EXTRAORDINARY

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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.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÓÓLABOUR AND EMPLOYMENT DEPARTMENT

Notification

Jammu, the 26th February, 2018.

SRO-107.66Whereas, the applicant Pardeep Kumar Saha R/o H. No. 30, Lane No. 12, Sec. 6, Nanak Nagar, Jammu filed an application before the Conciliation Officer (Assistant Labour Commissioner, Jammu) stating therein that he was appointed on October, 1999 as Ordinary General Duty Clerk in M/s. NITCO Logistics Ltd.; and



Whereas, the application also revealed that vide order dated 24-05-2014 he was transferred to Branch Office, Narwal as overall Incharge of Jammu Region and during his tenure of 1½ years at Narwal, he raised voice against misneeds of staff and brought the same to the notice of top officials; and

Whereas, it was alleged that the said company transferred the applicant from Narwal, J&K to Tiruppu, Tamil Nadu without any available vacancy, on a mere allowance of Rs. 1000/- with an intension to harass him to quit the job. He joined his services at Tiruppur. Now, the company has stopped his salary by making him absent despite his leave applications; and

Whereas, efforts were made by the Conciliation Officer (Assistant Labour Commissioner), Jammu to settle the dispute between parties but in view of their contrasting and conflicting stances, the same could not be settled; and

Whereas, the Conciliation Officer (Assistant Labour Commissioner), Jammu has submitted his report regarding failure of proceedings with the request that the case be referred to the Industrial Tribunal/Labour Court for adjudication; and

Whereas, the Government is of the opinion that an industrial dispute exists between Pardeep Kumar Saha H. No. 30, Lane No. 12, Sec. 6, Nanak Nagar, Jammu and the M/s. NITCO Logistics Ltd., NITCO House, Talab Tillo, Jammu through its Manager; 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 connferred 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 :ô

1. Whether the transfer of the applicant õPardeep Kumar Sahaö has been done legally or not;



2. If not, then to what relief the applicant is entitled to ?

By order of the Government of Jammu and Kashmir.

(Sd.) KIFAYAT HUSSAIN RIZVI, IAS,

Commissioner/Secretary to the Government.