

असाधारण
EXTRAORDINARY

Daman 1st January, 2016, 11 Pausha 1937 (Saka)

सं. : 01
No.

सरकारी राजपत्र
OFFICIAL GAZETTE



सत्यमेव जयते
भारत सरकार
Government of India

संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित
PUBLISHED BY AUTHORITY

No. LE/LI/DMN/MISC/2015/360
Administration of U. T. of Daman & Diu,
Department of Labour & Employment,
Daman.

Dated : 01/01/2016

The following Awards in I.D.R. No. 02/2013, I.D.R. No. 02/2014 and I.D.R. No. 04/2011 received from the Hon'ble Labour Judge are hereby published in the Official Gazette of this U.T. Administration of Daman & Diu for general information.

Sd/
(J. B. Chauhan)
Labour Inspector,
Daman.

**IN THE COURT OF THE LABOUR JUDGE, DAMAN
(Before S. P. Pol, Labour Judge, Daman.)**

Industrial Dispute Reference No. 02 of 2013.

EXHIBIT – 36.

1) **M/s Della Tecnica Office Systems Pvt. Ltd.**
Plot No. 23, Kachigam Road,
Somnath, Nani Daman

}Respondant/
First Party

V/s.

1) **Shri Radheshyam Gupta**
Gulabbhai Ki Chawl, 5 A, Ghelvad Falia,
Somnath, Dabhel, Nani Daman

}Claimant/
Second Party

Advocate Shri K. M. Joshi, for the Respondent/First Party.

Advocate Shri S. S. Modasia, for the Claimant/Second Party

AWARD

1] This is the reference made vide letter No. LE/LI/DMN/FACT-4(7)/2012/1247 made by the Joint Secretary (Labour & Emp.), Daman under Sec. 12 (5) read with Section 10 (1) (c) of the Industrial Disputes Act in respect of an Industrial dispute between M/s Della Tecnica Office Systems Pvt. Ltd., Daman and its workman Shri Radheshyam Gupta in respect of matter (3) Discharge of dismissal of workmen including re-instatement of, or grant of relief to, workmen wrongfully dismissed.

2] The second party filed the statement of claim at Exh. 7. The first party filed the reply of claim at Exh. 11.

3] Ld. Advocate Shri S. S. Modasia for the Second Party, and Ld. Advocate Shri K. M. Joshi for the First Party appeared in this reference.

4] After evidence of both parties, and as per Judgement and order following is the award.

Contd./---

EXTRAORDINARY No. : 01
DATED : 1 ST JANUARY, 2016.

AWARD in
I.D.R. No. 02 of 2013
Exhibit - 37.

AWARD

The reference made by the appropriate Government is answered as under :-

- (i) The dismissal of the second party i.e. employee Shri Radheshyam Gupta by the first party i.e. M/s. Della Tecnica Office Systems Pvt. Ltd. is illegal.
- (ii) The dismissal of the workman i.e. second party by the first party is set aside.
- (iii) The first party i.e. M/s. Della Tecnica Office Systems Pvt. Ltd. is directed to reinstate the second party namely Radheshyam Gupta as a packing worker w.e.f. 25/04/2012 with full back wages.
- (iv) Copy of the award be sent to the appropriate government as per Section 17 of the Industrial Disputes Act, 1947 for publication.

Daman
Dated : 21/08/2015

Sd/-
(Suresh P. Pol)
Labour Judge,
Daman.

EXTRAORDINARY No. : 01
DATED : 1 ST JANUARY, 2016.

**IN THE COURT OF THE LABOUR JUDGE, DAMAN
(Before S. P. Pol, Labour Judge, Daman.)**

Industrial Dispute Reference No. 02 of 2014.

EXHIBIT – 27

1) **M/s Baader Schulze.**
Plot No. J-6, OI DC,
Mahatma Gandhi Udhyog Nagar,
Dabhel, Nani Daman

}
.....Respondent/
First Party

V/s.

1) **Shri Jayeshkumar Thakor bhai Halpati**
At. Post. Umersadi, Desaiwad,
Tal. Pardi, Dist. Valsad

}
.....Claimant/
Second Party

Advocate Shri K. P. Desai, for the Respondent/First Party.

Advocate Shri T. D. Patel, for the Claimant/Second Party

AWARD

1] This is the reference made vide letter No. LE/LI/DMN/FACT-4(7)/2013/1115 made by the Deputy Secretary (Labour & Emp.), Daman under Sec. 12 (5) read with Section 10 (1) (c) of the Industrial Disputes Act in respect of an Industrial dispute between M/s Baader Schulze, Daman and its workman Shri Jayheshkumar Thakor bhai Halpati in respect of matter (3) Discharge of dismissal of workmen including re-instatement of, or grant of relief to, workmen wrongfully dismissed.

2] The second party filed the statement of claim at Exh. 7. The respondent company has not filed any written reply to the statement of claim

3] Ld. Advocate Shri T. D. Patel for the Second Party, and Ld. Advocate Shri K. P. Desai for the First Party appeared in this reference.

4] After evidence of second party, and as per Judgement and order following is the award.

Contd./---

EXTRAORDINARY No. : 01
DATED : 1 ST JANUARY, 2016.

AWARD in
I.D.R. No. 02 of 2014
Exhibit - 27.

AWARD

The reference made by the appropriate Government is answered as under :-

- (i) The dismissal of the second party i.e. employee Shri Jayeshkumar Thakorbbhai Halpati by the first party i.e. M/s. Baader Schulze is illegal.
- (ii) The dismissal of the workman i.e. second party by the first party is set aside.
- (iii) The first party i.e. M/s. Baader Schulze is directed to reinstate the second party namely Jayeshkumar Thakorbbhai Halpati as a Supervisor Packaging w.e.f. 01/06/2012 with full back wages.
- (iv) Copy of the award be sent to the appropriate government as per Section 17 of the Industrial Disputes Act, 1947 for publication.

Daman
Dated : 10/08/2015

Sd/-
(Suresh P. Pol)
Labour Judge,
Daman.

**IN THE COURT OF THE LABOUR JUDGE, DAMAN
(Before S. P. Pol, Labour Judge, Daman.)**

Industrial Dispute Reference No. 04 of 2011.

EXHIBIT – 52.

1) **M/s Clearex Films.**
Survey No. 376/2 (3)
Zari Causeway Road,
Kachigam, Nani Daman

}Respondant/
First Party

V/s.

1) **Shri Ram Yadav**
210 Kishnakunj Complex,
Vapi, Silvassa Road,
Imran Nagar, Vapi
Dist. Valsad, Gujarat, 396 191

}Claimant/
Second Party

Advocate Shri M. S. Chudasama, for the Respondent/First Party.

Advocate Shri S. S. Modasia, for the Claimant/Second Party

AWARD

1] This is the reference made vide letter No. LE/LI/DMN/FACT-4(7)/2011/333 made by the Joint Secretary (Labour & Emp.), Daman under Sec. 12 (5) read with Section 10 (1) (c) of the Industrial Disputes Act in respect of an Industrial dispute between M/s Clearex Films, Daman and its workman Shri Ram Yadav in respect of matter (3) Discharge of dismissal of workmen including re-instatement of, or grant of relief to, workmen wrongfully dismissed.

2] The second party filed the statement of claim at Exh. 14. The first party filed the reply of claim at Exh. 17/A.

3] Ld. Advocate Shri S. S. Modasia for the Second Party, and Ld. Advocate Shri M. S. Chudasama for the First Party appeared in this reference.

4] After evidence of both parties, and as per Judgement and order following is the award.

Contd./---

EXTRAORDINARY No. : 01
DATED : 1 ST JANUARY, 2016.

AWARD in
I.D.R. No. 04 of 2011
Exhibit – 52.

A W A R D

The reference made by the appropriate Government is answered as under :-

- (i) The termination from the service of the Applicant i.e. employee Shri Ram Yadav by the Opponent i.e. M/s. Clearex Films is Wrongful.
- (ii) The Opponent i.e. M/s. Clearex Films is directed to reinstate the Applicant namely Shri Ram Yadav as Helper w.e.f. 16/03/2006 with full back wages.
- (iii) Copy of the award be sent to the appropriate government as per Section 17 of the Industrial Disputes Act, 1947 for publication.

Daman
Dated : 31/08/2015

Sd/-
(Suresh P. Pol)
Labour Judge,
Daman.