

सहायक श्रम आयुक्त,
सर्कल-1, गुडगांव।

श्रम आयुक्त हरियाणा,
वण्डीगढ।

क्रमांक:- 58

दिनांक:- 12/01/015

मांग पत्र दिनांक 16.9.14 जो कि श्रमिक श्री/श्रीमती श्री/श्रीमती कुशवा
V/s M/s श्री/श्रीमती कुशवा पिन नं 239 फेस 2 उद्योग विभाग गुडगांव
पर दिया आई.डी. एक्ट 1947 की धारा 12/4/ के अन्तर्गत असफलता रिपोर्ट।

सहायक

उपरोक्त मांग पत्र पर औद्योगिक विवाद अधिनियम 1947 की धारा 12/4/ के अन्तर्गत
पैरेट 1 व 2 मांग पत्र को तीन प्रतियां अधिकार पत्र ओबजेक्टिव रिव्यू सहित इस पत्र के साथ संलग्न करके
जारी जा रही है।

उपरोक्त

भवदीय

सहायक श्रम आयुक्त,
सर्कल-1, गुडगांव।

पृष्ठांकन क्रमांक:- 59-60 दिनांक:- 12/01/015

इस एक प्रति प्रथम भाग सहित निम्नलिखित को सूचनार्थ हेतु भेजी जा रही है।

श्री/श्रीमती कुशवा . पिन नं 239 फेस I उद्योग विभाग गुडगांव
श्री/श्रीमती कुशवा . पिन नं 239 फेस II उद्योग विभाग गुडगांव

सहायक श्रम आयुक्त,
सर्कल-1, गुडगांव।

दिनांक 16.09.2014 जो कि श्रमिक श्री Sanjeev Kumar ने बनाम M/s Richa & Co, Plot No. 1, Udyog Vihar, Phase- 1, Gurgaon पर दिया की असफलता रिपोर्ट।

श्रमिक का कथन:-

श्रमिक के मांग पत्र अनुसार वह संस्था में दिनांक 08.11.2011 को बतौर Tailor के पद पर रखा हुआ था। श्रमिक का मासिक वेतन 5,613/- रु0 था। प्रबन्धकों ने कभी भी श्रमिक को समय पर वेतन अडवर्टाईम नहीं दिया। प्रबन्धकों ने श्रमिक को दिनांक 19.08.2014 को बिना कोई कारण बताये गलत व गैर न्यायिक ढंग से बिना नोटिस पे व छटनी मुआवजा दिये नौकरी से निकाल दिया। प्रबन्धकों ने श्रमिक की सेवाएं प्रदान करते समय औद्योगिक विवाद अधिनियम, 1947 की धारा 25 एफ की परिपालना नहीं की। श्रमिक की मांग है कि उसे पिछले वेतन सहित सेवाएं लगातार मानते हुए नौकरी पर बहाल किया जाए।

प्रबन्धकों का कथन:-

प्रबन्धकों ने अपनी लिखित टिपण्णी में बताया कि उन्होंने श्रमिक को नौकरी से नहीं निकाला बल्कि श्रमिक स्वयं दिनांक 19.08.2014 से ड्यूटी पर हाजिर नहीं हुआ। प्रबन्धक श्रमिक को ड्यूटी पर नहीं आने चाहते। प्रबन्धकों द्वारा दी गई लिखित टिपण्णी साथ संलग्न है। प्रबन्धकों ने श्रमिक द्वारा दिया गया मांग पत्र गलत व झूठा बताते हुए रद्द करने की सिफारिश की है।

0/c सहायक श्रम आयुक्त
सर्कल-1, गुडगाव।

M/s. Richa & Co.
Plot No. 239, Phase-I,
Udyog Vihar, Gurgaon
Haryana

Subject: Demand Notice under section 2A of the Industrial Dispute Act 1947, against illegal and unjustified termination of the workman

1. It is most respectfully submitted that the workman Sanjeev Kumar, S/o- Bhim Singh, Resident of Village- Rafiyat Gunj, P.O.-Bilgram, Distt.- Hardoi, U.P., is employed with **M/s Richa & Co.** as tailor. The workman has been appointed on dated 08-11-2011. He has been appointed on monthly salary of INR 5,613/-. He was working in company_with full honesty and integrity.
2. That the Management of the company has terminated the workman on **19.08.2014** without citing any reason and prior information and against the norms of Industrial Dispute Act, 1947, which is unlawful, unjustified and illegal. The Management not served any notice before his termination. The deed of the Management was not only illegal but also against the Labour laws and natural justice.
3. That the workman was never intended to leave this job and never made any such mistake, which may be reason of his termination. He was performing his duties with utmost sincerity. He severally requested to management to not terminate him as he is the only bread winner in family and totally depends upon income of salary.
4. That he has been called by personnel department and they have asked him to take her full and final without citing any reasons. Management has told her that we do not have work for you and you are terminated.
5. That the above mentioned workman has already completed the tenure of 240 days in the said company hence she is eligible for all Labour rights under Industrial Dispute Act, 1947 and other Labour laws.
6. That the management did not pay salary and overtime wages on the time prescribed by law and with intention to criminal misappropriation of the worker's salary and its interest. Management repeatedly called him to

factory for his payment but did not pay him and harassed him mentally and physically.

7. That the management has harassed and threatened workman, when he asked for his earned wages.
8. That the workman is still unemployed since he has been terminated from the company by the management.

Therefore it is demanded that,

- The management reinstates the above mentioned workman with back wages and continuity in service immediately.
- The Management makes all the payments due till date to the abovementioned workman without delay.
- The Management fulfills the above demands without any delay otherwise we would go to Labour court for justice and the management would be liable to bear all expenses for the same.

Date: 16-9-14 .

Applicant

सजीव गुर्ग/2

Through,

Retu Singh



C-23, First Floor, Back Side,

Haus Khas, New Delhi