

श्रेणी : II
SERIES : II

Daman 26th July, 2019 04 Sravana, 1941 (Saka)

सं. : 26
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/Fact-4(7)/2019/290
Administration of Daman & Diu,
Department of Labour & Employment,
Daman.

Dated :- 22/07/2019

The following Award issued by the Hon'ble Labour Judge, Daman in IDR No. 04 of 2013 is hereby published in the Official Gazette of this U.T. Administration of Daman & Diu for general information.

Sd/-
(Charmie Parekh)
Deputy Secretary (Labour),
Daman

IN THE COURT OF THE LABOUR JUDGE, DAMAN.
(Before Smt. S.S.Nagur, Labour Judge, Daman.)

Industrial Dispute Reference No.04 of 2013.

EXHIBIT - 53.

M/s. Anchor Pharma Pvt.Ltd
Plot No. B-6, O.I.D.C.,
Ringanwada, Nani Daman.

}Respondant/
First Party

V/s.

Shri.Navinbhai Shankarbhai Patel
At: Post Umarsadi, Desaiwad,
Tal:Pardi, Dist: Valsad.

}Claimant/
Second Party

Authorized Representative Shri. P.K.Jadia, 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)/2013/272 made by the Joint Secretary (Labour & Emp.), Daman under Section 12(5) read with Section 10 (1) (c) of the Industrial Disputes Act in respect of an industrial dispute between M/s Anchor Pharma Pvt.Ltd. Daman and its workman Shri Navinbhai Shankarbhai Patel 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 filed written reply to the statement of claim vide Exh.10.

3] Ld. Advocates Shri S.S.Modasia for the Second Party, and Authorised Representative Shri. P.K.Jadia for the First Party appeared in this reference.

4] After evidence of Second Party and First Party, and as per Judgment and order following is the award.

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AWARD in
I.D.R. No.04 of 2013
Exhibit-53.


A W A R D

- (i) Reference is allowed.
- (ii) The First Party Company is hereby directed to pay Compensation of Rs. 1,00,000/-(rs.One Lakh Only) and retrenchment compensation of Rs. 14,686/- (Rs. Fourteen Thousand Six Hundred & Eighty Six Only) along with interest @ 9% p.a. from the date of reference i.e. 06.06.2013 in the Court till its realization.
- (iii) The award be forwarded to the appropriate Government for publication as per Section 17 of Industrial Dispute Act, 1947.

Daman
Dated : 06/07/2017.

S.S.
6/7/17
(Smt. S.S.Nagur)
Labour Judge,
Daman.

VERIFIED FROM ORIGINAL


SUPERINTENDENT
Civil Court, Daman.

SERIES II No. : 26

DATED : 26TH JULY, 2019.

No.LE/LI/DMN/Closure-ID-I/2019/288
Administration of Daman & Diu,
Department of Labour & Employment,
Daman.
Dated :- 22 /07/2019.

O R D E R

WHEREAS, a notice dated 14.11.2018 was filed by M/s. Prime Health Care Products, S. No. 168, Plot No. 198 to 207, Dabhel Indl. Co. Op. Society Ltd., Dabhel, Nani Daman for permission of closure of the unit under Section 25-O of the Industrial Disputes Act, 1947,

AND WHEREAS, during the hearing held on 14.02.2019, both the parties were agreed with the full and final settlement,

AND WHEREAS, the notice dated 14-11-2018 was disposed off with the following directions:-

1. Permission to close down the establishment of Prime Health Care Products at S. No. 168, Plot No. 198 to 207, Dabhel Indl. Co. Op. Society Ltd., Dabhel, Nani Daman w.e.f. 15.02.19 is granted.
2. Employer will pay all legal dues including unpaid wages, bonus, leave value, gratuity as per Payment of Gratuity Act, 1972, compensation at the rate of 15 days gross wages for each completed year of service under sec 25 O (8) of the Industrial Disputes Act, 1947 and any other legal dues mentioned therein.
3. An additional amount equivalent to concerned workman's six months' monthly gross wages to those who have completed service of 10 years or more in the unit and concerned workman's monthly five months' gross wages to all other workmen will be paid by employer as exgratia payment.
4. All payments will be made by employer within one week's time from the date of passing this order.
5. Compliance of these directions be reported within fifteen days by both parties.

AND WHEREAS, Shri Vinod Yadav and Shri Sunil Kumar Singh, the workmen of the above said unit, have submitted applications stating that the above said order is not acceptable to them on certain grounds as reproduced below:-

1. Proper adequate compensation has not been ordered as per Act.
2. Previous salary from November 2018 has not been paid
3. Bonus from April 2017 has not been paid

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4. No documents / proof of the financial position have been asked from the company and the statement of the partners has been taken as true. No statement of the properties and assets of the company has been taken, which may be attached, if dues are not paid.
5. No condition for re-employment has been imposed on the company, in case of starting the unit or any other unit by any other name.
6. The ownership of the company has not been ascertained; it may have other branches or have established some other unit elsewhere and labour may be adjusted there.

AND WHEREAS, the U.T. Administration of Daman & Diu considers it expedient to refer the said dispute for adjudication.

NOW THEREFORE, in exercise of the powers conferred by Sub-Section (5) of the Section 25-O of the Industrial Disputes Act, 1947, I, Rakesh Minhas, Labour Commissioner-cum-Secretary (Labour) Daman & Diu, hereby refer the said dispute to the Industrial Tribunal for adjudication.

SCHEDULE

1. Whether Demand of Employees are justified? If Yes, what relief the workmen are entitled to?

Rakesh
18/7/19

(Rakesh Minhas)
Labour Commissioner-cum-Secretary (Labour)
Daman & Diu

OFFICE OF THE COLLECTOR,
U.T. ADMINISTRATION OF DAMAN & DIU, DAMAN
AWARD UNDER SECTION 23 OF THE RIGHT TO FAIR
Compensation and Transparency in Land Acquisition
Rehabilitation and Resettlement Act, 2013.

No. 3/13/2017/LQN/CG/2017/1989.

Dated:- 23/07/2019

READ : Award No. 3/13/2017/LQN/CG/2017/7740

Dated:- 06/09/2018

CORRIGENDUM

CASE No. : No.3/13/2017/LQN/CG/2017/
NAME OF THE VILLAGE : KATHIRIA, NANI DAMAN,
NATURE OF THE ACQUISITION : PERMANENT
TALUKA : DAMAN
DISTRICT : DAMAN
PURPOSE OF ACQUISITION : LAND ACQUISITION FOR ESTABLISHING
COMMERCIAL AIRPORT TERMINAL AT
DAMAN.

In Partial modification to the Award quoted in preamble above, the Paras of the Award may be read as under:

PARA No. 20

COMPENSATION OF LAND:

The compensation of land is to be paid to land interested persons. The total amount awarded worked out to be Rs. 10,27,87,330.00 (Rupees Ten Crore twenty seven lakhs eighty seven thousand three hundred thirty only)

INSTEAD OF

The compensation of land is to be paid to land interested persons. The total amount awarded worked out to be Rs. 10,29,56,855.00 (Rupees Ten Crore twenty nine lakhs fifty six thousand eight hundred fifty five only).

SUMMARY OF THE AWARD

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 52339.00 Sq. Mtrs.	Rs. 4,58,54,197.00
B	100% Solatium on market Value.	Rs. 4,58,54,197.00
C	Additional Amount @ 12% interest for 05 months on land value	Rs. 68,78,136.00
D	Value of Trees including 100% Solatium.	Rs. 42,00,800.00
E	Total value of Award (A+B+C+D)	Rs. 10,27,87,330.00

INSTEAD OF
SUMMARY OF THE AWARD

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 52429.00 Sq. Mtrs.	Rs. 4,59,33,046.00.00
B	100% Solatium on market Value.	Rs. 4,59,33,046.00.00
C	Additional Amount @ 12% interest for 1 year & 3 months.	Rs 68,89,963.00
D	Value of Trees including 100% Solatium.	Rs. 42,00,800.00.00
E	Total value of Award (A+B+C+D)	Rs. 10,29,56,855.00

PARA No. 21

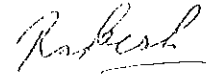
The details of compensation of the land acquisition as per the Annexure - I & III

INSTEAD OF

The details of compensation of the land acquisition as per the Annexure - I, II & III are enclosed herewith.

Place : DAMAN.

Dated:- 23 / 07 / 2019.



Land Acquisition Collector, Daman.

Annexure - I

Details of Compensation of lands for Construction of High level Bridge across River Damanganga connecting Zari and Kachigam Villages in Daman

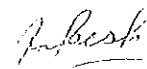
Sr. No.	Survey No.	Area of land acquired in (Sq. Mtrs.)	Name of persons believed to be having interest	Class of land	Market value @ 100 Sq. mtrs. for village Kathiria, Nani Daman Rs. 87,610/- (Agriculture land)	Multiplication Factor 1	Solatium 100% on Multiplication value of land	Additional Amount @12% Interest for 1 year & 3 months	Total compensation on land
1	2	3	4	5	6	7	8	9	
44	150/1	1910	Budhia Mangal	Kyari	1673351.00	1673351.00	1673351.00	251003.00	3626505.00

INSTEAD OF

Annexure - I

Details of Compensation of lands for Construction of High level Bridge across River Damanganga connecting Zari and Kachigam Villages in Daman

Sr. No.	Survey No.	Area of land acquired in (Sq. Mtrs.)	Name of persons believed to be having interest	Class of land	Market value @ 100 Sq. mtrs. for village Kathiria, Nani Daman Rs. 87,610/- (Agriculture land)	Multiplication Factor 1	Solatium 100% on Multiplication value of land	Additional Amount @12% Interest for 1 year & 3 months	Total compensation on land
1	2	3	4	5	6	7	8	9	10
44	150/1	2000	Budhia Mangal	Kyari	1752200.00	1752200.00	1752200.00	262830.00	3767230.00



(Dr. Rakesh Minhas)
Collector, Daman.

Place: Daman.

ANNEXURE - III

Details of compensation of Lands for establishing commercial Airport Terminal at Daman.

Sr. No.	Name of the persons believed to be having interest	Survey No.	Area in Sq. Mtrs.	Land Value	Assets Value	Amount @12% interest for 1 years & 3 months	Total
1	2	3	4	5	6	7	8
44	Budhia Mangal	150/1	1910.00	3375502.00	28800.00	251003.00	3626505.00

INSTEAD OF

ANNEXURE - III

Details of compensation of Lands for establishing commercial Airport Terminal at Daman.

Sr. No.	Name of the persons believed to be having interest	Survey No.	Area in Sq. Mtrs.	Land Value	Assets Value	Amount @12% interest for 1 years & 3 months	Total
1	2	3	4	5	6	7	8
44	Budhia Mangal	150/1	2000.00	3504400.00	28800.00	262830.00	3796030.00

(Dr. Rakesh Minhas)
Collectorate, Daman.

Palce : - Daman

Dated:- 23/07/2019

U.T. ADMINISTRATION OF DAMAN & DIU
REVENUE DEPARTMENT,
COLLECTORATE, DAMAN.

No. 3/64/2019/LND-ACQ/2018-19/ 1089

Dated 25/07/2019

Notification of the Social Impact Assessment
[Section 4 & Sub section 3]

Whereas, the Government intends to acquire the following land with the concerned Panchayat/Municipality/Municipal Corporation at Moti Daman, for Upgradation of Health and Wellness centre at Zari, Moti Daman in the affected area and carry out a Social Impact Assessment Study for public purpose. The study shall be undertaken as per the provision of section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

1	Project Developer	:	Medical & Health Services, Primary Health Center, Daman
2	Brief Description about purpose of proposed acquisition of land.	:	Land acquisition for Upgradation of Health and Wellness centre at Zari, Moti Daman
3	Land to be acquired	:	Survey No. 43/2, admeasuring 250 Sq. mtrs. out of 1700 sq. mtrs. of Village Zari, Moti Daman.
4	Project Area to be covered under S.I.A.	:	Admeasuring 250 sq. mtrs. as it is required for Upgradation of Health and Wellness centre at Zari, Moti Daman.
5	Affected Area to be covered under S.I.A.	:	No

Social Impact Assessment Activities:

1	Consultations	:	With stake holders of the proposed area including Panchayat.
2	Survey (organization undertake the study)	:	Mamlatdar, Daman & Enquiry Officer, City Survey, Daman will complete survey of the proposed area under acquisition within 15 days from the date of publication of this Notification.
3	Public hearing/s	:	S.I.A. Unit will decide the time and place for public hearing before submitting S.I.A. report.
4	Time line	:	S.I.A. report and S.I. Management Plan should be completed within one month from the date of issuance of this Notification and to be published on the notice board of Collectorate, Daman and concerned Gram Panchayat.

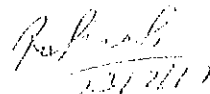
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DATED : 26TH JULY, 2019.

If any attempt of coercion or threat is noticed/brought to notice, the same will render this exercise null and void.

The contact information of the Social Impact Assessment Unit :

Office of the S.I.A. Unit,
C/o. Collector, Daman,
Collectorate, Dholar,
Moti Daman - 369 220.
Phone No.2230698.



(Dr. Rakesh Minhas)
Collector, Daman