

सत्यमेव जयते

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सं. 17] नई दिल्ली, अप्रैल 29—मई 5, 2018, शनिवार/वैशाख 9—वैशाख 15, 1940
No. 17] NEW DELHI, APRIL 29—MAY 5, 2018, SATURDAY/VAISAKHA 9—VAISAKHA 15, 1940

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक 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 सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

राष्ट्रीय भारत परिवर्तन संस्था

नई दिल्ली, 1 मई, 2018

का.आ. 692.—राष्ट्रीय भारत परिवर्तन संस्था के गठन से संबंधित दिनांक 01/01/2015 के मंत्रिमंडल संकल्प सं. 511/2/1/2015-मंत्रिमंडल और आवासन और शहरी कार्य मंत्रालय के दिनांक 19/04/2018 के कार्यालय ज्ञापन सं. 22011/4/2018-पीओएल.III के तहत संसूचित उत्तरवर्ती अनुमोदन के अनुसरण में, नीति आयोग कार्यालय भवन को नीति भवन के रूप में नामित किया जाता है।

[एफ. डी-25015/19/2018-सामान्य IV]

अजय जोशी, अवर सचिव

NATIONAL INSTITUTION FOR TRANSFORMING INDIA

New Delhi, the 1st May, 2018

S.O. 692.—In pursuance of the Cabinet Resolution No. 511/2/1/2015-Cab. dated 01/01/2015 constituting the National Institution for Transforming India and with the subsequent approval of Ministry of Housing and Urban Affairs conveyed vide their Office Memorandum No. 22011/4/2018-Pol.III dated 19/04/2018, the building that houses NITI Aayog is named as NITI Bhawan.

[F. D-25015/19/2018-General.IV]

AJAY JOSHI, Under Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

(भारतीय मानक ब्यूरो)

नई दिल्ली, 20 अप्रैल, 2018

का.वा. 693.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम (4) के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:-

अनुसूची

क्रम संख्या	लाइसेंस संख्या	स्वीकृत करने की तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा मा	भाग	अनु	वर्ष
1.	एल-9590007923	02.02.2018	मै0 प्रदीप ज्वैलर्स 36, 1एफ/42, बी. पी., बस स्टैंड के सामने, एन आई टी, जिला फरीदाबाद – 121001, हरियाणा	स्वर्ण एवं स्वर्ण मिश्रधातु आभूषण/शिल्प वस्तुएँ – महीनता एवं मुहरांकन	1417	-	-	2016
2.	एल-9590008024	02.02.2018	मै0 प्रदीप ज्वैलर्स 36, 1एफ/42, बी. पी., बस स्टैंड के सामने, एन. आई. टी., जिला फरीदाबाद – 121001, हरियाणा	चौदी एवं चौदी मिश्रधातु आभूषण/शिल्प वस्तुएँ – महीनता एवं मुहरांकन	2112	-	-	2014
3.	एल-9590008125	02.02.2018	मै0 श्री श्याम ज्वैलर्स, लाला मनीराम मार्किट, भगत सिंह चौक के नज़दीक, सोहना रोड, धरूहेड़ा, जिला रेवाड़ी – 123106, हरियाणा	स्वर्ण एवं स्वर्ण मिश्रधातु आभूषण/शिल्प वस्तुएँ – महीनता एवं मुहरांकन	1417	-	-	2016
4.	एल-9590008226	02.02.2018	मै0 श्री श्याम ज्वैलर्स, लाला मनीराम मार्किट, भगत सिंह चौक के नज़दीक, सोहना रोड, धरूहेड़ा, जिला रेवाड़ी – 123106, हरियाणा	चौदी एवं चौदी मिश्रधातु आभूषण/शिल्प वस्तुएँ – महीनता एवं मुहरांकन	2112	-	-	2014
5.	एल-9512399120	06.02.2018	मै0 द खाटू श्याम कॉपरेटिव लेबर एण्ड कंस्ट्रक्शंस, जटवास, डाकघर महैन्द्रगढ़, जिला महैन्द्रगढ़ – 123029, हरियाणा	खड्गे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
6.	एल-9512399221	06.02.2018	मै0 श्री कृष्णा टाइल एण्ड बिल्डिंग मैटीरियल, गाँव मिरज़ापुर, डाकघर बछौड़, अटेली, जिला महैन्द्रगढ़ – 123021,	खड्गे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006

			हरियाणा					
7.	एल- 9512399322	06.02.2018	मै0 डीकेएम ट्रेडिंग कम्पनी, जुरहेरा रोड, तहसील पुन्हाणा, जिला मेवात - 122508, हरियाणा	खड्गजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
8.	एल- 9512399625	16.02.2018	मै0 रिहान टाइल्स एण्ड बी. एम. एस., ईद गे, गुमट रोड, नगीना, जिला मेवात, हरियाणा	खड्गजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
9.	एल- 9512402115	16.02.2018	मै0 सूधीर पावर लिमिटेड, प्लॉट नं0 92, सैक्टर - 8, आईएमटी मनेसर, जिला गुडगाँव - 122050, हरियाणा	बाह्य रंग तेल इम्मेर्सड वितरण ट्रांसफार्मर भाग 1 मिनरल तेल निमिज्जित	1180	01	-	2014
10.	एल- 9590008319	16.02.2018	मै0 डी. एन. ज्वैलर्स, शॉप नं0 186, सब्जी मण्डी के नज़दीक, 22 फीट रोड, संजय कालोनी, सैक्टर - 23, जिला फरीदाबाद - 121005, हरियाणा	स्वर्ण एवं स्वर्ण मिश्रधातु आभूषण/शिल्प वस्तुएँ - महीनता एवं मुहरांकन	1417	-	-	2016
11.	एल- 9590008420	16.02.2018	मै0 डी. एन. ज्वैलर्स, शॉप नं0 186, सब्जी मण्डी के नज़दीक, 22 फीट रोड, संजय कालोनी, सैक्टर 23, जिला फरीदाबाद - 121005, हरियाणा	चाँदी एवं चाँदी मिश्रधातु आभूषण/शिल्प वस्तुएँ - महीनता एवं मुहरांकन	2112	-	-	2014
12.	एल- 9590008521	16.02.2018	मै0 सोनी ज्वैलर्स, सुनारों वाली गली, रेलवे रोड, जिला रोहतक, हरियाणा	स्वर्ण एवं स्वर्ण मिश्रधातु आभूषण/शिल्प वस्तुएँ - महीनता एवं मुहरांकन	1417	-	-	2016
13.	एल- 9512399726	19.02.2018	मै0 देव ट्रेडिंग कम्पनी, एनए, धरसूत रोड, नसीबपुर, नारनौल, जिला महेन्द्रगढ़ - 123001, हरियाणा	खड्गजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
14.	एल- 9512400313	19.02.2018	मै0 करन बिल्डटैक, लखी सिंह नंगला रोड, गाँव जनौली, जिला पलवल - 121102, हरियाणा	खड्गजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
15.	एल- 9512400919	22.02.2018	मै0 इको बैवरेजिस, खसरा नं0 28/9, जेपीएस रेज़िडेंसी से स्टटा हुआ,	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक	14543	-	-	2004

			सैक्टर 8 के सामने, आईएमटी मानेसर, जिला गुड़गाँव – 122050, हरियाणा	मिनरल जल के अलावा)				
16.	एल- 9512401113	19.02.2018	मै0 अग्रवाल कंक्रीट, गाँव नवादा, आईएमटी बल्लभगढ़ के पीछे, जिला फरीदाबाद – 121004, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
17.	एल- 9512399827	20.02.2018	मै0 के. डी. ट्रेडिंग कम्पनी, बी. पी. ओ. रत्ता कलां, तहसील अटेली, जिला महेंद्रगढ़ – 123021, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
18.	एल- 9512399928	20.02.2018	मै0 सुन्दर पाल बिल्डिंग मैटीरियल एण्ड वाटर सपलायर, गाँव पथेरा, तहसील महेंद्रगढ़, जिला महेंद्रगढ़ – 123034, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
19.	एल- 9512400515	20.02.2018	मै0 एसआईएफ ट्रेडिंग कं0, 1, चाँदका, 140, जिला मेवात – 122508, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
20.	एल- 9512400616	20.02.2018	मै0 शिव ट्रेडिंग कं0, गाँव गाहरा, जिला महेंद्रगढ़ – 123027, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
21.	एल- 9512400717	20.02.2018	मै0 श्री श्याम टाइल्स कम्पनी, दादरी सतनाली रोड, एचपी पेट्रोल पम्प के नज़दीक, कादमा, चरखी दादरी, जिला भिवानी - 127308, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
22.	एल- 9512400212	21.02.2018	मै0 बीजेएन बिल्डिंग मैटीरियल एण्ड टाइल उद्योग, सन रोड के नज़दीक, बीपीओ बोण्ड कलां, जिला भिवानी – 127025, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
23.	एल- 9512400818	22.02.2018	मै0 यादव बिल्डिंग मैटीरियल एण्ड टाइल उद्योग, हाउसिंग बोर्ड के सामने, राम नगर,	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006

			गली नं0 1, नसीबपुर, नारनौल, जिला महेंद्रगढ़ - 123001, हरियाणा					
24.	एल- 9512401012	22.02.2018	मै0 महिलावत बिल्डर्स, सतनाली चौक के नज़दीक, सतनाली रोड, जिला महेंद्रगढ़ - 123029, हरियाणा	खडंजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
25.	एल- 9512401618	22.02.2018	मै0 श्री श्याम जी बिल्डर्स, सतनाली रोड, गाँव डिकरोटा, जिला महेंद्रगढ़ - 123024, हरियाणा	खडंजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
26.	एल- 9512400414	23.02.2018	मै0 यादव बिल्डिंग मैटीरियल सपलाई एण्ड आरबीएम पेवर्स इन्टरलोक, चौद नगर रोड, मेन हेलीमण्डी रोड, फारूख नगर, जिला गुडगाँव - 122001, हरियाणा	खडंजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006
27.	एल- 9512401214	27.02.2018	मै0 जय श्री बालाजी इण्डस्ट्रीस, वीपीओ-सिवानी, जिला भिवानी - 127046 हरियाणा	सिंचाई उपस्कर - स्प्रिंकलर पाइप भाग 1 पोलीइथिलीन पाइप	14151	01	-	1999
28.	एल- 9512401315	27.02.2018	मै0 जय श्री बालाजी इण्डस्ट्रीस, वीपीओ-सिवानी, जिला भिवानी - 127046 हरियाणा	सिंचाई उपस्कर - स्प्रिंकलर पाइप भाग 2 सहज संयोगी पोलीइथिलीन पाइप तथा फिटिंग्स	14151	02	-	2008
29.	एल- 9512401416	27.02.2018	मै0 एम के इण्डस्ट्रीस, प्लॉट नं0 218, राजीव कालोनी, समयपुर रोड, बल्लभगढ़, जिला फरीदाबाद - 121004, हरियाणा	निमज्जनीय पम्पसेट	8034	-	-	2002
30.	एल- 9512402519	27.02.2018	मै0 आरएस फलाई एश ब्रिक्स उद्योग, वीपीओ लोहारी जदु, तहसील भवानी खेड़ा, जिला भिवानी - 127032, हरियाणा	खडंजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006

31.	एल- 9512400018	28.02.2018	मै0 जिन्दल सैनीटेरीवेयर प्रा0 लि0., 43 केएम माइल स्टोन, वीपीओ रोहद, जिला झज्जर – 124501, हरियाणा	पेय जल की पूर्ति के लिए असुघटित पी वी सी पाइप	4985	-	-	2000
32.	एल- 9512400111	28.02.2018	मै0 जिन्दल सैनीटेरीवेयर प्रा0 लि0., 43 केएम माइल स्टोन, वीपीओ रोहद, जिला झज्जर – 124501, हरियाणा	संवातन और वर्षा जल संग्रहण के तंत्र सहित भवनों के अन्दर व बाहर की मिटटी तथा अपशिष्ट निरावेशन तंत्र के लिए अनम्यकृत पोलिबिनाइल क्लोराइड (पी वी सी – यू) पाइपें	13592	-	-	2013
33.	एल- 9512401517	28.02.2018	मै0 धनखर इन्टरप्राइसिस, सतनाली सुरजगढ़ रोड, सतनाली, जिला महेंद्रगढ़ – 123024, हरियाणा	खड़जे के लिए पूर्व ढलित कंक्रीट ब्लॉक	15658	-	-	2006

[सं. सीएमडी/13 : 11]

एस. के. वर्मा, वैज्ञानिक ई एवं प्रमुख

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)****(BUREAU OF INDIAN STANDARDS)**

New Delhi, the 20th April, 2018

S.O. 693.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule:

SCHEDULE

Sl. No.	Licences No. CM/L-	Grant Date	Name & Address of the Licensee	Title of the Standard	IS No.	Part	Sec.	Year
1.	L-9590007923	02.02.2018	M/s Pradeep Jewellers 36, 1F/42, B.P. Opp. Bus Stand, N.I.T., Distt. Faridabad - 121001, Haryana	Gold and Gold Alloys Jewellery/Artefacts - Fineness and Marking	1417	-	-	2016
2.	L-9590008024	02.02.2018	M/s Pradeep Jewellers 36, 1F/42, B.P. Opp. Bus Stand, N.I.T., Distt. Faridabad - 121001, Haryana	Silver and Silver Alloys Jewellery/Artefacts - Fineness and Marking	2112	-	-	2014

3.	L-9590008125	02.02.2018	M/s Shri Shyam Jewellers, Lala Maniram Market, Near Bhagat Singh Chowk, Sohna Road, Dharuhera, Distt. Rewari - 123106, Haryana	Gold and Gold Alloys Jewellery/Artefacts - Fineness and Marking	1417	-	-	2016
4.	L-9590008226	02.02.2018	M/s Shri Shyam Jewellers, Lala Maniram Market, Near Bhagat Singh Chowk, Sohna Road, Dharuhera, Distt. Rewari - 123106, Haryana	Silver and Silver Alloys Jewellery/Artefacts - Fineness and Marking	2112	-	-	2014
5.	L-9512399120	06.02.2018	M/s The Khatu Shyam Cooperative Labour and Constructions Society Ltd., Jatwas, P.O. Mahendragarh, Distt. Mahendragarh - 123029, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
6.	L-9512399221	06.02.2018	M/s Shri Krishna Tile & Building Material, Village Mirzapur, Post Bachhod, Ateli, Distt. Mahendragarh - 123021, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
7.	L-9512399322	06.02.2018	M/s DKM Trading Company, Jurhera Road, Tehsil Punhana, Punhana, Distt. Mewat – 122508, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
8.	L-9512399625	16.02.2018	M/s Rihan Tiles & B.M.S., NEAR EID GAYY, GUMAT RAOD, NAGINA, Mewat, Distt. Mewat, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
9.	L-9512402115	16.02.2018	M/s Sudhir Power Limited, Plot No. 92, Sector-8, IMT Manesar, Distt. Gurgaon - 122050, Haryana	Outdoor Type Oil Immersed Distribution Transformers, Part 1: Minerals Oil Immersed	1180	01	-	2014
10.	L-9590008319	16.02.2018	M/s D.N. Jewellers, Shop No. 186, Near Sabji Mandi, 22ft. Road, Sanjay Colony, Sector-23, Distt. Faridabad - 121005, Haryana	Gold and Gold Alloys Jewellery/Artefacts - Fineness and Marking	1417	-	-	2016
11.	L-9590008420	16.02.2018	M/s D.N. Jewellers, Shop No. 186, Near Sabji Mandi, 22ft. Road, Sanjay Colony, Sector-23, Distt. Faridabad - 121005, Haryana	Silver and Silver Alloys Jewellery/Artefacts - Fineness and Marking	2112	-	-	2014

12.	L-9590008521	16.02.2018	M/s Soni Jewellers, Sunaron Wali Gali, Railway Road, Distt. Rohtak, Haryana	Gold and Gold Alloys Jewellery/Artefacts - Fineness and Marking	1417	-	-	2016
13.	L-9512399726	19.02.2018	M/s Dev Trading Company, NAJ Dharsoon Road, Nasibpur, Narnaul, Distt. Mahendragarh – 123001, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
14.	L-9512400313	19.02.2018	M/s Karan Buildtech, Lakhi Singh Nangla Road, Village Janoli, Distt. Pawal - 121102, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
15.	L-9512400919	19.02.2018	M/s ECO Beverages, Khasra No. 28/9, Adjucnt to JPS Residency, Opp. Sector – 8, IMT Manesar, Distt. Gurgaon – 122050, Haryana	Packaged Drinking Water (Other Than Packaged Natural Mineral Water)	14543	-	-	2004
16.	L-9512401113	19.02.2018	M/s Agarwal Concrete, Village Nawada, Behind IMT Ballabgarh, Distt. Faridabad – 121004, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
17.	L-9512399827	20.02.2018	M/s K.D. Trading Company, V.P.O. Ratta Kalan, Tehsil Ateli, Distt. Mahendragarh - 123021, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
18.	L-9512399928	20.02.2018	M/s Sunder Pal Building Material & Water Supplier, Village Pathera, Tehsil Mahendragarh, Distt. Mahendragarh – 123034, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
19.	L-9512400515	20.02.2018	M/s SIFA Trading Co., 1, Chanddaka, 140, Distt. Mewat – 122508, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
20.	L-9512400616	20.02.2018	M/s Shiv Trading Co., Village Gahra, Distt. Mahendragarh – 123027, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
21.	L-9512400717	20.02.2018	M/s Shree Shyam Tiles Company, Dadri Satnali Road, Near HP Petrol Pump, Kadma, Charkhi Dadri, Distt. Bhiwani - 127308, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
22.	L-9512400212	21.02.2018	M/s VJN Building Material & Tile Udyog, Near Sun Road,	Precast Concrete Blocks for Paving	15658	-	-	2006

			VPO Baund Kalan, Distt. Bhiwani - 127025, Haryana					
23.	L- 9512400818	22.02.2018	M/s Yadav Building Material & Tile Udyog, Opp. Housing Board, Ram Nagar, Gali No.1, Nasibpur, Narnaul, Distt. Mahendragarh – 123001, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
24.	L- 9512401012	22.02.2018	M/s Mahlawat Builders, Near Satnali Chowk, Satnali Road, Distt. Mahendragarh – 123029, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
25.	L- 9512401618	22.02.2018	M/s Shree Shyam Ji Builders, Satnali Road, Village Digrota, Distt. Mahendragarh- 123024, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
26.	L- 9512400414	23.02.2018	M/s Yadav Building Material Supp. & RBM Pavers Interlock, Chand Nagar Road, Main Hailimandi Road, Farrukh Nagar, Distt. Gurgaon – 122001, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
27.	L- 9512401214	27.02.2018	M/s Jai Shri Balaji Industries, VPO-Siwani, Distt. Bhiwani, - 127046 Haryana	Irrigation Equipment – Sprinkler Pipes Part 1 Polyethylene Pipes	14151	01	-	1999
28.	L- 9512401315	27.02.2018	M/s Jai Shri Balaji Industries, VPO-Siwani, Distt. Bhiwani, - 127046 Haryana	Irrigation Equipment – Sprinkler Pipes Part 2 Quick Coupled Polyethylene Pipes & Fittings	14151	02	-	2008
29.	L- 9512401416	27.02.2018	M/s M.K. Industries, Plot No.218, Rajeev Colony, Samaypur Road, Ballabgarh, Distt. Faridabad – 121004, Haryana	Submersible Pumpset	8034	-	-	2002
30.	L- 9512402519	27.02.2018	M/s RS Fly Ash Bricks Udyog, VPO Lohari Jatu, Teh Bhiwani Khera, Distt. Bhiwani - 127032, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006
31.	L- 9512400018	28.02.2018	M/s Jindal Sanitaryware Pvt. Ltd., 43 KM Mile Stone, VPO Rohad, Distt. Jhajjar – 124501, Haryana	Unplasticized PVC Pipes for Potable Water Supplies	4985	-	-	2000

32.	L-9512400111	28.02.2018	M/s Jindal Sanitaryware Pvt. Ltd., 43 KM Mile Stone, VPO Rohad, Distt. Jhajjar – 124501, Haryana	UPVC Pipes for Soil and Waste Discharge System Inside Building including Ventilation and Rainwater System	13592	-	-	2013
33.	L-9512401517	28.02.2018	M/s Dhankhar Enterprises, Satnali Surajgarh Road, Satnali, Distt. Mahendragarh – 123024, Haryana	Precast Concrete Blocks for Paving	15658	-	-	2006

[No. CMD/13:11]

S. K. VERMA, Scientist E & Head

नई दिल्ली, 20 अप्रैल, 2018

का.आ. 694.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम (5) के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शायी गई तारीख से रद्द /स्थगित कर दिया गया है :-

अनुसूची

क्र. सं.	लाइसेंस सं. सी एम/ एल-	लाइसेंसधारी का नाम व पता	लाइसेंस के अंतर्गत वस्तु/ प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द होने की तिथि
- शून्य -				

[सं. सीएमडी/13:13]

एस. के. वर्मा, वैज्ञानिक ई एवं प्रमुख

New Delhi, the 20th April, 2018

S.O. 694.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been cancelled/suspended with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licence No. CM/L-	Name & Address of the Licensee	Article/ Process with relevant Indian Standard covered by the licence cancelled/ suspension	Date of Cancellation
- NIL -				

[No. CMD/13:13]

S. K. VERMA, Scientist E & Head

युवा कार्यक्रम और खेल मंत्रालय

नई दिल्ली, 25 अप्रैल, 2018

का.आ. 695.—केन्द्रीय सरकार एतद्वारा राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उप नियम (4) के अनुसरण में युवा कार्यक्रम और खेल मंत्रालय के स्वायत्तशासी कार्यालय **भारतीय खेल प्राधिकरण प्रशिक्षण केंद्र, बरेली** जिसके 80% से अधिक कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[मि.सं. ई-11011/2/2008-हि.ए.]

एस. एल. मीना, उप सचिव

MINISTRY OF YOUTH AFFAIRS AND SPORTS

New Delhi, the 25th April, 2018

S.O. 695.—In pursuance of sub rule (4) of Rule 10 of Official Language (use for official purpose of the Union) Rule 1976, the Central Government hereby notifies **Sport Authority of India Training Centre, Bareilly** an Autonomous office of Ministry of Youth Affairs & Sports, whereof more than 80% staff have acquired working knowledge of Hindi.

[F. No. E-11011/2/2008-H.U.]

S. L. MEENA, Dy. Secy.

पैट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 696.—केन्द्रीय सरकार ने पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार के अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पैट्रोलियम एवं गैस मंत्रालय की अधिसूचना सं० का० आ० 1552(अ) तारीख 19/04/2016 जो भारत के राजपत्र सं० 998 तारीख 27/04/2016 को प्रकाशित की गई थी, द्वारा उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में केरल राज्य में भारत पैट्रोलियम कार्पोरेशन लिमिटेड की कोच्चि रिफानरी से सेलम तक द्रवित पैट्रोलियम गैस के परिवहन के लिए कोच्चि कोयम्बदूर सेलम पाइपलाइन परियोजना के माध्यम से कोच्चि सेलम पाइपलाइन प्राइवेट लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र की अधिसूचना की प्रतियां जनता को तारीख 16/07/2016 से 09/08/2016 के बीच उपलब्ध करा दी गई थी;

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

और केंद्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर की उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब केंद्रीय 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 भूमि में पाइपलाइन बिछाने के उपयोग के अधिकार का अर्जन किया जाता है;

और केंद्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केंद्रीय सरकार में निहित होने कि बजाए, सभी विलंगमों से मुक्त, कोच्चि सेलम पाइपलाइन प्राइवेट लिमिटेड में निहित होगा।

अनुसूची

राज्य: केरल

जिला: त्रिशुर

तालुक: चलक्कुटी

नाम ग्राम	सर्वे नम्बर	क्षेत्रफल		
		हेक्टेयर	एरिया	वर्गमीटर
कल्लूर थेकुमुरी (खंड सं 50)	310/1	0	00	07
	310/2	0	20	55
	310/3	0	01	45
	311/2	0	09	50
	312/1	0	02	01
	318	0	06	55
	320/1	0	01	50
	320/2	0	03	26
	323	0	00	34
	341/2	0	08	88
	342/2	0	06	17
	344/2	0	21	71
	347/3	0	12	26
	349/2	0	01	37
	349/4	0	08	91
	349/5	0	03	66
	352/2	0	05	80
	363/1	0	09	08
	459/1	0	00	48
	459/3	0	09	03
	463/3	0	19	77
	466	0	02	00
	467/1	0	17	60
	505/1	0	06	89
	506/1	0	00	04
	506/3	0	00	19
	506/5	0	01	11
	506/6	0	01	74
	508/1	0	04	25
	508/2	0	03	70
	508/4	0	00	61
	511/1	0	07	24
	512/1	0	00	10
	512/3	0	03	35

	514/2	0	06	17
	534/4	0	17	85
	534/6	0	23	53
	534/7	0	07	09
	535	0	02	41
	539/1	0	07	93
	542/1	0	05	25
	542/2	0	01	75
	563/2	0	02	91
कल्लूर वडाकुमुरी (खंड सं 47)	1192	0	03	85
	1193	0	03	80
	1194	0	04	16

[फा. सं. आर-12031/196/2017-ओआर-1/ई-19746]

पवन कुमार, अवसर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 26th April, 2018

S.O. 696.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas SO No. 1552 (E), dated 19.04.2016 published in Govt. of India Gazette No. 998 dated 27.04.2016 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (Central Act 50 of 1962) (herein after referred to as 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 the transportation of Liquefied Petroleum Gas from Kochi Refinery of Bharat Petroleum Corporation Limited in the State of Kerala to Salem in the State of Tamilnadu.

AND, Whereas, the copies of the said Gazette notifications have been made available to the public between 16.07.2016 to 09.08.2016.

AND, Whereas, the Competent Authority in pursuance of sub section (1) of section 6 of the said Act has submitted his report to the Central Government.

AND, Whereas, the Central Government, after considering the said report, is satisfied that the Right of User in the said land specified in the schedule appended should be acquired.

Now, therefore in exercise of the powers conferred by sub section (1) of the Section 6 of the said Act, the Central Government hereby declared that the Right of User in the Land specified in the schedule appended to this notification are hereby acquired.

AND, further, in exercise of powers conferred by sub section (4) of the section 6 of the said Act, the Central Government hereby directs that the Right of User in the said lands shall, instead of vesting in the Central Government vest free from all encumbrances in the Kochi – Salem Pipeline Private Limited.

SCHEDULE**STATE : KERALA****DISTRICT : THRISSUR****TALUK : CHALAKUDY**

VILLAGE	SURVEY NUMBERS	AREA		
		HECTARES	ARES	SQ MTRS
KALLUR THEKKUMMURY	310/1	0	00	07
BLOCK. NO. 50	310/2	0	20	55
	310/3	0	01	45
	311/2	0	09	50

312/1	0	02	01
318	0	06	55
320/1	0	01	50
320/2	0	03	26
323	0	00	34
341/2	0	08	88
342/2	0	06	17
344/2	0	21	71
347/3	0	12	26
349/2	0	01	37
349/4	0	08	91
349/5	0	03	66
352/2	0	05	80
363/1	0	09	08
459/1	0	00	48
459/3	0	09	03
463/3	0	19	77
466	0	02	00
467/1	0	17	60
505/1	0	06	89
506/1	0	00	04
506/3	0	00	19
506/5	0	01	11
506/6	0	01	74
508/1	0	04	25
508/2	0	03	70
508/4	0	00	61
511/1	0	07	24
512/1	0	00	10
512/3	0	03	35
514/2	0	06	17
534/4	0	17	85
534/6	0	23	53
534/7	0	07	09
535	0	02	41
539/1	0	07	93
542/1	0	05	25
542/2	0	01	75

	563/2	0	02	91
KALLUR VADAKKUMMURY	1192	0	03	85
BLOCK. NO. 47	1193	0	03	80
	1194	0	04	16

[F. No. R-12031/196/2017-OR-I/E-19746]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 697.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2497(ई) तारीख 20.07.2016 जिसका प्रकाशन भारत के राजपत्र संख्या 1843 भाग II, खण्ड 3, उप खण्ड (II) तारीख 22.07.2016 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील: महाकालपरा जिला:केन्द्रपाड़ा की भूमि में, ओडीशा राज्य में पारादीप से पश्चिम बंगाल राज्य में दुर्गापुर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हल्दीआ-दुर्गापुर एलपीजी पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिष्पत्ति किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद् द्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : केंद्रपाड़ा			राज्य : ओडिशा			
क्रम सं	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1	महाकलपारा	अखाडासाली - 77	85	00	04	45
			486	00	06	10
			125	00	16	20
			134	00	04	10
			472	00	10	95
			471	00	02	05

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 697.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No.1843 Part-II, Section 3, Sub-section (ii) dated 22.07.2016 vide S.O. Number 2497(E) dated 20.07.16 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 Indian Government declared its intention to acquire the right of user in the land situated in Mahakalpara District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Kandrapara			State : Odisha			
S.No	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1	Mahakalpara	Akhadasali - 77	85	00	04	45
			486	00	06	10
			125	00	16	20
			134	00	04	10
			472	00	10	95
			471	00	02	05

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 698.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 3287(ई) तारीख 03.12.2015 जिसका प्रकाशन भारत के राजपत्र संख्या 2605 भाग II, खण्ड 3, उप खण्ड (ii) तारीख 07.12.2015 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील:बालासोर जिला:बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिमबंगाल राज्य में दुर्गापुरतक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कार्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे "पारादीप-हल्दीआ-दुर्गापुर एलपीजी पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद् द्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए;

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1	बालासोर	हिडिगाओं -142	282	00	06	40
			283	00	13	40

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 698.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 2605 Part-II, Section 3, Sub-section (ii) dated 07.12.2015 vide S.O. Number 3287(E) dated 03.12.2015 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 Indian Government declared its intention to acquire the right of user in the land situated in Balasore District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore			State : odisha			
S.No.	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1	Balasore	Hidigaon-142	282	00	06	40
			283	00	13	40

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 699.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2496(ई) तारीख 20.07.2016 जिसका प्रकाशन भारत के राजपत्र संख्या 1843, भाग II, खण्ड 3, उप खण्ड (ii) तारीख 22.07.2016 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील: कुजंग जिला: जगतसिंगपुरकी भूमि में, ओडीशा राज्य में पारादीप से पश्चिमबंगाल राज्य में दुर्गापुर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हल्दीआ-दुर्गापुर एलपीजी पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद् द्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : जगतसिंगपुर			राज्य : ओडिशा			
क्रम सं	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	कुजंग	नुआगढ़ - 255	140	00	04	75
			139	00	04	75
			138	00	04	75
			137	00	02	05
			125	00	08	10
			124	00	17	80
			119	00	02	65
			118	00	04	90

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 699.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No.1843 Part-II, Section 3, Sub-section (ii) dated 22.07.2016 vide S.O. Number 2496(E) dated 20.07.2016 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 Indian Government declared its intention to acquire the right of user in the land situated in Kujang District Jagatsingpur in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the

transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Jagatsinghpur			State : Odisha			
S.No	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1.0	Kujang	Nuagarh - 255	140	00	04	75
			139	00	04	75
			138	00	04	75
			137	00	02	05
			125	00	08	10
			124	00	17	80
			119	00	02	65
			118	00	04	90

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 700.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 534(ई) तारीख 15.02.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 478 भाग II, खण्ड 3, उप खण्ड (ii) तारीख 20.02.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील:बालासोर जिला:बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिमबंगाल राज्य में दुर्गापुरतक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे "पारादीप-हल्दीआ-दुर्गापुर एलपीजी पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए;

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	बालासोर	पदमपुर - 266	513	00	03	20
			503	00	01	30
			502	00	02	90
			504	00	08	90
			467	00	00	80
			468	00	02	50
			469	00	04	10
			501	00	01	30
			500	00	02	10
			474	00	02	30

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 700.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No 478 Part-II, Section 3, Sub-section (ii) dated 20.02.2017 vide S.O. Number 534(E) dated 15.02.2017 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 Indian Government declared its intention to acquire the right of user in the land situated in Balasore District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore				State : Odisha		
S.No	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1.0	Balasore	Padampur - 266	513	00	03	20
			503	00	01	30
			502	00	02	90
			504	00	08	90
			467	00	00	80
			468	00	2	50
			469	00	4	10
			501	00	1	30
			500	00	2	10
			474	00	2	30

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 701.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 3288(ई) तारीख 03.12.2015 जिसका प्रकाशन भारत के राजपत्र संख्या 2605 भाग II, खण्ड 3, उप खण्ड (ii) तारीख 07.12.2015 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील: बाहनागा जिला: बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिमबंगाल राज्य में दुर्गापुर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कार्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हल्दीआ-दुर्गापुर एलपीजी पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लंगमों से मुक्त होकर इंडियन ऑयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं.	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	बाहानगा	कन्हैईआगलपुर - 89	852	00	00	80
			860	00	09	90

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 701.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 2605 Part-II, Section 3, Sub-section (ii) dated 07.12.2015 vide S.O. Number 3288(E) dated 03.12.2015 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 Indian Government declared its intention to acquire the right of user in the land situated in Bahanaga District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore			State : odisha			
S.No.	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1.0	Bahanaga	Kanheiogalpur - 89	852	00	00	80
			860	00	09	90

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 702.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 533(ई) तारीख 15.02.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 43 भाग II, खण्ड 3, उप खण्ड (ii) तारीख 20.02.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट

ओडीशा राज्य के तहसील:रेमूना जिला:बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिम बंगाल राज्य में दुर्गापुर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे "पारादीप-हल्दीआ- दुर्गापुर एलपीजी पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए;

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं.	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	रेमूना	मेघडम्बरू - 172	43	00	01	14
			43/728	00	02	84
			43/729	00	00	81
			43/730	00	00	81

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 702.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No 43 Part-II, Section 3, Sub-section (ii) dated 20.02.2017 vide S.O. Number 533(E) dated 15.02.2017 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 Indian Government declared its intention to acquire the right of user in the land situated in Remuna District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore			State : Odisha			
S.No.	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1.0	Remuna	Meghadambaru-172	43	00	01	14
			43/728	00	02	84
			43/729	00	00	81
			43/730	00	00	81

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 703.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2516 तारीख 26.10.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 43 भाग II, खण्ड 3, उप खण्ड (ii) तारीख 28.10.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील:बालासोर जिला: बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिम बंगाल राज्य में दुर्गापुरतक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कार्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे "पारादीप-हल्दीआ-दुर्गापुर एलपीजी पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए;

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं.	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	बालासोर	बांगरा - 199	803	00	05	05
2.0	बालासोर	कोर्कोरा - 198	373	00	08	10

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 703.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 43 Part-II, Section 3, Sub-section (ii) dated 28.10.2017 vide S.O. Number 2516 dated 26.10.2017 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 Indian Government declared its intention to acquire the right of user in the land situated in Balasore District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein; Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore				State : Odisha		
S.No.	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1.0	Balasore	Bangra - 199	803	00	05	05
2.0	Balasore	Korkora - 198	373	00	08	10

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 704.—भारत 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 उप-धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2498(ई) तारीख 20.07.2016 जिसका प्रकाशन भारत के राजपत्र संख्या 1843 भाग II, खण्ड 3, उप-खण्ड (ii) तारीख 22.07.2016 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील:बाहनागा जिला:बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिम बंगाल राज्य में दुर्गापुर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे "पारादीप-हल्दिया-दुर्गापुर एलपीजी पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद् द्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए;

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	बाहानगा	करंजबिन्दा -86	297	00	11	20

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 704.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No.1843 Part-II, Section 3, Sub-section (ii) dated 22.07.2016 vide S.O. Number 2498(E) dated 20.07.16 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 Indian Government declared its intention to acquire the right of user in the land situated in Bahanaga District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore			State : Odisha			
S.No.	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1.0	Bahanaga	Karanjabindha -86	297	00	11	20

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 705.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि उड़ीसा राज्य में पारादीप (उड़ीसा) से दुर्गापुर (पश्चिम बंगाल) तक वाया हल्दिया एलपीजी परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है और जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (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, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री बिशु मोहन भांजा, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, इंडियन ऑयल हाउसिंग काम्पलेक्स, बालासोर . 756 001, (उड़ीसा) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : कुजंग		जिला : जगतसिंहपुर	राज्य : उड़ीसा		
क्रम सं.	मौजा का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1	उदयवट - 34	1146	00	02	45
		1149	00	01	65
2	पारादीपगड -31	1381	00	00	40
		1382	00	00	40
		1383	00	00	40
		1387	00	00	81
		1388	00	01	20
		1391	00	08	10
		1409	00	07	30
		1410	00	02	65
		1422	00	02	02
		1423	00	03	85
		1424	00	04	85
		1425	00	04	05
		1426	00	04	25

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 705.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of Liquefied Petroleum Gas from Paradip (Odisha) to Durgapur (West Bengal) Via Haldia a pipeline should be laid in State of Odisha by Indian Oil Corporation Limited.

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 land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

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 copies of the Gazette of India containing this notification are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Bishnu Mohan Bhanja, Competent Authority, Indian Oil Corporation Limited, Indian Oil Housing Complex, Balasore – 756 001, Odisha.

SCHEDULE

Tahasil :Kujang		District : Jagatsinghpur	State : Odisha		
Sl. No.	Name of the Mouza	Khasra No.	Area		
			Hectare	Are	Square meter
1	2	3	4	5	6
1	Udayabat-34	1146	00	02	45
		1149	00	01	65
2	Paradipgarh-31	1381	00	00	40
		1382	00	00	40
		1383	00	00	40
		1387	00	00	81
		1388	00	01	20
		1391	00	08	10
		1409	00	07	30
		1410	00	02	65
		1422	00	02	02
		1423	00	03	85
		1424	00	04	85
		1425	00	04	05
		1426	00	04	25

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 706.—भारत 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 उप-धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 532(ई) तारीख 15.02.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 478 भाग II, खण्ड 3, उप-खण्ड (II) तारीख 20.02.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील: बलिआपाल जिला:बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिम बंगाल राज्य में दुर्गापुर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हल्दीआ-दुर्गापुर एलपीजी पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	बलिआपाल	दक्षिणपदा -29	1	00	00	40
			2	00	11	40
			3	00	01	10
			34	00	04	80
			40	00	01	00
			40/761	00	00	80
			34/774	00	00	20
			1/758	00	02	90
			1/757	00	01	70
2	बलिआपाल	पालपदा - 25	784	00	08	50
			785	00	03	00
			786	00	04	00

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 706.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No 478 Part-II, Section 3, Sub-section (ii) dated 20.02.2017 vide S.O. Number 532(E) dated 15.02.2017 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 Indian Government declared its intention to acquire the right of user in the land situated in Baliapal District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore				State : Odisha		
S.No.	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm
1	2	3	4	5	6	7
1.0	Baliapal	Dakhinapada -29	1	00	00	40
			2	00	11	40
			3	00	01	10
			34	00	04	80
			40	00	01	00
			40/761	00	00	80
			34/774	00	00	20
			1/758	00	02	90
			1/757	00	01	70
2	Baliapal	Palapada - 25	784	00	08	50
			785	00	03	00
			786	00	04	00

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 707.—भारत 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 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2517 तारीख 26.10.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 43 भाग II, खण्ड 3, उप खण्ड (II) तारीख 28.10.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडीशा राज्य के तहसील:रेमूनाजिला:बालासोर की भूमि में, ओडीशा राज्य में पारादीप से पश्चिम बंगाल राज्य में दुर्गापुर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे "पारादीप-हल्दीआ- दुर्गापुर

एलपीजी पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने भारत सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है:

अतः अब, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद् द्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लिंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : बालासोर			राज्य : ओडिशा			
क्रम सं	तहसील का नाम	मौजा का नाम	खसरा नं	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1.0	रेमूना	कोरडा - 196	76	00	02	27
			77	00	00	65
			78	00	01	62
2.0	रेमूना	छत्तपुर - 187	1524	00	08	30
			1525	00	01	95
			1532	00	05	83
3	रेमूना	मेघडम्बरू - 172	51	00	05	34

[फा. सं. आर-11025(11)/9/2018-ओआर-I/ई-24540]

पवन कुमार, अवर सचिव

New Delhi, the 26th April, 2018

S.O. 707.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No 43 Part-II, Section 3, Sub-section (ii) dated 28.10.2017 vide S.O. Number 2517 dated 26.10.2017 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 Indian Government declared its intention to acquire the right of user in the land situated in Remuna District Balasore in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Haldia in the State of West-Bangal by the Indian Oil Corporation Limited for implementing the "Paradip-Haldia-Durgapur LPG Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Indian Government.

And whereas, the Indian Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Indian Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline; And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Indian Government hereby directs that the right of user of the said land for laying the pipeline

shall, instead of vesting in the Indian Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Balasore			State : Odisha			
S.No.	Name of Thesil	Name of Mouza	Khasra No.	Area		
				Hectare	Are	Sqm.
1	2	3	4	5	6	7
1.0	Remuna	Korada - 196	76	00	02	27
			77	00	00	65
			78	00	01	62
2.0	Remuna	Chhanpur - 187	1524	00	08	30
			1525	00	01	95
			1532	00	05	83
3	Remuna	Meghadambaru - 172	51	00	05	34

[F. No. R-11025(11)/9/2018-OR-I/E-24540]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 27 अप्रैल, 2018

का.आ. 708.—तेल उद्योग (विकास) अधिनियम 1974 (1974 का 47) की धारा (3) की उपधारा (3)(ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा श्री एम.के. सुराणा, अध्यक्ष एवं प्रबंध निदेशक, एनपीसीएल को दिनांक 01.04.2018 से 31.03.2020 तक अथवा अगले आदेश होने तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा.सं. जी-38011/41/2016-वित्त-I]

पेरिन देवी, निदेशक

New Delhi, the 27th April, 2018

S.O. 708.—In exercise of the Powers conferred by Sub-Section (3)(c) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri M.K. Surana, CMD, HPCL as a member of the Oil Industry Development Board w.e.f. 01-04-2018 to 31-03-2020 or until further orders, whichever is earlier.

[F.No. G-38011/41/2016-Fin.I]

PERIN DEVI, Director

नई दिल्ली, 27 अप्रैल, 2018

का.आ. 709.—तेल उद्योग (विकास) अधिनियम 1974 (1974 का 47) की धारा (3) की उपधारा (3)(क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा श्री पी. राघवेन्द्र राव, सचिव, रसायन एवं पेट्रो रसायन विभाग को दिनांक 19.03.2018 से 18.03.2020 तक अथवा अगले आदेश होने तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा.सं. जी-38011/41/2016-वित्त-I]

पेरिन देवी, निदेशक

New Delhi, the 27th April, 2018

S.O. 709.—In exercise of the Powers conferred by Sub-Section (3)(a) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri P. Raghavendra Rao Secretary, Department of Chemicals & Petrochemicals as a member of the Oil Industry Development Board w.e.f. 19-03-2018 to 18-03-2020 or until further orders, whichever is earlier.

[F.No. G-38011/41/2016-Fin.I]

PERIN DEVI, Director

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 25 अप्रैल, 2018

का.आ. 710.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स कुबैत एयरवेज कार्पोरेशन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2, मुम्बई के पंचाट (संदर्भ संख्या 51/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.04.2018 को प्राप्त हुआ था।

[सं. एल-11012/26/2013-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 25th April, 2018

S.O. 710.—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 No. 2, Mumbai (Ref. No. 51/2013) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Kuwait Airways Corporation and their workmen, which was received by the Central Government on 10.04.2018.

[No. L-11012/26/2013-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI****PRESENT : M.V. DESHPANDE, Presiding Officer****REFERENCE NO.CGIT-2/51 of 2013**

EMPLOYERS IN RELATION TO THE MANAGEMENT OF

KUWAIT AIRWAYS CORPORATION

The Sr. Regional Director,
Kuwait Airways Corporation,
902, Nariman Bhawan, 9th Floor,
Nariman Point,
Mumbai – 400 021.

AND

THEIR WORKMEN

The Executive President,
Kuwait Airways Officers & Staff Association,
3/65, Nityanand Nagar-IV,
Near Railway Station, Andheri [E],
Mumbai – 400 069.

APPEARANCES :

FOR THE EMPLOYER : Mr. G.S. Desai, Advocate

FOR THE WORKMEN : Mr. Iqbal Siddique, Advocate

Mumbai, dated the 19th February, 2018.**AWARD**

1. This is reference made by the Central Government in exercise of powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour & Employment, New Delhi vide its order No. L-11012/26/2013 – IR (CM-I) dated 29.08.2013. The terms of reference given in the schedule are as follows :

“Whether the demand of Kuwait Airways Staff and Officer’s Association, Mumbai for regularization of the services of Sh. Hector D’Souza and Sh. Hemant Sawant office boy is legal and justified ? To what relief they are entitled to ?”

2. After the receipt of the reference, both the parties were served with the notices. Second Party union filed their statement of claim at Ex.5. First party management resisted the statement of claim by filing their written statement at Ex.8. Issues were framed at Ex.9 by my Ld. predecessor. Union led the evidence. Thereafter the matter was fixed for recording evidence of management.
3. Meanwhile the concerned workmen Mr. H.D. D’Souza (Ex.17) and Mr. Hemant Mr. Sawant (Ex.16) filed the applications dated 19.2.18 for disposing of the reference on the ground that they have settled all their disputes, claims and demands concerning the above reference with the first party company vide settlement dated 10.2.2018. They therefore do not desire to pursue the above reference & prayed to dispose of the reference.
4. Other side has no objection. In the circumstances, I pass the following order.

ORDER

Reference is withdrawn and hence disposed off.

Date: 19.02.2018

M. V. DESHPANDE, Presiding Officer

नई दिल्ली, 25 अप्रैल, 2018

का.आ. 711.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स इण्डियन ऑयल कार्पोरेशन लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 266/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.04.2018 को प्राप्त हुआ था।

[सं. एल-30012/81/1998-आईआर (सी-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 25th April, 2018

S.O. 711.—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, Bhubaneswar (Ref. No. 266/2001) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Oil Corporation Limited and their workmen, which was received by the Central Government on 10.04.2018.

[No. L-30012/81/1998-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

Present:

Shri B.C. Rath,
Presiding Officer, C.G.I.T.-cum-Labour
Court, Bhubaneswar

INDUSTRIAL DISPUTE CASE NO. 266/2001

Date of Passing Award – 7th March, 2018

Between:

The General Manager,
M/s. Indian Oil Corporation Limited,
2, Ghariahat Road (South), Dhakuria,
Kolkatta – 68

... 1st Party-Management

(And)

Shri Manas Kumar Patra,
C/o. D.D. Gochayat, Qr. No. A/8,
HDO Colony, P.O. P.P.L. Township,
Paradip – 754 145

...2nd Party-Workman

Appearances :

M/s. Debraj Mohanty, Advocate ... For the 1st Party-Management.
M/s. Susant Dash, Advocate ... For the 2nd Party-Workman.

AWARD

The Government of India in the Ministry of Labour in exercising its authority conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (in short The Act) have referred an industrial dispute between the management of I.O.C. Ltd. Disputant Shri Manas Kumar Patra for its adjudication vide its letter No. L-30012/81/98 – IR(C-I), dated 28.01.1999/06.07.1999 and the schedule of reference is “Whether Shri Manas Kumar Patra is a workman of M/s. Indian Oil Corporation Limited? If yes, whether the action of the Management in retrenching his services is proper and justified? If not, to what relief the workman is entitled”?

2. The case of the 2nd party-workman is that he was engaged by the Management of IOCL, Paradip on a monthly wages of Rs. 750/- with effect from 20.8.1994 to work as a Liaison Worker to co-ordinate the loading of furnace oil with the tanker at Paradip Depot and for its transportation and unloading at P.P.L. site. He was also assigned other duties. On the communication of the officer of the IOCL he was issued with a gate pass for his entry to the P.P.L. campus. It is his claim that when he made a representation for enhancement of his wage keeping in view the minimum wages prescribed under the Minimum Wages Act, the Management turned down his request and removed him from service. It has also instructed the CISF not to issue any gate pass for which he could not report himself to duty inside the P.P.L. He raised a dispute before the Asst. Labour Commissioner (Central) resulting in the reference as mentioned earlier.

3. The Management has contested the statement of claim refuting all the allegations raised therein and taken a stand that in no point of time the disputant workman was ever engaged or employed to supervise any sort of work either in the IOCL or in the P.P.L. It has pleaded that petroleum products being bunkered at Paradip Port was supplied to Paradip Phosphate Limited being transported in oil tanker. The tankers were facing difficulties to obtain acknowledgement receipt towards unloading of petroleum products in the P.P.L. premises as a result of which frequency of supply was affected. Accordingly, the Management appointed a contractor M/s. Port Service Station to ensure that the acknowledgement invoice was obtained speedily. The disputant workman was engaged by the said contractor to supervise his work and he was under the pay roll of said M/s. Port Service. In September, 1996 the P.P.L. had re-organized the system of issuing acknowledgement invoices to avoid the delay in frequency of transportation. The services of M/s. Port Service Station was dispensed with as a result of which M/s. Port Service might have terminated the services of the disputant workman. It has denied any relationship of employer and employee with the disputant workman and as such maintainability of the reference is also challenged.

4. On the aforesaid pleadings of the parties following issues have been settled for the adjudication of the dispute.

ISSUES

1. Whether the reference made by the appropriate Government is maintainable?
2. Whether Shri Manas Kumar Patra is a workman of M/s. Oil Corporation Ltd.?
3. Whether the action of the management in retrenching his services is proper and justified?
4. To what relief the workman is entitled?
5. Both the parties have examined one witness each and filed Xerox copies of certain documents to substantiate their respective plea. In the process the disputant has examined himself as W.W.-1 and filed copies of the gate passes, copy of letter dated 20.8.1994 issued by the Dy. Manager of IOCL, copies of letters issued by the Management on different dates, copy of letter dated 15.7.1997 issued by the Management to the LEO (Central), Paradip, which are marked as exhibits Ext.-Ext.-1 to Ext.-3, whereas the Management has examined one Shri Prabodh Kumar, D.G.M., Operation, as M.W.-1 and filed copies of the bills dated 9.3.1996 and 20.4.1996 of M/s. Port Service, copy of the reply dated 15.7.1997 and copy of the letter dated 4.5.1998 of IOCL to A.L.C., Bhubaneswar marked as Ext.-A to Ext.-D to refute the allegations raised by the disputant workman.

For the sake of convenience and since the findings of the issues are inter-related to each they are taken into consideration simultaneously.

The oral testimony of the disputant workman is a reiteration of his pleadings advanced in his statement of claim. According to him he was employed by the Management of IOCL on oral direction of the then Deputy Manager Mr. B.D. Majhi with effect from 20.8.1994 to coordinate and supervise the loading and unloading of furnace oil in the oil tankers for its transportation from Paradip Port to P.P.L. site. He was paid a monthly wages of Rs. 750/- for doing the above job. On the written instruction/letters of the officers of the Management Commandant, CISF engaged in the gate of P.P.L. issued gate pass in his favour to enable him to supervise the unloading work. According to him he worked continuously and uninterruptedly from 20.8.1994 to 12.12.1996. He was engaged more than 240 days continuously in each calendar year as well as in the year preceding to his refusal of employment to him. When he raised a demand to enhance his monthly wage keeping in view the minimum wage fixed by the Government he was disengaged without any notice pay and retrenchment compensation. He was also refused gate pass. To strengthen his evidence reliance is placed on the Xerox copies of the gate passes issued in his favour (Ext.-1 series), letters allegedly issued by the officers of the Management to the Commandant, CISF for issuing gate pass in favour of the disputant workman (Ext.-2 series). Though, the authenticity of the documents were challenged by the Management, the M.W.-1 has admitted in his cross examination to have issued letters Ext.-2/C to 2/G. It is seen from these letters that recommendation was made by the officers of the Management for issuance of gate pass in favour of the disputant workman. In the gate passes exhibited in the hearing the Indian Oil Corporation has been named as the Contractor. Though the Management Witness has testified that the disputant was engaged by the contractor of the Management i.e. M/s. Port Service, it has not taken such stand in its letter to the labour machinery when a dispute is raised at the earliest after disengagement of the disputant workman since Ext.-3 is silent in that regard. Undisputedly Ext.-3 is the correspondence of the Management with the labour machinery when a dispute was raised by the workman. No document is also filed on behalf of the Management to show that M/s. Port Service was ever entered into any agreement with the Management to work or to supervise or to liaison for the smooth loading and unloading of furnace oil for the Management for its transportation to P.P.L. The Management witness has also admitted in his cross examination that casual labour were engaged by the 1st Party-Management with conformity to the guideline and instructions given by the Government when the Oil depot was established newly at Paradip. It is also elicited from his cross examination that payment register may be available in the office of the 1st Party-Management which can show payment of wages to the casual labourers engaged directly by the 1st Party-Management and the said register can disclose whether the 2nd party was receiving wages directly from the Management. The Management could have produced those registers to show that the disputant was never paid any wages and had he been engaged the payment register could have disclosed disbursement of wages to him. The disputant having been engaged as a casual worker for an amount of Rs. 750/- per month was not expected to be appointed through any appointment letter or through recruitment process. It is in usual practice and it cannot be denied that such casual labours are usually appointed on oral instruction.

It cannot be over-sighted that though the Management of IOCL has filed two acknowledge receipts to establish that M/s. Port Service was paying wages to the workman, no document is filed to prove that M/s. Port Service was ever engaged as a Contractor on its behalf to look after loading and unloading of furnace oil for its transportation to P.P.L. premises. That apart, the above plea was not taken before the labour machinery in the earliest opportunity when a dispute was raised before the Labour machinery. Therefore, I am constrained to hold that from the pleadings and evidence of the parties as discussed above that the disputant was engaged by the management. In the above back-drops the oral testimony of the disputant workman is found trust-worthy to arrive at a conclusion that he was engaged by the management of IOCL to do liaisoning work for smooth unloading of furnace oil at P.P.L. He was found to have worked for more than two years for the Management and even though he had worked 240 days continuously and uninterruptedly in a calendar year preceding to his alleged disengagement on 13.12.1996, he was not paid either any notice pay or retrenchment compensation. Hence, his disengagement amounted to retrenchment in violation of the provisions of Section 25-F of the Act and as such, the same was illegal and unjustified.

Coming to the relief to which the disputant is entitled to, it is seen that M.W.-1 has admitted engagement of some daily casual labours in the Management by following circulars and guidelines of the Government. A judicial notice can be taken also that the Management being a Industry must be taking assistance of casual labours in its day to day function. The disputant is found to have been retrenched in the year 1996 and due to inordinate delay in answering the reference he is already crossed the age of eligibility for applying in any Government or Semi Government Undertakings for his appointment. There is no evidence from the side of the Management to show that the disputant was gainfully employed after his retrenchment. Having regard to the facts and circumstances discussed in supra, it is felt just and proper for a direction of reinstatement of the disputant workman with 50% of the back wages within two months of publication of the award failing which the disputant is entitled to full wages from the date of this award along with an interest of 8% on the back wages and the wages accrued to him from the date of the award.

Accordingly the reference is answered.

Dictated & Corrected by me.

B. C. RATH, Presiding Officer

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 712.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स वेस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 15/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.04.2018 को प्राप्त हुआ था।

[सं. एल-22012/98/2010-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 26th April, 2018

S.O. 712.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 15/2011) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. Western Coalfield Ltd., and their workmen, received by the Central Government on 11.04.2018.

[No. L-22012/98/2010-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**BEFORE SHRI S. S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/15/2011-12

Date: 19.03.2018

Party No.1(a) : The Chief General Manager,
WCL, Nagpur Area, Jaripatka,
Nagpur.

Party No.1(b) : The Chairman-cum-Managing Director,
WCL, Coal Estate, Civil Lines,
Nagpur (MS).

Party No.1(c) : The General Manager, WCL,
Nagpur Area, Jaripatka,
Nagpur.

Party No.1(d) : The Colliery Manager,
Mine No. 3, WCL, Saoner,
Distt. Nagpur.

Versus

Party No. 2 : Shri Madhukar V. Motghare,
R/o Plot No. 15, Ward No. 4,
Khaparkheda, New Water Tank,
Tehsil: Saoner, Distt. Nagpur (MS).

AWARD(Dated: 19th March, 2018)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Western Coalfields Limited and their workman, Shri Madhukar V. Motghare, for adjudication, as per letter **No.L-22012/98/2010- (IR(CM-II) dated 23.06.2011**, with the following schedule:-

"Whether the action of the management of Western coalfields limited in dismissing the service of the applicant w.e.f. 01.04.2007 is legal and justified? To what relief the concerned workman is entitled?"

2. On receipt of the reference, parties were noticed to file their respective statement of claim and written statement, in response to which, the workman, Shri Madhukar V. Motghare, ("the workman" in short) filed the statement of claim and the management of WCL, ("party no.1" in short) filed the written statement.

The case of the workman as presented in the statement of claim is that the party no.1 is an “industry” as defined under the Act and the party no.1 have its own certified standing orders and the provisions of the standing orders have got overriding effect and he came to be appointed as a mazdoor with party no.1 in the year 1981 and posted at Saoner Mine no.3 and he was designated as a clerk in the year 1986 and his entire service record was clean and excellent and no memo or charge sheet was ever served against him and he was performing his duty with honesty and utmost care and to his utter surprise, he was suspended from service by order dated 19.04.2001 and he was served with the charge sheet dated 04.08.2001, whereby, false charges were levelled against him and the order of suspension and the charge sheet submitted against him were illegal, arbitrary and malafide and on 11.01.1994, the Chairman-Cum-Managing Director, as empowered under clause 2.3 of the Standing Orders had notified the list of the Disciplinary Authority and according to the said list, the Sub-area Manager, Silewara colliery was his Disciplinary Authority and the said Authority was only empowered to issue the charge sheet and to take disciplinary action against him and the charge sheet dated 04.08.2001 was submitted against him by the General Manager,(Operation), Nagpur Area, Jaripatka, Nagpur, who was not the competent authority to issue the same and even otherwise also the charge sheet was not issued within a period of 3 days from the date of issuance of the suspension order, as required under clause 28.2 of the certified standing order and the charge sheet submitted against him was barred by limitation and no enquiry could have been conducted in pursuance to the said charge sheet.

The further case of the workman is that for the same set of facts, a complaint was also lodged with the police against him and police submitted a charge sheet against him in the Special Court (CBI) at Nagpur and therefore, he raised objection before party no.1 and the Enquiry Officer, but his objection was not decided and being aggrieved by the same, he filed the case, IESO No. 3/2004, before the First Labour court, Nagpur and the party no.1 and the Enquiry Officer, without waiting for the decision of the court, completed the enquiry and issued the impugned dismissal order and as per the settled position of law, two identical proceedings cannot be continued simultaneously against the delinquent and therefore, the departmental enquiry ought to have been stayed during the pendency of the criminal case no. 67/2003 (19/2001), but party no.1 and the Enquiry Officer did not stay the enquiry and he was compelled to disclose his defence in the departmental enquiry, prior to the completion of the criminal trial and during the pendency of the cases, initially, Shri R.K. Sharma and Shri P.K Roy were appointed as the Enquiry Officer and management representative respectively, to conduct the enquiry against him and Shri Sharma was conducting the enquiry as per the principles of natural justice and Shri Sharma, the Enquiry Officer noticed that the enquiry was delayed at the instance of the management and inspite of completion of more than six months, the management was not paying the legitimate subsistence allowance to him, so, Shri Sharma vide order dated 24.10.2001 directed the management to pay full subsistence allowance to him and being annoyed by the order of the Enquiry Officer dated 24.10.2001, the management without any cogent reason, changed the Enquiry Officer and the management representative and appointed Smt. R.P. Barla and Shri M.R. Diwedi as the Enquiry Officer and management representative respectively and the Enquiry Officer completed the enquiry in a most arbitrary manner and submitted the enquiry report on 07.04.2005 and on the basis of such enquiry report, he was served with the show cause notice dated 09.10.2006 and he submitted an application dated 14.10.2006 and requested for time to submit a detailed reply to the said show cause notice, but without deciding the preliminary objections and his request for time, party no.1 issued the dismissal order dated 31.03.2007 against him and the said order is improper, unfair, illegal and contrary to the principles of natural justice.

It is also pleaded by the workman that he was not supplied with relevant documents and the documents on which, reliance was placed by the party no.1 against him and during the course of the enquiry, he demanded several documents, but those documents were not supplied to him and he was not allowed to be represented and defended through an advocate in the enquiry, though the charges were severe and criminal in nature and his request to allow him to engage an advocate for his defence was rejected by the Enquiry Officer on the ground of his not having any right to be defended through an advocate in the departmental enquiry and he was not given the opportunity to cross-examine the witnesses for the management or to adduce evidence in his defence and the management did not examine the complainant, Shri Sanjay Payal, who had made complaint against him and the investigation officer, Shri Atul Hajela and the management examined unnecessary witnesses and the charges were not proved against him and the Enquiry Officer submitted her report dated 07.04.2005, holding only the charge no.1 to be proved and her such findings are totally perverse and he was not given the opportunity to submit a detailed reply to the show cause notice and the enquiry report and the documents were not duly proved in the enquiry and as per the principles of natural justice, he was not given the opportunity of personal hearing before passing of the dismissal order dated 31.03.2007 and the order dated 31.03.2007 was issued by the authority, who was not competent to issue the same and he was not given reasonable opportunity to defend himself in the enquiry and his past service record was not consider before imposing of the harass punishment of dismissal from service and through the charges were not proved in the enquiry, major punishment was imposed upon him.

The further case of the workman is that he was acquitted in the criminal trial, special case no. 67/2003 (19/2001), by judgment dated 17.09.2009 and in view of the same, he is entitled to be reinstated in service with continuity and payment of full back wages.

It is also pleaded by the workman that his wife was the Sarpanch of Walni Gram Panchayat and his wife for fulfilling various demands, took active part in the work of the Gram Panchayat and being annoyed with the activity of his wife, the party No.1 took revenge against him by dismissing him from service on false charges and after his dismissal from service, he is unemployed.

The workman has prayed for his reinstatement in service with continuity and full back wages.

3. The party no.1 in the written statement has pleaded inter-alia that a stale claim has been referred to the Tribunal for adjudication and the workman was dismissed on 31.03.2007 and the claim has been made after five years and the workman has not given a single reason for making the claim at such a belated stage and due to delay and latches, the claim is liable to be rejected.

The further case of the party no.1 is that the workman has suppressed material facts and he had filed IESO case no. 3/2004 before the First Labour court, Nagpur, raising all the issues, as raised in the present reference and after filing of its reply in the said case, the workman did not attend the case and finally the case was dismissed for default on 30.10.2009 and the workman had also filed writ petition no. 5316/2006, before the Hon'ble High Court and in the said writ petition also, all the issues similar to the issues raised in the present claim were raised by the workman and the said writ petition was dismissed on merits by the Hon'ble High Court, by its judgment dated 07.11.2006 and as the workman has suppressed the filing of IESO case and the writ petition and their dismissal, the reference is liable to be rejected and the present reference, so far it relates to the fairness of the enquiry is hit by the principles of res-judicata, in view of the dismissal of the writ petition no. 5316/2006 by the Hon'ble High Court on merits.

It is further pleaded by the party no.1 that the service record of the workman was not clean and unblemished and it is also settled position of law that the gravity of the first major misconduct to the credit of an employee also entitles the employer to dismiss the employee and acceptance of bribe is a major misconduct, which was committed by the workman and as such, after holding departmental enquiry, by observing all the principles of natural justice, the dismissal order was passed and the workman was caught red handed, while accepting bribe of Rs. 5000/- and was arrested for the same, so, he was rightly suspended and after the inquiry made by the Anti Corruption Department, charge sheet dated 04.08.2001 was issued by it against the workman and unless and until it is prima facie convinced that misconduct has been committed by an employee, a charge sheet cannot be issued and in the case of the workman, the enquiry of the commission of the misconduct was conducted by the Government Agency and after the preliminary enquiry and filing of the charge sheet against the workman by the Anti Corruption Department, the charge sheet was rightly issued by it against the workman and it is also not mandatory to issue the charge sheet to an employee within three days and after the incident, the workman was transferred to Nagpur Area and accordingly, the charge sheet was issued by the Head of the department, in accordance with the standing orders and the suspension order and charge sheet were neither illegal nor arbitrary nor malafide and Shri P.K. Sharma and Shri P.K. Roy, who were initially appointed as the Enquiry Officer and management representative respectively were transferred during the enquiry and as they expressed their inability to continue with the enquiry, it became necessary to replace them and they were not changed for any other reason or for any order passed by them and because of the non-cooperation from the side of the workman, infact no progress could be made in the sittings held by Shri R.K. Sharma and the workman participated in the enquiry proceedings conducted by the newly appointed Enquiry Officer for some time, but with the change of his co-worker, the workman started raising frivolous objections and as no stay order was obtained by the workman to the enquiry proceedings, the Enquiry Officer was not wrong in continuing the enquiry proceedings and the objections raised by the workman to the continuance of the enquiry proceedings were baseless and accordingly, the same were rejected and there is no bar for continuance of the departmental enquiry and the criminal trial simultaneously and the workman was supplied with all the documents on which it had relied and the same were exhibited during the enquiry proceedings in presence of the workman and the workman did not raise any objection, while the said documents were exhibited and just to gain mis-placed sympathy, bald allegations have been made without disclosing as to which documents were not supplied and in what manner he was prejudiced and as per the standing orders, an employee can be represented through a co-worker only, in a departmental enquiry and accordingly, permission to the workman to be represented through a lawyer was rightly refused and the workman and his co-worker declined to cross-examine the witnesses and the Enquiry Officer gave number of opportunities to the workman to lead evidence, but he failed to lead evidence and a bare perusal of the enquiry proceedings will demonstrate that the workman was only interested in protracting the enquiry proceedings on one ground or the other and witness, Shri Sanjay Payal was duly summoned by it to attend the enquiry, but he did not attend the enquiry and the Enquiry Officer did not have the power to compel him to attend the enquiry and the police Inspector of CBI was duly examined and most relevant witnesses were examined in the enquiry to prove the charges levelled against the workman and strict rules of evidence are not applicable in departmental enquiry and the enquiry was conducted by observing all the principles of natural justice and giving all opportunities including that of second show cause notice to the workman, before passing of the order in terms of the enquiry report and as commission of grave misconduct was established against the workman, the past service record was of no consequence and even otherwise, the same was duly considered by the competent authority, before passing of the

impugned order and the competent authority before passing of the impugned order considered all the relevant factors as were required to be considered in the eyes of law and it is a settled principles of law that once the employer losses confidence in the employee, it is not desirable to continue such employee in the employment and in the criminal trial, as witnesses turned hostile, the workman was acquitted, but in the departmental enquiry, the Enquiry Officer after consideration of the evidence on record, rightly concluded that the charge was duly proved against the workman and the story put-forth by the workman in the statement of claim about his wife, is totally afterthought, as the same was not pleaded by the workman either in the reply to the charge sheet or in any other communications and in the cases filed by him and in the entire statement of claim, there is not a single word in regard to the proportionality of the punishment imposed and the workman has not made out a case for interference and the workman is not entitled to any relief.

4. In the rejoinder, the workman has pleaded that being aggrieved by the order of his dismissal from services, on 08.06.2007, he preferred departmental appeal to the Chief General Manager, WCL, but the said Authority has not decided the said appeal and after his acquittal from criminal charges, he submitted an application dated 09.11.2009 and demand notice dated 22.12.2009 to the party no.1, with a request to reinstate him in service alongwith all consequential benefits and as party no.1 did not give any reply to the same, he was compelled to raise the dispute by submitting the application dated 12.01.2010 to the Regional Labour Commissioner (Central), Nagpur and due to the non cooperation of the party no.1, the conciliation failed and as such, his claim is not a stale claim and there is no delay in raising the dispute and IESO case no. 03/2004 filed by him was for interpretation of the Standing Orders and after issuance of dismissal order dated 31.03.2007, the said case became in-fructuous and writ petition no. 5316/2006 had been filed by him to stay the departmental enquiry till the disposal of the criminal trial and the same was not filed by him raising all the issues raised in this reference and as the most important witnesses, complainant, Shri Sanjay Payal and Shri Atul Hajela, the CBI Inspector were not examined in the departmental enquiry, it is clear that there was absolutely no evidence against him and in view of the same, the findings of the Enquiry Officer are totally perverse and he had demanded the alleged complaint made by Shri Sanjay Payal and in the enquiry, Shri P.K. Roy, the management representative had stated before the Enquiry Officer, Shri R.K. Sharma that Shri Sanjay Payal had not made any complaint against him and the statement of Shri Roy had been recorded by Shri Sharma, the Enquiry Officer in the enquiry proceeding and for that, the party no.1 is required to produce the enquiry papers before this Tribunal.

5. Both the parties have placed reliance on documentary evidence in support of their respective claims. Besides the documentary evidence, the workman has examined himself as a witness to prove his case.

6. On behalf of the management they relied on case law Baljinder Pal Kaur Vs. State of Punjab and others 2016 I SCC 671, Divisional Controller KSRTC vs. M.G. Vittal Rao 2012 I SCC 442, Dy. Inspector General of Police Vs. S. Samuthiram 2013 I SCC 598 and Depot Manager APSRTC Vs. B. Swamy 2007 12 SCC 40 in which the following principles are laid down:-

- 1) "Judicial Review- Generally- Nature and scope- Held, judicial review is concerned primarily with decision-making process and not decision itself.
- 2) Loss of confidence cannot be subjective, based upon the mind of the management. Objective facts which would lead to a definite inference of apprehension in the mind of the management.
- 3) If he is dishonest in the performance of his duties.....and the gravity of misconduct cannot be minimize by the fact that he was not earlier caught indulging in such dishonest conduct. There is no guarantee that he had not acted dishonestly in the past as well, which went undetected.

These principles are also supported by Hon'ble Supreme Court with elaborated explanation in the following case law:-

7. State Bank of Bikaner and Jaipur Vs Nemichand, Civil Appeal No. 5861 of 2007, SC dated 01.03.2011, Regional Manager, U.P.S.R.T.C. Vs Hotilal, Civil Appeal No. 5984 of 2000 dated 11.02.2003, State Bank of India Vs Ramesh Dinkar, Civil Appeal No. 2055 of 2003 dated 11.08.2006, Devendra Kumar Vs State of Uttaranchal, Civil Appeal No. 1155 of 2006 dated 29.07.2013 and Bharat Forge Company Ltd. Vs A.B. Zodge, A.I.R. 1996 SC 1556, in which following legal principles are laid down:-

- i. It is now well settled that the courts will not act as an appellate court and reassess the evidence led in the domestic enquiry, nor interfere on the ground that another view is possible on the material on record.
- ii. Therefore, courts will not interfere with findings of fact recorded in departmental enquires, except where such findings are based on no evidence or where they are clearly perverse. The test to find out perversity is to see whether a Tribunal acting reasonably could have arrived at such conclusion or finding, on the material on record. Courts will however interfere with the findings in disciplinary matters, if principles of natural justice or statutory regulations have been violated or if the order is found to be arbitrary, capricious, malafide or based on extraneous considerations.

- iii. Legal position would establish that the disciplinary authority, and on appeal the appellate authority, being fact-finding authorities have exclusive power to consider the evidence with a view to maintain discipline. They are invested with the discretion to impose appropriate punishment keeping in view the magnitude or gravity of the misconduct.
- iv. The position in our country, in administrative law, where no fundamental freedoms as aforesaid are involved, is that the courts/tribunals will only play a secondary role while the primary judgment as to reasonableness will remain with the executive or administrative authority.
- v. A disciplinary proceeding is not a criminal trial. The standard of proof required is that of preponderance of probability and not proof beyond reasonable doubt.

8. Now we discuss the evidence with reference to argument as well as case laws put on behalf of the workman. It is argued that, no charge has been proved against the Party No. 2 because, management had not examined Investigation Officer as well as complainant and opportunity of cross-examination was also not given. This fact is denied by the management. Workman relied on case laws:- Shanabhai M Padariya Vs Bhyagesh Jha 2017 (6) SLR 134 and Commissioner of Police, Delhi Vs Jai Bhagwan (2011) 6 SCC 376, in which it was held that, non examination of crucial witnesses in the departmental enquiry is fatal and non examination of complainant is also fatal and deny the opportunity of cross examination to delinquent.

On behalf of the management, relied on case laws:- LIC Vs Ram Pal Singh Bisen (2010) 1 SCC (L&S) 1072, Kanailal Bera Vs Union of India 2007 III CLR 830, Chairman & Managing Director V.S.P. Vs Gopal Raju Shri Prabhakara Hari Babu (2008) 2 SCC (L&S) 311 and Himachal Pradesh Road Transport Vs. Hukumchand (2009) 2 SCC (L&S) 615 in which it was held that – (1) “Held, detailed enquiry need not be held. Penalty based on respondent’s admission that he unauthorisedly absented, was valid in view of the Evidence Act, 1872, S.58”. (2) “Employee’s own admission of misconduct. Enquiry in such an eventuality, held not necessary – Administrative Law-Natural justice”. It is also held that, once a disciplinary proceeding is initiated, same must be brought to its logical and finding of guilt or not guilt against the delinquent, has to be arrived at.

9. Now we want to see evidence on this fact. Petitioner in his cross-examination admitted that, he and his co-worker had signed on day to day proceeding of departmental enquiry. He also admitted that, three witnesses were cross-examined on behalf of the management but they were not cross-examined on the ground of pendency of criminal case against him. He also admitted that, day to day proceedings of departmental enquiry are true and correct. He also admitted that, no stay order was passed by Central Administrative Tribunal. He also admitted that, he filed a Writ petition No. 5316/2006 before the Hon’ble High Court, Nagpur Bench in which, he raised his all objection as a ground mentioned in his statement of claim.

10. On going all these factual situations, my humble opinion is that, complainant Shri Sanjay Payal and Investigation Officer, Mr. Atul Hajela were not examined by the management in the departmental enquiry. All three witnesses were examined by the management, but not cross-examined by the workman or his representative it shows that, management provided an opportunity to the workman for cross-examination, which was not availed. It also shows that, no document was admitted by the workman. On perusal of the criminal court judgment it reveals that complainant Shri Sanjay Payal turned hostile and criminal court imposed him 10000/- as fine under section 250 of CRPC. Criminal court also held that under section 344 that action perjury be initiate against the complainant Shri Sanjay Payal.

On behalf of the workman it was pointed out that in the enquiry report departmental officer had mentioned on page no.6 that “as no further management witness could be produced inspite of sufficient time evidence on management side was close on 20.12.2004.” On page no.8 of enquiry report enquiry officer also mentioned that “the said Shri Sanjay Payal could not be produced by the management representative there is nothing on record that indicates that there were any witnesses present when “Workman” demands the illegal gratification from Shri Sanjay Payal on 17.04.2001 at 10.00 PM.” All these facts shows that there was defect in the departmental enquiry in the light of above case law.

11. On behalf of workman, advocate argued that, departmental enquiry and criminal case were based on same facts and identical. He also argued that, original copy of complaint and criminal case document never produced in the departmental enquiry and criminal court dismissed the criminal case. So, workman is entitled to reinstate. He relied on case laws:-

Capt. M. Paul Anthony Vs. Bharat Gold Mines Ltd. (1999) 3 SCC 679, Union of India Vs Prakash Kumar Tandon (2009) 2 SCC 541, G.M. Tank Vs State of Gujarat (2006) AIR SCC 2129, Divisional Controller, Karnataka Vs M.G. Vittal Rao 2012(3) Mh. L.J. 169 and Baljinder Pal Kaur Vs State of Punjab and others (2016) 1 SCC 671.

In which, Hon’ble Lordship held that, in criminal case standard of proof required is beyond reasonable doubt while in a domestic enquiry it is the preponderance of probabilities that constitutes the test to be applied. It is also held

that, some time acquittal order of criminal court based on technical ground of prosecution witnesses turned hostile and appeared to have been won over.

On behalf of the workman it was also argued that management examined only three witnesses namely Shri Vijay Bhoyar, Shri Kundan Sahare and Shri A.G. Golwalkar. These were not relevant witnesses so argument was that witnesses had never proved the demand and acceptance of the bribe. So according to the workman finding recorded in the departmental enquiry was totally perverse and unsustainable in the eye of law. On contrary, this argument was denied by the management by saying that it is settled principle of law that once employer loses confidence in the employee, it was not desirable to continue such employee in the employment. It was also argued that enquiry officer could not compel to complainant to attend the enquiry. He also argued that Police Inspector of CBI was duly examined. He also argued that issued of fairness enquiry already stood concluded in WP NO. 5316/2006.

On behalf of the workman, it was also argued that party no.2 entitled to reinstate in service with continuity and payment of full back wages because party no.1 with an intention to harass him. It also argued that party no.2 was not allotted work of lifting and transportation of coal, so he never demanded illegal gratification. Even in absence of these pieces of evidence the enquiry officer had proved the charges, so findings are perverse. He also argued that his past service record was not considered before imposing harsh punishment of dismissal from services. On the contrary, this argument was denied by the management by stating that in criminal trial complainant turn hostile and to have been winning over, so judgment in criminal court is of no use. He also argued that accepting the bribe is a serious offence. He also argued that workman had not raised any ground whereby challenging the finding recorded by the enquiry officer. They also argued that punishment of dismissal imposed upon the workman could not be termed as disproportionate.

12. In the case law, A.P.S.R.T. Corporation Vs G. Murali, 2017 LLR 1233 held that, “Statement recorded by the TTI from the passengers cannot be taken in evidence, as no opportunity was given respondent to cross-examine”.

13. After perusal of the record, I want to mention some facts, established in this case:-

- (i). Workman after passing 10th standard exam he appointed as Mazdoor in 1981. He was promoted as a clerk in the year 1986.
- (ii). Charge was framed against the workman on 04.08.2001. Departmental enquiry was run from 04.08.2001 to 07.04.2005.
- (iii). Second show cause notice was issued to the workman on 09.10.2006 but he did not file any reply to the notice. He was dismissed from service on 31.03.2007. He filed an appeal, which was also dismissed on 08.06.2007. On defence, workman did not examine any witness nor any documentary evidence but he filed his written notes of argument. He was acquitted by CBI court in corruption on 17.09.2009.
- (iv). As per the record, it appears that the age of workman is 58 years approx. According to the workman's advocate he has no gainful employment.

14. It is also laid down in above case law that, Disciplinary Authority and Appellant Authority being the fact finding authority, this Tribunal is not Appellate Authority. It is also held that, Tribunal will only play secondary role, while the primary judgment as to reasonableness will remain with the executive of administrative authority.

In case law--- Delhi Transport Corp. vs. Ombir Singh 2017 LLR 252, Hon'ble Lordship held that “Where principles of natural justice are not being complied with, then in such cases, compensation ought to be granted even if termination of service is found to be valid”. On the basis of principle laid down in Engineering Laghu Udhog Employees Union vs Judge, Labour Court and Industrial Tribunal & others – (2003) 12 SCC 1 in which it was held that:- “no difference whether the matter comes before the tribunal for approval under S.33 or on a reference under S.10 of the Industrial Dispute Act, 1947. In either case if the enquiry is defective or if no enquiry has been held as required by Standing Orders, the entire case would be open before the tribunal and the employer would have to justify on facts as well that its order of dismissal or discharge was proper.” “A defective enquiry in our opinion stands on the same footing as no enquiry and in either case the tribunal would have jurisdiction to go into the facts and the employer would have to satisfy the tribunal that on facts the order of dismissal or discharge was proper.”

It will be open to the Tribunal to pay compensation even in a case where ultimate charges are proved, despite holding that the order of termination is valid for the reason that principles of natural justice have not complied with.

15. Judging the present case in hand with the touch stone of the principles as mentioned above, it is found that law is well settled that where principles of natural justice were not complied with, then in such cases compensation ought to be granted because termination of the services in my opinion is valid. In view of the discussion made above and the

materials on record, it is found that there is no scope to interfere with the order of the punishment of dismissal from services passed against the workman. Hence, it is ordered:-

ORDER

The action of the management of Western coalfields limited in dismissing the service of the applicant w.e.f. 01.04.2007 is legal and justified but due to lack of procedure in departmental enquiry, the workman is entitled for lumpsum compensation of Rs. 70,000/- (Rupees seventy thousand only) from party no.1 in lieu of reinstatement, which is payable within one month from the publication of this award in official gazette, failing which, the amount due to the workman will carry interest of 6% per annum from the date of due to the workman to the date of actual payment of the amount to the workman. The workman is not entitled for any other relief.

SHYAM SUNDER GARG, Presiding Officer

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 713.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स वेस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 39/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.04.2018 को प्राप्त हुआ था।

[सं. एल-22012/260/2012-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 26th April, 2018

S.O. 713.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 39/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. Western Coalfield Ltd., and their workmen, received by the Central Government on 11.04.2018.

[No. L-22012/260/2012-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE SHRI S. S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/39/2012

Date: 28.03.2018

Party No.1 : The Chief General Manager
Wani North Area, WCL, Po:Bhalar,
Tah-Wani, Distt. Yavatmal (MS).
:
The Sub Area Manager, Ukni O/c Mines,
Wani North Area, WCL, PO: Ukni,
Tah-Wani, Distt. Yavatmal (MS)

Versus

Party No.2 : The Secretary,
Bhartiya Koyla Khadan Mazdoor Sangh
(BMS), Ukni Branch, Qr. No. MQ-320
Bhalar Township, Po: Bhalar,
Tah-Wani, Distt. Yavatmal (MS)

AWARD

(Dated: 28th March, 2018)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial

dispute between the employers, in relation to the management of WCL and their workman, Shri Gajanan U. Potraje, for adjudication, as per letter **No.L-22012/260/2012-IR (CM-II) dated 20.02.2013**, with the following schedule:-

“With reference to CIL’s Career growth to Personnel with ITI Certificate Holder, whether Mgmt’s denial to remove anomaly/pay disparity in respect of Shri Gajanan U. Potraje, ITI Certificate Holder at Par with his junior who is drawing more wages in Ukni Area of Wani North Area of WCL is legal and justified? If not, what monetary benefit the workman is entitled to?”

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Gajanan U. Potraje, (‘the workman’ in short), through its Union Bhartiya Koyala Khadan Mazdoor Sangh (‘the union’ in short) filed the statement of claim and the management of WCL (‘Party No. 1’ in short) filed their written statement.

3. According to the workman his basic pay on 01.07.1996 was 198.40. While his junior worker Shri V.L. Singhamwar was having basic pay of Rs. 191.13 on the same dated which was less than the petitioner. On 01.07.1998 Shri V.L. Singhamwar was promoted to category-B and his basic pay was equal to the basic of the workman i.e. 198.40.

4. After implementation of instruction No. 32 JBCCI/NCWA-VI vide circular no. CIL/c-58/JBCCI/IT No.32/2002/1048 dated 22.01.2002, applicant Shri Gajanan U. Potraje was notionally placed in higher category-A as a Sr. EP Mech.(III) whose basic was done at Rs. 218.48 increasing benefit of just Rs. 2.33 and after adding one increment, his basic was fixed on Rs. 224.99 as on 01.07.2000. Till 01.07.2000 applicant’s basic is higher than his junior Shri V.L. Singhamwar (222.20).

5. According to the workman he is entitled for the benefit under I.No. 32 Career growth of IT personnel. He also claimed that JBCCI chart NCWA_VII he got fitment of Rs. 355.45 while his junior was drawing Rs.358.54.

6. The workman prayed that he is entitled for Basic fitment on 363.85 on 01.07.2001. He also claimed that he is entitled for all benefits corresponding to that basic. He also claimed interest on this amount and other related allowances and benefits.

7. On behalf of management written statement was filed by asserting that applicant was working as a Sr. E.P. Mechanic. They also admitted that applicant was senior to Shri V.L. Singhamwar at Ukni mines of WCL. They also asserted that on the basis of NCWA-VII chart, they fixed basic of both workers. According to the management, the petitioner was holding ITI certificate so, he was given treatment in pursuance of implementation instruction no. 32 issued by the JBCCI, Calcutta.

8. On behalf of the management it was asserted that no resolution was passed by the union to raise such disputes, so petitioner’s claim did not fall within definition under section 2K of the Act. They also asserted that there is delay in raising the dispute by the union. They also asserted that there was no merit in claim made by the petitioner through union and prayed that reference deserves to be answered in favour of management.

9. Petitioner filed rejoinder by asserting all these facts which was raised in statement of claim and also prayed that he is entitled to be fixed on fitment of basic JBCCI chart NCWA-VII on 01.07.2001 Rs. 363.85 with all benefits. On behalf of workman, it was also argued that, he is entitled for two increments according to the JBCCI chart and NCWA-VII but management gave only one increment, so this is anomaly in fixation in basic.

10. Petitioner filed affidavit in support of their statement of claim which was cross-examined by the representative of the management, but on behalf of management no evidence was adduced. But both parties admitted the fitment chart which is marked as Exhibit C-I (on behalf of Tribunal on the ground of admission of both parties).

11. Now according to the parties, basic fitment of petitioner on 01.07.2001 is Rs. 363.85. Now the anomaly was removed by JBCCI by issuing C-1 which was created due to defect in application of previous fitment chart. The workman in his statement admitted that he was appointed as apprentice in the year 1987. After that he was promoted to 6 higher posts. His last promotion was Sr. E.P. Mech. in the year 2005. He also admitted that as per Implementation Instruction no. 32 of NCWA-VI, he got benefit on 01.07.2001. He also asserted that as he came to know about the anomaly i.e. he received less payment in comparison to his junior, he filed his claim. He also asserted that on every implementation of fitment in NCWA were done direct giving 2 increments. In his court evidence or court statement nothing shows to disbelieve his statement. On the contrary management admitted these facts without producing any evidence. Management also did not take care to settle the dispute before the RLC(C) and this Tribunal, so this matter is pending before this Tribunal since 2012.

12. Judging the present case in hand with the touch stone of the principles laid down by the Hon’ble Supreme Court and High Court and on going through evidence of the workman, I found that the application of fitment chart issued previously by the management was not legal and proper. Hence, it is ordered:-

ORDER

“With reference to CIL’s Career growth to Personnel with ITI Certificate Holder, whether Mgmt’s denial to remove anomaly/pay disparity in respect of Shri Gajanan U.Potraje, ITI Certificate Holder at Par with his junior who is drawing more wages in Ukni Area of Wani North Area of WCL is not legal and justified. The workman is entitled for basic fitment on 01.07.2001 of Rs. 363.85 and all other consequential benefit attached to this basic. Management is directed to implement these benefits within one month from the publication of award. In case of delay in application in fitment chart, workman is entitled for 6% interest per annum. He is also entitled for the cost of Rs. 25,000/-(Rupees twenty five thousand only) from the management in lieu of expenses for legal proceedings.

S. S. GARG, Presiding Officer

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 714.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स वेस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 40/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.04.2018 को प्राप्त हुआ था।

[सं. एल-22012/261/2012-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 26th April, 2018

S.O. 714.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 40/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. Western Coalfield Ltd., and their workmen, received by the Central Government on 11.04.2018.

[No. L-22012/261/2012-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**BEFORE SHRI S. S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/40/2012

Date: 28.03.2018

Party No.1 : The Chief General Manager
Wani North Area, WCL, Po:Bhalar,
Tah-Wani, Distt. Yavatmal (MS).
:
The Sub Area Manager, Ukni O/c Mines,
Wani North Area, WCL, PO: Ukni,
Tah-Wani, Distt. Yavatmal (MS)

Versus

Party No.2 : The Secretary,
Bhartiya Koyla Khadan Mazdoor Sangh
(BMS), Ukni Branch, Qr. No. MQ-320
Bhalar Township, Po: Bhalar,
Tah-Wani, Distt. Yavatmal (MS)

AWARD

(Dated: 28th March, 2018)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) (“the Act” in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and their workman, Shri Manohar S. Lute, for adjudication, as per letter **No.L-22012/261/2012-IR (CM-II) dated 20.02.2013**, with the following schedule:-

“With reference to CIL’s Career growth to Personnel with ITI Certificate Holder, whether Mgmt’s denial to remove anomaly/pay disparity in respect of Shri Manohar S. Lute, ITI Certificate Holder at Par with his junior who is drawing more wages in Ukni Area of Wani North Area of WCL is legal and justified? If not, what monetary benefit the workman is entitled to?”

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Manohar S. Lute, (‘the workman’ in short), through its Union Bhartiya Koyala Khadan Mazdoor Sangh (‘the union’ in short) filed the statement of claim and the management of WCL (‘Party No. 1’ in short) filed their written statement.
3. According to the workman his basic pay on 01.07.1996 was 198.40. While his junior worker Shri V.L. Singhamwar was having basic pay of Rs. 191.13 on the same dated which was less than the petitioner. On 01.07.1998 Shri V.L. Singhamwar was promoted to category-B and his basic pay was equal to the basic of the workman i.e. 198.40.
4. After implementation of instruction No. 32 JBCCI/NCWA-VI vide circular no. CIL/c-58/JBCCI/IT No.32/2002/1048 dated 22.01.2002, applicant Shri Manohar S. Lute was notionally placed in higher category-A as a Sr. EP Mech.(III) whose basic was done at Rs. 218.48 increasing benefit of just Rs. 2.33 and after adding one increment, his basic was fixed on Rs. 224.99 as on 01.07.2000. Till 01.07.2000 applicant’s basic is higher than his junior Shri V.L. Singhamwar (222.20).
5. According to the workman he is entitled for the benefit under I.No. 32 Career growth of IT personnel. He also claimed that JBCCI chart NCWA_VII he got fitment of Rs. 355.45 while his junior was drawing Rs.358.54.
6. The workman prayed that he is entitled for Basic fitment on 363.85 on 01.07.2001. He also claimed that he is entitled for all benefits corresponding to that basic. He also claimed interest on this amount and other related allowances and benefits.
7. On behalf of management written statement was filed by asserting that applicant was working as a Sr. E.P. Mechanic. They also admitted that applicant was senior to Shri V.L. Singhamwar at Ukni mines of WCL. They also asserted that on the basis of NCWA-VII chart, they fixed basic of both workers. According to the management, the petitioner was holding ITI certificate so, he was given treatment in pursuance of implementation instruction no. 32 issued by the JBCCI, Calcutta.
8. On behalf of the management it was asserted that no resolution was passed by the union to raise such disputes, so petitioner’s claim did not fall within definition under section 2K of the Act. They also asserted that there is delay in raising the dispute by the union. They also asserted that there was no merit in claim made by the petitioner through union and prayed that reference deserves to be answered in favour of management.
9. Petitioner filed rejoinder by asserting all these facts which was raised in statement of claim and also prayed that he is entitled to be fixed on fitment of basic JBCCI chart NCWA-VII on 01.07.2001 Rs. 363.85 with all benefits. On behalf of workman, it was also argued that, he is entitled for two increments according to the JBCCI chart and NCWA-VII but management gave only one increment, so this is anomaly in fixation in basic.
10. Petitioner filed affidavit in support of their statement of claim which was cross-examined by the representative of the management, but on behalf of management no evidence was adduced. But both parties admitted the fitment chart which is marked as Exhibit C-I (on behalf of Tribunal on the ground of admission of both parties).
11. Now according to the parties, basic fitment of petitioner on 01.07.2001 is Rs. 363.85. Now the anomaly was removed by JBCCI by issuing C-1 which was created due to defect in application of previous fitment chart. The workman in his statement admitted that he was appointed as apprentice in the year 1987. After that he was promoted to 6 higher posts. His last promotion was Sr. E.P. Mech. in the year 2005. He also admitted that as per Implementation Instruction no. 32 of NCWA-VI, he got benefit on 01.07.2001. He also asserted that as he came to know about the anomaly i.e. he received less payment in comparison to his junior, he filed his claim. He also asserted that on every implementation of fitment in NCWA were done direct giving 2 increments. In his court evidence or court statement nothing shows to disbelieve his statement. On the contrary management admitted these facts without producing any evidence. Management also did not take care to settle the dispute before the RLC(C) and this Tribunal, so this matter is pending before this Tribunal since 2012.
12. Judging the present case in hand with the touch stone of the principles laid down by the Hon’ble Supreme Court and High Court and on going through evidence of the workman, I found that the application of fitment chart issued previously by the management was not legal and proper. Hence, it is ordered:-

ORDER

“With reference to CIL’s Career growth to Personnel with ITI Certificate Holder, whether Mgmt’s denial to remove anomaly/pay disparity in respect of Shri Manohar S. Lute, ITI Certificate Holder at Par with his junior who is drawing more wages in Ukni Area of Wani North Area of WCL is not legal and justified. The workman is entitled for basic fitment on 01.07.2001 of Rs. 363.85 and all other consequential benefit attached to this basic. Management is directed to implement these benefits within one month from the publication of award. In case of delay in application in fitment chart, workman is entitled for 6% interest per annum. He is also entitled for the cost of Rs. 25,000/-(Rupees twenty five thousand only) from the management in lieu of expenses for legal proceedings.

S. S. GARG, Presiding Officer

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 715.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स वेस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 41/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.04.2018 को प्राप्त हुआ था।

[सं. एल-22012/262/2012-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 26th April, 2018

S.O. 715.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 41/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. Western Coalfield Ltd., and their workmen, received by the Central Government on 11.04.2018.

[No. L-22012/262/2012-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE SHRI S. S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/41/2012

Date: 28.03.2018

Party No.1 : The Chief General Manager
Wani North Area, WCL, Po:Bhalar,
Tah-Wani, Distt. Yavatmal (MS).
:
The Sub Area Manager, Ukni O/c Mines,
Wani North Area, WCL, PO: Ukni,
Tah-Wani, Distt. Yavatmal (MS)

Versus

Party No.2 : The Secretary,
Bhartiya Koyla Khadan Mazdoor Sangh
(BMS), Ukni Branch, Qr. No. MQ-320
Bhalar Township, Po: Bhalar,
Tah-Wani, Distt. Yavatmal (MS)

AWARD

(Dated: 28th March, 2018)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) (“the Act” in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and their workman, Shri R.G. Kene, for adjudication, as per letter **No.L-22012/262/2012-IR (CM-II) dated 20.02.2013**, with the following schedule:-

“With reference to CIL’s Career growth to Personnel with ITI Certificate Holder, whether Mgmt’s denial to remove anomaly/pay disparity in respect of Shri R.G. Kene, ITI Certificate Holder at Par with his junior who is drawing more wages in Ukni Area of Wani North Area of WCL is legal and justified? If not, what monetary benefit the workman is entitled to?”

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri R.G. Kene, (“the workman” in short), through its Union Bhartiya Koyala Khadan Mazdoor Sangh (“the union” in short) filed the statement of claim and the management of WCL (“Party No. 1” in short) filed their written statement.
3. According to the workman his basic pay on 01.07.1996 was 198.40. While his junior worker Shri V.L. Singhamwar was having basic pay of Rs. 191.13 on the same dated which was less than the petitioner. On 01.07.1998 Shri V.L. Singhamwar was promoted to category-B and his basic pay was equal to the basic of the workman i.e. 198.40.
4. After implementation of instruction No. 32 JBCCI/NCWA-VI vide circular no. CIL/c-58/JBCCI/IT No.32/2002/1048 dated 22.01.2002, applicant Shri R.G. Kene was notionally placed in higher category-A as a Sr. EP Mech.(III) whose basic was done at Rs. 218.48 increasing benefit of just Rs. 2.33 and after adding one increment, his basic was fixed on Rs. 224.99 as on 01.07.2000. Till 01.07.2000 applicant’s basic is higher than his junior Shri V.L. Singhamwar (222.20).
5. According to the workman he is entitled for the benefit under I.No. 32 Career growth of IT personnel. He also claimed that JBCCI chart NCWA_VII he got fitment of Rs. 355.45 while his junior was drawing Rs.358.54.
6. The workman prayed that he is entitled for Basic fitment on 363.85 on 01.07.2001. He also claimed that he is entitled for all benefits corresponding to that basic. He also claimed interest on this amount and other related allowances and benefits.
7. On behalf of management written statement was filed by asserting that applicant was working as a Sr. E.P. Mechanic. They also admitted that applicant was senior to Shri V.L. Singhamwar at Ukni mines of WCL. They also asserted that on the basis of NCWA-VII chart, they fixed basic of both workers. According to the management, the petitioner was holding ITI certificate so, he was given treatment in pursuance of implementation instruction no. 32 issued by the JBCCI, Calcutta.
8. On behalf of the management it was asserted that no resolution was passed by the union to raise such disputes, so petitioner’s claim did not fall within definition under section 2K of the Act. They also asserted that there is delay in raising the dispute by the union. They also asserted that there was no merit in claim made by the petitioner through union and prayed that reference deserves to be answered in favour of management.
9. Petitioner filed rejoinder by asserting all these facts which was raised in statement of claim and also prayed that he is entitled to be fixed on fitment of basic JBCCI chart NCWA-VII on 01.07.2001 Rs. 363.85 with all benefits. On behalf of workman, it was also argued that, he is entitled for two increments according to the JBCCI chart and NCWA-VII but management gave only one increment, so this is anomaly in fixation in basic.
10. Petitioner filed affidavit in support of their statement of claim which was cross-examined by the representative of the management, but on behalf of management no evidence was adduced. But both parties admitted the fitment chart which is marked as Exhibit C-I (on behalf of Tribunal on the ground of admission of both parties).
11. Now according to the parties, basic fitment of petitioner on 01.07.2001 is Rs. 363.85. Now the anomaly was removed by JBCCI by issuing C-1 which was created due to defect in application of previous fitment chart. The workman in his statement admitted that he was appointed as apprentice in the year 1987. After that he was promoted to 6 higher posts. His last promotion was Sr. E.P. Mech. in the year 2005. He also admitted that as per Implementation Instruction no. 32 of NCWA-VI, he got benefit on 01.07.2001. He also asserted that as he came to know about the anomaly i.e. he received less payment in comparison to his junior, he filed his claim. He also asserted that on every implementation of fitment in NCWA were done direct giving 2 increments. In his court evidence or court statement nothing shows to disbelieve his statement. On the contrary management admitted these facts without producing any evidence. Management also did not take care to settle the dispute before the RLC(C) and this Tribunal, so this matter is pending before this Tribunal since 2012.
12. Judging the present case in hand with the touch stone of the principles laid down by the Hon’ble Supreme Court and High Court and on going through evidence of the workman, I found that the application of fitment chart issued previously by the management was not legal and proper. Hence, it is ordered:-

ORDER

“With reference to CIL’s Career growth to Personnel with ITI Certificate Holder, whether Mgmt’s denial to remove anomaly/pay disparity in respect of Shri R.G. Kene, ITI Certificate Holder at Par with his junior who is drawing more wages in Ukni Area of Wani North Area of WCL is not legal and justified. The workman is entitled for basic fitment on 01.07.2001 of Rs. 363.85 and all other consequential benefit attached to this basic. Management is directed to implement these benefits within one month from the publication of award. In case of delay in application in fitment chart, workman is entitled for 6% interest per annum. He is also entitled for the cost of Rs. 25,000/-(Rupees twenty five thousand only) from the management in lieu of expenses for legal proceedings.

S. S. GARG, Presiding Officer

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 716.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स वेस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 58/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.04.2018 को प्राप्त हुआ था।

[सं. एल-22012/97/2013-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 26th April, 2018

S.O. 716.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 58/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. Western Coalfield Ltd., and their workmen, received by the Central Government on 11.04.2018.

[No. L-22012/97/2013-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE**BEFORE SHRI S. S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/58/2013-14

Date: 05.02.2018

Party No.1 : The Area General Manager,
Western Coalfields Ltd.,
Nagpur Area, At PO Jaripatka
Nagpur-440014.

V/s.

Party No.2 : Shri Kishore Jairam Chakole
Plot No. 136, Ayurvedic layout
Umred Road, Sakkardara
Nagpur.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) (“the Act” in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Western Coalfields Ltd. and their workman, Shri Kishore Chakole, for adjudication, as per letter **No.L-22012/97/2013-IR (CM-II) dated 11.09.2013**, with the following schedule:-

“Whether the action of the management of the Western Coalfields Ltd., Nagpur area in imposing the punishment of dismissal on Shri Kishore Jairam Chakole, Electrical Fitter Helper, is fair, just and legal? If not, to what relief is entitled to the concerned workman to?”

2. On receipt of the reference, parties were noticed to file their respective statement of claim and written statement, in response to which, the workman Shri Kishor J. Chakole, ("the workman" in short) through his Advocate, filed the statement of claim and the management of Western Coalfields Limited ("party no.1" in short) filed the written statement.
3. On behalf of the workman Shri Kishore filed statement of claim in this Tribunal by asserting that he came to be appointed as a General Mazdoor on 1984, then he promoted as Electric Fitter Helper.
4. According to workman, the entire service career was clean and excellent, except false charge sheet on him by the Party no.1 on 15.10.2004. He was also suspended from service on 15.10.2004 and management imposed two charges against him, which were denied by the workman in his reply.
5. He also stated that he met with an accident on duty in 1989 and his treatment undergone in Mayo General Hospital, Nagpur from 13.08.2004 to 06.03.2005. He was advised bed rest from 13.08.2004 to 18.10.2004. He also asserted that the charges were vague in nature. He also asserted that management issued second charge sheet on 21.01.2006, which was stereo type.
6. According to the workman, management did not consider his reply and he was imposed with the punishment of dismissal from the services by the Mine Manager, Pipla Mine. According to the workman, who is not a competent authority. So, according to the workman his dismissal from the services was illegal. So, he is entitled for reinstatement with full back wages. He also argued that principles of natural justice were not followed and departmental enquiry conducted against him was not in accordance with law.
7. On behalf of the management, written statement was filed to denying claim petition. According to the management, they followed all principles of natural justice and all proceedings were according to law. According to management, proceedings, infact are maintainable on ground of delay and latches. They also asserted that they challenge present reference before Hon'ble High Court, Nagpur Bench, which is pending.
8. According to the management, workman cannot follow the Standing Order of the organization to obtain leave of absence. Provisions also clarify in case of unforeseen circumstances. According to him if employee remains absent unauthorized he will loss his lien on his appointment. According to management workman remain absent from duty even after the charge sheet was issued.
9. According to the management, the workman suddenly stopped attending duty from 13.08.2004 without any intimation or sanctioned leave. Even he did not reply charge sheet up to 15.10.2004. It is also denied by the management, charge sheet and punishment were not given by proper authority. According the management Sub-Area Manager was himself recommended for termination of the service of workman. So they pray that the workman is not entitled for any relief and they also prayed that the reference may be kindly answered in negative.
10. Petitioner filed rejoinder stating that management have challenged the present reference before Hon'ble High Court Nagpur Bench but not notice for such proceedings is received by the party no.2 till filing of the rejoinder. Petitioner also asserted that, it has been proved beyond the shadow of doubt that party no.1 is acting as per their whims and fashion with malafide intentions. They also asserted that standing orders of organization is not applicable in the present case. They also asserted that General Manager has not given speaking order for approval of his dismissal.
11. Both the parties, in order to prove their respective stands have relied on documentary evidence. Besides the documentary evidence, the workman has examined himself as a witness in support of his case. Party no.1 has not adduced any oral evidence.
12. On behalf of the petitioner Shri Darda on the basis of case law of the Central Administrative Tribunal, Delhi in case of Shailender Kumar Vs. Union of India O.A. No. 2805/2013 dated 13.05.2015, argued that, the workman had no independent administrative or financial power to exercise the finance matter. But he had only supervisory power. He also argued that allegation under the charge sheet in the enquiry did not prove by examining any witnesses and workman was not given the opportunity to cross-examine the management witnesses. So according to the workman, it is clear violation of principles of natural justice and rules and regulations, framed by the management. He also argued that workman was one of the signatory of the cheque and other signatory of the cheques was equally responsible for the irregularities. So charge sheet itself is illegal and conclusion of in house enquiry and the same is devoid of legal sanctity.
13. Per contra, management based his argument on case law, Coimbatore District Central co-operative bank Vs. Employee Association (2007) IV SCC 669, Maharashtra State Seed Corporation limited Vs. Hari Prasad (2006) III SCC 690, State Bank of India Vs. Belabagchi (2005) VII SCC 435, Managing Director, North East Karnataka Road Transport Corporation Vs. K. Murthy (2006) XII SCC 570 and Pandiyan Roadways Corporation Vs. N. Balkrishnan (2007) IX SCC 755, argued that the charge sheet was served on the workman for committing grave misconduct and

reasonable opportunity was given to the workman to defend himself. All procedure was followed in consonance of principles of natural justice. He also argued that this tribunal held departmental enquiry legal and proper.

14. Now we see the legal position:- Management's advocate to support his argument put following case laws :-

State Bank of Bikaner and Jaipur Vs Nemichand, Civil Appeal No. 5861 of 2007, SC dated 01.03.2011, Regional Manager, U.P.S.R.T.C. Vs Hotilal, Civil Appeal No. 5984 of 2000 dated 11.02.2003, State Bank of India Vs Ramesh Dinkar, Civil Appeal No. 2055 of 2003 dated 11.08.2006, Devendra Kumar Vs State of Uttaranchal, Civil Appeal No. 1155 of 2006 dated 29.07.2013 and Bharat Forge Company Ltd. Vs A.B. Zodge, A.I.R. 1996 SC 1556, in which following legal principles are laid down:-

- i. It is now well settled that the courts will not act as an appellate court and reassess the evidence led in the domestic enquiry, nor interfere on the ground that another view is possible on the material on record.
- ii. Therefore, courts will not interfere with findings of fact recorded in departmental enquires, except where such findings are based on no evidence or where they are clearly perverse. The test to find out perversity is to see whether a Tribunal acting reasonably could have arrived at such conclusion or finding, on the material on record. Courts will however interfere with the findings in disciplinary matters, if principles of natural justice or statutory regulations have been violated or if the order is found to be arbitrary, capricious, malafide or based on extraneous considerations.
- iii. When a court is considering whether punishment of 'termination from service' imposed upon a bank employee is shockingly excessive or disproportionate to the gravity of the proved misconduct, the loss of confidence in the employee will be an important and relevant factor.
- iv. That having regard to the gravity of the established misconduct, the punishing authority had the power and jurisdiction to impose punishment.
- v. Legal position would establish that the disciplinary authority, and on appeal the appellate authority, being fact-finding authorities have exclusive power to consider the evidence with a view to maintain discipline. They are invested with the discretion to impose appropriate punishment keeping in view the magnitude or gravity of the misconduct.
- vi. The position in our country, in administrative law, where no fundamental freedoms as aforesaid are involved, is that the courts/tribunals will only play a secondary role while the primary judgment as to reasonableness will remain with the executive or administrative authority.
- vii. Court interfered with the punishment only after coming to the conclusion that the punishment was in outrageous defiance of logic and was shocking.
- viii. If the charged employee holds a position of trust where honesty and integrity are inbuilt requirements of functioning, it would not be proper to deal with the matter leniently. Misconduct in such cases has to be dealt with iron hands.
- ix. Misrepresentation itself amounts to fraud, and further held fraudulent misrepresentation is called deceit and consists in lending a man into damage by willfully or recklessly causing him to believe and act on falsehood.
- x. If the initial action is not in consonance with law, the subsequent conduct of a party cannot sanctify the same.

15. Now we discuss of the evidence with reference to argument of the workman. The workman in his evidence on affidavit as well his written notes of argument has reiterated the facts mentioned in the statement of claim. He firstly argued that, he met with an accident while duty in underground mines in 1989, in which, he was injured but, its pain was continuous giving problem to him. So, he took treatment from Government Hospital from 13.08.2004 to 06.03.2005. He also asserted that, he filed all these documents including certificate in the department but, management did not consider these documents but, workman in para 11 of his court statement, admitted that, he did not file any document regarding his illness. So, argument of workman is not sustainable.

16. On behalf of workman, in written note of argument, it was argued that, two charge sheets were issued to the workman but, both were stereo type. He relied case laws, Kanailal Bera Vs Union of India 2007 III CLR 830 and Gaya Singh Vs Chairman, Coal India Ltd. 2003 II CLR 991, in which, Lordship held that, "First charge sheet against petitioner having not been withdrawn, nor having reached its finality, second charge sheet for same allegations, not maintainable.....there is no explanation given by the respondent"

17. On behalf of the management, W.S. is filed and in para 5 of the W.S., it was mentioned that, "After receiving the charge sheet...he continued to remain absent till 20.01.2005. Therefore the charge sheet dated 20/21.01.2005 was

issued for different period of absenteeism”. In my opinion, this explanation is not proper as per principle laid down in the above case laws. So, in my view, it was defect in departmental enquiry.

18. On behalf of the workman, it was also argued that, enquiry conducted exparte, so, punishment imposed by the management, was improper. He also relied the enquiry report submitted by the management. On perusal of Xerox copy of the enquiry report, it shows that, there were sixteen sittings in the departmental proceedings, in which, workman was present in four sittings and co-worker was also present in one sitting. It was also mentioned that, workman was casually attending the enquiry sittings even giving of several notices.

In para no. 9 of the court evidence, workman admitted that he was attending the departmental enquiry from beginning to end. All management’s witnesses were examined before him. He also admitted in para No. 10 that, show cause notice was served on him with enquiry report. He also filed appeal. He also examined himself as a defence witness. These facts show that, he had full knowledge of departmental enquiry. He also avail the right of appeal. Workman did not show how he prejudiced in the departmental enquiry. In my humble opinion, workman did not prejudice in departmental enquiry and he had full opportunity to defend himself. So, argument of workman, in my opinion, is not sustainable.

19. On behalf of the workman, it was also argued that, the Disciplinary Authority and Appellate Authority were not competent, so, punishment was passed shockingly and against the principle of law. On the contrary, management denied this fact by arguing that, finding of the Enquiry Officer cannot be examined as per the judgment of the Hon’ble Supreme Court – U.P. S.R.T.C Vs Vinod Kumar (2008) 1 SCC 115. He also argued that, the workman has miserably failed to show that, he had sustained injury and hence was not able to perform his duty and thus committing serious misconduct of remaining absent unauthorizedly. The Hon’ble Supreme Court in the above case held that:-

“Where the workmen removed from service had challenged only the conclusions reached by the enquiry officer and the quantum of punishment but not the legality or fairness of the enquiry proceedings, held, Labour Court could not examine the findings of the enquiry officer and hold that the charge was not proved”.

On going the facts of this, enquiry report and punishment order, which show that, Colliery Manager passed the punishment order against the workman after taking approval from General Manager (N). So, in my opinion, the workman did not prejudice in this way and argument of workman in this circumstances not sustainable in my opinion.

20. On behalf of the workman, on relying case laws – Roopchand vs Delhi Transport Corporation, 2015 III CLR 848, State of West Bengal Vs Asutosh Roy, 2016 I CLR 743 and D. Aasaithambi Vs Managing Director, Tamil Nadu State Transport Corporation, 2017 III CLR 744, argued that, punishment of dismissal for absenteeism was too harsh, Enquiry Officer did not apply the mind in passing the order and he also argued that, appeal order was not speaking. He also argued that, the family of the workman is feeling starvation from last more than 10 years, so, he prayed that, on this ground, workman is entitled for reinstatement with full back wages.

21. On behalf of the management, it was also argued that, in this case, there are so may laches and delay on behalf of the workman, so he is not entitled for any relief by this Tribunal. He also produced Hon’ble High Court’s order dated 27.07.2016 of the Nagpur Bench in W.P. No. 621/2015, Western Coalfields Ltd. Vs Shri Kishore, in which, Hon’ble High Court permitted the management to raise all these issues before the Tribunal.

On going the facts of this case, my humble opinion is that, proper opportunity was given to the workman in departmental enquiry and to defend his case. He was absent for 124 days in the year of 2003, 107 days in 2004 and thereafter he was continuously absent. This reference was issued by the Central Govt. on 11.09.2013. It shows to much late. So, in my opinion, the workman is not entitled for reinstatement.

22. It is also laid down in above case law that, Disciplinary Authority and Appellant Authority being the fact finding authority, this Tribunal is not Appellate Authority. It is also held that, Tribunal will only play secondary role, while the primary judgment as to reasonableness will remain with the executive of administrative authority.

In case law--- Delhi Transport Corp. vs. Ombir Singh 2017 LLR 252, Hon’ble Lordship held that “Where principles of natural justice are not being complied with, then in such cases, compensation ought to be granted even if termination of service is found to be valid”. On the basis of principle laid down in Engineering Laghu Udhog Employees Union vs Judge, Labour Court and Industrial Tribunal & others – (2003) 12 SCC 1 in which it was held that:- “no difference whether the matter comes before the tribunal for approval under S.33 or on a reference under S.10 of the Industrial Dispute Act, 1947. In either case if the enquiry is defective or if no enquiry has been held as required by Standing Orders, the entire case would be open before the tribunal and the employer would have to justify on facts as well that its order of dismissal or discharge was proper.” “A defective enquiry in our opinion stands on the same footing as no enquiry and in either case the tribunal would have jurisdiction to go into the facts and the employer would have to satisfy the tribunal that on facts the order of dismissal or discharge was proper.”

It will be open to the Tribunal to pay compensation even in a case where ultimate charges are proved, despite holding that the order of termination is valid for the reason that principles of natural justice have not complied with.

23. Judging the present case in hand with the touch stone of the principles as mentioned above, it is found that law is well settled that where principles of natural justice or defect in departmental enquiry were not complied with, then in such cases compensation ought to be granted because termination of the services in my opinion is valid. In view of the discussion made above and the materials on record, it is found that there is no scope to interfere with the order of the punishment of dismissal from services passed against the workman. Hence, it is ordered:-

ORDER

The action of the management of the Western Coalfields Ltd., Nagpur area in imposing the punishment of dismissal on Shri Kishore Jairam Chakole, Electrical Fitter Helper, is fair, just and legal, but due to lack of procedure in departmental enquiry, the workman is entitled for lumpsum compensation of Rs. 50,000/- (Rupees fifty thousand only) from party no.1 in lieu of reinstatement, which is payable within one month from the publication of this award in official gazette, failing which, the amount due to the workman will carry interest of 6% per annum from the date of due to the workman to the date of actual payment of the amount to the workman. The workman is not entitled for any other relief.

S. S. GARG, Presiding Officer

नई दिल्ली, 26 अप्रैल, 2018

का.आ. 717.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स वेस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 109/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.04.2018 को प्राप्त हुआ था।

[सं. एल-22012/196/2000-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 26th April, 2018

S.O. 717.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 109/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. Western Coalfield Ltd., and their workmen, received by the Central Government on 11.04.2018.

[No. L-22012/196/2000-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE SHRI S. S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/109/2002

Date: 27.03.2018

Party No.1 : The Sub Area Manager
Hindustan Lalpeth Open Cast Sub Area of WCL,
Post- Lalpeth, Chandrapur (MS).
V/s.
Party No.2 : The General Secretary,
Koyla Shramik Sabha (HMS),
C/o. C.J. Khandre, Near Mahakali Mandir, Chandrapur (MS)

ORDER

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute for adjudication between the management of Western Coalfields Limited and the General Secretary, Koyla Shramik Sabha (HMS) vide letter **No.L-22012/196/2000-IR(CM-II) dated 19.10.2010**, on the following schedule:-

“Whether the action of the management of Hindustan Lalpeth Open Cast of WCL, Post Lalpeth, Distt. Chandrapur innot protecting wages of Shri Ramayan Sukhalu and Shri Gouri Shankar Bhaddu, Dumper operators, Hindustan Lalpeth Open Cast of WCL is Legal, proper and justified? If not, to what relief the workmen are entitled to?”

2. On receipt of this reference statement of claim and rejoinder filed by the petitioner and written statement filed by the party no.1.

On behalf of the petitioner evidence is produced. The statement of Mr. Gauri Shankar, Chandrakant Khandre was recorded on behalf of the petitioner. But on behalf of the party no.1 evidence on affidavit of Mr. K. Raja Prabhakaran was filed. On behalf of petitioner LRs of Gaurishankar and Ramayan Sukalu filed two applications for withdrawal of this reference. Mr Gaurishankar Bhaddu was dead and his LRs are recorded in statement of claim. On this application heard both the parties. On behalf of management no objection was filed. Petitioner Mr. Ramayan Sukalu and LRs of Mr. Gaurishankar Bhaddu was identified by Mr. Rakesh Shinde, Tripman of Chandrapur Area. Now application is accepted and permission of withdrawal is allowed.

Hence, it is ordered:-

ORDER

The application for withdrawal of the case is allowed. The case is treated as withdrawn. The application filed by the Party No. 2 for withdrawal of the case is made part of the order. The reference is answered in the negative and against the petitioner. The petitioner is not entitled to any relief.

S. S. GARG, Presiding Officer