



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

Notification

Jammu, the 28th December, 2017

SRO-532 Whereas, the applicant Ms. Suruchi Wadhera filed an application on 01.04.2017 before the Conciliation Officer (Assistant Labour Commissioner, Jammu) stating therein that she had been working with Presentation Convent School, Gandhi Nagar, Jammu since 01.11.2013 and had, all along performed her duties honestly; and

Whereas, on 31.3.2017, the applicant approached the Principal to get a short leave sanctioned, the Principal instead of sanctioning leave handed over a termination letter to her without any prior intimation; and

Whereas, Ms. Suruchi Wadhera raised a dispute before the Conciliation Officer (Assistant Labour Commissioner), Jammu, against M/S Presentation Convent Sr. Sec. School, Gandhi Nagar, Jammu through its Principal under Industrial Dispute Act, 1947 on 01.04.2017 with a prayer that direction be issued to the Principal of the said school to take her back on duties with dignity; and

Whereas, efforts were made by the Conciliation Officer, (Assistant Labour Commissioner), Jammu to settle the dispute between parties but in view of their contrasting and conflicting stances, the same could not be settled; and

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

Whereas, the Government is of the opinion that an Industrial dispute exists between Ms. Suruchi Wadhera and the M/s Presentation

Convent Sr. Sec. School, Gandhi Nagar, Jammu through its Principal;
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 services of applicant "Suruchi Wadhwa" have
been terminated/dismissed legally or not;
2. If illegality of the action of the management is proved then
to what relief the applicant is entitled to?

By order of the Government of Jammu and Kashmir.

Sd/-

(Kifayat Hussain Rizvi), IAS

Commissioner Secretary to the Government,

No.L&E/Lab/87/2017

Dated:- 29 -12-2017

Copy to the:-

1. Advisor to Hon'ble Chief Minister, J&K.
2. Secretary, Department of Law, Justice and Parliamentary Affairs.
3. Labour Commissioner, J&K, Jammu.
4. Director Information, J&K, Jammu with the request to publish the notification/SRO
in leading english dailies one each from Jammu/Kashmir.
5. General Manager, Government Press, Jammu for its publication in the next issue
of the Government Gazette.
6. Presiding Officer, Industrial Tribunal/Labour Court, J&K Jammu alongwith full
case/leaves in original.
7. Assistant Registrar, J&K High Court, Jammu.
8. Deputy Labour Commissioner, Jammu.
9. Assistant Labour Commissioner (Conciliation Officer), Jammu.
10. Private Secretary to the Hon'ble Minister for Labour and Employment.
11. Private Secretary to Commissioner/Secretary to the Government, Labour and
Employment Department.
12. SRO file (w.2.s.c).
13. Stock file.

(Dr. Irfan Ali Khan)KAS

Under Secretary to the Government