 dt. 27-8-91—Pay-sheet and summary of pay-sheets of one month wages xer. copies.

Ex. M-8 dt. 28-8-91—Form-K filed U/s. 33-(2) (f) before the Industrial Tribunal (Central), Hyderabad xer. copy.

Ex. M-9 dt. 28-8-91—Dismissal letter xer. copy.

Ex. M-10 dt. 8-2-95—Certified copy of order in M.P. 1/92 in ID No. 10/89 and ID No. 12/89 on the file of Hon'ble Industrial Tribunal-I, Hyderabad (xer. copy).

नई दिल्ली, 10 जुलाई, 2001

का.प्र. 1933.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एल्-12011/10/93-आई प्रार (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 10th July, 2001

S.O. 1933.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 10-7-2001.

[No. I-12011/10/93-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, JABALPUR

Case No. CGIT/LC/R/53/94

Presiding Officer : Shri K. M. Rai.

Shri Onkar Godia and
Shri Shashi Prakash Dubey,
through Dy. General Secretary,
Bank of India Employees Union.
C/o Bank of India,
A. G. Office Road,
Gwalior.

... Applicant.

Versus

The Regional Manager,
Bank of India, Gurukripa,
Nirma Bhavan,
A. G. Office Road,
Gwalior

... Non-applicant.

AWARD

Passed on this 29th day of June, 2001

1. The Government of India, Ministry of Labour vide Order No. L-12011/10/93-IRB-2 dated 5-5-94 has referred the following dispute for adjudication by this tribunal—

“Whether the claim of Bank of India Employees Union that Shri Onkar Godia, Shri Shashi Prakash Dubey, Shri Ram Sevak Reikwar, Shri Deviram Batham and Shri Pramod Chaturvedi are entitled to be appointed on regular basis in the services of the Bank of India is justified? If so, what relief are these workmen entitled to?”

2. Workman Shri Onkar Godia and Shri Shashi Prakash Dubey had filed the application not to press their claim as the management has agreed to give employment as per agreements. The present dispute therefore does not exist between the parties. Hence No Dispute Award is passed.

3. In view of the settlement between the parties it is held that the management shall give employment to Onkar Godia and to the brother of Shri Shashi Prakash Dubey i.e. Shri Vivek Kumar Sharma as per agreement.

4. Copy of the award be sent to the Ministry of Labour as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का.प्र. 1934.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्दन रेलवे के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एल्-41012/38/2000-आई प्रार (बी-I)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 11th July, 2001

S.O. 1934.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Lucknow as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workman, which was received by the Central Government on 10-7-2001.

[No. L-410012/38/2000-IR(B-I)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, LUCKNOW

Presiding Officer : Rudresh Kumar

ADJUDICATION

I.D. No. : 81/2000

Ref. No. 41012/38/2000/IR(B-I) dt.
7/11-8-2000

BETWEEN :

The Divisional Organisation Secretary,
Uttar Railway Karmchhari Union, 283/63 Kha
Garhi Kanaora (Premwati Nagar) P.O.
Manak Nagar,
Lucknow.

(espousing cause of Lallan Shukla)

AND

The Sr. Divisional Personnel Officer,
Northern Railway, Hazratganj,
Lucknow.

AWARD

By reference No: 41012/38/2000/IR(B-I) dt. 7/11-8-2000, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 I.D. Act, 1947 (14 of 1947), made over this industrial dispute between Divisional Organisation Secretary, Uttar Railway, Lucknow espousing cause of Lallan Shukla and Sr. Divisional Personnel Officer, Northern Railway, Lucknow for adjudication.

The reference is produced as under :—

“Whether the action of Northern Railway in not promoting to Lallan Shukla, Crane driver as master craftman was legal and justified ? If not, what relief the workman is entitled to ?”

2. The facts of the case are that the workman, Lallan Shukla, T. No. 879, 140 Ton BD Crane Driver, was promoted in Grade I w.e.f. 6-5-91. He was not sent to Diesel Shed, instead was retained in Loco Shed. There was one post of ‘Master Craft Man’ in Loco Shed occupied by Samar Nath Pathak. Samar Nath Pathak retired on 1-11-1994 and the workman continuously performed his duties since his superannuation. However, he was not given any promotion on the said post nor was paid salary of Master Craft Man (MCM). The workman further pleads that his junior Ayub Khan was promoted as Master Craft Man (MCM) in Diesel Shed in the year 1998. His representations to promote him in Diesel Shed in preference to Ayub Khan or in Loco Shed against the vacancy of Master Craft Man arising on retirement of Samar Nath Pathak, were not considered by the management. As such, he has claimed his promotion w.e.f. 1-11-94, from the date of retirement of Samar Nath Pathak with all consequential benefits.

3. The management has not denied status of the workman in Loco Shed but has taken a stand that the workman Lallan Shukla had no lien in Diesel Shed. It is further contended that the dieselisation in railway reduced much of the work in the Loco Shed and the post of Master Craft Man was surrendered on superannuation of Samar Nath Pathak. The workman had no lien in the Diesel Shed hence can not claim preference over Ayub Khan who was senior most in Diesel shed. In absence of available post of Master Craft Man in Loco Shed, the workman is not entitled to claim the said post or pay.

4. Before adverting to discuss merit of the evidence adduced by the parties, a glance over the reference is necessary. The reference does not indicate in which of the shed i.e. Loco Shed or Diesel Shed, the workman Lallan Shukla seeks promotion. The case of the management is that Loco Shed and Diesel Shed were two distinct units and the employees working there, formed separate cadres. Those working in Diesel Shed

promotion against sanctioned posts in Diesel Shed and likewise, employees of the Loco Shed are entitled to seek promotion against the sanctioned posts in Loco Shed. It is not disputed by the parties that on dieselisation, the work in loco shed became scanty and majority of the workmen were transferred to diesel shed, subject to passing of tests etc.

5. It is, thus, necessary to analyse the evidence whether the workman Lallan Shukla had any lien in the Diesel shed to justify his claim vis-a-vis Ayub Khan. The workman relied on the letter dt. 17-6-91 issued by the Foreman to the General Foreman, intimating retaining of his services in Loco Shed in interest of work. The workman had represented for the post of Master Craft Man either in the Loco shed or Diesel Shed as per his seniority. Reliance is also placed on letter dt. 20-9-91 issued by Asstt. Personnel Officer in which name of the workman Lallan Shukla is found added in ink at sl. no. 33. On the basis of this letter, the workman claims his lien in Diesel shed and pleads that his retention in interest of work in Loco Shed should not deprive him of his rightful claim in Diesel shed.

6. The management has disputed correctness of letter dt. 20-9-91 which is the basis of claim of the workman. Mr. N. K. Verma, Asstt. Divn. Mechanical Engineer deposed in his cross examination that Lallan Shukla was never a member of the cadre in the Diesel shed. He relied on letter dt. 13-9-91 (Ex-) by which 35 workman of different categories were transferred to Diesel shed. This list did not include name of the workman. On the basis of this list the Asstt. Personnel Officer, Northern Railway issued order No. E/1-7/RC Deployment dt. 20-9-91, in shape of notice. This notice does not include name of the workman Lallan Shukla. However, against the name of Ayub Khan at sl. no. 35 there is a remark Lallan Shukla back to Loco shed, Lucknow. The workman also admits genuineness of notice and has filed a copy which bears his name at sl. no. 33 written by someone in ink. The management has filed affidavit that name of the workman has been added fraudulently by someone. The original register was also produced to show that notice issued originally did not have the name of Lallan Shukla.

7. The workman failed to explain addition of Lallan Shukla at sl. no. 33 of the list dt. 20-9-91. The affidavit of the Asstt. Personnel Officer can be relied and it can be safely held

that inclusion of name at sl. no. 33 of this letter is fraudulent. It goes to prove that the workman Lallan Shukla had never worked and was never taken on transfer to Diesel shed. Since separate seniority lists are maintained in Diesel and Loco sheds, as such, a person on the strength of Loco shed can not be considered for promotion. The claim of the workman that his junior Ayub Khan was promoted can not be accepted because Ayub Khan was on the strength of the Diesel Shed whereas the workman Lallan Shukla was on the strength of the Loco shed.

8. It has been stated earlier that the reference is not very clear as in which shed, claim of promotion to the post of Master Craft Man, is to be judged. However, assistance can be taken from the relief, desired in the claim statement. According to the prayer, the workman Lallan Shukla should have been promoted w.e.f. 1-11-94 on the post of Master Craft Man. The post of Master Craft Man became vacant on the retirement of Samar Nath Pathak. There was no such vacancy in the Diesel Shed in the year 1994.

9. It has been discussed earlier that the services of the workman Lallan Shukla were not transferred to Diesel Shed but were retained in Loco shed the workman did not challenge non-inclusion of his name in the list dt. 20-9-91. Rather, he got entered his name at sl. no. 33 which is proved to be fraudulent from the affidavit of Asstt. Personnel Officer, Northern Railway and is also substantiated by the photo copy annexed with the affidavit. Accordingly, Lallan Shukla is not entitled to the post of Master Craft Man in Diesel shed.

10. Lallan Shukla is senior most and eligible to be considered for the post of Master Craft Man in Loco shed. The post became vacant on retirement of Samar Nath Pathak. The management has taken the case that on dieselisation work in Loco did not justify retention of the post of Master Craft Man. Hence the post of the Master Craft Man was surrendered. In view of the said fact, the workman is not entitled to claim promotion on a non-existent post. It is pleaded by the workman that the post still exist and he being the senior most is entitled to the said post. There is no evidence on record to indicate as what were the functions of the Master Craft Man and by which way the workman was discharging functions of Master Craft Man. He could have been entitled to the post of Master Craft Man, had the post not been surren-

dered ? The affidavit filed by the Asstt. Personnel Officer, Northern Railway indicate surrender of the post, but copy of order surrendering the post has not been filed. In the said situation, the management may be directed to consider promotion to the post of Master Craft Man in Loco Shed, provided the post still exists and not surrendered yet.

11. In the facts and circumstances of the case the award is as follow :—

- (1) that the workman Lallan Shukla is not entitled to promotion in Diesel shed;
- (2) the management to consider promotion of Lallan Shukla against the post of Master Craft Man in Loco Shed provided notification to surrender the post not issued.

LUCKNOW

4-7-2001.

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का.प्र.1935:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्थ ईस्टर्न रेलवे के प्रबंधन के संबंधित नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिक्रिया न. 2 घनबाड़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एल-41012/72/93-आई प्रार (बीयू) (बी-1)]

सी. गंगाधरन, प्रवर सचिव

New Delhi, the 11th July, 2001

S.O. 1935.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the annexure in the Industrial Dispute between the employers in relation to the management of North Eastern Railway and their workman, which was received by the Central Government on 10-7-2001.

[No. L-41012/72/93-IR(D.U.)(B-I)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 164 of 1993

PARTIES :

Employers in relation to the management of Eastern Railway, Sonapur and their workman.

APPEARANCES :

On behalf of the workman : Shri D.K. Verma, Advocate.

On behalf of the employers : Shri S.N. Dutta, Advocate.

STATE : Jharkhand INDUSTRY : Railway

Dated, Dhanbad, the 29th June, 2001

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-41012/72/93-I.R.(D.U.) dated, the 24th September, 1993.

SCHEDULE

“Whether the action of the management of North Eastern Railway, Sonapur in terminating the services of Shri Rameshwar Sharma is justified ? If not, what relief he is entitled to ?”

2. The case of the workman as per his W.S. in brief is as follows :—

The concerned workman submitted that he was a permanent employee of North Eastern Railway and worked at Sonapur Loco Shed as B. M. Khalasi to the satisfaction of the management. It has been submitted by the concerned workman that initially he was appointed in the year 1980 by the management in an Exhibition of Railway held at Sonapur Fair for the period from 22-11-80 to 7-12-80. Thereafter his service was extended as a casual worker in the year 1981 as he was found fit and worked upto 29-11-81 at Muzaffarpur. On 29-11-81 he was declared permanent employee under the management vide letter dt. 20-1-82 with effect from 29-11-81. It has been alleged that though there was no allegation against him in the matter of performance of his duties but with utter surprise the management on 20-6-84 terminated him from his service without any reason though his service was continuous and completed 240 days job in a year during the period of his employment. It has been alleged by the concerned workman that the management terminated his service with utter violation of the provision of Section 25F of the I.D. Act, 1947. The management also neither issued any chargesheet nor conducted any domestic enquiry before terminating his services. Even the management did not issue any notice to this effect. Accordingly the concerned workman by raising this industrial has made this reference and submitted his prayer to pass an Award to the effect that the action of the management of North Eastern Railway in terminating his service was not justified and also to direct the management to reinstate him with full back wages and other benefits.

3. The management on the contrary after filing W.S.-cum-rejoinder has denied all the claims and allegation which the concerned workman asserted in his W.S. It has been submitted by the management that the concerned workman never was a permanent worker under their Establishment. He was only appointed as a casual worker and for which claim made by the concerned workman had no basis at all. The management submitted that the concerned workman first was appointed as Casual worker for a period of 60 days from 28-4-81 and thereafter again for another

60 days vide office order No. 300 dt. 30-7-81 and finally for another 60 days vide office order No. 366 dt. 21-9-81. Accordingly the statement made by the concerned workman was a misleading statement. The management further submitted that the concerned workman was sent for medical examination in A-I for Group-D service but he was declared medically unfit. Thereafter he was again sent for medical examination in B-I medical category. There he was also declared medically unfit on 24-11-84. As such when the concerned workman was found medically unfit there was no scope at all to terminate him from service. Again he was allowed opportunity of lower medical examination B-I, but he could not come out successfully and for which there was no scope to send the concerned workman for 3rd Medical examination for his appointment in Group-D service. The relevant appeal of the applicant after due consideration was decided and duly communicated to him vide office order dt. 12-8-92. It has been submitted further by the management that service of the concerned workman was never terminated but automatically ceased to be an employee for his failure in medical examination conducted by the employer and for which there was no scope to issue any chargesheet against him and also there was no scope to take up any domestic enquiry in that regard. The management accordingly submitted that the application submitted by the concerned workman is an after thought and he did so for the purpose of getting undue benefit from the Railway Administration and also for employment in the guise of illegal termination. Accordingly the management has prayed for passing an Award to dismiss the application of the applicant with cost.

4. The points for decision in this reference is :—

"Whether the action of the management of North Eastern Railway, Sonapur in terminating the services of Shri Rameshwar Sharma is justified ? If not, what relief he is entitled to ?"

5. DECISIONS WITH REASONS

It is the specific contention of the concerned workman that he was appointed as casual worker in the year 1981 at Muzaffarpur by the management and since he worked till his service was terminated by the management in the year 1984. He disclosed that without assigning any reason the management terminated him from his service. Even the management before terminating him from service neither chargesheeted him nor entered into any domestic enquiry against him. In course of his evidence the concerned workman relied on certain document issued on the part of the management marked as Ext. W-1 to W-4. From the order passed by the management which in course of evidence was marked as Ext. W-5 shows that service of the concerned workman under the management as casual worker was regularised in the year 1981. The management also in course of hearing admitted that the concerned workman under order of the management dt. 25-7-81 was engaged as casual worker for a period of 60 days from 28-4-81 and thereafter for another 60 days vide office order No. 300 dt. 30-7-81 and finally by another officer Order No. 366 dt. 21-9-81 for 60 days. Therefore from the statement of the concerned management shows clearly that the concerned workman was in employment under the

management for a suitable period and his service was also regularised. The document marked as Ext. W-5 will definitely support the claim of the concerned workman about regularisation of his service under the management. However it is not correct that the concerned workman was considered as a permanent worker under the management which he claimed during his evidence because of the fact that in course of his evidence he has failed to produce a single scrap of paper.

6. Considering the evidence of the concerned workman as well as on the part of the management it is clear that the service of the concerned workman was terminated by management. It is the specific allegation of the concerned workman that without any reason his service was terminated by the management. On the contrary it is the specific contention of the management that after getting his appointment the concerned workman was sent for medical examination in A-I for Group-D service but the applicant was declared unfit. Thereafter the concerned workman was sent again for medical examination in B-I medical category but at that time too he was declared unfit on 24-11-84 by the medical officer. Accordingly relying on this fact the management submitted that his service was automatically ceased and for which there was no scope of terminating him from his service and in natural course there was no scope to chargesheet the concerned workman or to take up any domestic enquiry against him. The management in course of hearing relied on a petition submitted by the concerned workman before the management for consideration. The petition during evidence of the management was marked as Ext. M-3. From the facts disclosed in the petition I find support about the contention of the management to the effect that on 2 occasions the concerned workman was directed to face medical board in connection with his medical examination and on both occasions he was declared medically unfit. The concerned workman after filing the instant petition Ext M13 submitted a prayer before the management for giving him another chance to appear before the medical board in order to justify his fitness. But that petition was considered and rejected by the management taking the ground that there was no reason to allow third time medical examination of the concerned workman when on previous two occasions the concerned workman was declared medically unfit. Considering the evidence of the management it is clear that the service of the concerned workman was ceased as he was declared medically unfit. The management in support of the claim relied on the medical report marked as Ext. M-1 (after objection). From the medical report it transpires that on 24-11-84 the concerned workman appeared before the medical board and he was declared unfit. Learned Advocate for the concerned workman submitted that the instant document cannot be relied on in absence of original medical papers. The argument extended by the Learned Advocate for the concerned workman definitely is based on cogent footing but the concerned workman by his petition marked as Ext. M-3 admitted the fact declaring him medically unfit by the medical officer under the management on consecutive two occasions when he attended the medical board for his medical test. Thereafter, though the management has failed to produce the original medical papers to prove his

authenticity the facts relating to the medical unfitness of the concerned workman declared by the Medical Officer in the photo copy cannot be denied at all particularly when the concerned workman in his petition admitted the said fact.

7. It is further seen that the concerned workman in his W.S. suppressed the ground of his termination from service by the management. In the W.S. the concerned workman disclosed categorically that without assigning any reason he was terminated from service by the management. The fact which the concerned workman disclosed in the W.S. finds no basis at all. On the contrary he took dubious role in this regard particularly when it has been established the ground for termination of his service was due to his medical unfitness and not for any other ground. Learned Advocate for the management submitted that though the concerned workman was regularised in the job he was directed to attend his medical examination for his fitness as medical examination was considered part of service. The concerned workman appeared before the Medical Board on two consecutive occasions one in upper category medical examination and other in lower category medical examination but in both the occasions he was declared medically unfit. Naturally his service was automatically ceased and for which there was no scope on the part of the management either to chargesheet the concerned workman or to take up any domestic enquiry. Learned Advocate for the concerned workman in course of hearing relying on Indian Railway Manual Vol. II Rule 2007 : "EMPLOYMENT OF CASUAL LABOUR". Submitted that there was no scope on the part of the management to take up medical test of the concerned workman in a very stringent way. In para-4(a) page 17 of the said Manual it has been laid down that Casual Labour should be subjected to medical examination as early as possible and preferably before grant of temporary status. Continued retention in employment is subject to qualifying in the prescribed medical examination. When casual labour who have put in six years service, whether continuous or in broken periods, are included in a panel for appointment to Group D posts and are sent for medical examination for first appointment to regular service, the standard of medical examination should not be the one that is required for first appointment but should be the appropriate standard as prescribed for re-examination during service. Accordingly Learned Advocate for the concerned workman submitted that the management had the scope to take lenient view in the matter of medical examination of the concerned workman but instead of doing so he was declared medically unfit holding the medical test of fresh recruits. No arrangement was also made by the management for providing the concerned workman to a suitable post for alteration category requiring a lower medical classification subject to their suitability for the alternative category being adjudged by the screening committee to the extent it is found possible to arrange absorption against alternative post requiring lower medical classification. Learned Advocate for the management in course of hearing has failed to satisfy the Court if any opportunity was given to the concerned workman to provide him with suitable job in the lower category as per provisions laid down in Rule 4(b) page 17 of the Indian Railway Establishment Manual Vol. II. It is true that the concerned workman in his

petition marked Ext.M-3 admitted the fact of declaring him medically unfit by the management but that admission on the part of the concerned workman does not justify whether he was unsuitable for providing any job at lower category. From the documents Ext. M-1 it also not clear what was the reason for declaring the concerned workman medically unfit. The management inspite of getting scope did not consider necessary to provide the original medical papers for consideration of the Court and accordingly there was no scope to ascertain if the concerned workman was absolutely unfit for any alternative job under the management as per the provision laid down in the Indian Railway Establishment Manual Vol. II which I have already discussed above. It is a fact that the service of the concerned workman was regularised. It is also a fact that his service was also terminated on the ground of medical unfitness but before doing so the management did not consider necessary to provide him in employment for alternative category requiring a lower category of medical classification subject to suitability for the alternative category being adjudged by the screening committee to the extent it is found possible to arrange absorption against alternative post requiring lower medical classification. Therefore, there is reason to believe that the service of the concerned workman was terminated arbitrarily by the management and for which the concerned workman has suffered to a great extent. I further consider that such arbitrary decision of the management has clearly exposed violation of natural justice. There was scope on the part of the management to provide him with alternative job in the lower category as per Railway Manual but they did not consider to do so. I therefore hold that the action of the management in terminating the services of the concerned workman was not justified.

8. In the result, the industrial dispute raised by the concerned workman succeeds. The management is therefore directed to reinstate the concerned workman in service as per provision laid down in Railway Establishment Manual Volume II subject to his medical fitness within three months from the date of publication of the Award in the Gazette of India.

An Award is passed accordingly.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का.प्र. 1936.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनगुंथ में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एस-12012/180/93-आई धार (बी-1)]

सी. गंगाधरन, प्रवर सचिव

New Delhi, the 11th July, 2001

S. O. 1936. —In Pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the

Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 10-7-2001.

[No. L—12012/180/93-IR (B-I)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, CHANDIGARH

NO. ID 147/93

Gurdeep Singh.

C/o

Shri J. B. Garg, Regional
Secretary, State Bank of
India Staff Association,
197-198/34, Rakesh Nagar,
Janta Colony, Rohtak.
..Workman/Union

Vs.

Assistant General Manager,
State Bank of India,
Zonal Office, Punjab-Region-V
Sector-17, Chandigarh

Appearances

For the Workman : Shri Dinesh Madra.

For the Management : Shri P. K. Gupta Law Officer

AWARD

(Passed on 11th of June 2001)

The Central Govt. vide gazette notification No. L-12012/180/93-IR (B-I) dated 7th of December 1993 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of State Bank of India in not permitting Shri Gurdeep Singh to appear for the promotion test during the period of suspension is justified ? If no to what relief the workman is entitled to ?”

2. The claim of the workman in brief is that he is an ex-serviceman of armed forces. He had served in defence department for 11 years. He was appointed as guard in State Bank of India Ferozepur City Branch on 14-2-1975 and he was confirmed on 13-6-76. He had passed his higher secondary examination in the year 1979. He was eligible for his promotion from watch and ward staff cadre to clerical cadre during the year 1979. But the management did not consider his case for promotion till August 1988 and promoted juniors to the workman ignoring his seniority in clerical cadre. He was dismissed on 15-5-1986 because he was convicted by the lower criminal court in the criminal case of alleged fraud of Rs. 20,000/-. His appeal was allowed by the Sessions Judge who acquitted the workman. The second appeal filed by the management was dismissed by Hon'ble High Court of Punjab & Haryana, Chandigarh which was dismissed on 16-2-1985. Consequently the management reinstated the workman in bank's service and placed him under suspension vide order dated 26-9-1987.

That suspension order was revoked by the management vide letter dated 20-12-1988. Consequently the management had paid to the workman his back wages alongwith continuity of service w.e.f. 8-8-1980.

3. The suspension period w.e.f. 8-8-1980 to 15-5-1986 was treated as on duty. So, he was entitled to get the benefit of seniority and leave etc. He was promoted in clerical cadre during the month of August 1988 instead of June 1979. The action off the management was arbitrary, illegal, unconstitutional and against the principle of natural justice. He was entitled to the promotion during the month of June 1979 but his case was ignored and junior to him were promoted superseding the workman. Therefore, the management be directed to promote the workman from the date of his eligibility instead of August 1988.

4. The management has filed its written statement alleging that the workman was prosecuted in criminal court for the charge of committing fraud of Rs. 20,000/-, and on conclusion of trial he was convicted by the trial court. On appeal the Sessions Judge Ferozepur gave benefit of doubt to the workman and acquitted him from the charges levelled against him. Therefore, he was reinstated after revoking the order of suspension but he was not eligible for his promotion from the post of guard to clerical cadre during the month of June 1979. He had not put in five years of minimum service. He had passed higher secondary examination during the period from 1980 to 1986. The length of service rendered by him in Armed forces could not be considered for promotion during the month of June 1979. The guidelines for giving weightage to his past services were issued during the year 1986 by Union Ministry of Finance. The management had given effect to those guidelines during the month of Feb. 1987. Consequently he was given an opportunity to appear in promotion test after his reinstatement in service and he was promoted by the management during the month of August 1988. During the month of June 1979, he was not eligible for his promotion to clerical cadre. Therefore, the claim of the workman has no merit. It should be dismissed without any relief.

5. The workman has filed rejoinder reasserting the pleadings made by him in his claim statement.

6. In this case the facts of defence services of 11 years, and three days, appointment of the workman as guard on 14-2-1975, his confirmation on 14-6-1976, his prosecution and conviction in criminal trial court and his acquittal from sessions court are admitted facts. His suspension and reinstatement and his promotion during the month of August 1988 are also admitted facts.

7. The workman has submitted his affidavit. Ex. W1. No. document has been filed by him in support of his case. He has deposed that he was promoted to the post of clerical cadre during the month of August, 1988 but he was eligible for his promotion during the month of June 1979. The term of reference

relates to the permission to appear for the promotion test during the period of suspension. The management had filed the affidavit of Bank Officer Shri S. R. Singhal, who was given up by the bank on 25-5-99. The management examined on that day its Deputy Manager Shri G. B. Rustog. The witness of the management has deposed in his cross-examination that the workman was not eligible for his promotion during the year 1979 because he was appointed on 14-12-1975 as it has been deposed in the affidavit of the workman. As per promotion policy Ex. M1, the workman had not completed five years service during the month of June, 1979. The policy of giving weightage to ex-serviceman for his past defence services was given effect w. c. f. 17-2-1987. Therefore, it is evident that he was not eligible for promotion during the month of June 1979. The workman has claimed in his claim statement, that he should have been promoted during the month of June 1979 instead of August 1988. Therefore, this relief can not be granted to the workman. Besides this the term of the reference does not relate to his promotion during the month of June 1979.

8. It is an admitted fact that the workman remained under suspension w. c. f. 8-8-1980 to 15-5-1986. During this period the criminal case was pending against him. As per service rules he was not entitled to get promotion during the suspension period. Therefore, the question of giving permission to appear for promotion test does not arise. Under these circumstances, the action taken by the management in not permitting the workman to appear for promotion test during suspension period was justified. After his reinstatement, he was permitted to appear in promotion test. He qualified in it and he was promoted to clerical cadre during the year 1988. Considering all facts of the case, the claim of the workman has no merit for any relief.

9. On the appreciation of evidence adduced by both the parties, the reference is answered that the action of the management, of the State Bank of India in not permitting Shri Gurdeep Singh to appear for promotion test during the period of suspension is justified. Consequently the workman is not entitled to get any relief. The parties shall bear their own costs. Appropriate Govt. be informed.

Chandigarh.
11-6-2001

B.L. JATAV, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

काआ 1937.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में निम्नलिखित 2269 GI/2001—20

और उनके कर्मचारियों के बीच, अनुबंध से निष्पक्ष औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण न. 2, धनबाद के पचास को प्रकाशित करती है, जो केन्द्रीय सरकार के 10-07-2001 को प्राप्त हुआ था।

[सं एल-12012/131/96-आई आर (बी-1)]

सी गंगाधरण, अवसर सचिव

New Delhi, the 11th July, 2001

S.O. 1937.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 10-7-2001.

[No. L-12012/131/96-IR(B-I)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 82 OF 1997

PARTIES : Employers in relation to the management of State Bank of India, Muzaffarpur and their workman.

APPEARANCES:

On behalf of the : Shri D.K. Verma, Advocate workman

On behalf of the : Shri B. Joshi, Advocate employers

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 29th June, 2001

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/131/96-I.R. (B-I), dated, the 28th August, 1997.

SCHEDULE

"Whether the action of the management of State Bank of India in imposing the penalty of "discharge" from service on Shri Deoki Mahto is legal and justified? If not, to what relief the workman is entitled?"

2. The case of the concerned workman as per W.S. in brief is as follows:

The concerned workman in his W.S. submitted that he was a permanent employee of State Bank of India and discharged his function as Clerk-cum-Cashier to the satisfaction of the management. It has been alleged by the concerned workman that Asstt. General Manager of Region-II being the disciplinary authority issued a chargesheet on 21-3-94 illegally and without any reason. The concerned workman also made a reply to the chargesheet given to him by the management but the management being dissatisfied with the reply given by him conducted a domestic enquiry and thereafter on the basis of the report of the Enquiry Officer he was discharged from his service illegally, arbitrarily and without any basis. It has been further alleged that the management issued a chargesheet with mala fide intention to dismiss him on the ground of misconduct. He further disclosed in his W.S. that the domestic enquiry conducted by the Enquiry Officer was in utter violation of the principles of natural justice. The enquiry officer in course of that domestic enquiry did not give him any opportunity to defend himself. Even he was not allowed to cross-examine the witnesses of the management fully. Accordingly the concerned workman submitted his prayer for passing necessary Award to the effect that the action of the management of the State Bank of India in imposing the penalty of discharge from service was not legal and justified and for which he prayed for reinstatement in service with full back wages.

3. The management on the contrary after filing W.S.-cum-rejoinder has denied all the claims and allegation which the concerned workman asserted in his W.S. It has been disclosed by the management that the concerned workman in discharge of his duties as clerk-cum-cashier and committed serious misconduct on 8-9-93 at Barachakia branch. The management submitted that on 8-9-93 the concerned workman came to the office in drunken state and with that mental state of affairs he dealt with customers as well as workers and supervisors. He at that time also misbehaved with all of them very badly. He also uttered filthy language to the staff and officers and uttered various abusive words in a very indecent manner in the course of his official business. The management submitted that it was not the solitary incident when the concerned workman misbehaved in a very ugly manner with the staff and officer but also on previous occasion he committed same mischief. Even he used to leave the office during working hours without permission of the superior authority. The concerned workman also used to remain himself absent from duties unauthorisedly on different dates. Over such misconduct initially explanation was called for from the concerned

workman but he did not consider necessary to give any reply to that explanation and for which the management issued chargesheet on 21-3-94 with the charge of commission of misconduct. It has been further submitted that the disciplinary authority after perusing the reply given by the concerned workman wanted to get the matter enquired in a departmental proceeding and accordingly Shri Anjan Sarkar was appointed as Enquiry Officer to conduct the said departmental enquiry against the chargesheet dt. 29-3-94 issued to the concerned workman. The disciplinary authority also vide letter No. DPS/14/138 dt. 9-8-94 appointed Shri R.K. Sinha as Presenting Officer to present the case of the management before the Enquiry Officer. The Enquiry Officer thereafter conducted the departmental enquiry on a number of dates commencing from 22-8-94 and thereafter he submitted his enquiry report on 27-3-95 holding the concerned workman guilty of the charges levelled against him. The disciplinary authority after considering the chargesheet, reply to the chargesheet, enquiry proceeding and the enquiry report and also all other relevant papers was satisfied about the enquiry done by the Enquiry Officer properly and thereafter the concerned workman submitted his representation to the disciplinary authority on the finding made by the Enquiry Officer as well as the Disciplinary authority and after considering all these points the Disciplinary authority passed the order dt. 4-8-95 imposing the penalty upon the concerned workman and accordingly he was discharged from his service. The concerned workman thereafter submitted an appeal before the Appellate authority by his representation dt. 4-8-95 and the Appellate authority after giving him opportunity of personal hearing rejected his appeal. The management submitted that the departmental enquiry was conducted fairly, properly and in accordance with the principles of natural justice. The concerned workman was given full opportunity to engage his defence counsel to participate in the departmental enquiry and also to cross-examine the management's witnesses. Opportunity was also given to him to adduce his evidence and also to produce his witness. It has been submitted further that before taking up enquiry the concerned workman neither raised any objection against the enquiry officer nor he challenged the procedure of enquiry conducted by the Enquiry Officer. Accordingly the management submitted that an Award be passed holding that the action of the management in discharging the concerned workman from his service was legal, bonafide and justified and for which he was not entitled to get any relief.

4. Before taking up final hearing a preliminary hearing was taken up to ascertain if the domestic enquiry conducted against the concerned workman was fair, proper and in accordance with the principles

of natural justice or not? My predecessor-in-office after hearing both sides held that the domestic enquiry against the concerned workman was fair and proper and for which it was decided in favour of the management.

5. Now the point for consideration is:

“Whether the action of the management of State Bank of India in imposing the penalty of “discharge” from service on Shri Deoki Mahto is legal and justified? If not, to what relief the workman is entitled?”

DECISION WITH REASONS

6. It is admitted fact that the concerned workman was an employee of State Bank of India and posted at Barachakia branch as Clerk-cum-Cashier when the cause of action in the instant case arose. It is seen that over the misconduct of the concerned workman a chargesheet was issued against him on 21-3-94 and the concerned workman submitted his reply to the aforesaid chargesheet on 11-5-94. As the disciplinary authority was dissatisfied with the reply given by the concerned workman a departmental proceeding was started against him vide order dt. 9-8-94 and Shri Anjan Sarkar was appointed as Enquiry Officer while Shri R.K. Sinha was appointed as Presiding Officer. Shri R.K. Sinha i.e. MW-1 during his evidence corroborated the facts relating to the departmental enquiry held against the concerned workman by the Enquiry Officer. The charges in brief are:—

- “(i) On 28-9-93 he entered into the branch in a drunken state and misbehaved with Shri Ram Swarath Mishra, a customer. He continued his misbehaviour with the members of staff also and lastly shouted filthy language at Shri S.K. Singh, Accountant. On 15-2-93 also he was found in a drunken state and left office at 3.45 P.M. reporting that he was unable to work.
- (ii) On 15-8-93 when he was working in Despatch Section, he refused to close the postage book, and shouted in abusive languages.
- (iii) Besides remaining absent unauthorisedly on specific days as alleged in the charge-sheet he left offices after lunch recess without obtaining permission on 15-2-93, 19-2-93, 5-5-93 and 5-10-93 at 3.45 P.M., 4.00 P.M., 3.00 P.M. and 4.15 P.M. respectively.”

In course of enquiry the Enquiry Officer examined different witnesses in presence of the concerned workman and thereafter completing the enquiry, submitted his report finding the concerned workman guilty of misconduct. On the basis of that enquiry report, the disciplinary authority after perusing all the papers of enquiry found him guilty for mis-

conduct and for which the concerned workman as discharge from his service. that order passed by the disciplinary authority the concerned workman preferred an appeal before the Appellate Authority and the Appellate Authority on careful consideration of the entire matter and after having applied his mind agreed with the finding and the decision of the disciplinary authority and came to the conclusion that there was no reason to modify the order of discharge. Accordingly the Appeal preferred by the concerned workman was dismissed. The disciplinary authority before finding the concerned workman guilty of misconduct after careful consideration of all the papers of the enquiry came to the conclusion that the finding of the Enquiry Officer in respect of charge No. 1 and 3 was not established beyond all reasonable doubt. However, the disciplinary authority agreed with the finding of the Enquiry Officer in respect of Charge No. 2. The disciplinary authority has assigned reason why he disagreed with the finding of the Enquiry Officer in respect of charge No. 1 and 3 as per enquiry report. As such it is clear that on the basis of charge No. 2 the concerned workman was found guilty of misconduct and not in respect of charge No. 1 and 3. The Charge No. 2 which was brought against the concerned workman was “On 15-8-93 when he was working in the despatch section he refused to close despatch book and shouted in abusive language”. I have considered relevant papers relating to enquiry made by the Enquiry Officer in respect of this particular charge. I also considered the statement of the witnesses in this regard. According to the enquiry report it is seen that on 15-8-93 the concerned workman refused to close the postage book and shouted in abusive language. No evidence is forth-coming before this Tribunal about the actual ground for refusing to close the postage book. It is also not clear actually if aiming any person the concerned workman shouted in abusive language. However, from the enquiry report I find support of the allegation in question. Now the point for consideration is whether for the said reason the punishment awarded to the concerned workman was befitting or not. It is seen that the disciplinary authority was not agreed with the finding of the Enquiry Officer against the concerned workman in respect of charge No. 1 and 2. Therefore, at this stage I do not find any sufficient ground to discuss in details about the finding of the Enquiry officer in respect of Charge No. 1 and 3. It is seen that the disciplinary authority took action i.e. discharged the concerned workman from service relying on the allegation which was brought against him as per charge No. 2. Learned Advocate for the concerned workman referring to a decision reported in AIR 1967 SC 428 and submitted that though the concerned workman was found guilty for committing misconduct in view of charge No. 2 the punishment

awarded was too harsh and very much disproportionate to the offence committed by the concerned workman and also it contravenes the principles of natural justice. In the decision i.e. Llyods Bank Ltd.-vrs-Panna Lal Gupta Their Lordships held that the punishment awarded to the appellant is shockingly disproportionate to the charge framed against him. No reasonable employer would ever impose in like circumstances the punishment of dismissal of the employee. Victimisation or unfair labour practice could well be inferred from the conduct of the management in awarding the extreme punishment of dismissal for a flimsy charge of abuse of some worker or officer of the management by the appellant within the premises of the factory. The instant case is almost on similar nature of the case where the Hon'ble Apex Court made such observation which has been referred to above. It is seen that three specific charges were brought against the concerned workman. Out of which charge No. 1 and 3 are far more serious in comparison to charge No. 2. Finding of the enquiry officer that the concerned workman was guilty of misconduct in respect of Charge No. 1 and 3 was totally disbelieved by the disciplinary authority but as Charge No. 2 was established against the concerned workman he was discharged from service. I have considered the Charge No.2 very carefully. It is fact that the concerned workman did not close the postage book on 15-8-93 in discharging his official duty. This is definitely a dereliction of duty on his part. It is also established that the concerned workman on that day shouted inside the branch of the said Bank and also used abusive language. Being a staff of the Bank it was not befitting on his part to show such ugly gesture to his colleagues and customers while he was on duty. Definitely for such ugly behaviour and also dereliction of duty the concerned workman cannot avoid responsibility to suffer punishment. But the punishment which was awarded by the disciplinary authority to the concerned workman appears to be not only disproportionately excessive in relation to the offence committed by him but also it has gone against the enquiry and principles of natural justice. It is seen that for such misconduct and dereliction of duty the management taking vindictive attitude victimised the concerned workman. Discharge from service, I think is the optimum punishment which can be awarded by the management. It is expected that such punishment can be awarded only in case of extreme cases. Here after a careful consideration of all the facts and circumstances it is seen that the misconduct for dereliction of duty which the concerned workman committed was not of such serious in nature which could deserve maximum punishment i.e. discharge from service. I therefore, hold keeping in view of the decision of the Hon'ble Apex Court that the punishment awarded against the concerned

workman by the management was not only illegal and improper but also against the principles of natural justice. In the result, the following Award is rendered:

"The action of the management of State Bank of India in imposing the penalty of "discharge" from service on Shri Deoki Mahto is not legal justified, and also in accordance to the principle of natural justice. Consequently, the concerned workman is entitled to reinstatement to his original job without any back wages. However, he is entitled to continuity of service."

The management is directed to reinstate the concerned workman to his original job as stated above within three months from the date of publication of the Award in the Gazette of India.

B BISWAS, Presiding Officer

नई दिल्ली, 12 जुलाई, 2001

का.आ. 1938:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिणी रेलवे के प्रबंधन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पेंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[सं. एल-41012/212/95-आई आर (बी-1)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 12th July, 2001

S.O. 1938.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chennai as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Southern Railway and their workman, which was received by the Central Government on 11-7-2001.

[No. L-41012/212/95-IR(B-1)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI
Monday, the 11th June, 2001

Present : K. KARTHIKEYAN,
PRESIDING OFFICER

Industrial Dispute NO. 418/2001

(Tamil Nadu State Industrial Tribunal I.D. No. 03/97)
(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Shri J. Dhanapal and the Management of Southern Railway, Madras.)

BETWEEN

J. DHANAPAL : I Party/Workman

AND

The General Manager : II Party/Management
Southern Railway, Madras.

Appearance :

For the Workman : Sri S. Bakthavatsalu,
Authorised RepresentativeFor the Management : Mr. P. Arulmudi,
Advocate

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (I) and sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the following dispute for adjudication vide order No. L-41012/212/95-IR(B-I) dated 'nil' :—

"Whether the action of the Management of General Manager, Southern Railway, Madras in dismissing Shri J. Dhanapal from service w.e.f. 22-06-90 is legal and justified? If not, to what relief is the workman entitled?"

This matter came up before me for final hearing on 30-4-2001, upon perusing the Claim Statement, Counter Statement and other material papers on record, the oral evidence of the Petitioner and the documentary evidence of the Respondent and upon perusing the written arguments submitted on either side and this matter having stood over till this date for consideration, this Tribunal has passed the following :—

AWARD

This reference has been made earlier to the Tamil Nadu State Industrial Tribunal, where it was taken on file as I.D. No. 3/97. On receipt of notice from that Tribunal, the Petitioner through his authorized representative and the Respondent through his counsel entered appearance and filed their respective Claim Statement and Counter Statement. When the matter was pending enquiry, before the Tamil Nadu State Industrial Tribunal, as per the orders of transfer by the Central Govt., this case has been transferred from the file of Tamil Nadu State Industrial Tribunal to the file of this Tribunal of adjudication. On receipt of records of this case from the Tamil Nadu State Industrial Tribunal, this case has been taken on file here as I.D.No.418/2001 and notices were sent to the representative of the I Party and the counsel for the II Party, informing them about the transfer of this case from the file of Tamil Nadu State Industrial Tribunal to the file of this Tribunal, with a direction to appear before this Court with their respective parties to prosecute this case further on 23-02-2001. Accordingly, both the parties appeared before this Tribunal along with the authorized representative and the counsel on record respectively and prosecuted this case further.

2. The facts of this industrial dispute in brief as stated in the Claim Statement of I Party/Workman are as follows :—

The I Party/Workman Sri J. Dhanapal (hereinafter referred to as Petitioner) was appointed as a casual labour at Royapuram Depot in the mechanical branch on 9-9-1970. He was granted temporary status w.e.f. 9-3-1971. Subsequently, he was absorbed as Khalasi on regular basis with effect from 7-12-1978. While so, the Petitioner was suspended by an order dated 20-5-1988 with retrospective effect from 4-5-1988. The said order of suspension was revoked on 9-8-1988 and he was taken back to duty from 9-8-1988. During the period of suspension, the petitioner was issued a charge sheet dated 15-6-88 for violating Rule 2(3)(1)(ii)(iii) of Railway Servants (Conduct) Rules, 1966. The charge against the Petitioner was—

- (a) that he entered the office of CWS/Yard TNPM at about 12.45 hrs. on 3-5-88 and used filthy language on Sri T.R. Venugopal and approached him with the motive of hitting;
- (b) And again on 4-5-88 while the CWS came for duty at 13.00 hrs. he used vulgar language against him (CWS) in the presence of Mr. Panduranga Vittal, CTR and Sri S. Kuppuswamy and threatened him that he will murder his family members at residence.

The petitioner acknowledged the charge memo on 25-6-88. An Enquiry Officer was appointed on 9-8-88 and on that day, the suspension order against the petitioner was revoked. The Petitioner did not attend the enquiry on 23-9-1988, 17-12-1988 and 10-03-1989. Finally, on 2-8-1989 the Petitioner attended the enquiry and accepted the charges. Since he accepted the charges, the enquiry was closed by the Enquiry Officer and he held the charges were proved. In pursuance of the Enquiry Officer's finding, the Disciplinary Authority by his order dated 11-6-90 removed the Petitioner from service with effect from 22-6-1990.

3. The Petitioner in his Claim Statement had challenged the penalty imposed by the II Party/Southern Railway Department, the Respondent herein as illegal and unjustified. He would further contend that his date of birth is 4-7-52 and he is entitled to serve up to the age of 60 years but he was prematurely removed from service from 22-6-90 on flimsy grounds. The action taken by the authority lower than the appointing authority (General Manager) is invalid, wholly arbitrary and unjustified. The enquiry conducted by the department is vitiated since reasonable opportunity, for perusal of records, and to have defence assistance were not granted to the Petitioner. Hence, it is against the principles of natural justice, The Disciplinary Authority without

furnishing the copy of the entire proceedings of the enquiry issued a second show cause notice and imposed a penalty without giving any valid reasons with regard to the adequacy of penalty imposed. Further the competent authority has to get prior approval of the Ministry of Railways for removing the Petitioner from service.

4. It is the contention of the II Party/Southern Railway Management (hereinafter referred to as Respondent) that the departmental enquiry was conducted against the Petitioner as per the procedure and compliance of principles of natural justice. The Petitioner only did not co-operate with the enquiry. He was terminated from service for the violation of the Railway Servants (conduct) Rules. The Petitioner did not prefer any appeal against this removal. The action of the Management in removing the Petitioner from service is legal and justified.

5. When the matter has been taken up for enquiry, the Petitioner who already filed into the Court his proof of affidavit, was cross examined by the learned counsel for the Respondent and his evidence has been treated as evidence of Workman witness No.1. On the side of the Respondent/Management, documents were marked by consent of either party as Ex. M1 to M12. The learned counsel for the Respondent has informed the Court that the II Party/Management has no oral evidence. The written arguments of the authorized representative of the I Party/Petitioner and the counsel for the II Party/Management were filed separately.

6. The point for my consideration is—

“Whether the action of the Management of General Manager, Southern Railway, Madras in dismissing Shri J. Dhanapal from service w.e.f. 22-06-90 is legal and justified? If not, to what relief is the workman entitled?”

Point :

The I Party/Workman/Petitioner Sri J. Dhanapal has raised this industrial dispute against the II Party/Southern Railway/Management, the Respondent herein for the order passed by the Respondent for removing the Petitioner from service on 22-6-90 for misconduct. It is admitted that the Petitioner was engaged as a casual labourer at Royapuram Depot in the Mechanical Branch from 9-9-1970 and he was granted temporary status from 9-3-1971 and subsequently he was absorbed as Khalasi on regular basis with effect from 7-12-1978. Though it is the contention of the Petitioner that he was recruited against 15% of vacancies reserved for SC category workers it is denied by the Respondent stating that the Petitioner was not appointed against the vacancies reserved for Scheduled Caste. For one such ap-

pointment said to have been made by the Respondent as a recruitment of the Petitioner against 15% vacancies reserved for SC category workers, no material has been produced by the Petitioner to substantiate his case. While giving evidence as WW1, in the proof of affidavit as well as in the cross examination before this Court, the Petitioner has not stated that he has got material to substantiate that contention.

7. The Petitioner has admitted that he was removed from service on 22-6-90. Ex M1 is the xerox copy of the service register of the Petitioner. In that there is an entry to the effect that he remained absent for duty from 26-2-1975 to 02-10-1975 in more than nine spells as unauthorized absence for which penalty of issue of one set of privilege free pass has ordered to be with held. Like that there is another entry for the penalty awarded to him for remaining absent from duty from 7-8-76 to 7-10-76 without obtaining leave. Subsequently for his unauthorized between 22-8-78 and 31-3-79 in five spells punishment was given by withholding his annual increment for a period of six months. Again, another penalty was imposed on him for such unauthorized absence for a later period 1977 and 1978 by withholding his annual increment for a period of six months. Again in 1986 and 1987 he remained unauthorizedly absent and penalties were awarded for those occasions by withholding his annual increment for a period of twelve months. This shows the Petitioner as chronic unauthorized absentee for duty and he was given punishments for such unauthorized absence. But in the cross examination he has stated that he was not given any punishment by the Management during his service of 20 years which is quite contrary to the entries available in his service book. Later when he was put in notice of entries of Ex. M1 his service register in the cross examination he has admitted that as and when he absented from duty unauthorizedly the period of such absence used to be noted in his service book and the penalty awarded therefor used to be mentioned therein. The Petitioner was issued a suspension order dt. 20-5-88 under the original of Ex. M2. Ex M3 is a xerox copy of order dated 9-8-88 revoking the suspension and Ex M4 is the Xerox copy of the letter dated 9-8-88 for taking the petitioner back for duty. The Petitioner has admitted in his evidence that he was issued a charge sheet dated 15-6-88, the xerox copy of the same is Ex. M5. For having received the charge memo, the petitioner has acknowledged it by letter dated 25-6-88. The xerox copy of the same is Ex. M6. Though he has stated that he filed his explanation for the charge sheet he has not chosen to file the copy of the same. He has also not stated in his Claim Statement that he has submitted his explanation to the charge sheet. It is his submission that he had received the notice for the enquiry and he acknowledged

the same by his letter dated 30-8-88. The xerox copy of the same is Ex. M11. Though nothing has been stated about the conduct of the enquiry, except as a belated one, it is stated in the Claim Statement of the Petitioner that he was not given reasonable opportunity to peruse the records, to have an assistance of defence assistant and the charge has not been explained in local understandable Tamil language and hence the enquiry is vitiated and it is against the principles of natural justice. While giving evidence, the Petitioner has admitted that the signatures available in Tamil as J. Dhanapal is his signature. The document contained his signature has been marked as EX. M7. Ex. M7, the xerox copy of DAR enquiry against the Petitioner on 2-8-89. In that document the Enquiry Officer as well as the charge sheeted employee have subscribed their signature. There is an endorsement to that effect in that document that the proceedings recorded there under was read over and translated in Tamil and accepted by the Petitioner as correct in both the pages of that Exhibit. Underneath that endorsement the Petitioner has subscribed his signature in Tamil. While giving evidence as WW1, the Petitioner has stated in the cross examination that those three signatures available in Tamil are that of his signature. But he denies the contents in Ex. M7 stating that he put those signatures in white blank paper and he was not stated before the Enquiry Officer as it is mentioned in that exhibit as his answer to the questions put by the Enquiry Officer. He has also stated in his evidence that he has informed the Enquiry Officer that he may be appologized and his case may be considered sympathetically to save his family. A perusal of Ex. M7 shows that the Petitioner has stated before the Enquiry Officer that he has understood the charges and accepted the charges unconditionally and he was feeling sorry for the attitude and requested the Enquiry Officer to consider his case sympathetically to save his family. For the last question put by the Enquiry Officer that whether he was satisfied with the enquiry proceedings, the Petitioner has replied that he was satisfied. Hence, the evidence given by WW1 that he had not stated to the Enquiry Officer as what it is mentioned there in Exhibit itself and his signatures were obtained in white blank paper cannot be acceptable as correct. Further in his Claim Statement he had not pleaded so in respect of the conduct of the enquiry by the Enquiry Officer. From this it is seen that it is only an afterthought of the Petitioner to come and deny the contents in Ex. M7. Ex M9 is the xerox copy of Penalty Advise sent to the Petitioner and Ex M10 is the acknowledgement of the Petitioner for receipt of the Penalty Advise. The Petitioner has not preferred any appeal against the order of punishment imposed by the competent authority. But in evidence, he says that he has preferred an appeal and has notified the copy of the

appeal petition in the Court. He has also not mentioned in his Claim Statement that he preferred an appeal against the penalty of and the same has been admitted by him in evidence. He admits that he preferred a petition before the Labour Court in 1993 and it was dismissed. It is also his admission that Ex M12 is the order passed by the Labour Court denying his claim. The learned counsel for the Respondent/Management had mentioned in his written argument that the Petitioner had not attended the enquiry on 23-9-88, 17-12-88 and 10-03-89 and therefore, the same was delayed and finally on 2-8-89. When the petitioner Sri J. Dhanapal attended the enquiry and accepted the charges unconditionally, the enquiry was closed by the Enquiry Officer. Nothing is available as material to dispute these facts spoken to by the learned counsel for Respondent in his argument. On the other hand, Ex M7 the enquiry proceedings & Ex. M8, the Enquiry Officer's findings clearly shows that the arguments advanced by the learned counsel for the Respondent/Management on this aspect is correct. So under such circumstances, the contention of the Petitioner's representative that there was a long delay in conduct of the departmental enquiry and the charges framed was not explained to the Petitioner in Tamil and he was deprived with reasonable opportunity to defend himself are not correct. From what it is mentioned in Ex. M7, the enquiry proceedings, it is seen that there was no necessity for the Enquiry Officer to conduct the enquiry in detail by furnishing the documents to the Petitioner, the delinquent employee and to hold a full fledged enquiry since the Petitioner himself has admitted the charge after clearly understood the detail of the charge of misconduct levelled against him. Under such circumstances, it cannot be said that the enquiry is vitiated and no reasonable opportunity was given to the Petitioner/Workman to put forth his defence effectively and it is a violation of principles of natural justice. The particulars of charges has been clearly stated by the Enquiry Officer to the delinquent employee as alleged misconduct spoken against him, as it is seen from Ex M7, Having understood the charge of misconduct alleged against him, the Petitioner has voluntarily admitted the charge as he was accepting the charges unconditionally. Under such circumstances, the argument advanced by the learned representative of the Petitioner/Workman with regard to conduct of the enquiry cannot be accepted as correct. As it is seen from the records, the misconduct alleged against the Petitioner is a serious misconduct and the Petitioner had repeated the same for 5-8-88 also. So, as it is put forth by the learned counsel for the Respondent, it was dealt with by the Disciplinary Authority in accordance with the rules and penalty has been imposed. It cannot be said that the past record of this petitioner/Workman isblemishless. The entries in the service book of the

Petitioner Ex M1 go to show that he was penalised very many times for his unauthorized absence from duty. No document is available in this case to show that the Petitioner has objected to the conduct of the enquiry proceedings before ever he files his Claim Statement for raising this industrial dispute. So, under such circumstances, I can come to a conclusion that there is no material to substantiate the claim of the Petitioner/workman and there is no merits in this case. So it is concluded that the action of the Management of General Manager, Southern Railway Madras, in dismissing Sri J. Dhanapal from service from 22-6-90 is legal and justified. Hence, the concerned workman is not entitled to any relief. Thus, I answer the point accordingly.

8. In the result, an award is passed holding that the action of the management of General Manager, Southern Railway, Madras in dismissing Sri J. Dhanapal from service with effect from 22-6-90 is legal and justified. Hence, the concerned workman is not entitled to any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 11th June, 2001).

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined:

For the I Party/Workman:
WW.1 Shri J. Dhanapal

For the II Party/Management:
NONE

DOCUMENTS MARKED:

For I Party/Workman: NIL

For the II Party/Management:
Ex.No. Date Description

M 1—		Extract copy from the Service Register of Sri J. Dhanapal, the Petitioner
M2	20-05-88	Xerox copy of suspension letter.
M3	09-08-88	Xerox copy of suspension re-vocation letter.
M4	09-08-88	Xerox copy of the letter of joining duty of the Petitioner.
M5	15-06-88	Xerox copy of standard form of charge sheet.
M6	25-06-88	Xerox copy of acknowledgement of charge Sheet by the Petitioner
M7	02-08-89	Xerox copy of DAR enquiry proceedings.
M8	NIL	Xerox copy of Enquiry Officer's findings.

M9	11-5/6-90	Xerox copy of Penalty Advise.
M10	30-7-90	Copy of acknowledgement of Penalty Advise by the Petitioner
M11	30-08-88	Xerox copy of acknowledgement letter of the Petitioner.
M12	15-07-93	Xerox copy of order of the Case No. 73/1991.

नई दिल्ली, 7 जुलाई, 2001

का. प्रा. 1939:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत पेट्रोलियम कॉर्पोरेशन लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में, निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण, चेन्नई के कामन पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-7-2001 को प्राप्त हुआ था।

- (1) [सं एल-30012/75/96-आई.आर. (सी-I)]
- (2) [सं एल-30012/76/96-आई.आर. (सी-I)]
- (3) [सं एल-30012/77/96-आई.आर. (सी-I)]
- (4) [सं एल-30012/83/96-आई.आर. (सी-I)]

एस. एस. गुप्ता, ज्वर सचिव

New Delhi, the 7th July, 2001

S.O. 1939.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Common award of the Central Government Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Petroleum Corporation Ltd. and their workman, which was received by the Central Government on 3-7-2001.

S. S. GUPTA, Under Secy.

- [Nos. (1) L-30012/75/96-IR(C-I)
(2) L-30012/76/96-IR(C-I)
(3) L-30012/77/96-IR(C-I)
(4) L-30012/83/96-IR(C-I)]

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday the 20th June, 2001

PRESENT :

K. KARTHIKEYAN, Presiding Officer

Industrial Dispute Nos. 451, 452, 453 and 454/2001

(Tamil Nadu State Industrial Tribunal I.D. Nos. 98, 99, 100, 101/97)

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workmen S/Shri M. Penchilliah, Mohammed Iqbal, M. Subramani and K. Padmanabhan and the Management of Bharat Petroleum Corporation Ltd., Chennai).

BETWEEN

I Party|Workmen.

1. M. Penchilliah (ID No. 451/2001) :
2. Mohamed Iqbal (ID No. 452/2001)
3. M. Subramani (ID No. 453/2001) (Deceased)
Smt. Pushpa and
Five Others as L|Rs.
4. K. Padmanabhan (ID No. 454/2001).

AND

II Party|Management.

The General Manager :

Bharat Petroleum Corporation Ltd.
Chennai.

Appearance :

For the Workmen : Sri. D. Vijayakumar
Advocate.

For the Management : M|s. T. S.
Gopalan & Company, Advocates.

This dispute on coming up before me for final hearing on 31-05-2001, upon perusing the reference, Claim Statement, Counter Statement and other material papers on record, the documentary evidence let in on either side and upon hearing the arguments of learned counsel on either side and this

dispute having stood over till this date for consideration, this Tribunal passed the following :—

COMMON AWARD

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred these concerned industrial disputes for adjudication vide Order No. L-30012/75, 76, 77 and 83/96-IR(C-I) dt. 16-09-97.

2. These references were made earlier to the Tamil Nadu State Industrial Tribunal, where they were taken on file as I.D. Nos. 98, 99, 100 & 101/97. When the matter was pending enquiry in that Tribunal the Govt. of India, Ministry of Labour was pleased to order transfer of these cases from the file of that Tribunal to the file of this Tribunal for adjudication. On receipt of records from that Tribunal these cases have been taken on file on 12-02-2001 as I.D. Nos. 451, 452, 453 and 454/2001 respectively and notices were sent to the counsel on record on either side informing them about the transfer of these cases to this Tribunal, with a direction to appear before this Tribunal on 28-02-2001. On receipt of notice from this Tribunal, counsel on either side present when the matter was taken up for enquiry on 28-02-2001, the counsel on either side with their respective parties were present and on request of both the parties, these cases were adjourned to 15-03-2001 and then to 29-3-2001.

3. When the matter was taken up on 29-3-2001 for further enquiry, exhibits M8 to M79 were marked by consent and on subsequent hearing on 10-4-2001 Ex. M80 to M112 were marked by consent. Then on representation by the counsel on either side, evidence on either side was closed and the arguments advanced by the learned counsel on either side was heard on 14-5-2001 and on subsequent two hearings.

4. The Industrial Dispute referred to in common in the above orders of reference by the Central Govt. for adjudication of this Tribunal is as follows :—

“Whether the action of the Management of Bharat Petroleum Corporation Ltd., in discharging S/Shri N. Penchilliah, Mohamed Iqbal, M. Subramani and K. Padmanabhan w.e.f. 31-10-1995 is just, proper and

legal ? If not to what relief the workmen are entitled ?”

When the matter was pending enquiry before the Tamil Nadu Industrial Tribunal, the I Party/Workman/Petitioner Sri M. Subramani expired. So, on petition M.A. No. 85/99 by the legal representatives of that Petitioner/Workman, the Tamil Nadu Industrial Tribunal was pleased to allow that Petition and the wife and the issues of the deceased Petitioner M. Subramani, Smt. S. Pushpa (wife) Jeyalakshmi, Ilakiya Selvi, Tamil Selvi, Ilaya Selvi (daughters) and Meganathan (son) were impleaded as L/Rs of that Petitioner M. Subramani to prosecute his case I.D. No. 100/97 (CGIT I.D. No. 453/2001).

5. The industrial dispute referred to between the parties is briefly as follows :—

The I Party/Workmen (hereinafter referred to as Petitioners) were appointed as watchmen/general workmen by the II Party/Management (hereinafter referred to as Respondent) and they were working in tanks, pipelines operations at Tondiarpet under the control and management of the Respondent. While so, the Respondent had issued an order of suspension on 12-1-1990 against the Petitioner Sri Mohammed Iqbal and on 19-1-90 against the Petitioners S/Sri M. Penchilliah, M. Subramani and K. Padmanabhan separately. The above said suspension was made against them on the ground that on 21-10-1989 morning at 8.00 a.m. a quantity of 12134 litres of benzene costing Rs. 1,30,000 was lost from tank No. T-21. The Respondent has issued charge sheet dated 18-5-90 separately for these Petitioners. The nature of charge is such as theft, fraud, dishonesty in connection with Corporation/business or property as per Clause 29.1.14 of the Standing Order of Corporation. The petitioners denied the charges and submitted their explanations. A common domestic enquiry was conducted by the Respondent/Management as departmental proceedings pursuant to the charges levelled against the Petitioners. That domestic enquiry was conducted by the Respondent/Management against these four Petitioners and four other employees S/Sri A. George Louis, Gauger, C. Jagannathan, Watchman C. R. Jayasekaran Watchman and A. Viswanathan Watchman. On the conclusion of the enquiry, the Enquiry Officer gave his common enquiry report dated 19-4-94. In that domestic enquiry, the Respondent/Management have examined eight witnesses and 96

documents were marked as Management Exhibits. 40 documents were marked as exhibits on behalf of the Workmen. On the basis of the enquiry report of the Enquiry Officer, the Respondent/Management had terminated the Petitioners from service with effect from 31-10-94. The domestic enquiry was not conducted in a proper and prescribed manner. The case is based on the theft of the corporation property. The Petitioners have challenged the action of the Management by terminating them from service stating that on the basis of confession statement allegedly given by one Gaja in C.C. No. 10185/95 on the file of Chief Metropolitan Magistrate, Egmore, Madras, the Petitioners were charge sheeted for the alleged misconduct. In that criminal case all the accused including these Petitioners have been acquitted on 9-10-97. Thus, no case has been proved against the Petitioner warranting or necessitating the Respondent/Management to impose the capital punishment of discharge from service of the Petitioners. The steps taken by the Petitioners including conciliation proceedings were failed. Hence, this Tribunal may be pleased to adjudicate the matter and to hold that the action of the Management against the petitioners is unjustified and to direct the Respondent/Management to reinstate the Petitioners in service with full back wages, continuity of service and attendant benefits.

6. The Respondent/Management had disputed the contents of the Petitioners in the Claim Statements and had averred in their Counter Statement that on 21-10-89, there were 5 lorry fillings of Benzene and the closing reading of the flow meter attached to the benzene gantry was 16396842. The General Shift operation came to an end at 13.00 hrs. One K. Anbumani, Pump Operator and Thanikachalam were put on over time work and after finishing over time work, they left at 15.00 hrs. The filling operations were over by 15.00 hrs. The Operations Officer Sri A. R. Balasubramaniam left at 16.00 hrs. After 16.00 hrs. apart from 5 watchmen A. Viswanathan, C. Jaganathan, C. R. Jeyasekaran, M. Penchilliah and M. Padmanabhan, General Workmen, C. Loganathan, M. Doss and Oiler Mohamed Iqbal were attending to the special products operation. Sri B. Vijaya Kumar, Operations Officer was in charge of the operations. R. Karunanithee, Sr. Operations Officer was also in the installation after

16.00 hrs. as his residence was located inside the installation. On 23-10-89 at about 8.00 hrs. A. R. Balasubramaniam, Operations Officer found the reading of meter benzene as 16408976 litres as against closing reading of 16396842 on 21-10-89. There was a difference of 12,134 litres between the closing stock on 21-10-89 and opening stock taken on 23-10-89. When the concerned officer took dips from the two tanks (T-21 and T-28) there was a difference of 3 Cms. in the tank No. T-21 which is approximately equal to 12 kilo litres. The officer checked the valves and pipelines and found that there was no leakage. Thus, it became evident that 12134 litres of benzene had been unauthorisedly removed between 3.00 pm on 21st October, 1989. On 23-10-89 at about 1.30 pm Mr. T. Sathoaseelan, Installation Manager received a anonymous phone call informing that caller would like to talk to him regarding the theft of one lorry load in the installation which had taken place on 21-10-89 and that he would call him at the residence in the evening. When the Installation Manager was at his residence at about 7.30 pm on 23-10-89, the person who made the anonymous call earlier telephoned him to say that lorry bearing registration No. TCX 1121 was involved in the theft of benzene on 21-10-89 and four persons Govindan, Gaja, Kannadasan, Vellaichamy were involved in the theft. On 25-10-89, the said T. Sathoaseelan made a report about the theft of benzene to the Chief Area Distribution Manager. On 26-10-89, the FIR was lodged with the Commissioner of Police about the theft of 12,134 litres of benzene. While investigating the case, registered on complaint given by the Respondent Management, the police apprehended one Gaja, who gave a confession statement to the police that he hired the lorry TCX 1121 from one party that with the help of George Louis, Mohammed Iqbal, Senthil alias Subramani, the benzene was stolen out of the installation and George Louis had arranged to watchman not to prevent the removal of the product by a lorry. During the relevant period, the watchman who were on duty were K. Padmanabhan, N. Penchilliah, C. Jagannathan, C. R. Jeyasekaran and Vishwanathan. On the basis of the confession statement made by Gaja, the police arrested Louis and Mohammed Iqbal on 11-1-90 and Jeyasekaran, Jagannathan and Vishwanathan on 12-1-90. Subramani and two watchmen Padmanabhan and Penchilliah obtained anticipatory bail. Arising out of

this incident, the Respondent issued a charge memo dated 18-5-90 to Louis, Mohammed Iqbal, Subramani, Jeyasekaran, Vishwanathan, Penchilliah and Padmanabhan. Subsequent to the explanation given by these workmen denying the charges, a common domestic enquiry was conducted against them. All the charge sheeted workmen fully took part in the enquiry proceedings. When the enquiry was pending Watchman, Sri Jagannathan died. On conclusion of the enquiry, the Enquiry Officer gave his report dated 19-5-94 holding that all the seven workmen were guilty of the charges. On 18-9-95 a copy of the Enquiry Officer's report was forwarded to the Petitioners informing them to submit their comments in order to decide the punishment to be awarded to them. The Petitioners gave replies denying the charges. After considering the representation of the Petitioners, orders were passed on 31-10-95 discharging them from service. The discharge of the Petitioner was for an act of misconduct established in a fairly and properly conducted enquiry, in which the Petitioners were fully participated and the punishment of discharge is fully justified. The said enquiry is not vitiated for violation of principles of natural justice. The judgement of Criminal Court has no bearing on the report of the Enquiry Officer or on the order of discharge. The criminal Court gave its verdict long after the report of enquiry and the discharge order. Having regard to the conduct of the Petitioner as disclosed in the enquiry, the Respondent cannot repose confidence in them. The Petitioners should not be considered for any relief, much less the relief of reinstatement.

7. When these cases were pending for enquiry before the Tamil Nadu State Industrial Tribunal, a representation was made before that Tribunal by the counsel on either side to have a joint enquiry of all these four cases, since the issue relating to the industrial disputes referred to in these cases is common and the domestic enquiry conducted by the Respondent Management in pursuance of the charge sheet issued against the Petitioners was a common one and the common report has been submitted by the Enquiry Officer and that the evidence let in on either side in the first case may be treated as common evidence for the other three cases also. In pursuance of such representation made by the counsel on either side, the Tamil Nadu Industrial Tribunal as pleased to mark some

documents by consent as Ex. M1 to M7. Subsequently on transfer of these cases to the file of this Tribunal, other documents were marked by consent as common documents for all these four cases as Ex. M8 to M112. The counsel for the Petitioner had informed the Tribunal that the Petitioners have no separate documents to mark them as their exhibits here before this Tribunal. The counsel on either side have represented that they have no oral evidence let in on the respective side.

The Point for my consideration is—

“Whether the action of the Management of Bharat Petroleum Corporation Ltd. in discharging the Workmen S/Sri M. Panchilliah, Mohammad Iqbal, Mr. Subramani and K. Padmanabhan from service on 31-10-94 is just, proper and legal? If not to what relief these workmen are entitled?”

Point :

The Petitioners in the above industrial disputes were employed under the Respondent Management at Pondiarpet installation, wherein Tank No. 21 is erected for keeping the petroleum products Benzene in a bulk quantity by the Respondent Bharat Petroleum Corporation Ltd. Out of the four Petitioners Workmen, the Petitioner Sri M. Subramani, since deceased. So his L/Rs have been brought on record to pursue the industrial dispute raised by him. On coming to know about the theft of 12,134 litres of benzene costing to Rs. 1,30,000 from the Tank No. T-21, the Management has preferred a complaint with the police and during the investigation of the case, the police was able to procure an accused by name Gaja and had obtained a confession statement from him, thereby the Management came to know that these four Petitioners along with four others got involved in that theft of benzene along with others. So, a charge sheet was given to eight employees inclusive of these four petitioners dated 18-5-90 separately under Ex. M1. These Petitioners have submitted their explanation under Ex. M2 As their explanation were found not satisfactory, a departmental enquiry was ordered by the Management and the same was conducted by one Sri K. Kannan as Enquiry Officer. A common enquiry was conducted by the Enquiry Officer against all those charge sheeted employees. During the enquiry, one of the charge sheeted employees by name Sri Jagannathan expired. Before the Enquiry Officer, the Management had examined eight witnesses and on the side of the charge sheeted employees, 40 documents were marked. However, the charge sheeted employees have taken part in the enquiry fully and were given fair and proper opportunity to effectively defend themselves in the domestic enquiry against the charges levelled against them. The perusal of the enquiry proceedings shows that all the charge sheeted employees have availed the opportunity given to them in the domestic enquiry and have cross examined the Management witnesses in detail. After conducting the enquiry the Enquiry Officer has submitted his report stating that on an analysis of both the oral and documentary evidence placed before him, both by the Management as well as the employees, he can come to the conclusion that the charge sheeted employees are guilty of charges and they

were jointly or severally involved in the commission of theft and as per the charge sheet mentioned misconduct of the charge sheeted employees i.e. theft, rob, dishonestly in connection with corporation/business or property have been proved by cogent evidence. The Enquiry Officer's report xerox copy is filed as Ex. M3. Here before this Tribunal, on the side of the Petitioners Ex. W1 to W15 have been marked and on the side of the Management Ex. M1 to M 111 have been marked. Learned counsel for the Petitioners would contend that the first witness for the Management before the Enquiry Officer have given evidence on the basis of statements and information believing that those statements are true and correct and he was not personally aware of the same and the Management has not chosen to examine the persons, who gave the statements and therefore, the non-examination of the said persons vitiates the proceedings as invalid and illegal. He would further contend that in Ex. W6 itself the date 21-10-89 has been inserted between 20-10-89 and 23-10-89 as a manipulation and it has been purposely done for the purpose of this case and in Ex. W8 regarding the daily stock and lost record, the numbers already written were strike down and there are over writing regarding tank stock and loss record. The Enquiry Officer had erroneously accepted the evidence of the Management witnesses, though there are so many discrepancies and the contradictory statements given by the Management witnesses have also not properly considered by the Enquiry Officer. The Enquiry Officer has relied upon the evidence of the Management Witnesses which are all uncertain and grievous. On this count, the findings of the Enquiry Officer is not valid in law and hence his conclusion that the charges levelled against the workmen, who have charges levelled against the workmen have been proved is incorrect. Without giving an opportunity for the workmen, who have placed under suspension and have submitted the statements, charge sheet have been given to them and it amounts to violation of principles of natural justice. The findings arrived at by the Enquiry Officer is not sound and not in accordance to the circumstances of the evidences adduced by the management. So, the findings of the Enquiry Officer given in his report is against the law, weight of evidence and against the principles of natural justice. The comment passed by the Enquiry Officer for the non-examination of any witness on the side of the charge sheeted employees is not sound. Since the charge sheeted employees want to safe guard their position and to keep their job in tact they have not examined any witness on their side. In the absence of any eye witness, and the reliance made by the confession statement given by an accused in the criminal case one Mr. Gaja, who is not the worker in the Management Corporation is incorrect. After elaborate enquiry in the criminal case filed in the Chief Metropolitan Magistrate Court Egmore, Chennai, these petitioners who were accused in the criminal case along with others were acquitted and there was no appeal filed by the Management against the acquittal. In a case reported as III LLJ Bom 1996 pg. 554 it is held that “failure on the part of the Management to consider the acquittal by Criminal Court vitiates the enquiry report and consequence order of dismissal” That decision is absolutely applicable in this case. The learned counsel would further argue that as per

the decision of the Bombay High Court in a case reported as III LLJ 1996 PG. 558 "Disciplinary Proceedings for the charges based on facts for which criminal case was also filed has to be dropped for the acquittal of the employees in the criminal case." The said decision is applicable to this case, since the facts are similar and identical in both these cases. So, this Hon'ble Tribunal may be pleased to hold that the findings of the Enquiry Officer is not proper and unacceptable and to direct the Management to reinstate the workmen in service with back wages and to pay the legal heirs of deceased workman M. Subramani, their due benefits.

9. The learned counsel for the Respondent/Management had put forth an argument that none of the workmen against whom the Respondent/Management had conducted the domestic enquiry in respect of the misconduct mentioned in the charge sheet have made any complaint with regard to the conduct of the domestic enquiry by the Enquiry Officer. So, all these Petitioners, who are the charge sheeted employees along with others, are satisfied with the enquiry. Out of the 8 persons mentioned in the charge sheet, the workman one Sri Jugannathan died during the course of the enquiry. Out of the other seven workmen, only four workmen have raised these industrial disputes. The workman, the petitioner in I.D. 453/2001 expired pending enquiry and his legal representatives were brought on record. The Senior Installation Manager in his note dated 24-10-89 to the CADN, Madras has mentioned about the pilferage of Benzene from T-21 happened between 21-10-89 Saturday afternoon and 23-10-89 Monday morning and about the anonymous call he received both in his office and his residence and thereby he came to know about the lorry used for this theft by four persons including one by name Sri Gaja. In pursuance of that Note Ex. M37, the police complaint was preferred under Ex. M40 and the case was registered by the police under Ex. M80, copy of the FIR, and the police took up investigation and arrested Gaja, George Louis and Mohamed Iqbal and remanded them to custody under Ex. M81. During investigation, a confession statement was given by another accused Sri Gaja and from that it was known to the Management about involvement of other employees in this theft. That confession statement is Ex. M89. The police during the investigation had also seized the lorry used for the commission of this offence No. TCX 1121 and the communication sent by the Police department to the Senior Installation Manager is Ex. M44. Then a Petition has been filed by the Management before the Court for return of seized Benzene of 2600 litres by the Police contained in 13 barrels. The petition and the affidavit are Ex. M45. The order for return of the said seized property to the Management was passed by the Court under Ex. M82. So all these things go to show that one such theft of benzene belong to the Respondent/Management had happened and it was subsequently detected by the police. This recovery of about 2600 litres of benzene by the police from the accused was not disputed. All these petitioners have not disputed that they were inside the installation on the crucial date 21-10-1989 and there is no dispute in flow meter reading and there is no dispute with regard to confession statement given by one of the accused in the criminal case Sri Gaja and the recovery of 2600 litres

of benzene by the police also not disputed. After the detailed domestic enquiry, the Enquiry Officer has given a finding holding that the charges levelled against the charge sheeted employees were proved and on the basis of findings of the Enquiry Officer, the Disciplinary Authority has passed an order, dismissal from service of these Petitioners from 31-10-95. Long subsequent to the dismissal from service, the accused in the criminal case inclusive of these workmen got acquitted on 9-7-97. The subsequent acquittal of these workmen by the Court has no bearing on the report of the Enquiry Officer. If the acquittal is given on benefit of doubt, even after that disciplinary action can be taken by the Management. In a case reported 1974 1 LLJ page 422 The General Manager, Party Confectioners Ltd. Vs. Industrial Tribunal, the High Court has held that "the confession statement of co-accused in the criminal case can be relied upon by an Enquiry Officer in the domestic enquiry against the charge sheeted employee." So, it cannot be said that the reliance made by the Enquiry Officer on the confession statement given by co-accused Mr. Gaja in the criminal case about the commission of this offence for theft of benzene from the Respondent/Management installation along with the other persons of charge sheeted employees cannot be held as incorrect. It is further argued by the learned counsel for the Respondent/Management that even retracted confession statement can be relied upon by the Enquiry Officer in the domestic enquiry. In support of his argument he cited a case reported as 1977 LIC 1465 decided by the High Court of Madras between ACC Ltd. Vs. The Presiding Officer, Labour Court, Coimbatore and Another. There was sufficient materials available to come to the conclusion that these petitioners along with others have involved in the theft of Benzene from the Respondent/Management installation and the same has been proved by the Management before the Enquiry Officer and the Enquiry Officer had analyzed the evidence given by the parties before him, in respect of the charges levelled against the charge sheeted employees and has given a finding after dealt with the evidence in detail. Those findings cannot be disturbed by this Tribunal and the punishment given by the Disciplinary Authority in pursuance of those findings also may not be disturbed and no lenience can be given to these Petitioners, who have committed this grave misconduct.

10. A perusal of the materials available in this case as documentary evidence let in on either side inclusive of the enquiry proceedings and the Enquiry Officer's report clearly prove that the arguments advanced by the learned counsel for the Respondent/Management are correct and acceptable. As he has advanced his argument the Petitioners/delinquent employees, have not made any complaint with regard to conduct of enquiry and all of them are satisfied with the conduct of the enquiry. There are ample evidence available in this case as legal evidence to come to the conclusion that these petitioners along with others have involved in the commission of theft of benzene from the Respondent/Management installation at Tondiarpet on 21-10-89. In pursuance of confession statement given by one of the accused in criminal case during the investigation before police it was brought to light about the involvement of these petitioners in the commission of theft of the property belonged to

the Respondent/Management and only on that basis the Respondent/Management was obliged to give the charge memo for these Petitioners/Workmen and a regular domestic enquiry was conducted. Two years subsequently to that conclusion of the enquiry and order of dismissal passed by the Disciplinary Authority in pursuance of the findings of the Enquiry Officer in his report, the concerned workmen got an acquittal on 9-10-97 by the Criminal Court in the criminal case filed against them. The learned counsel for the Petitioner has cited a case decided by Bombay High Court wherein it was held that "When there was a criminal trial and a departmental enquiry was initiated simultaneously and the employee was acquitted by criminal court on the ground of no evidence, the Enquiry Officer failure to consider the acquittal by criminal court vitiates the Enquiry report and consequence of order of dismissal". That decision of High Court of Bombay in W.F. No. 2811/1991 is not applicable to the facts of this case because that is a case of no evidence, whereas in this case there are ample evidence to connect the Petitioners/Workman to the theft of property of the Respondent/Management benzene from the Installation at Tondiarpet. Though there is no eye witness to that theft, there is sufficient evidence available in this case which were produced and proved before the Enquiry Officer for him to hold that the charges levelled against these petitioners/workmen were proved. It is a settled provision of law that for the Enquiry Officer in a domestic enquiry to come to a conclusion that the charges levelled against the delinquent employees, preponderance of probability is sufficient. Two years subsequent to the order of dismissal passed by the Disciplinary Authority in pursuance of findings given by the Enquiry Officer in his report against these Petitioners/Workmen their acquittal in criminal case by the Court is of no bearing on the action taken by the Management/Respondent against these Petitioners/Workmen.

11. From the materials available in this case, it is clearly shown that there was a theft of benzene from the Tondiarpet Installation of the Respondent/Management to the tune of 12,134 litres and the charge sheeted employees along with others have involved in the commission of such theft for the property belonged to the Respondent/Management. So it is a grave misconduct. The Disciplinary Authority imposing a punishment of dismissal from service for the proved misconduct of the Petitioners/Workmen cannot be held to be disproportionate to grave misconduct of the Petitioners/Workmen. So under such circumstances, there is no scope for this Tribunal to interfere with the findings of the Enquiry Officer given in his report or with the order of punishment given by the Disciplinary Authority dated 31-10-95. Under such circumstances, I answer the point holding that the action of the Respondent/Management against these Petitioners/Workmen in discharging them from service from 31-10-1995 is just, proper and legal.

12. In the result, a common award is passed holding that the action of the Management of Bharat Petroleum Corporation Ltd. in discharging the Petitioners/Workmen S/Sri M. Penchilliah, Mohamed Iqbal, M. Subramani and K. Padmanabhan from service on 31-10-95 is just, proper and legal and these workmen

inclusive of the legal representatives of deceased workmen Sri M. Subramani are not entitled to any relief. No cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 20th June, 2001.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :

On either side : None.

Documents Marked :

For I Party/Claimant :

Ex. No.	Date	Description
W1	—	—Xerox copy of Bye Laws.
W2	21-10-89	—Xerox copy of Lorry No. & quantity of benzene.
W3	24-10-89	—Xerox copy of statement of A. R. Balasubramanian to Senior Installation Manager.
W4	24-10-89	—Xerox copy of letter from Thanikachalam to Installation Manager.
W5	24-10-89	—Xerox copy of statement of N. Ramanathan to Sr. Installation Manager.
W6	-10-89	—Xerox copy of Tank Dip Book.
W7	25-10-89	—Xerox copy of statement of Sr. Installation Manager to CADM Madras.
W8	-10-89	—Xerox copy of Daily Stock and Loss Record.
W9	18-10-89	—Xerox copy of the Recording.
W10	19-1-90	—Xerox copy of letter by Respondent to the Petitioner.
W11	18-5-90	—Xerox copy of charge sheet to the Petitioner by Management.
W12	12-2-93	—Xerox copy of letter from Vijay Kumar to Enquiry Officer.
W13	31-10-95	—Xerox copy of discharge order issued to K. Padmanabhan by the Respondent.
W14	5-8-96	—Xerox copy of conciliation proceedings.
W15	9-10-97	—Xerox copy of judgement in C.C. No. 10185/95.

For II Party/Management :

- M1 18-5-90—Xerox copy of charge sheet.
- M2 31-5-90—Xerox copy of explanation of petitioner to the Management.
- M3 19-5-94—Xerox copy of report of the Enquiry Officer.
- M4 18-9-95—Xerox copy of letter from Respondent to Petitioner enclosing Enquiry Officer's report.
- M5 28-9-95—Xerox copy of comments of the petitioner on Enquiry Officer's Report.
- M6 31-10-95—Xerox copy of final order issued to the Petitioner.

- M7 --- Xerox copy of Standing Orders.
- M8 --- Xerox copy of enquiry proceedings common to ID 98 to 101/97 containing 757 pages.
- M8A 16-6-92—Xerox copy of letter of appointment of Sri C. David as Presiding Officer (M1).
- M9 17-6-92—Xerox copy of letter of appointment of Sri S. Karunan as Enquiry Officer (M2).
- M10 16-7-92—Xerox copy of notice of enquiry to Md. Iqbal.
- M11 23-7-92—Copy of letter of Md. Iqbal to Respondent.
- M12 16-7-92—Xerox copy of Notice of enquiry to K. Padmanabhan.
- M13 22-7-92—Xerox copy of letter of Sri Padmanabhan to Management.
- M14 16-7-92—Xerox copy of notice of enquiry to M. Panchilliah.
- M15 22-7-92—Xerox copy of letter of Panchilliah to Respondent.
- M16 16-7-92—Xerox copy of notice of enquiry to Sri M. Subramani.
- M17 18-5-90—Xerox copy of charge sheet issued to Mohamed Iqbal.
- M18 18-5-90—Xerox copy of charge sheet to Sri Padmanabhan.
- M19 18-5-90—Xerox copy of charge sheet to Sri M. Panchilliah.
- M20 18-5-90—Xerox copy of charge sheet to Sri M. Subramani.
- M21 12-8-92—Xerox copy of letter from B. Manoharan to Respondent Declining to act as defence counsel.
- M22 12-8-92—Xerox copy of letter from V. Parthasarathy to Respondent Declining to act as defence counsel.
- M23 13-8-92—Xerox copy of letter from P. Thirumoorthy to Respondent Declining to act as defence counsel.
- M24 13-8-92—Xerox copy of letter from B. Manoharan to Respondent Declining to act as defence counsel in enquiry.
- M25 18-8-92—Xerox copy of letter from M. Ekambaram to Respondent Declining to act as defence counsel.
- M26 24-8-92—Xerox copy of letter from E.O. enclosing letter of Subramani C.S.E. to P.O. (Ex. M25).
- M27 --- Xerox copy of Benzene meter reading record.
- M28 --- Xerox copy of Dip Book of benzene T.21.
- M29 --- Xerox copy of Calibration Chart (Storage Tank No. 21).
- M30 --- Copy of letter from John Britto declining to act defence counsel.
- M31 --- Xerox copy of list of management witnesses.
- M32 --- Xerox copy of list of documents filed by the Management.
- M33 --- Xerox copy of appointment order issued to CSEs and Jagannathan, Jayasekaran and Viswanathan by Respondent.
- M34 11-1-89—Xerox copy of certified Standing Orders of Respondent.
- M35 --- Xerox copy of staff muster roll for the month October, 1989.
- M36 --- Xerox copy of benzene flow meter No. 453146 and Certificate No. 795782 dt. 31-3-89 of Dy Chief Inspector of Factories
- M37 25-10-89—Xerox copy of letter from Sr. Installation Manager to CADM.
- M38 10-89—Xerox copy of benzene Tank Stock and Loss Record.
- M39 10-89—Xerox copy of benzene daily stock and Loss record.
- M40 26-10-89—Xerox copy of complaint of Sr. Installation Manager to Police.
- M41 7-10-89—Xerox copy of TNP installation staff strength for October, 1989.
- M42 12-4-90—Copy of letter from S.I. of Police, Central Crime Branch to Sr. Installation Manager.
- M43 19-1-90—Xerox copy of letter from S.I. of Police, Central Crime Branch to Sr. Installation Manager.
- M44 22-8-90—Xerox copy of S.I. of Police, Central Crime Branch to Sr. Installation Manager.
- M45 2-2-90—Copy of affidavit of K. Ilanchezian filed before XVI MMC.
- M46 10-89—Copy of muster roll of Gaugers, HVDs and Peons.
- M47 10-89—Xerox copy of Tank Dip Book of T28 for October, 1989.
- M48 --- Xerox copy of benzene ATF Despatch Log Book.
- M49 --- Xerox copy of benzene receipt book.
- M50 12-1-90—Xerox copy of suspension order issued to Mohamed Iqbal.
- M51 19-1-90—Xerox copy of suspension order issued to K. Padmanabhan.
- M52 19-1-90—Xerox copy of suspension order issued to M. Panchilliah.
- M53 19-1-90—Xerox copy of suspension order issued to M. Subramani.
- M54 23-10-89—Copy of ATF benzene despatch Log book.
- M55 --- Xerox copy of T21 Calibration Chart.

- M56 — —Xerox copy of T28 Calibration Chart.
- M57 — —Xerox copy of page 1 & 2 of Tank 21 Calibration Chart.
- M58 — —Xerox copy of T21 DIP book Pg. 26867.
- M59 — —Xerox copy of T28 Tank Stock & Loss record.
- M60 21-10-89—Copy of benzene documents delivery challan.
- M61 1-90—Xerox copy of benzene T21 (Total Stock & Loss Record and Daily Stock & Loss Record).
- M62 12-89—Xerox copy of benzene T21 (Total Stock & Loss Record and Daily Stock & Loss Record).
- M63 11-89—Xerox copy of Benzene T21 (Total Stock & Loss Record and Daily Stock & Loss Record).
- M64 9-89—Xerox copy of Benzene T21 (Total Stock & Loss Record) and Daily Stock & Loss Record).
- M65 8-90—Xerox copy of Benzene T21 (Total Stock & Loss Record and Daily Stock & Loss Record).
- M66 21-10-89—Xerox copy of Date Checker Register.
- M67 12-2-93—Xerox copy of letter from (D.W.) Vijay Kumar expressing Unwillingness to appear as defence witness.
- M68 10-2-93—Xerox copy of letter from (D.W.) K. Shanmugam expressing Unwillingness to appear as defence witness to K. Padmanabhan.
- M69 16-2-93—Xerox copy of letter from (D.W.) P. V. Thirumoorthy expressing Unwillingness to appear as defence witness to any CSE.
- M70 16-2-93—Xerox copy of letter from (D.W.) Jhon Britto expressing Unwillingness to appear as defence witness to any CSE.
- M71 18-2-93—Xerox copy of letter from Sri E. Mahimaidhas expressing Unwillingness to appear as defence witness.
- M72 18-2-93—Xerox copy of letter from P. Umashankar expressing Unwillingness to appear as defence witness.
- M73 18-2-93—Xerox copy of letter from C. Loganathan expressing Unwillingness to appear as defence witness.
- M74 26-7-93—Note from DGM (aviation) to Mr. Bacholakuri—SAO, Hyderabad Releasing him to appear in enquiry.
- M75 18-2-93—Xerox copy of letter from Sr. Installation Manager to E.O. Enclosing original letters of five employees expressing Unwillingness to be defence witness.
- M76 29-7-93—Xerox copy of letter from defence witness declining from giving evidence.
- M77 8-89—Copy of muster roll August, 89.
- M78 — —Xerox copy of medical certificate of K. Padmanabhan.
- M79 10-89—Xerox copy of Shift Duty, Register.
- M80 31-10-89—Xerox copy of FIR in X Crime No. 1228/89.
- M81 11-1-90—Xerox copy of remand report of Madras City Central Crime Branch along with confessional statement of Gajendran before XVI Metro Poli, Magistrate in Crime No. 1228/89.
- M82 5-2-90—Xerox copy of court order in respect of return of Property in Cr. No. 1228/89.
- M83 24-10-89—Copy of statement of N. Ramathan to Senior Installation Manager.
- M84 24-10-89—Xerox copy of statement of A. R. Balasubramaniam.
- M85 26-11-89—Xerox copy of statement given by R. Karunanaethee to Senior Installation Manager.
- M86 24-10-89—Copy of statement of K. Anbumani to Sr. Installation Manager.
- M87 1-11-89—Copy of statement of C. Lokanathan to Sr. Installation Manager.
- M88 24-10-89—Copy of statement of M. Thanikachalam to Sr. Installation Manager.
- M89 6-11-92—Certified copy of confessional statement of Gajendran alias Gaja recorded in CC 5002/92.
- M90 17-11-93—Copy of statement of George Louis given to police.
- M91 26-10-89—Copy of statement of R. Govindarajan.
- M92 30-5-90—Copy of letter from Mr. Iqbal to Senior Installation Manager.
- M93 2-6-90—Copy of note from Sr. Installation Manager to CPM, Madras.
- M94 31-5-90—Xerox copy of explanation of K. Padmanabhan to the charge sheet.
- M95 31-5-90—Xerox copy of explanation of M. Penciliah to charge sheet.
- M96 1-6-90—Xerox copy of note from Sr. Installation Manager to CPM.
- M97 28-5-90—Xerox copy of explanation of M. Subramani to charge sheet.
- M98 29-5-90—Copy of note from Sr. Installation Manager to CPM, Madras Forwarding copy of explanation of M. Subramani.
- M99 12-8-92—Copy of joint letter by Petitioner to enquiry officer intimating D. Manoharan to represent them.
- M100 26-7-92—Xerox copy of letter from M. Subramani to S. Kannan, Manager, Ernakulam Installation camp at Madras.
- M101 27-8-92—Copy of letter from Mohamed Iqbal to Kannan, Enquiry Officer.

M102 27-8-92—Copy of letter from M. Padmanabhan to Enquiry Officer.

M103 27-8-92—Copy of letter from M. Penchilliah to Enquiry Officer.

M104 27-8-92—Copy of letter from Subramani to Enquiry Officer.

M105 27-8-92—Copy of letter from C. R. Jayasekaran to Enquiry Officer.

M106 28-7-92—Xerox copy of note from CPM, Madras to Sri S. Kannan Enclosing photo copy of cover from N. Subramani to E.O.

M107 3-2-86—Xerox copy of letter from Respondent to Mohamed Iqbal Advising change in his working hours from 24-2-86.

M108 11-12-92—Xerox copy of certificate from Dr. Mohan Rao issued to Mohamed Iqbal.

M109 14-12-92—Copy of minutes of enquiry.

M110 — —Xerox copy of discharge Summary Chart from Guest House Hospital in respect of Padmanabhan.

M111 — —Copy of letter from Penchilliah to Sr. Installation Manager.

M112 25-1-93—Xerox copy of joint letter from Sri Padmanabhan and Others informing that the enquiry conducted was very Fair and appreciable.

नई दिल्ली, 11, जुलाई, 2001

का. प्रा. 1940—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इसको के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[सं. एल-20012/175/96-आई. आर. (सी-1)]
एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 11th July, 2001

S.O. 1940.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of IISCO and their workman, which was received by the Central Government on 11-7-2001.

[No. L-20012/175/96-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 112 of 1997

PARTIES :

Employers in relation to the management of Chasnalla Colliery of M/s. IISCO. Ltd. and their workman.

APPEARANCES :

On behalf of the workman : Shri D. Mukherjee, Secretary, B.C.K.U.

On behalf of the employers : Shri B. Joshi, Advocate.

STATE : Jharkhand.

INDUSTRY : Coal.

Dated, Dhanbad, the 29th June, 2001

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/175/96-IR(C-1), dated, the 14th August, 1997 :

SCHEDULE

"Whether the denial by the management of IISCO, Chasnalla Colliery to refer the case of Shri G. Chinappa, Drill Operator under para 9.4.3 of NCWA-IV is justified? If so, to what relief is this workman entitled?"

2. In this reference both the parties appeared before this Tribunal and filed their respective W.S. Subsequently when the case was fixed learned representative for the workman submitted to pass a 'No Dispute' Award in this reference as he is not interested to proceed further in this reference. Under such circumstances a 'No Dispute' Award is rendered and the reference is disposed of on the basis of 'No Dispute' Award on the presumption of non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का. प्रा. 1941—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद

के पंखाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[सं.एल-20012/192/94-आई.आर. (सी-I)]
एस.एस. गुप्ता, भ्रवर सचिव

New Delhi, the 11th July, 2001

S.O. 1941.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 11-7-2001.

[No. L-20012/192/94-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947.

Reference No. 66 of 1995

PARTIES :

Employers in relation to the management of Bhowra OCP of M/s. BCCL and their workmen.

APPEARANCES :

On behalf of the workmen: Shri Debi Singh concerned workman.

On behalf of the employers : Shri H. Nath, Advocate.
STATE : Jharkhand INDUSTRY : Coal

Dated, Dhanbad, the 28th June, 2001

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/192/94-I.R.(C-I), dated, the 4th May, 1995.

SCHEDULE

"Whether the action of the management of Bhowra OCP of M/s. BCCL in not regularising Shri Debi Singh, Shovel Operator in Excavation Tech. 'A' Grade and not paying difference of wages of Tech. 'A' Grade is justified? If not, to what relief the concerned workman is entitled and from which date?"

2. In this reference when the case was fixed a petition on the side of the workman was filed praying to pass a 'No Dispute' Award because of the fact that the

dispute in question has already been resolved. I heard both the parties on the said petition and I find that the dispute in question has been settled and presently 'No Dispute' is existing between the parties. Accordingly, a 'No Dispute' Award is rendered and the reference is disposed of on the basis of no dispute award presuming non-existence of and Industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का.आ. 1942.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रवर्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंखाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं.एल-20012/260/92-आई.आर.-(सी-I)]
एस. एस. गुप्ता, भ्रवर सचिव

New Delhi, the 11th July, 2001

S.O. 1942.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 10-7-2001.

[No. L-20012/260/92-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 146 of 1993

PARTIES :

Employers in relation to the management of Bahar Colliery of M/s. BCCL and their workmen.

APPEARANCES :

On behalf of the workmen : Shri S. Bose, Treasurer, R.C.M.S. Union.

On behalf of the management : Shri H. Nath, Advocate.

STATE : Jharkhand

INDUSTRY : Coal.

Dated, Dhanbad, the 28th June, 2001

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/260/92-I.R. (Coal-I) dated, the 3/9-93 :

SCHEDULE

"Whether the action of the management of Balihari Colliery of M/s. BCCL in not giving employment as Tyndals to Shri Bindi Paswan and 27 others is justified? If not, to what relief the workers are entitled for?"

2. The facts of the case of the concerned workmen as per W.S. in brief is as follows :—

The concerned workmen in the W.S. submitted that they were employees of Balihari Colliery prior to its nationalisation with effect from 1-5-72. They disclosed that after nationalisation of the said colliery the same came under the control of M/s. BCCL. Prior to nationalisation of this colliery it remained under control of private owners and they used to provide jobs to the workers through petty contractors. The concerned workmen submitted that sometimes in the year 1975-76 the BCCL declared all the permanent and perennial nature of jobs as restricted category and started regularising the workers so engaged through petty contractors including the contractors themselves. The concerned workmen further submitted that Tyndal's job is permanent and perennial nature of job as well as it is on the essential category service and Tyndal's job has found place on all Award and agreement made prior or after nationalisation of the Coal Mining Industry. Accordingly, BCCL i.e. the management started regularising Tyndals employed through petty contractors in various collieries as Tyndal or any alternative employment through mutual agreement. The concerned workmen submitted that reasons are unknown to them why their names were left out by the management and for which they were deprived of getting their re-employment. Accordingly on their behalf RCMS Union raised the issue with the Area Manager of BCCL and after prolonged negotiation it was decided that the left out workers will be provided with the jobs of Tyndal or in other alternative jobs. The concerned workmen submitted that 98 workmen/Tyndals were grouped together and out of them the services of 22 workers/Tyndals were regularised. Thereafter on further negotiation in between the management and the union other workers though absorbed they have been left out by the management for reasons best known to them. It was alleged that the management though from time to time engaged Tyndals, Miner/Loaders/Genl. Mazdoors etc. did not consider their case. They submitted that they worked as Tyndal and their wages were paid on the basis of their time rate as Cat. IV and they were recognised as skilled workmen and were engaged on the job both on the surface as well as in the underground duties and for which they are capable to undertake all kind of jobs in the Mining Industry. The concerned workmen submitted that as the management neglected and refused to provide any job to them their Union raised an industrial dispute by submitting representation dt. 23-1-91 before the ALC(C), Dhanbad. Accordingly

the ALC(C) took up the matter for conciliation but the management did not concede to the said conciliation. As a result of which conciliation failed and for which the present reference was made. The concerned workmen accordingly prayed for passing an Award in their favour directing the BCCL of Balihari Colliery to provide suitable employment and back wages.

3. The management on the contrary after filing W.S.-cum-rejoinder has denied all the claims and allegation which the concerned workmen asserted in the W.S. It has been submitted by the management that this reference cannot be considered as an outcome of industrial dispute as because there was no employer and employee relationship in between the management and the concerned workmen. They submitted that the concerned workmen were never under the management. They further submitted that they were not at all aware of the facts that the concerned workmen ever worked under the contractor Mahabir Mistry and Dayal Singh. It has been further submitted that the management had already offered employment to all the genuine persons in pursuance of the Award of CGIT No. 1, Dhanbad and that is pending before the Company for implementation of the Award of the Hon'ble Tribunal No. 1, Dhanbad. It has been alleged that the union has adopted its strategy to infiltrate into M/s. BCCL the outsiders and unemployed youth through back door method without any justification ignoring all the rules and norms of the company. The management further submitted that their company is a public sector company and for which they are to observe the rules and regulation made by the management regarding filling up the post of the company. The appointment of the concerned workmen in the company really will mean their entry into service by back door method in contravention of the provision of service rules, breach of provision of employment of SC/ST candidates and also in violation of the provision of Employment Exchange Act. The management further submitted that the union has claimed that these workmen were employed as early in 1971 and for which they should be given employment. Such a dispute has been raised only on 23-1-91 i.e. after a lapse of 20 years making the claim and the demand a stale claim which is not maintainable in view of the decisions of the Hon'ble Supreme Court and various High Courts. Accordingly the management submitted that the reference in question is not maintainable both in the eye of law and facts. They submitted further that the demand for job by the concerned workmen is baseless false mischievous and their claim for employment as Tyndals at Balihari Colliery at any appointment is bogus false and with only motive to get into the services of the management by unfair methods. Accordingly the management have prayed for passing an Award in their favour by holding that the action of the management in not giving employment to the concerned workmen as Tyndal is justified and for which they are not entitled to get any relief which they have claimed.

4. The points for decision in this reference are :—

"Whether the action of the management of Balihari Colliery of M/s. BCCL in not giving employment as Tyndals to Shri Bindi Paswan and 27 others as per annexure to the schedule of reference is justified? If not, to what relief the workers are entitled to?"

DECISIONS WITH REASONS

5.—It is seen from the records that the concerned workmen in order to substantiate their claim has examined one witness. On the contrary the management in support of their claim have examined three witnesses. It is the specific contention of the concerned workmen that prior to nationalisation of Balihari Colliery in the year 17-10-71 they were the employees under the private owners. After nationalisation and take over of the said colliery under control of BCCL sometimes in the year 1975-76 the management started regularising the workers who were engaged in the said colliery mines through petty contractors. It has been disclosed by the concerned workmen that they were Tyndals and the management decided to regularise the Tyndals gradually and in doing so out of 98 Tyndals they regularised the services of 70 Tyndals and their cases were left out by the management best known to them. The concerned workmen further submitted that in spite of making several negotiation the management did not pay any importance for regularisation of their services. On the contrary the management categorically submitted that never there existed any employer and employee relationship between the management and the concerned workmen. It has been further submitted by the management that they were not at all aware if the concerned workmen ever worked under the contractors Mahabir Mistry and Dayal Singh. The claims of the concerned workmen according to the management is baseless for which they are not entitled to get any relief. It has been further submitted that by raising an industrial dispute over the self same issue a reference was made by the Ministry for disposal before the CGIT No. 1, Dhanbad. The management submitted that as per settlement and Award of the CGIT No. 1, Dhanbad they have already employed all the genuine persons in the said colliery. Further the management submitted that the concerned workmen have agitated this issue after a lapse of 20 years and for which they are not entitled to get any relief. During evidence of WW-1 certain documents were marked as Exts. W-1 to W-14. This witness further during his cross-examination admitted that no appointment letter was issued in favour of the concerned workmen by the management but in spite of the fact they worked as Tyndal in the said colliery since 1971 and to that effect relevant papers have already been filed. WW-2 during his evidence disclosed that before he was appointed as an employee under the management on 28-10-76 he used to work as contractor there and employed some labours. In the year 1976 the BCCL management took a decision to regularise the services of the contractors in case whether the work discharged by the contractor was permanent in nature. This witness further disclosed that some persons who worked with him were also regularised and absorbed. He disclosed that all the concerned workmen used to perform as Tyndal Mazdoor. From his evidence it is not clear if the concerned workmen worked under him as Tyndal. I have considered all the documents marked Exts. W-1 to W-14. The documents marked as Exts. W-1, W-2, W-3, W-5, W-11, W-12, W-13, W-14 and W-15 are the correspondence made between the union and the management over the regularisation of services of some workmen. Ext. W-7 is true copy of the minutes of discussion held with Shri S. P. Singh, Secretary,

RCMS regarding abolition of contractual job in Tyndal at Banhari Colliery and blacksmithy at Kenwadwadih colliery on 24-2-76. According to that discussion it was agreed upon that 22 Senior most persons shall be taken as Tyndal from the list of the contractors workers of Mahadeo, Dayal Singh and Ragho Singh after abolition of their contract subject to their suitability and medical fitness. It was further agreed that 10 Senior Most workers shall be taken from the list of Mahadeo contractor and 12 from the list of Dayal Singh and Ragho Singh. Regarding the case of 8 senior most persons over and above 22 persons as stated above Shri S. P. Singh will take up the matter with the C.P.M. It has been further agreed upon that the cases of the rest of the persons who will not be regularised shall be considered if there is any fresh recruitment of Tyndals. The management submitted that as per terms of discussion they have already regularised the services of the senior most tyndals. They flatly denied the fact that the concerned workmen ever worked as Tyndal at Balihari Colliery and for which there was no scope to consider their case. MW-1 during his evidence relying on the Award passed by CGIT No. 1, Dhanbad in Ref. No. 27/82 submitted that as per Award they have arranged for employment of all the workman. A copy of the Award during evidence of this witness was marked as Ext. M-6. The subject matter of Ref. No. 27/82 was "Having in view of the minutes of discussion dt. 24-2-76 whether the demand of the workmen of Balihari Colliery of M/s. BCCL for regularisation of Tyndal as listed in annexure below as departmental workmen is justified? If so, to what relief the concerned workman are entitled?" It is seen from the Award that the dispute was settled out of Court and a Memorandum of settlement was filed in the Court and on the basis of the said settlement Learned Tribunal Judge passed the Award. It is seen that the said reference as made in connection with the claim of 67 workmen of Balihari Colliery and it was in relation to the minutes of discussion dt. 24-2-76 which in course of evidence of WW-1 was marked as Ext. W-7. It is the specific case of the management that all the workmen as per reference have already been absorbed in the service and the name of person concerned as were not included there was no scope for regularisation of their services. It is true that in course of correspondence made by the concerned union with the management they have disclosed the names of the concerned workmen and created pressure upon the management for their regularisation in the service disclosing the fact that they worked under the contractors Dayal Singh and Mahadeo Mistry. WW-2 i.e. Dayal Singh during his evidence did not utter a single word if the concerned workmen have worked under him or under Mahadeo or Mahabir Mistry. Therefore, the concerned workmen cannot avoid responsibility to establish their claim that before abolition of contract system they worked as Tyndal under the contractors at Balihari Colliery. In course of hearing, learned Advocate for the management submitted that all the workers who work in the colliery are provided with ID Card. P.F. No. They also issue pay slips in respect of acceptance of their wages. Disclosing these facts Learned Advocate for the management submitted that the concerned workmen in course of hearing have failed to produce a

single scrap of paper to show that they worked in the said colliery under the contractors. Learned Advocate further in course of hearing relied on the circular Ext. M-7. Ext. M-7 has clearly mentioned the mode of recruitment of Mines/Loader as per award settlement through Employment Exchange and workers who were dismissed/terminated due to long absentism and the workers who were removed from the colliery without following the normal procedure subject to certain terms and conditions. Learned Advocate for the management submitted that a reference was made being Ref. No. 27/82 before the CGIT No. 1, Dhanbad and during pendency of the hearing the concerned workmen numbering about 67 and the management entered into a settlement and as per terms of that settlement Learned Judge of CGIT No. 1, Dhanbad passed the Award. Disclosing this fact learned Advocate for the management submitted that as per settlement all the concerned workmen were absorbed. Over the self same issue the present concerned workmen have made the instant reference which has no basis at all because of the fact that they were never the employees under the management. It is true that the concerned workmen's union entered into several correspondence with the management over absorption of the concerned workmen along with others. It has been admitted by the concerned workmen that out of 98 Tyndals only they have been left out by the management while the case of other were considered. It is the claim of the Management that the claim of these workmen could not be considered because of the fact that they never worked at Balihari Colliery under the contractor. Excepting the correspondences made by the union it is seen in course of hearing the concerned workmen have failed to produce a single scrap of paper to show that they worked under the contractors since 1971 till the abolition of the contract system by the management on the basis of the decision taken. Until and unless it is established that the concerned workmen worked under the contractors for a considerable period in the said colliery under the management there is no scope at all to consider their claim. I have considered the records carefully and from the records I have failed to find out a scrap of paper to show that these concerned workmen worked under the contractors. It is the allegation of the management that the claim of the concerned workmen is baseless and for which they are not entitled to get any relief. Learned Advocate for the management further submitted that after a lapse of 20 yrs. the concerned workmen have made this reference which has now become a stale claim and for which the same is not maintainable in the eye of law. Learned Advocate for the management in support of the claim referred two decisions reported in 1961 (II) LLJ-89 Inder Singh and sons versus their workmen) FIR 1991 Vol.-79 page 458 (K. B. Joseph versus Pircy Lesile India Ltd.) It is a fact that the union during the period from 1976 to 1978 took up the matter with the concerned workmen. The document marked as Ext. W-1 to W-3 will speak for itself. Thereafter in the year 1980 the matter in issue was placed before the ALC(C), Dhanbad for conciliation and thereafter the instant reference was made. In course of hearing learned Advocate for the concerned workmen has failed to assign any reason for such long delay in making reference in connection with the dispute in question. In natural

course the claim has turned into a stale claim. It the decisions referred to above are taken into consideration in such cases the concerned workmen are not at all entitled to get any relief, even it is considered for the argument sake that they worked under the contractor. As such after careful consideration of all the facts and circumstances, I hold that the concerned workmen have failed to substantiate their claim with a view to get their relief. In the result, the following Award is rendered :—

“The action of the management of Balihari Colliery of M/s. BCCL, in not giving employment as Tyndals to Shri Bindi Paswan and 27 others (as per annexure to the schedule of reference) is justified. Consequently, the concerned workmen are not entitled to any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का.आ. 1943:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[सं. एल-20025/22/93-आई.आर. (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 11th July, 2001

S.O. 1943.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 11-7-2001.

[No. L-20025/22/93-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 140 of 1993

PARTIES :

Employers in relation to the management of Alkusa Colliery of M/s. B.C.C. Ltd. and their Workmen.

APPEARANCES :

On behalf of the workmen : None

On behalf of the employers : None

STATE : Jharkhand INDUSTRY : Coal

Dated, Dhanbad, the 28th June, 2001

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20025/22/93-I.R. (C-I), dated, the 17th August, 1993.

SCHEDULE

"Whether the action of the management of Alkusa Colliery of M/s BCCL in denying employment to Shri Ahmed Mistry, working for that colliery, is legal and justified? If not, to what relief Shri Mistry is entitled to?"

2. In this reference both the parties appeared before this Tribunal and filed respective written statement documents etc. Subsequently at the stage of evidence both the parties abstained from appearing before this Tribunal taking any further steps. The reference is pending since 1993 and it is of no use to drag the same year after year for taking steps by the parties. Under such circumstances a no dispute award is rendered and the reference is disposed of on the basis of 'No Dispute' Award, presuming non-existence of any Industrial Dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का.भा. 1944:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयर इंडिया लि. के प्रबंधन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[स एल-10030/9/95 (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 11th July, 2001

S.O.1944—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chennai as shown in the Annexure in the Industrial (Dispute between the employers in relation to the management of Air India Ltd. and their workman, which was received by the Central Government on 11-7-2001

[No. L-20030/9/95 (C-I)]

S. S GUPTA, Under Secy

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday, the 13th June, 2001

PRESENT :

K. Karthikeyan, Presiding Officer.

Industrial Dispute No. 403/2001

(Tamil Nadu State Industrial Tribunal

I.D. No. 69/96)

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947), between the Workman Shri D. Michael and the Management of Air India International, Madras.)

BETWEEN :

D. Michael ... I Party|Workman

AND

The Manager,
Air India International,
Madras. ... II Party|Management

APPEARANCE :

For the Workman :

M/s V. Prakash & T. Ramkumar, Advocates.

For the Management :

M/s Ramasubramaniam & Associates, Advocates

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the concerned Industrial Dispute for adjudication vide Order No. L-20030/9/95-IR (Col-I) dated 23-8-96.

This reference has been made earlier to the Tamil Nadu Industrial Tribunal, where it was taken on file as I.D. No. 69/96. When the matter was pending enquiry in that Tribunal, the Govt. of India, Ministry of Labour was pleased to order transfer of this case from that Tribunal to this Tribunal for adjudication. On receipt of records from that Tribunal, the case has been taken on file as I.D. No. 403/2001 and notices were sent to the counsel on record on either side, informing them about the transfer of this case to this Tribunal, with a direction to appear before this Tribunal on 22-2-2001. On receipt of notice from this Tribunal, counsel on either side present with their respective parties and prosecuted this case further.

This matter came up before me for final hearing on 31-5-2001, upon perusing the Claim Statement, Counter Statement and other material papers on record, the oral documentary evidence let in on either side and upon hearing the arguments of learned counsel on either side and this matter having

stood over till this date for consideration, this Tribunal has passed the following :—

AWARD

The Industrial Dispute referred to in the above order of reference by the Central Govt. for adjudication by this Tribunal is as follows :—

Whether Shri D Michael was an employee of Air India Ltd. ? If so, whether he had put in sufficient period of employment to claim the benefits of section 25F of the I.D. Act before his alleged suspension on 1-12-1981 ? If so, to what relief is the workman entitled ?

2. The Industrial Dispute between the parties is briefly as follows :—

The I Party/Workman D Michael (hereinafter to as the Petitioner) had worked in the Catering Department at Meenambakkam during the period 1976 to 1981. When the Petitioner was at his work at Catering Department on 1-12-81 at about 9.00 p.m., the Security Officer Mr. Malik Basha came and took the Identity Card from the Petitioner for verification about his renewal. On his return from work, when he went to the Security Office to receive his Identity Card, the Security Officer informed him that the Petitioner was placed under suspension for 10 days. In the mean time, on 2-12-81, when the Petitioner went to Meenambakkam for reporting for duty and to explain the facts to the supervisor Mr. Koutteen. The said supervisor was on leave. Again the Petitioner reported for duty before Mr. Duraimuthu on his return from leave. But the Petitioner was not allowed to report for duty. He was directed to get the permission from the Personnel Manager, Mr. Subramaniam for return of the Identity Card as well as for sanctioning of leave to the Petitioner. The steps taken by the Petitioner to meet the Personnel Manager has failed. He was directed to report before Mr. Duraimuthu for further enquiry. Accordingly, he reported before the concerned officer along with the Union President Mr. Balasubramaniam. The Security Officer refused to have an enquiry in the presence of the Union President. At last, the Petitioner preferred an appeal before Bombay Air Authority. He went to Bombay during January 1988 and preferred an appeal before the Air India Authority. The Air India Authority, Bombay was pleased to refer the matter to the Personnel Manager, Meenambakkam for reconsideration. But again, the Personnel Manager, Meenambakkam evinced no interest in settling the matter for the Petitioner. The Petitioner's grievances kept idle without any progress. The Petitioner raised an Industrial Dispute before the Regional Labour Commissioner (C), Madras for conciliation. On failure of conciliation, the matter was referred to this Tribunal for adjudication by the Govt. The Petitioner has not committed any dereliction of duty or even lost his Identity Card. The Petitioner requests this Tribunal to direct the Respondent/Management/Air India International to reinstate him in service. The Petitioner is a physically handicapped person. His father Sh. Dakshinamoorthy was also an employee of that department.

3. The II Party/Management, M/s. Air India International, Chennai (hereinafter referred to as the Respondent) in the counter has denied the averments of the Petitioner. The Respondent further contend that this is a highly belated petition. The Respondent operates Airlines and has a department for catering. The Petitioner seems to have worked in the Catering department during 1975 to 1991 intermittently as a casual employee only for six to seven days in a month. Depending upon the need for particular number of casual workmen, the Respondent used to engage casual workmen for the day in question for the available work. Some days, few casual workmen may be required. On some other days, more number of casual workmen would be required for work. The casual employees under no obligation to report for work every day nor is there any obligation or compulsion for the management to take these casuals every day for work. In this manner, the Management used casual services of the Petitioner, whenever he made himself available for the casual work and he was paid Rs. 20 per day. In a letter dated 16-12-81 sent by the Petitioner, he has admitted that he had worked as a casual only for six to seven days in a month and requested the Respondent to re-engage him as a casual employee. On 24-7-82, the Petitioner sent a legal notice to the Respondent to re-engage his services. The Respondent sent a reply on 7-10-82 rejecting the Petitioner's claim. After a lapse of 14 years, the Petitioner has raised his dispute now. The said delay is not properly explained by the Petitioner. Being a casual employee, the Petitioner has no legal right for employment. His casual services came to an end at the close of work on each day. Therefore, this is not the case of termination or non-employment of services by the management. The averment of the Petitioner that the Respondent suspended the Petitioner for 10 days and also taken back the Identity Card forcibly is denied. In the reply dated 7-10-82 for the legal notice sent by the Petitioner, the Respondent has clearly stated that the casual employment of the Petitioner came to an end by efflux of time. The Petitioner was taken only on casual basis and therefore there was no question of engaging him continuously. The Petitioner was never directed by anybody at any point of time to get the permission from the Personnel Manager for the alleged return of Identity Card or for granting of leave. The Respondent had never received any copy of the appeal alleged to have been submitted by the Petitioner for reconsideration from the Bombay Air India Authority. Before the Regional Labour Commissioner, the Petitioner through his letter dated 26-6-95 requested compensation payment only and never claimed re-employment. Hence the Petitioner is not entitled for the relief of reinstatement as he was working purely on casual basis.

4. When the matter was taken up for enquiry, the Petitioner examined himself as W.W.1 and marked the documents as Ex. W1 and W2. From the side of the Respondent, the Deputy Manager, HRD Department who was examined as MW1 and Exs. M1 to M4 were marked. The counsel on either side have advanced their respective arguments.

5. The point for my consideration is—

“Whether the Petitioner/Workman Sh. D. Michael was an employee of Air India Ltd.? If so, to what relief is he entitled?”

POINT :—

It is the admission of the Petitioner in his evidence that he worked as a casual labourer in the catering department of the Respondent/Management. He denied the suggestion that he used to get work for 7 or 8 days in a month. Ex. M1 is the original petition dated 29-12-81 sent by the Petitioner to the Management. The Petitioner has admitted in his evidence that it contains his signature with dated 29th December, 1981. Though it is stated in that paper that he was working in the Catering Department of Air India International, Madras for the past 6 years as casual labourer and he was given a job only for 7 or 8 days in a month he has denied it in his evidence as incorrect. He would further say that it had been written mistakenly by his neighbour, who has written it. Ex. M2 is a notice sent by the counsel for the Petitioner to the Respondent/Management. Though the Petitioner has admitted in his evidence that he has sent a notice through his advocate as Ex. M2, he says that he does not know any reply was given by the Management to his advocate. Ex. M3 has been marked as office copy of the reply sent by the Respondent/Management dated 7-10-82 to the counsel for the Petitioner Shri Krishnamurthy. It was marked through M.W.1 as the office copy of the reply. Ex. M4 is the postal acknowledgement for the receipt of reply sent by the Management by the Petitioner's advocate Sri R. Krishnamurthy on 11-12-1982. It is the evidence of MW1 that the Petitioner was not a permanent employee under the Respondent/Management and he used to work occasionally as casual labourer. He would further say that the Petitioner has not completed the 240 days of service as his period of employment under the Respondent/Management to claim the benefits under Section 25F of the Industrial Disputes Act and the Petitioner is not entitled to any relief. Nothing has been elicited in the cross examination of MW1 to discredit his evidence in the chief which he gives based on records maintained by the Respondent/Management. The Petitioner himself in his cross examination has admitted that upto 1981 he was only a casual labourer. In his petition, Ex. M1 has clearly stated that he had worked for 7 or 8 days in a month. From the records it is seen that when the case was pending enquiry before the Tamil Nadu Industrial Tribunal the matter was taken up for enquiry on 18-12-1997, for the non-filing of the counter statement by the Respondent/Management, the Respondent/Management was set ex-parte and subsequently the Petitioner was examined as WW1 as ex-parte evidence and two documents were marked as W1 and W2. Ex. W1 marked before the Tamil Nadu Industrial Tribunal when ex-parte evidence was taken, as the xerox copy of the representation dated 26th June, 1995 given by the Petitioner to the Labour Commissioner, wherein he has stated that he is in a financial crisis and he requested the Labour Commissioner to obtain payments from the Management Air India which is due to him. The conciliation effort taken by the conciliating authority ended in a failure, so a failure of conciliation report was sent. When

the Petitioner was cross examined about this he denied about sending one such petition to Labour Commissioner after perusing the same. From this it is seen that he has not come forward with true facts and he is not prepared to speak truth. Further there is nothing on record to show that the Petitioner was employed as a permanent employee or a part-time casual labourer in the Respondent/Management. No substantial evidence has been given on the side of the Petitioner/Workman to prove that he is entitled to claim the benefits under Section 25F of the Industrial Disputes Act. Except the averment in the Claim Statement and the oral evidence of the Petitioner as WW1, there is no substantial documentary evidence to prove that he was placed under suspension by the Respondent/Management on 1-12-1981. So from the available materials it is seen that the petitioner has failed to establish that he was an employee of Air India Ltd. and he was putting sufficient period of employment to claim the benefits of Section 25F of the Industrial Disputes Act and he was suspended from the job by the Respondent/Management on 1-12-1981 illegally. So it can be concluded that the Petitioner/Workman was not a permanent or regular employee of the Air India Ltd. and he had not put in 240 days of service as his period of employment to claim the benefits of Section 25F of the Industrial Disputes Act and hence he is not entitled to any relief. Thus, I answer the point accordingly.

6. In the result, an award is passed holding that the Petitioner/Workman Shri D. Michael is not entitled to any relief, as prayed for. No cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 13th June, 2001.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :

For the I Party/Workman :

WW.1 Shri D. Michael.

For the II Party/Management :

M.W.1 Shri S. Iyyaswami.

Documents Marked :

For I Party/Workman : Nil.

Ex. No.	Date	Description
W1	08-01-87	Xerox copy of the Entry Pass No. 48677 issued to the Petitioner.
W2	05-01-94	Xerox copy of the representation of the Petitioner to the Labour Officer, Madras.

For the II Party/Management :

M1	16-12-81	Original representation of the Petitioner to the Management.
M2	24-07-82	Original representation from Sri C. R. Krishnamurthy, Advocate to Management.
M3	07-10-82	Xerox copy of the reply from the Management to Sri C. R. Krishnamurthy, Advocate.
M4	11-10-82	Original acknowledgement card.

नई दिल्ली, 11 जुलाई, 2001

AWARD

का. प्रा. 1945.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंच को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[स. एल.-20012/118/90-आई. आर. (सी-1)]
एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 11th July, 2001

S.O. 1945.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2 Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 11-7-2001.

[No. L-20012/118/90-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute
under Section 10(1)(d) of the
I.D. Act., 1947.

Reference No. 28 of 1990

PARTIES :

Employers in relation to the management
of Murulidih Colliery of Mahuda
Area No. II of M/s. B.C.C. Ltd.

AND

Their Workmen

APPEARANCES :

On behalf of the workmen.—None.

On behalf of the employers.—None.

STATE : Jharkhand INDUSTRY : Coal.

Dated, Dhanbad, the 28th June, 2001

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(118)/90-I.R. (C-I), dated, the 19th October, 1990.

SCHEDULE

“Whether the Management of Murulidih Colliery of Mahuda Area No. II of M/s. B.C.C. Ltd. is justified in denying promotion in Clerical grade II to the following three workmen?
a. Shri Tayyab Ali Ansari b. Shri Kamaluddin Ansari c. Shri Sobha Gope. If not to what relief they are entitled to?”

2. In this reference both the parties appeared before this Tribunal and filed their respective written statement documents etc. Subsequently at the stage of evidence both the parties abstained from appearing before this Tribunal and taking any further steps. The reference is pending since 1990 and it is of no use to drag the same year after year for taking steps by the parties. Under such circumstances, a ‘No Dispute’ award is rendered and the reference is disposed of on the basis of ‘No Dispute’ Award, presuming non-existence of any Industrial Dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का. प्रा. 1946.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंच को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[स. एल.-20012/110/92-आई. आर. (सी-1)]
एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 11th July, 2001

S.O. 1946.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, 2, Dhanbad as shown in

the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 11-7-2001.

[No. L-20012/110/92-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 2) AT
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act., 1947.

Reference No. 52 of 1996

PARTIES :

Employers in relation to the management
of Mudidih Colliery of M/s. BCCL

AND

Their Workman

APPEARANCES :

On behalf of the workman.—None.

On behalf of the employers.—None.

STATE : Jharkhand INDUSTRY : Coal.

Dated, Dhanbad, the 29th June, 2001

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/110/92-I.R. (Coal-I), dated, the 30th April, 1993.

SCHEDULE

"Whether the demand of R.C.M.S. for promotion of Shri A. N. Mondal to the post of Spl. Grade Clerk w.e.f. 22-1-83 and for regularising him as Office Supdt. in Technical Grade 'A' w.e.f. 28-5-84 is justified? If so, to what relief the workman is entitled?"

2. In this reference none of the parties appeared before this Tribunal nor took any steps inspite of issuance of Regd. Notices to them. The reference is pending since 1997 and it is of no use to keep the same alive.

Under such circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of 'No dispute' Award in this reference presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का. प्र. 1947 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबन्धतंत्र के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[सं. एल-20012/85/92-आई प्रार (सी-I)]

एस एस गुप्ता, अवर सचिव

New Delhi, the 11th July, 2001

S.O. 1947.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on 11-7-2001.

[No. L-20012/85/92-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 2) AT
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 66 of 1993

PARTIES :

Employers in relation to the management
of M/s. E.C.L's Nirsha Area Chapapur I Colliery of M/s. ECL.

AND

Their Workman

APPEARANCES :

On behalf of the workman.—Shri D. Mukherjee, Secretary, B.C.K.U.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Jharkhand INDUSTRY : Coal.

Dated, Dhanbad, the 29th June, 2001

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/85/92-I.R. (Coal-I) dated, the 21st May, 1993.

SCHEDULE

“Whether the action of the management of M/s. Eastern Coalfields Ltd., Nirsha Area in awarding punishment of four days suspension and accordingly withholding wages to Shri Iswari Prasad Singh, Pump Khalasi, Chapapur-I Colliery w.e.f. 18-8-87 to 31-12-87 is justified? If not, to what relief the concerned workman is entitled?”

2. In this reference both the parties appeared through their respective Advocates and filed W.S. Subsequently at the stage of filing documents when the reference was fixed, learned representative/Advocate submitted before this Tribunal to pass a ‘No dispute’ Award in this reference as the learned representative/Advocate received no instruction to proceed further from the concerned workman. The reference is pending since 1993 and it is of no use of drag the same year after year. Under such circumstances, a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of ‘No dispute’ Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का. प्र. 1948—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबन्धन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

सं. 2, धनबाद के पंचाल को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2001 को प्राप्त हुआ था।

[सं. एल-20012/63/93-आई प्रार (सी-1)]
एस. एस. गुप्ता, अवर सचिव

New Delhi, the 11th July, 2001

S.O. 1948.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 11-7-2001.

[No. L-20012/63/93-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD**

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 13 of 1994

PARTIES :

Employers in relation to the management of Basantimata Colliery of M/s. B.C.C.L. and their workman.

APPEARANCES :

On behalf of the workman : Shri K. Chakravorty, Advocate.

On behalf of the employers : Shri B. Joshi, Advocate.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, Dhanbad, the 29th June, 2001

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/63/93-I.R. (Coal-I), dated, the 20th December, 1993 :

SCHEDULE

“Whether the action of the management of M/s. BCCL in relation to Basantimata Colliery in dismissing workman Shri Bipin Kumar Mukherjee w.e.f. 12-6-89 is justified? If not, to what relief the workman is entitled to?”

2. In this reference both the parties appeared through their respective Advocates and filed W.S. documents subsequently when the case was fixed for

nearing learned Advocate for the workman submits to pass a 'No Dispute' Award in this reference as he has no instruction from the concerned workman. Learned Advocate for the management raised no objection if the reference is disposed on the basis of 'No Dispute' Award. Under such circumstances, a 'No Dispute' Award is rendered and the reference is disposed of on the basis of the 'No Dispute' Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 11 जुलाई, 2001

का. आ. 1949—औद्योगिक विवाद अधिनियम, 1947 (1947 का. 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधक के सबब नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एल-20012/41/92-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 11th July, 2001

S.O. 1949.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 10-7-2001

[No. L-20012/41/92-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 19 of 1993

PARTIES :

Employers in relation to the management of Bhagaband Colliery of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman : Shri R. K. Prasad, President, Bihar Shramik Sangh, Dhanbad.

On behalf of the employers : Shri S. N. Sinha, Advocate.

STATE : Jharkhand.

INDUSTRY : Coal.

Dated, Dhanbad, the 28th June, 2001

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/41/92-I.R. (Coal-I), dated, the 17th March, 1993 :

SCHEDULE

"Whether the action of the management of Bhagaband Colliery of M/s. BCCL in denying the employment to Smt. Mundri Devi, Widow of late Rameshwar Hazam is justified in accordance with the clause 9.4.3 of NCWA-IV? If not, to what relief is Smt. Mundri Devi is entitled to?"

2. The case of the concerned workman as per W.S. in brief is as follows :—

The concerned workman in his W.S. submitted that late Rameshwar Hazam was the husband of Smt. Mundri Devi who died on 25-1-91 leaving behind his wife i.e. Mundri Devi and four children and his mother. After the death of her husband Mundri Devi submitted her application before the management as per para 9-4-2 of NCWA-IV for her employment. But the management denied to provide any employment to her. Finding no other way the union raised an industrial dispute and as the said dispute could not be settled in the conciliation proceeding the present reference was made. Accordingly the union has prayed for passing necessary award to the effect that the action of the management of Bhagaband Colliery under M/s. BCCL in denying employment to Smt. Mundri Devi wife of late Rameshwar Hazam is not justified and accordingly be pleased to direct the management to provide her employment.

3. The management on the contrary after filing W.S.-cum-rejoinder have denied all the claims and allegation which the union asserted in the W.S. It has been disclosed by the management that after the death of Rameshwar Hazam his son Bideshi Hazam filed a petition for his employment claiming himself to be the dependent of Rameshwar Hazam and to that effect he sworn an affidavit. The said Bideshi Hazam son of Rameshwar Hazam disclosed in the affidavit that prior to the death of his father his mother died and he was the only son who was dependent of late Rameshwar Hazam. The management submitted that after filing the instant petition by the said Bideshi Hazam one lady i.e. Mundri Devi also by filing an application claimed herself to be the wife of Rameshwar Hazam who died on 25-1-91 and prayed for her employment on compassionate ground. In support of her claim the said Mundri Devi also sworn an affidavit. As a result a dispute arose between Bideshi Hazam and Mundri Devi relating to the relationship between late Rameshwar Hazam and the concerned lady. The management further submitted that there is no dispute about the claim of Bideshi Hazam as son of Rameshwar Hazam in view of the facts that Mundri Devi in her affidavit admitted that said Bideshi Hazam

was the son of late Rameshwar Hazam. On the contrary Bideshi Hazam in the affidavit categorically denied the fact that Mundri Devi was the wife of his father i.e. Rameshwar Hazam. Disclosing this fact the management submitted that due to such dispute they could not settle the matter in issue and for which pending decision about relationship of Mundri Devi with Rameshwar Hazam and Bideshi Hazam they could not consider her claim. The management further submitted that as per provision of NCWA the dependent to be employed must be suitable for working as Miner/Loader. They submitted that the concerned lady is not suitable for underground employment as Miner/Loader. Therefore, they could not consider her employment. Accordingly the management prayed for passing an Award holding that the concerned lady is not entitled to get any relief.

POINTS FOR DECISION

4. The points for decision in this reference is :—

“Whether the action of the management of Bhagaband Colliery of M/s. BCCL in denying the employment to Smt. Mundri Devi widow of late Rameshwar Hazam is justified in accordance with the clause 9.4.3 of NCWA-IV? If not, to what relief is Smt. Mundri Devi is entitled to?”

DECISIONS WITH REASONS

5. The concerned workman in order to substantiate the claim examined three witnesses. On the contrary the management examined only one witness in support of their claim. WW-1, WW-2 and WW-3 during evidence categorically disclosed that Mundri Devi was the wife of Rameshwar Hazam. In support of the claim they relied on the documents marked as Ext. W-3 and marked as Ext. M-3. I have considered both the documents wherefrom it transpires that the name of Mundri Devi was recorded as wife of Rameswar Hazam. The name of Bidesi Hazam was also recorded in the said two documents as the son of Rameshwar Hazam. It is the contention of the concerned union that Rameshwar Hazam after the death of his first wife married Mundri Devi. From the affidavit sworn in by Bideshi Hazam marked as Ext. M-5 I find that first wife of Rameshwar Hazam died before his death. It has been denied by Bideshi Hazam in the affidavit sworn in by him that Rameshwar Hazam after the death of his wife married any lady. In the affidavit he also disclosed the name of other family members of Rameshwar Hazam. From the affidavit sworn in by Mundri Devi I also find that Bideshi Hazam was the son of Rameshwar Hazam. I also find description of family members in the said affidavit which find similarity with the description of family members given by Bideshi Hazam in the affidavit sworn in by him. Considering the documents marked as Exts. M-3 and W-3 it is clear that Mundri Devi was the wife of Rameshwar Hazam. Accordingly Mundri Devi being the dependent of her husband was legally entitled to submit application for her employment. Bideshi Hazam who was the son of Rameshwar Hazam was also legally entitled to submit application for his employment as he was also dependent family members of the deceased. Now the point for consideration is if the management has committed any wrong in refusing employment to Mundri Devi. According to clause 9.4.2 one

dependent of the workman who dies while in service is entitled to get his or her employment. According to the provision of sub-clause (2) of Clause 9.4.2 employment of the dependent only will be considered if it is found that he or she is physically fit and suitable for employment and aged not more than 35 years provided that the age limit shall not apply in the case of spouse. Therefore, Mundri Devi being the wife of Rameshwar Hazam is entitled to get her employment. The management submitted that they could not provide employment to Mundri Devi as she was not suitable to work as Miner/Loader. The plea taken by the management I think is not sufficient enough to accept. There are different jobs under the management which can be suitable for a lady and such job could be provided to her particularly when she submitted application being dependent of her husband. The management submitted further that they were being confused when two applications for employment came one on the part of the son and other on the part of the wife of the deceased. It is a fact that Bideshi Hazam also submitted an application for employment. Mundri Devi in course of her evidence disclosed that Bideshi Hazam is a Truck Driver. He is married and started living elsewhere during the life time of her husband. This fact disclosed by Mundri Devi was not challenged in course of her cross-examination. Bideshi Hazam was not also examined as witness by the management. Therefore, the claim of Mundri Devi to get her employment being a dependent of her husband stands on cogent footing as there is no restriction in giving such employment in the case of spouse. Mundri Devi during her evidence disclosed that she was 50 years old. Her evidence was recorded on 21-11-95. As such considering her evidence there is scope to say that she is now 56 years old. As sub-clause (2) of clause 9.4.2 of NCWA-IV there is no restriction of age for getting employment in case of spouse, Mundri Devi is also entitled to get her employment under the management and she is very much entitled to enjoy her service till she is superannuated subject to the condition that she is physically found fit and mentally alert. Accordingly after careful consideration of all the facts and circumstances I hold that the management committed wrong in not providing employment to Mundri Devi wife of deceased Rameshwar Hazam. In the result, the following Award is rendered :—

“The action of the management of Bhagaband Colliery of M/s. BCCL in denying the employment to Smt. Mundri Devi widow of late Rameshwar Hazam is not justified, in accordance with the clause 9.4.3 of NCWA-IV. Consequently, Smt. Mundri Devi is entitled for employment under the management.”

The management is directed to implement the Award within three months from the date of its publication in the Gazette of India.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जुलाई, 2001

का. मा. 1950.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत गोल्व आईन्स लि. के प्रबन्धक के

संबंध निजीकरणों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बैंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[स. एल-43012/5/94-आई आर (निविध)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 9th July, 2001

S.O. 1950.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Gold Mines Ltd. and their workman, which was received by the Central Government on 5-7-2001.

[No. L-43012/5/94-IR(M)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT "SHRAM SADAN", G. G. PALYA, TUMKUR ROAD, YESHWANTPUR, BANGALORE-560022

DATED : 15th may, 2001

PRESENT :

Hon'ble V. N. KULKARNI, Presiding Officer

C. R. No. 14/97

I PARTY :

The President,
Bharat Gold Miners Association,
Oorgaum Post,
Kolar Gold Fields-563120.

II PARTY :

The Managing Director,
Bharat Gold Mines Limited,
Oorgaum Post,
Kolar Gold Fields-563120

APPEARANCES :

I Party : K. V. Sathyanarayana, Advocate

II Party : A. S. Bopanna, Advocate

AWARD

1: The Central Government by exercising the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-43012/5/94-IR(Misc.) dated 12-1-1995 for adjudication on the following schedule.

SCHEDULE

"Whether the management of Bharat Gold Mines Limited is justified in fixing the pay of Shri Anandraj, P.E. No. 062367 w.e.f.

the date of the promotion instead of the date of the award (29-6-90) ? If not, to what relief Shri Anandraj is entitled to and from which date ?"

2. I party is working with the II party. The contention of the I party is that fixing of pay w.e.f. the date of promotion instead of date of award 29-6-1990 is not correct and, therefore, Industrial Dispute is raised.

3. The case of the I party in brief is as under.

4. The main contention of the I party union workman is that if the award is considered the promotion of I party must be given retrospectively from 17-2-1988 and he may be placed above Sh. Pushparaj and Palani in the seniority and pay be refixed w.e.f. 29-6-1990. The II party while implementing the award took a different stand much against the spirit of the Award and thereby reduced Rs. 9.00 from the basic Pay of Rs. 1308.00 of the I party, concerned workman which he was enjoying on the date of Award and pulled down to Rs. 1299.00 in the name of promotion which is unheard. Details of salary is stated in para 6 of the Claim Statement. Lot of correspondence was made but nothing is done, the I party union workman for these reasons has prayed to pass an award in his favour.

5. The case of the II party is that in its award 20/89. This tribunal directed to II party management to promote the I party workman to D Grade w.e.f. the date which Sh. Pushparaj and Palani were promoted to D Grade. It is said that accordingly the I party workman was promoted from C Grade to D Grade w.e.f. 1-12-87 without backwages. Details are given in para 5 of the Counter Statement. It is the further case of the management that as per the award the I party workmen was promoted w.e.f. 1-12-87, the date on which Sh. Pushparaj and Palani was promoted and his pay was fixed as per para 5 of the Counter Statement. The management has not taken different view while implementing the award. Infact the I party workman was much benefited by the award and got promotion and seniority right from 1-12-87. The management for these reasons and for some other reasons has stated in para 8, 9 and 10 has prayed to reject the reference.

6. It is seen from the records that both sides have not adduced any evidence.

7. I have heard the arguments of both sides

8. At the very outset, I may say that in the instant case, the I party has not filed any documents to establish that the management while implementing award has taken different view. Moreover, the I party has not given evidence, for the reasons best known to him to say that there is merit in this dispute. Absolutely, there is no material before us to say that there is merit in this reference.

9. Accordingly, I proceed to pass the following order

ORDER

Reference is rejected

(Dictated to the L.D.C., transcribed by him, corrected and signed by me on 20th June, 2001)

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 9 जुलाई, 2001

का. भा. 1951.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल वेयरहाउसिंग कॉर्पोरेशन के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, इरनाकुलम के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-42012/4/97-आई आर (विधि)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 9th July, 2001

S.O. 1951.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Warehousing Corporation and their workman, which was received by the Central Government on 5-7-2001.

[No. L-42012/4/97-IR(M)]

KULDIP RAI VERMA, Desk Officer
ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR
COURT, ERNAKULAM

(IN THE LABOUR COURT, ERNAKULAM)

(Wednesday, the 28th day of March, 2001)

PRESENT :

Sri D. Mohanarajan, B.Sc., LL.B.
Presiding Officer

Industrial Dispute No. 1/1998 (Central)

BETWEEN

The management of Central Warehousing
Corporation, Bangalore

AND

The workman represented by the General Secretary,
Central Warehousing Corporation,
Employees Union, Madurai.

REPRESENTATIONS :

Sri V. Sukumaran Nair,
Advocate,
Kunnathukal,
Ernakulam. . . For Management
K. Ramkumar,
Advocate,
Ernakulam. . . For Workman

AWARD

The Government of India as per Order No.
L-42012/4/97-IR(Misc.) dated 31-12-97 referred the

following industrial dispute to this court for adjudication.

"Whether the action of the management of Central Warehousing Corporation in refusing to pay H.R.A., C.C.A. and fixed D.A. w.e.f. April, 1994 in respect of the personal pay paid for adopting small family norms and special pay paid to the employee is justified? If not, to what relief the concerned employees are entitled to?"

2. When the case stood posted for evidence today the 28th March, 2001, there was no representation from the union. The union was called and found absent. This court is therefore pleased to think that the union is not at all interested to pursue the dispute any further and that there is no subsisting industrial dispute between the parties requiring adjudication.

In the result, the reference is answered holding that there is no subsisting industrial dispute between the parties to be adjudicated upon.
Ernakulam,
28-3-2001.

D. MOHANARAJAN, Presiding Officer

नई दिल्ली, 9 जुलाई, 2001

का. भा. 1952.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में तमिल नाडु मिनेरल्स लि. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-29011/16/90-आई आर (विधि)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 9th July, 2001

S.O. 1952.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Tamil Nadu Minerals Ltd. and their workman, which was received by the Central Government on 5-7-2001.

[No. L-29011/16/90-IR(M)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU CHENNAI-104

Friday, the 22nd day of June, 2001

PRESENT :

Thiru S. R. Singharavelu, B.Sc. B.L., Industrial Tribunal.

Industrial Dispute No. 66 of 1990

(In the matter of dispute for adjudication Under Section 10(1)(d) of the Industrial Dispute Act, 1947, between the Workmen and the Management of Tamil Nadu Minerals Ltd. Chennai-6000 05.).

BETWEEN

The Workmen represented by :

1. The General Secretary,
Mettur General Workers' Union,
C/o Indian Trade Unions,
13 Mesque Street,
Madras-600 005.
2. The President, Dharmapuri Mavatta Kanima
Desiya Thozilalar Sangam, 70 Bajaji St.,
Pennagaram, Dharmapuri, 636 810,

AND

The Chairman cum-Managing Director,
M/s. Tamil Nadu Minerals Ltd.,
31 Kamatajar Salai,
'TWAD House',
Chepauk, Madras-600 005.

Reference : Order No. L-29011/16/90-IR(MISC)
dated 3-8-1990. Ministry of Labour, Govt.
of India, New Delhi.

This dispute coming on for final hearing on Tuesday, the 13th day of March, 2001, and for clarification on Thursday, the 21st day of June, 2001, upon perusing the reference. Claim and Counter statements and all other material papers on record and upon hearing the arguments of Thiru D. Hariparanthaman advocate for Union No. 1 and of Thiru P. K. G. Menon, authorised representative for Union No. 2 and of Thiru R. Viduthalai, advocate appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following

AWARD

The Govt. of India has referred the following issue for adjudication by this Tribunal :

"Whether the action of the management of M/s. Tamil Nadu Minerals Ltd. Madras in disengaging the Chislemen is justified. If not, to what relief are the workmen entitled?"

2. The main averments found in the Claim Statement of the Petitioner-Union No. 1 are as follows: The Tamil Nadu Minerals Ltd., is fully owned by the Tamil Nadu Government and is a company registered under the Companies Act. It was started in the year 1979 to take out the natural deposits from minor mines such as feldspar, mica, lime, silicas and Granites etc. Now, this industrial dispute is concerned only with granite mines. There are broadly two categories of workmen, namely NMRs and Chislemen. NMR workmen are employed to remove earth and to bring out stones through blasting operations using compressors. These stones are brought to

dressing yards using cranes and other transports. In dressing yards, chislemen are employed to dress the granite stones in various sizes. These Chislemen are only producing granite stones for export. These operations are carried out in the dressing yard of the respondent, where the said costly instruments are supplied by the respondent and the operation is carried out under the supervision of the permanent staffs of respondent. This dispute is concerned only with Chislemen directly employed by the respondent. Though there are about 40 quarries in the said four districts, workmen are organised under the petitioner Trade Unions in Yellikaradu quarry and Karungal Anai, Paithur and Bavanur only. They confine the case to chislemen numbering 79 of Yellikaradu and 40 of Karungal Anai quarries in Mettur Dam. The Chislemen are working in various gangs. Each gang consists of 3 or 4 chislemen. In the said two quarries there are about 40 gangs of chislemen. Each gang was paid their wages on piece-rate basis. That is, their wage was dependent on how much cubic metres of granite stones they produced. This wage was paid weekly basis on every Saturday. They are supervised by the staffs of the respondent. Disciplinary action was taken against these workmen by the respondent. Attendance is maintained by the Foreman of the quarry who is the permanent staff of the respondent. The working hours for the chislemen is 8 A.M. to 5 P.M. The names of chislemen are also entered in Form B registered under the Mines Rules. The wages are paid to gang leader, who is called Maistry on the basis of the production of the gang. The gang divides the wages according to the attendance. Shoes, helmets, goggles and respirators are given by the respondent to all chislemen. While so, there was a settlement under section 12(3) of the I.D. Act on 7-11-89 regarding payment of Bonus and exgratia to all workmen including chislemen of Yellikaradu and Karungal Anai quarries. The respondent refused to pay exgratia to chislemen. Therefore chislemen went on strike from 18-11-89 demanding exgratia as per the Settlement. On 15-12-89 the ALC advised the chislemen to withdraw strike and to report duty. On 18-12-89, this was communicated to ALC thro' telegram. When the conciliation was held on 20-12-89 the management took an unhelpful attitude by stating that they would not permit the chislemen to resume duty as they are not the workmen of respondent. The chislemen reported for duty on 20-12-89 and subsequently and also sent a Joint letter on 22-12-89, 23-12-89 and 26-12-89 to the Management about the refusal to employ them. In the said circumstances, the conciliatory efforts taken by the ALC ended in failure. This has resulted in the present reference. Chislemen are direct employees of the respondent. There is no contractor. No one has taken licence under the contract labour regulation and Abolition Act 1970. The action of the respondent in keeping the chislemen for years together as non permanent to deny them monetary and other benefits payable to permanent workmen and finally denying employment is an unfair labour practice. The action of the respondent in denying employment to chislemen for their first demand to implement the settlement signed by the management is a measure of victimisation and also unfair labour practice. The Petitioner Union 1 prays to hold that the action of the management of M/s. Tamil Nadu Minerals Ltd., Madras in disengaging chislemen is not

justified and consequently direct the respondent to reinstate them with backwages, continuity of service with other attendant benefits and also to direct the respondent to make them permanent.

3. The main averment found in the Claim statement of the Petitioner Union No. 2 are as follows: The workmen and the respondent signed a Memorandum of Settlement under Sec. 12(3) of I.D. Act 1947 on 7-11-89. But the respondent did not implement the said settlement. The workers therefore resorted to strike. During the conciliation proceedings the workers agreed to resume duty on the advice of the Conciliation officer. But the respondent did not allow the workman to resume duty on 16-12-89 after the strike under the pretext that the Chislemen and their Assistants are not employed by them. These workmen were provided with the following benefits and facilities by the respondent. (1) Shoes, (2) Helmet (3) Goggles (4) Respirators (5) Their names are entered in Form B register, (6) Identity cards, (7) Attendance record maintained by respondent (8) Medical facilities, (9) Statutory compensation and (10) Incentive payment. The workmen concerned have put up more than 10 years of continuous service. It is therefore prayed that this Tribunal may be pleased to consider all these relevant facts and pass an award ordering (1) reinstatement of the workmen concerned with backwages and continuity of service (2) Regularising their services and (3) implementing and extending the benefits, under the Settlement dated 7-11-89.

4. The main averments found in the Counter statement of the Respondent are as follows:—Neither the petitioner nor the List of Members numbering of the 65 indicated in the petition are workmen of the respondent herein. There is no privity of contract of employee and employee relationship. The claim of the word 'workman' has to be proved in terms of Industrial disputes Act by the petitioners only. The Settlement dated 7-11-89 has nothing to do with these petitioners. This respondent has no direct control over these petitioners and they are the casual labourers of contractors under whom they might have worked. It is incorrect to state that they have been treated on par with permanent employees and were paid bonus and exgratia. The question of employer and employee relationship never existed. It is incorrect to state that they are provided with benefits and facilities like any permanent employee. Even of visitor would provided with identity card and name entered in the register. It is incorrect on the part of the petitioner to claim that the listed benefits as mentioned in para.5 has been accorded to them. It is incorrect on the part of them to state that they were in continuous service for more than ten years. This respondent never treated them like any workmen and there is no reason to apply Standing Orders against them. The basic concept of which TAMIN is now contending is that the Chislemen contractors are not the workmen of TAMIN hence there cannot be any dispute. When there is no relationship of employer and workmen or in acceptance on such claim there cannot be further progress on the issue unless it is satisfied as a preliminary issue. The petition has to be rejected totally. The petition is not maintainable under the Act. The respondent prays to dismiss the above petition.

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5. On behalf of petitioner, WW 1 Thiru K. Vijayan (Proof affidavit and Cross) has been examined and Ex. W1 to W55 were marked. On behalf of respondent, no witness was examined and Ex. M1 to M5 were marked by consent.

6. The Point for consideration is : Whether the action of the Management of M/s. Tomil Nadu Minerals Ltd., Madras in disengaging the Chislemen is justified? If not to what relief are the workmen entitled."

7. The Point : The Tamil Nadu Minerals Limited is fully owned by the Tamil Nadu Government and is a company registered under the Companies Act. It was constituted in order to export natural deposits from minor mines. The petitioners are two unions of a particular category of workmen namely Chislemen. They were employed to dress the granite stones in various sizes in the dressing yards. They grouped themselves into several granites each consisting of three or four chislemen. In the two disputed quarries namely Yellikaradu quarry and Karuncal Anai quarry, there are 40 gangs: more particularly 66 and 40 Chislemen respectively were employed in the above two quarries. They used compressors to break huge stones into blocks of different sizes of qualities. They used wedges and iron balls in their operation. They were provided with those equipments along with Helmets, Goggles, respirators and Shoes their respondent management. Their wage depends upon the quality of block that they produce. Unqualitative blocks produced by them earn no wages. 75 per cent of the wages was initially paid and 25 per cent of the wages would be paid later. The wage was paid on weekly basis. Of course, it is paid to the Gang leader called Maistry who will distribute the Chislemen according to the Attendance. There are Identity cards and Attendance cards issued by the respondent to these Chislemen. Ex. W1 series W17, W19, W21, W23, W26, W29, W31 and W35 are the identity Cards issued to the Chislemen. Ex. W18, W20, W22, W24, W27, W32, W36 to W4 are attendance cards issued by the respondent. Similarly there are cash vouchers kept by the respondent management. As Voucher slip for payment to block granite production, the were marked as Ex. M1 Ex. W48, to W. 51 and W. 55. Ex. M2 is the copy of the Measurement Book. Ex. M4 and M5 are the Production report also containing the payments made.

8. It is pertinent to note that no where in the above documents, any name of the contractor under whom the Chislemen were allegedly employed was mentioned. If really the case of the respondent management that the Chislemen were employed only by contractors with whom the management had nexus, it would have been easier for the management to expose the names of such contractors, in which the management failed. Nor in the documents produced above, we find any name of the so-called contractors. On the other hand, we find Identity card and Attendance cards issued to the Chislemen directly by the respondent management. Again there was supervision made upon the goods delivered after work by the Chislemen, in such blocks the work of which was considered as unqualitative and without wages. Ex. W52 is the record showing the recovery made from the wages for the rejected blocks. This aspect will go to show the supervision upon the

work done by the Chislemen and also the control of the management upon the Chislemen.

9. As per the definition of the workmen found in the Industrial disputes Act, 'workmen' means any person employed in any industry to do any skilled or unskilled work for hire or reward, whether the terms of employment be expressed or implied etc. In as much as, the respondent management has not come forward with the names of the contractors under whom the Chislemen were allegedly employed and since there were Identity cards and attendance cards issued to those Chislemen by the respondent management itself and considering the factors mentioned above showing the control and supervision made upon the workmen by the respondent management, we can easily come to the conclusion that there is the relationship of employer and employee between TAMIN and Chislemen in the dispute.

10. The Learned Counsel for the workmen contended that there was a settlement arrived at on 7-12-89 in which Bonus and Exgratia were given to the NMR category as well as the Chislemen in the dispute. It was further said that the exgratia amount was not given to Chislemen in accordance with the settlement and that therefore there was a strike from 18-11-89. It was said that even though the Chislemen turned duty on 16-12-89, no work was given to them by the management, thus making disengagement. The Counsel also relied upon 1996 II LLJ p. 26, (The Management of Silversands Beach Resort & Ors). And the Workmen, Silversands Employees Union & Anr., wherein it was held that illegal participation in strike does not by itself justify the termination. When it does not justify the termination itself, it may not also justify disengagement. The reply given by the management was that they never disengaged, or refused to give work to the Chislemen and it is incorrect to say that the workers, turned to duty on 16-12-89. Thus it was said by the management that Chislemen by themselves abandoned the duty. In this connection, reliance was placed upon Ex. W9 by the management. It is the letter of the management dt. 6-12-89, mentioning that the Chislemen were not coming to duty with effect from 18-11-89, and that within 24 hours after the receipt of that notice if they do not turn to duty it will be considered as their own abandonment. Although Ex. W9 and W10 were addressed only to A. Kaliappan and K. Kuppusamy who were individual Chislemen there is also no acknowledgement of letter to show whether at all they have received such notices. Therefore, there is no acceptable evidence to hold that management called forth the striking workers to resume duty. Even if it was not complied with, and the workmen continued their strike demanding exgratia on par with NMR workers that may not be a good ground for termination or disengagement. This is so because it was held in 1996 II LLJ 26 in favour of the workmen. Thus we find that striking employees need not be refused work if they choose to turn duty. Now it is made clear from the counsel for workmen that they are prepared to resume duty. As and when they resume duty, the management shall not refused engagement.

11. The learned counsel for the Management again argued that there was no demand or no dispute and

that therefore the reference was bad. They also relied upon 1981 II LLJ 102 to 115 in which reference was made to 1968 I LLJ p. 834; but it was contended in 1978 I LLJ p. 484 holding that for all these reasons the reference could not be held as bad. Leaving all these citations, the latest position of law was held in 2000 (1) SCC 371 wherein the Division Bench of the Supreme Court has held that in order to pronounce the reference was bad the Writ jurisdiction alone can do it and it does not lie in the mouth of the Industrial Tribunal. Therefore, the argument of the Learned Counsel for the Management that the reference is bad does not hold water in this forum.

12. We have already held that for whatever reason disengagement of workmen is not justified and the workmen ought to be allowed as and when they resume duty. At this juncture, the counsel for the Workmen contended that the other reliefs of exgratia, backwages, continuity of service, shall also be given. So far as the Bonus and Exgratia are concerned, even though the contention of the workmen is that there was a Settlement dt. 17-11-89 in which Chislemen were also the beneficiaries of such reliefs, no such settlement was produced before us. Therefore, we are not in a position to conclude that bonus and exgratia are due to the Chislemen. If only such settlement was produced, that would show the justification for the strike; because the strike could be justified if only there was negation of justifiable claims and that exgratia was negated. But to say that it was a due claim, Settlement dt. 17-11-89 ought to have been filed. In default of which we could not assess justifiability of the claim. Therefore the answer is that we cannot order backwages. Especially when the strike could not be justified. But as mentioned earlier, mere participation in strike will not by itself justify termination or disengagement and so they are entitled for reinstatement only. The other reliefs could not be given.

Award passed accordingly. No costs.

Dated at Chennai, this 22nd day of June, 2001.

S. R. SINGHARAVELU, Industrial Tribunal

I.D. No. 66 of 1990

Witnesses examined

For Petitioner/Workman : WW1 : K. Vijayan (Proof Affidavit).

For Respondent/Management : None.
Documents marked

For Petitioner/Workman

Ex. W1 series 19-9-83 : Identity Card issued to Manickkam by TAMIN.

19-9-83 : Identity Card issued to Kaliappan by TAMIN.

6-6-84 : Identity Card issued to Velayyan by TAMIN

6-6-84 : Identity Card issued to Arjunan.

6-6-80 : Identity Card issued to Pachayappan.

6-6-80 : Identity Card issued to Chinnaraj.

Ex. W2 18-8-86 : Show Cause notice issued by TAMIN to Shanmugavel.

- Ex. W3 3-11-88 : Letter of Petitioner union regarding bonus of Chislemen for 1987-88.
- Ex. W4 16-11-88 : Memorandum of Agreement.
- Ex. W5 17-11-88 : Dispute raised by petitioner union regarding Chislemen's wages.
- Ex. W6 21-12-88 : Letter by petitioner union to TAMIN to revoke contract given to Thiru Ramasamy.
- Ex. W7 20-12-89 : Minutes of Conciliation before Asst. Labour Commissioner.
- Ex. W8 4-12-89 : Memo issued by TAMIN directing Chislemen to report duty.
- Ex. W9 6-12-89 : Memo issued by TAMIN directing Chislemen to report duty.
- Ex. W10 7-12-89 : Memo issued by TAMIN directing Chislemen to report duty.
- Ex. W11 9-12-89 : Letter by Chislemen to TAMIN to pay exgratia as per the settlement.
- Ex. W12 12-12-89 : Letter by petitioner union to Regional Labour Commissioner regarding non-implementation of Settlement.
- Ex. W13 22-12-89 : Letter by Chislemen to provide employment.
- Ex. W14 : Letter by the General Secretary of petitioner to TAMIN demanding employment.
- Ex. W15 2-3-90 : Letter by petitioner union to Chief Minister demanding employment to Chislemen.
- Ex. W16 2-5-90 : Failure report Under Section 12(4) of I.D. Act.
- Ex. W17 : Identity card of S. Palanimuthu.
- Ex. W18 : Identity card of K. P. Madhu.
- Ex. W19 : Identity card of R. Rajendran.
- Ex. W20 : Identity card of S. Govindasamy.
- Ex. W21 : Identity card of C. Rathinam.
- Ex. W22 : Identity card of C. Mani.
- Ex. W23 : Identity Card of R. Kandasamy.
- Ex. W24 : Identity Card of K. Mani.
- Ex. W25 : Identity Card of S. Ammani.
- Ex. W26 : Identity Card of R. Muthusamy.
- Ex. W27 : Identity Card of Muthu.
- Ex. W28 : Identity Card of Sivaraj.
- Ex. W29 : Identity Card of S. Angamuthu.
- Ex. W30 : Identity Card of S. Chinnakannu.
- Ex. W31 : Identity Card of I. Gopal.
- Ex. W32 : Identity Card of A. Gavandappan.
- Ex. W33 : Identity Card of G. Manickam.
- Ex. W34 : Identity Card of A. Poomalai.
- Ex. W35 : Identity Card of A. Manathan.
- Ex. W36 : Identity Card of S. Karupuchetty.
- Ex. W37 : Identity Card of C. Raju.
- Ex. W38 : Identity Card of K. Palaniappan.
- Ex. W39 : Identity Card of P. Mahalingan.
- Ex. W40 : Identity Card of M. Chinnadurai.
- Ex. W41 : Identity Card of M. Ayyannan.
- Ex. W42 : Identity Card of S. Arumugam.
- Ex. W43 : Identity Card of S. Thangavelu.
- Ex. W44 : Identity Card of I. Madhu.
- Ex. W45 : Identity Card of P. Chembu.
- Ex. W46 : Identity Card of V. Sidhan.
- Ex. W47/series : Identity Card of Chappili, K. Palani, K. Laxman, A. Manickam, K. Kuppasamy, K. Chinross.
- Ex. W48 : Payment Voucher slips for the year 1986.
- Ex. W49 : Payment Voucher slips for the year 1987.
- Ex. W50 : Voucher slips for the Payment of Black Granite Production issued to Maistries for the year 1988.
- Ex. W51 : Payment voucher slips for the year 1989.
- Ex. W52 7-11-83 : Receipts for recovery of Amount.
- Ex. W53 14-12-89 : Xerox copy of the Postal cover sent under RPAD to Mr. K. P. Sinraj.
- Ex. W54 15-12-89 : Letter from the R.D.O. Mettur to the Piece-rate workmen at Mettur dam.
- Ex. W55 : Voucher slip for payment to Black Granite Production issued to Ramasamy.
- For Respondent/Management :
- Ex. M1 : Cash Voucher for the Payment made.
- Ex. M2 : Copy of the Measurement Book.
- Ex. M3 : Copy of the Section 21 of the Tamil Nadu Forest Act V of 1982.
- Ex. M4 : Production Report.
- Ex. M5 : Production Report and Payment made.

नई दिल्ली, 9 जुलाई, 2001

का. आ. 1953—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम्प्लोइज स्टेट इन्शोरेंस कॉर्पोरेशन के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-2001 को प्राप्त हुआ था।

[सं. एल-15012/6/91—आई आर (बिविध)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 9th July, 2001

S.O. 1953.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ESIC and their workman, which was received by the Central Government on 5-7-2001.

[No. L-15012/6/91-IR(M)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC/R/714/92

Presiding Officer : Shri K. M. RAI

Shri Jagmohan Singh,
S/o Shri Ram Sakha Singh,
ESI Corporation, Kanchghar,
Purvi Gharapaur,
Jabalpur.

.. Applicant.

Versus

The Regional Director,
ESI Corporation,
Panch Deep Bhavan,
Indore.

.. Non-applicant.

AWARD

Passed on this 14th day of June, 2001

1. The Government of India Ministry of Labour vide order No. L-15012/6/91-IR (Misc) dated 5-8-92 has referred the following dispute for adjudication by this tribunal :

“क्या प्रबंधक मध्य प्रदेश राज्य बीमा कर्मचारी निगम, इंदौर (म प्र.) के प्रबंधको ने अपने आदेश दिनांक 18-8-86 द्वारा पदोन्नत कर्मचारी श्री जगमोहन सिंह को जो 01-09-86 के पूर्व पदोन्नत किया गया था, को अपने आदेश सं. 18-अ 22/12/81 स्था. दिनांक 31-03-89 द्वारा उच्च श्रेणी लिपिक के पद से निम्न श्रेणी लिपिक के पद पर पदावर्तन करने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित कर्मकार किस अनंतोष का हकदार है।”

2. The case for the workman is that he was working as LDC in the employment of the management. On 18-8-86, he was given

adhoc promotion as UDC and transferred from Satna to Jabalpur on 28-8-86. He joined at Jabalpur on 1-9-86 and thereafter worked continuously to the satisfaction of the management. On 3-3-89, the management reverted him to the post of LDC and he was placed at seniority No. 34 in the seniority list. The Junior LDCs Smt. Alka Jawalkar, Jakat Ali and Jagdish Prasad who were at seniority No. 41, 42 & 43 respectively were allowed to continue to hold the post of UDC (adhec). In this way, the management illegally and in arbitrary manner reverted the workman to the post of LDC. Even after this reversion the workman was performing the duty of UDC/cashier. Later on again the workman was given adhoc promotion of UDC cashier. The order of reversion passed by the management against the workman on 31-3-89 deserves to be quashed. The workman is entitled to all benefits as per adhoc promotion order dated 18-8-86 as if no reversion order dated 31-3-89 was passed by the management.

3. The case for the management is that the workman Jagmohan Singh was given adhoc promotion on purely temporary basis vide order of Regional Office dated 18-8-86 on the following terms and conditions :—

- (i) The adhoc promotion will not bestow upon him any claim for regular promotion in the grade or for eligibility for promotion to next higher grade.
- (ii) He will also be liable to be reverted to his lower post i.e. Lower Division Clerk at any time without assigning any reason therefore.
- (iii) The period of services rendered on adhoc basis in the promoted grade will also not count towards seniority in that grade.

The management further alleges that the workman's reversion was as a result of implementation of the revised norms in May, 1989 framed by the Corporation after consultation with ESIC Employees federation. It was not possible to avoid reversion in cases where promotions were made on or after 1-9-86 in leave vacancies or in the higher positions filled on adhoc basis as the order dated 1-9-86 was passed in consultation with the Federation ESIC Employees Union to which MPESIC Employees Union is also Affiliated.

5. As a policy matter the employees Smt. Alka Jawalkar Shri Liyaquat Ali were also to continue to work as adhoc UDC, UDC Cashier till date, as they were continuing in the post w.e.f. 8-2-86 and 3-7-85 respectively i.e. prior to the cut off date 1-9-86, Shri Jagdish Prasad Singh was only promoted to the post of UDC/UDC Cashier in September 1991. Along with Shri Jagmohan Singh some other employees who were promoted on or after 1-9-86 were reverted to the post of LDC w.e.f. 3-4-89 on receipt of revised norms. Thus, contention of Shri Jagmohan Singh is not correct.

6. In view of all these facts, the reversion of workman w.e.f. 3-4-89 is perfectly legal and proper and does not require any interference at all.

7. The following issues arise for decision in this case :—

1. Whether the order of reversion passed by the management against the workman on 31-3-89 is just and proper ?

2. Relief and costs ?

8. Issue No. 1.—Admittedly the workman Shri Jagmohan Singh was working as LDC in the local office of ESI Corporation Satna w.e.f. 21-10-88. He was given adhoc promotion as UDC on 18-8-86 and was transferred to Jabalpur. He joined at Jabalpur on 1-9-86 as per the terms and conditions contained in order of promotion Annexure-M-I. In march 1989, the management in consultation with ESIC Employees Federation, framed norms for promotion to the post of UDC from LDC and it was agreed between the parties that in the case of adhoc promotion made from any date prior to 1-9-86 no reversion will be made in the cadre of UDCs and record sorters. The workman was reverted w.e.f. 31-3-89. In pursuance of this reversion order the workman joined as LDC on 6-4-89 (FN). This reversion was passed in pursuance of the Headquarters office letter dated 16-3-89 as contained in reversion order Annexure-M-5. It means till 16-3-89, there was no settlement between All India ESIC Federation and the management that the LDCs given adhoc promotion prior to 1-9-86 shall not be reverted. The settlement was arrived at between the Union and the management on 31-3-89 and the order for reversion was received from the Headquarter on 16-3-89. It

means the decision for the reversion of workman was taken by the management prior to 31-3-89 and therefore the terms and conditions of settlement shall not be applicable in the case of workman.

9. Now we will have to see as to whether the workman could be reverted to the post of LDC as per terms and conditions of adhoc promotion dated 18-8-86 Annexure M-I. The workman was given adhoc promotion and he had no right to the post as per terms and conditions of the promotion order. He could be reverted as LDC without assigning any reason in respect thereof. At the same time, he could not claim regular promotion as a matter of right on the basis of adhoc promotion. The workman accepted all the conditions of adhoc promotion and joined at Jabalpur on 1-9-86 (FN). Some junior LDCs namely Alka Jawalkar, Liyaquat Ali and Jagdish Prasad were also given adhoc promotion. As per reversion order dated 31-3-89, Annexure M-V Smt. Alka Jawalkar too has been reverted to the post of LDC and other two LDCs were allowed to continue as UDC. there is no reason to arrive at conclusion as to why the said two junior employees Liyaquat Ali and Jagdish Prasad were not reverted and allowed to continue as UDC. This act of the management amounts to discrimination and in against the principles of natural justice which cannot be sustained in the eye of law. The management has no right to retain the junior employees on adhoc promotion post and revert a senior workman as LDC. This order of reversion is against the principles of natural justice and therefore deserves to be quashed. Issue no. 1 is answered accordingly.

10. Issue No. 2.—On the reasons stated above, it is held that the workman was illegally reverted to the post of LDC by the management vide order dated 31-3-89 which is hereby quashed. This order has been passed without complying with the provisions of natural justice. At the same time, this order is discriminatory which cannot be sustained in the eye of law as some junior employees have been retained as UDC and the workman has been illegally reverted. It is therefore directed that the workman be considered for promotion as UDC by the management according to rules and he should be promoted to the post of UDC from the date due to him.

The monetary benefits should also be given to him. The reference is accordingly answered

in favour of the workman and against the management.

11. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 9 जुलाई, 2001

का. आ. 1954.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिन्दुस्तान कॉपर लि. के प्रबन्धतंत्र के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-6-2001 को प्राप्त हुआ था।

[सं. एल-(10)/86-सी ओ एन-II/डी-II-बी/डी IV बी/आई आर (विविध)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 9th July, 2001

S.O. 1954.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hindustan Copper Ltd., and their workman which was received by the Central Government on 25-6-2001.

[No. L-(10)/86-Con. II/D.II B/D.IV B/IR(M)]
KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act., 1947.

Reference No. 199 of 1987

PARTIES :

Employers in relation to the management of Mosabani Mines of M/s. Hindustan Copper Ltd. and their workman.

APPEARANCES :

On behalf of the workmen.—Shri K. Chakravorty, Advocate.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Jharkhand.

INDUSTRY : Copper Minc.

Dated, Dhanbad, the 31st May, 2001

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-(10)/86-Con.II/D.IIB/D.IV.B/IR(M) dated, the 7th July, 1987 :

SCHEDULE

“Whether the management of Mosabani Mines of M/s. Hindustan Copper Ltd. was justified in dismissing Shri A. K. Nayak B. No. 2147 Tea man from service w.e.f. 12-3-81? If not, to what relief the workman is entitled?”

2. In this reference both the parties appeared and filed their respective W. S. Subsequently at the stage of hearing the workman was found absent though his Advocate was present. Learned Advocate for the management was also present. Learned Advocate for the workman submitted his prayer for adjournment hearing of the reference due to absence of the workman but in course of hearing learned Advocate has failed to assign any reason about the absence of the concerned workman. Record shows that this is a case which was registered in the year 1987. The record further shows that during such long period several adjournments were given to the parties. But in spite of giving several chances the parties could not afford time to take up hearing of the instant case. Accordingly without assigning any reason the prayer for adjournment which the learned Advocate sought for find, no ground to adjourn the case. This Court is very much reluctant adjournment hearing of the case only at the whims of the concerned workman.

There is reason to believe after careful consideration of all the facts and circumstances that the concerned workman did not turn up on the ground that ‘No dispute’ at present existed between the parties. There is also reason to believe that for the said reason the concerned workman did not show his interest to proceed with his case. Under such circumstances a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of the ‘No dispute’ Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 10 जुलाई, 2001

का. आ. 1955.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार फिलमस डिबीजन के प्रबन्धतंत्र के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

नई दिल्ली के पचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-2001 को प्राप्त हुआ था।

[सं. एन-42011/2/92-आई आर (डी. यू.)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 10th July, 2001

S.O. 1955.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Films Division and their workman, which was received by the Central Government on 10-7-2001.

[No. L-42011/2/92-IR|DU]
KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT : NEW DELHI

I.D. No. 71/93

PRESENT :

Rudresh Kumar,

Ref. No. L-42011/2/92|IR|DU dated : 20-9-1993

President Films Division Employees Union,
E Wing, Third Floor, Pushpa Bhawan,
Madangir Road, New Delhi-110062.

(espousing the cause of G. K. Bhatia, Deep Chand and Zahirul Hassan)

Versus

Deputy Chief Producer,
Films Division,
4 Tolstoy Marg, New Delhi-110001.

AWARD

The Central Government in the Ministry of Labour in exercise of its powers under sub-clause(d) of sub-section (1) of section 10 of the I.D. Act, 1947 referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Films Division, New Delhi in refusing to pay and allowances for work done in higher capacities to Shri Gulshan Kumar Bhatia, Zahirul Hassan and Deep Chand, LDCs is legal and justified. If not, what relief they are entitled to?”

2. Shortly put, Gulshan Kumar Bhatia, Deep Chand and Zahirul Hassan were employed as L.D.C. U.D.C. with the Management of Films Division, Government of India. Gulshan Kumar Bhatia was appointed as Lower Division Clerk in the year 1978. He was assigned duties of ‘Technical Assistant’ from 7-3-1981 to 25-5-1982 and later from 16-7-1983 to

December, 1991. Deep Chand L.D.C. and Zahirul Hassan were also assigned duties of ‘Technical Assistant’ from 16-7-1985 till December, 1991. It is not disputed that the posts of Technical Assistants were vacant and deployments were made in the interest of work. Admittedly, post of Technical Assistant carried higher responsibilities and was classified in higher scale. The workmen claim pay and allowances admissible to the ‘Technical Assistants’ at the relevant period, they were assigned charge of the said post.

3. The Management denied claim of the workmen despite admitting the period of assignment and higher scale of pay to the post of Technical Assistance. Admittedly, all the three workmen discharged duties of Technical Assistance against the vacant posts.

4. The management assailed the claim mainly on three grounds that the Films Division under the Government of India is not an ‘Industry’, the three claimants are not ‘workmen’ as defined under section 2(s) of the I.D. Act and higher pay and allowance are not admissible in case of temporary deployment. It is further pleaded that the workmen should have sought relief before the Central Administrative Tribunal and not before this Tribunal-cum-Labour Court. It is contended that the three claimants, in fact, were not appointed to the post of ‘Technical Assistants’ but were assigned duties temporarily to look after the functions of Technical Assistants against vacant posts and so their deployment to attend the duties of the Technical Assistants will not make them entitled to higher pay and allowances.

5. Before adverting to discuss merit of the claims, it seems appropriate to mention that the reference order does not specify claim of ‘post’, but it simply mentions admissibility to ‘Pay and allowances’ for the work done. Admittedly, the feeder post of the ‘Technical Assistant’ is ‘Upper Division Clerks.’ There is selection procedures and also eligibility qualifications to make the entitled to the post of ‘Technical Assistant’, substantively. In this context, the claim of higher pay and allowances, on the basis of holding the posts of ‘Technical Assistants’ would not arise, the claim has to be assessed for discharging higher responsibilities during the period they were deployed to look after the work of ‘Technical Assistants.’ The claim is tenable on the principle of ‘Equal work for Equal Pay’.

6. Admittedly, at the given time the scale of L.D.C. was 260-400, U.D.C. 330-560 and Technical Assistant 425-700. It is, thus, evident that the posts of Technical Assistant, carried higher responsibilities. The three claimants were deployed against the vacant posts of the Technical Assistant without specifying as to which of the duties were to be attended, which suggests that all the duties of the Technical Assistants were to be attended by the workmen. Thus they were discharging functions at par with the Technical Assistants duly appointed as per procedure. There are no materials on record to indicate that the three workmen were given lesser duties than those holding the post of Technical Assistant substantively, or they performed the duties unsatisfactorily. The deployment order does not indicate

looking after the work in absence of some employees for a brief period, in addition to their own duties, but it is the case when the deployment was against existing vacancies and such deployment lasted for years. Thus, on the principle of "Equal pay for Equal work" they are entitled to same pay and allowances, had they been working as Technical Assistants. Accordingly, all the three workmen are entitled to initial pay of the scale of the post of Technical Assistant with admissible allowances on the initial pay less drawn already. The changes in initial pay and allowances made from time to time, should be taken care of in computing the arrears.

7. The Management has pleaded that the Films Division is not an "Industry". 'Industry' is defined under section 2(j) of the I.D. Act. The Films Division Government of India, admittedly, sells prints etc. of films made by it on the prescribed payment. Schedule of rates for sale or hire of Films are prescribed by the Films Divisions from time to time. Documents filed by the workmen are admitted by the Management. From these documents, it is fully proved that the Films Division has been engaged in sale of prints etc., may be, with or without profits motive. As such, the Films Division is an "Industry".

8. The Management relied on some clarification of the Government that Films Division is neither work-charge department nor an Industrial Establishment.

In Labour Law, 'Industrial Establishment' and "Industry" carries different legal meaning and so defined separately under section 2(j) and 2(ka) respectively. The submission advanced by the management, that the three claimants are not workmen and should seek redress before Central Administrative Tribunal is misconceived. These workmen were not discharging supervisory or managerial functions and are covered by the definition of workman given under section 2(s) of the I. D. Act.

9. Thus, in totality of the facts and circumstances of the case, the award is as follow :—

- (i) that the workmen Gulshan Kumar Bhatia, Deep Chand and Zahirul Hassan were entitled to enhanced pay and allowances at par with the initial pay for post of Technical Assistant on the period they actually were deployed to look after the duties of the Technical Assistant; and
- (ii) that they are also entitled to increased amount in view of the provisions in the initial pay and allowances, from time to time, during the said period.

10. Award accordingly.

Dated : 6th July, 2001.

RUDRESH KUMAR, Presiding Officer