

Government of Jammu and Kashmir
Labour and Employment Department
Civil Secretariat, Jammu

Notification

Jammu, the 1st of February, 2022

S.O. 44 .- Whereas, the applicant Insha Sultan D/o Mohammad Sultan Wani R/o Sonwar, Srinagar (Claimant) has filed an application under Industrial Disputes Act, 1947 before the conciliation officer on 19.02.2021 against the management (1) General Manager/CEO, The Himalayan Drug Company, Himalayan Wellness, Makali Bangalore KA 563169, Karnataka (2) Vipin Kumar Raheja, Customer Marketing, SO North-2, The Himalaya Drug Company, 319, 3rd Floor, KM Trade Tower Plot No. h-3, SECTOR-14, Kaushambi, Ghaziabad, UP (3) Authorized Signatory, Adecco India Pvt. Ltd., ST Square, c-167, 1st Floor Phase 8B, Mohalai, Punjab stating therein that she had been working and remained under their employment from 2015 on monthly wages; and

Whereas, on 15-12-2020, the management, terminated the applicant from services without giving any notice; and

Whereas, the Conciliation Officer has submitted his failure report 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 Applicant and Respondents; and

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

Now, therefore, in exercise of the powers conferred under 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, Srinagar for adjudication on the following issues:-

- i. Whether the termination of the applicant by the non-applicants was legal or otherwise under the provisions of Industrial Disputes Act, 1947?**
- ii. Whether any enquiry was conducted by the non-applicant before the termination of the applicant from the services?**



iii. Whether the applicant is entitled to any relief under the provisions of the Act?

By Order of the Government of Jammu and Kashmir.

Sd/
(Sarita Chauhan) IAS,
Commissioner/Secretary to Government
Labour & Employment Department.

No: L&E/Legal/60/2021

Dated: 01.02.2022

Copy to the

1. Secretary to Government of India, Ministry of Labour and Employment, Shram Shakti Bhawan, New delhi-110001
2. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
3. Joint Secretary (J&K and Ladakh), Ministry of Home Affairs, Government of India.
4. Secretary to Government, Department of Law, Justice and Parliamentary Affairs.
5. Labour Commissioner, J&K, Srinagar/Jammu with the request for providing Physical file/leaves in original along with this S.O to presiding Officer, Industrial Tribunal/Labour Court, J&K Jammu for further action at their end.
6. Director Information, J&K, Srinagar with the request to publish the S.O. in the leading local newspapers of Srinagar/Jammu
7. OSD to Advisor (F) to the Hon'ble Lieutenant Governor, J&K.
8. General Manager, Government Press, Srinagar/Jammu for its publication in the next issue of Government Gazette.
9. Presiding Officer, Industrial Tribunal/Labour Court, J&K Srinagar along with full case details/leaves in original.
10. Assistant Registrar, J&K, High Court, Srinagar.
11. Deputy Labour Commissioner, Srinagar.
12. Private Secretary to Commissioner/Secretary to Government, Labour and Employment Department.
13. I/C Website (L&E).
14. SRO file/stock file (w.2.s.c.)


(Nisar Ahmad Shad) JKAS
Deputy Secretary to Government
Labour & Employment Department
01-02-2022