



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT
DEPARTMENT

Notification

Jammu, the 13th of December, 2017.

SRO-503.—Whereas, the applicant, President/General Secretary, Metal Workers Union, Municipal Flat No. 2, Parade, Jammu C/o B. M. S. Office, Parade, Jammu raised a dispute against management of M/s R. K. Metal Industries, Kartholi, Baribrahmana, District Samba under Industrial Dispute Act, 1947 on 20-10-2016 alleging therein laying off of the workers ; and

Whereas, efforts were made by the Conciliation Officer (Assistant Labour Commissioner), Samba, to settle the dispute, but owing to the willful absence of respondents from conciliation proceedings, the issue in dispute between the parties could not be settled amicably ; and

Whereas, the Conciliation Officer (Assistant Labour Commissioner), Samba submitted his report regarding failure of conciliation proceeding and as such recommending the case for its reference to the Industrial Tribunal/Labour Court for adjudication ; and

Whereas, the Government is of the opinion that an Industrial dispute exists between the parties i. e. M/s R. K Metal Industries, Kartholi, Baribrahmana, District Samba and President/General Secretary, Metal Workers Union, Municipal Flat No. 2, Parade, Jammu C/o B. M. S Office, Parade, Jammu ; and

Whereas, the Government considers it desirable to refer the said dispute to the Industrial Tribunal/Labour Court for adjudication.

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Government hereby refers the said dispute to the Industrial Tribunal/Labour Court for adjudication on the following issues :—

1. Whether the laying of workers by M/s R. K Metal Industries, Kartholi, Baribrahmana, District Samba was legally justified and after following due process of Law or not ;
2. If the above issue is decided in negative, to what relief the workers are entitled to ?

By order of the Government of Jammu and Kashmir.

(Sd.) KIFAYAT HUSSAIN RIZVI, IAS,
Commissioner/Secretary to the Government.