

EXTRAORDINARY

REGD. NO. JK—33



**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.

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**PART I-B**

**Jammu and Kashmir Government—Notifications.**

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

Notification

Jammu, the 22nd March, 2018.

SRO-137.—Whereas, the applicants (Drivers and Conductors Union of Delhi Public School, Delina, Baramulla through their President) filed an application, on 20-04-2017, before the Conciliation Officer (Assistant Labour Commissioner), Baramulla stating therein that they were appointed as drivers and conductors on different dates since 2009 in the Delhi Public School

(DPS), Delina, Baramulla, and have all along been discharging their duties to the entire satisfaction of the school ; and

Whereas, their services were terminated by the School without serving them with proper notices and conducting inquiry ; and

Whereas, the applicant (Drivers and Conductors Union of Delhi Public School, Delina, Baramulla through their President) raised a dispute before the Conciliation Officer (Assistant Labour Commissioner), Baramulla, against the Management of Delhi Public School (DPS), Delina, Baramulla under Industrial Disputes Act, 1947 on 20-04-2017 with a prayer for holding conciliation proceedings in the matter so that they can be taken back by the School Management ; and

Whereas, efforts were made by the Conciliation Officer (Assistant Labour Commissioner), Baramulla for amicable settlement, but in view of the contrasting and conflicting stances of the parties, the dispute couldn't be resolved ; and

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

Whereas, the Government after examining the case, is of the opinion that an industrial dispute exists between Drivers and Conductors Union of Delhi Public School, Delina, Baramulla through their President and the Management of the Delhi Public School (DPS), Delina, Baramulla ; 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 termination of service of workers is illegal in terms of the relevant provisions of the Industrial Disputes Act, 1948 ?
2. If yes, then 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.