

ಕಾರ್ಮಿಕ ನ್ಯಾಯಾಲಯ, ಮೈಸೂರು.

**Ref: 09/2022**

ಡಬ್ಲ್ಯೂ. ಡಬ್ಲ್ಯೂ- 1

ದಿನಾಂಕ 16.12.2023 ರಂದು ಸಾಕ್ಷಿಗೆ ಪ್ರಮಾಣ ವಚನ ಭೋದಿಸಲಾಯಿತು

ಮುಂದುವರೆದ ಮುಖ್ಯ ವಿಚಾರಣೆ: 1 ನೇ ಪಕ್ಷಗಾರರ ಪರ ಅವರ ಅಧಿಕೃತ ಪ್ರತಿನಿಧಿಯಾದ ಶ್ರೀ.ಎಲ್.ಎಂ.ಪಿ

ರವರಿಂದ:

1. Copy of the application by the 2<sup>nd</sup> party seeking permission for retrenchment of 121 workmen in he year 2018 along with the annexure.
2. Copy of the order, dated 10.04.2018 passed by the Principle Secretary rejecting the application filed by the 2<sup>nd</sup> party for retrenchment of 121 workmen.
3. Copy of the representation dated 03.07.2020 addressed tot he management of the 2<sup>nd</sup> party regarding the shifting of raw materials.
4. Copy of the representation dated 03.07.2020 addressed to the Assistant Labour Commissioner, Mysuru regarding the shifting of raw materials.
5. Copy of the reply by the management of the 2<sup>nd</sup> party regarding the shifting of raw materials.
6. Copy of the intimation along with the notice dated 07.07.2020 addressed to the Assistant Labour Commissioner, regarding the shifting of raw materials.

7. Copy of the representation by the 1<sup>st</sup> party dated 08.07.2020 addressed to the Labour Commissioner, regarding the lay off of 118 workmen.
8. Copy of the representation by the 1<sup>st</sup> party dated 13.07.2020 addressed to the Principal Secretary, department of Labour, regarding the lay off of 118 workmen.
9. Copy of the statement of objection by the 2<sup>nd</sup> party regarding the lay off of 118 workmen.
10. Copy of the representation by the 1<sup>st</sup> party dated 19.07.2020 addressed to the Deputy Labour Commissioner, regarding the lay off of 118 workmen.
11. Copy of the representation by the 1<sup>st</sup> party dated 19.07.2020 addressed to the State Labour Commissioner, regarding the lay off of 118 workmen.
12. Copy of the statement by the 2<sup>nd</sup> party addressed to the State Labour Commissioner, regarding the lay off of 118 workmen.
13. Copy of the statement by the Assistant Labour Commissioner, dated 30.07.2020, addressed to the State Labour Commissioner, Bengaluru, regarding the lay off of 118 workmen.
14. Copy of the representation, by the 1<sup>st</sup> party dated 10.08.2020 addressed to the Additional Chief Secretary, regarding the lay off of 118 workmen and seeking for prohibition of the Lay off.

15. Copy of representation by the 1<sup>st</sup> party dated 10.08.2020 addressed to the Assistant Labour Commissioner, regarding the illegality on the announcement of seniority list by the 2<sup>nd</sup> party.

16. Copy of the representation by the 1<sup>st</sup> party dated 21.09.2020 addressed to the 2<sup>nd</sup> party regarding the lay off of 118 workmen.

17. Copy of the representation by the 1<sup>st</sup> party dated 21.09.202, addressed to the Assistant Labour Commissioner, regarding the lay off of 118 workmen and requesting the matter to be closed without being referred reserving the rights.

18. Copy of the representation by the 1<sup>st</sup> party dated 25.09.2020 addressed to the Assistant Labour Commissioner, regarding termination caused to 42 workmen.

19. Copy of the representation by the 1<sup>st</sup> party dated 29.09.2020, addressed to the Assistant Labour Commissioner, regarding termination caused to 42 workmen.

20. Copy of the representation by the 1<sup>st</sup> party dated 03.10.2020 addressed to the Assistant Labour Commissioner, regarding termination caused to 42 workmen.

21. Copy of the notice dated 09.10.2020 by the State Labour Commissioner, regarding the lay off caused by the 2<sup>nd</sup> party.

22. Copy of the representation by the 2<sup>nd</sup> party dated 21.10.2020 addressed to the Assistant Labour Commissioner, regarding the offer on the retrenchment.
23. Copy of the representation by the 1<sup>st</sup> party dated 22.10.2020 addressed to the Assistant Labour Commissioner, regarding the proposals on the retrenchment.
24. Copy of the notice by the 2<sup>nd</sup> party dated 27.10.2020 regarding the retrenchment.
25. Copy of the representation dated 28.10.2020 by the 1<sup>st</sup> party addressed to the Assistant Labour Commissioner, regarding the direction to the workmen to report for work.
26. Copy of the notice by the 2<sup>nd</sup> party dated 31.10.2020 regarding the retrenchment.
27. Copy of the draft of the Memorandum of Settlement dated 09.11.2020, under Sec.12(3) of the I.D.Act 1947.
28. Copy of the memo by the 2<sup>nd</sup> party addressed to the Assistant Labour Commissioner, in PTN/CR/29/2020-21.
29. Copy of the statement of objection by turned hostile 2<sup>nd</sup> party addressed to the Assistant Labour Commissioner, in PTN/CR/39/2020-21.

30. Copy of the memo dated 20.01.2021 addressed to the DLC, to keep the matter in PTN/CR/39/2020-21, in abeyance,

31. Copy of the factual report dated 17.01.2022.

ದಾಖಲೆಗಳನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದೇನೆ. ಅವುಗಳನ್ನು ನಿ.ಡಬ್ಲ್ಯೂ.1 ರಿಂದ 31 ಎಂದು ಗುರುತಿಸಲಾಯಿತು.

ಈ ಸಮಯದಲ್ಲಿ ಶ್ರೀ.ಎಲ್.ಎಂ.ಪಿ ಅವರು ಸಾಕ್ಷಿಯ ಮುಂದಿನ ಮುಖ್ಯವಿಚಾರಣೆಗೆ ಕಾಲಾವಕಾಶ ಕೋರಿದ್ದು, ಆಲಿಸಿ ಮುಂದುವರೆಯಿತು.

(ಸಾಕ್ಷಿಯ ಹೇಳಿಕೆಯನ್ನು ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಉಖ್ತಲೇಖನಕ್ಕೆ ಬೆರಳಚ್ಚು ಮಾಡಿದೆ.)

(ಮೇಲಿನ ಸಾಕ್ಷವನ್ನು ಸಾಕ್ಷಿಗೆ ಓದಿ, ತಿಳಿಸಿ, ಹೇಳಿದಾಗ, ಅವರು ಅದು ಸರಿ ಇದೆ ಎಂದು ಒಪ್ಪಿದ್ದಾರೆ.)

Sd/-

**ಅಧ್ಯಕ್ಷಾಧಿಕಾರಿಗಳು,**

**ಕಾರ್ಮಿಕ ನ್ಯಾಯಾಲಯ, ಮೈಸೂರು**