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सं० 28] नई दिल्ली, शनिवार, जुलाई 9, 1977/आषाढ़ 18, 1899
No. 28] NEW DELHI, SATURDAY, JULY 9, 1977/ASADHA 18, 1899

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

शुद्धि पत्र

नई दिल्ली, 20 जून, 1977

का० आ० 2225.—भारत निर्वाचन आयोग की तारीख 25 मई, 1977 की अधिसूचना सं० 154/गुज०/77 में "सचिव," के पश्चात् आने वाले शब्द "गृह विभाग" के स्थान पर, "शिक्षा विभाग" शब्द रखे जायेंगे।

[सं० 154/गुज०/77]

वी० नागसुब्रमण्यन, सचिव

ELECTION COMMISSION OF INDIA

CORRIGENDUM

New Delhi, the 20th June, 1977

S.O. 2225.—In the Election Commission of India Notification No. 154/GJ/77, dated the 25th May, 1977, the words "Home Department" occurring after the words "Secretary to Government", may be substituted by the words "Education Department".

[No. 154/GJ/77]

V. NAGASUBRAMANIAN, Secy.

विधि, न्याय और कम्पनी कार्य मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली 23 जून, 1977

का०आ 2226.—एकाधिकार एवं निर्वन्धनकारी व्यापार प्रथा अधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा कथित अधिनियम के अन्तर्गत मैसर्स असम मैच कम्पनी लिमिटेड के पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 43/70) के निरस्तीकरण को अधिसूचित करती है।

[संख्या 9/94/70-एम० II]

सी० खुशालदास, उप-सचिव

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 23rd June, 1977

S.O. 2226.—In pursuance of sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the Registration of M/s. Assam Match Co. Limited under the said Act (Certificate of Registration No. 43/70).

[F. No. 9/94/70-M. II]

C. KHUSHALDAS, Dy. Secy.

(न्याय विभाग)

नोटिस

नई दिल्ली, 24 जून, 1977

का० आ० 2227.—इसके द्वारा, लेख्य प्रमाणक नियम (नोटरीज रूल्स) 1956 के नियम 6 के अनुसार, सक्षम प्राधिकारी द्वारा सूचना दी जाती है कि उक्त प्राधिकारी को श्री ओ० पी० चौधरी, एडवोकेट, बी-25, पार्लियामेंट स्ट्रीट, नई दिल्ली-1 ने उक्त नियमों के नियम 4 के अधीन, दिल्ली संघ शासित क्षेत्र में लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिये आवेदन-पत्र भेजा है।

उक्त व्यक्ति की लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियाँ हों, तो वे इस नोटिस के प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिये जायें।

[सं० 22/35/77-न्यायिक-(बी)]

(Department of Justice)

NOTICE

New Delhi, the 24th June, 1977

S.O. 2227.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri O. P. Chaudhry, Advocate, B-25 Parliament Street New Delhi-I for appointment as a Notary to practise in the Union territory of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 22/35/77-Judl. (B)]

नोटिस

नई दिल्ली, 29 जून, 1977

का० आ० 2228.—इसके द्वारा, लेख्य प्रमाणक नियम (नोटरीज रूल्स) 1956 के नियम 6 के अनुसार, सक्षम प्राधिकारी द्वारा सूचना दी जाती है कि उक्त प्राधिकारी को श्री अजित कुमार दत्ता, एडवोकेट, 74/1 आचार्य जगदीश बोस रोड, कलकत्ता ने उक्त नियमों के नियम 4 के अधीन, कलकत्ता में लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिये आवेदन पत्र भेजा है।

उक्त व्यक्ति की लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियाँ हों तो वे इस नोटिस के प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिये जायें।

[संख्या 22/36/77-न्याय]

आर० वासुदेवन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 29th June, 1977

S.O. 2228.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Ajit Kumar Datta, Advocate 74/1 Acharya Jagadish Bose Road, Calcutta for appointment as a Notary to practise in Calcutta.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. 22/37/77-Jus.]

R. VASUDEVAN, Competent Authority

गृह मंत्रालय

नई दिल्ली, 24 जून, 1977

का०आ० 2229.—केन्द्रीय विप्रेषण कर अधिनियम, 1956 (1956 का 74) की धारा 8 की उप-धारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत सरकार, गृह मंत्रालय की ता० 17-6-75 की अधिसूचना सं० एस०ओ० 1991 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "उक्त संगठन के किसी अधिकारी द्वारा जारी किया गया प्रमाण-पत्र" शब्दों के स्थान पर "उक्त संगठन द्वारा इस संबंध में प्राधिकृत अधिकारी द्वारा जारी किया गया प्रमाण-पत्र" शब्द प्रतिस्थापित किये जायेंगे।

[सं० यू-15034/20/76-दिल्ली]

प्रभात कुमार, निदेशक

MINISTRY OF HOME AFFAIRS

New Delhi, the 24th June, 1977

S.O. 2229.—In exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Home Affairs No. S.O. 1991 dated the 17th June, 1975, namely :—

In the said notification, for the words "a certificate issued by any of the officers of the said organisation", the words "a certificate issued by an officer authorised in this behalf by that organisation" shall be substituted.

[No. U. 15034/20/76-Delhi]

PRABHAT KUMAR, Director

विज्ञान मंत्रालय

(राजस्व और बैंकिंग विभाग)

(राजस्व पक्ष)

नई दिल्ली, 5 अप्रैल, 1977

आय-कर

का० आ० 2230.—सर्वसाधारण की जानकारी के लिये यह अधिसूचित किया जाता है कि विहित प्राधिकारी—सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (2क) के प्रयोजनों के लिये निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को नीचे विनिर्दिष्ट अवधि के लिये अनुमोदित किया है :

वैज्ञानिक अनुसंधान कार्यक्रम :—घागे में लुटि का पता लगाने और उसे निकालने के लिये वस्त्र विसर्पण यंत्र के लिये घागा निकालने का इलेक्ट्रॉनिक यंत्र
मैसर्स किनाबीवाला आर० जे० के० इंडस्ट्रीज
निकोला ओक्ट्राई नाका के निकट, अनिल
स्टार्च के पास, अहमदाबाद

प्रारम्भ की तारीख :— अक्टूबर, 1976

पूर्ण होने की अनुमानित तारीख :—मार्च, 1979

अनुमानित व्यय :— 35,000 रु०

अहमदाबाद वस्त्र उद्योग अनुसंधान संगठन, जहाँ उक्त कार्यक्रम का प्रायोजित किया गया है, आय-कर अधिनियम, 1922 की धारा 10(2) (13) के अधीन अधिसूचना सं० 211, तारीख 10 अप्रैल, 1948 द्वारा अनुमोदित है।

[सं० 1712(का० सं० 203/39/77-आई० टी० ए०-II)]

MINISTRY OF FINANCE
(Department of Revenue & Banking)

(Revenue Wing)

New Delhi, the 5th April, 1977

INCOME-TAX

S.O. 2230.—It is hereby notified for general information that the following Scientific Research Programme has been approved for the period specified below for the purposes of sub-section (2A) of section 35 of the Income-tax Act, 1961, by the prescribed authority, Secretary, Department of Science & Technology, New Delhi.

Scientific Research Programme.—Electronic yarn clearing device for textile winding machine to detect and eliminate faults in the yarn.

Sponsored by.—M/s. Kinavivala RJK Industries near Nicola Octroi Naka behind Anil Starch, Ahmedabad.

Date of Commencement.—October, 1976.

Anticipated date of completion.—March, 1979.

Estimated expenditure.—Rs. 35,000.

Ahmedabad Textile Industry's Research Association where the above programme has been sponsored stands approved u/s. 10(2)(xiii) of the Income-tax Act, 1922 by notification No. 211 dated 10th April, 1948.

[No. 1712/(F. No. 203/39/77-ITA. II)]

नई दिल्ली, 30 अप्रैल, 1977

आय-कर

क्र० आ० 2232.—सर्वसाधारण की जानकारी के लिये अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय समाज विज्ञान अनुसंधान परिषद् ने निम्नलिखित संस्था को आय-कर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनों के लिये निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) इस छूट के अधीन सौराष्ट्र विश्वविद्यालय, राजकोट द्वारा संगृहीत निधियों का उपयोग केवल सामाजिक विज्ञान की प्रगति में अनुसंधान के लिये ही किया जायेगा।
- (ii) यह कि उक्त विश्वविद्यालय छूट के अधीन संगृहीत निधियों का हिसाब पृथक से रखेगा।
- (iii) सौराष्ट्र विश्वविद्यालय, भारतीय समाज विज्ञान अनुसंधान परिषद् नई दिल्ली, को छूट के अधीन संगृहीत निधि दक्षित करते हुए और वह रीति दक्षित करते हुए जिसमें निधियों का उपयोग किया गया है, कि एक वार्षिक रिपोर्ट भेजेगा।

संस्था

सौराष्ट्र विश्वविद्यालय, राजकोट।

यह अधिसूचना 1 अप्रैल, 1977 से प्रभावी है।

[सं० 1749 (फा० सं० 203/21/77-आइ० टी० ए-II)]

New Delhi, the 30th April, 1977

INCOME TAX

S.O. 2231.—It is hereby notified for general information that institution mentioned below has been approved by Indian Council of Social Science Research, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, subject to the following conditions :—

- (i) The funds collected by Saurashtra University, Rajkot, under this exemption will be utilised exclusively for promotion of research in Social Sciences.
- (ii) That the University shall maintain separate accounts of the funds collected by them under the exemption.
- (iii) That the Saurashtra University shall send an Annual Report to the Indian Council of Social Science Research, New Delhi, showing the funds collected under the exemption and the manner in which the funds were utilised.

INSTITUTION

SAURASHTRA UNIVERSITY, RAJKOT.

This notification is effective from 1st April, 1977.

[No. 1749/F. No. 203/21/77-ITA. II]

क्र० आ० 2232.—सर्वसाधारण की जानकारी के लिये अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् भारतीय समाज विज्ञान अनुसंधान परिषद् ने निम्नलिखित संस्था को आय-कर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनों के लिये निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) इस छूट के अधीन दक्षिण गुजरात विश्वविद्यालय, सूरत द्वारा संगृहीत निधियों का उपयोग केवल सामाजिक विज्ञान की प्रगति में अनुसंधान के लिये ही किया जायेगा।
- (ii) यह कि उक्त विश्वविद्यालय छूट के अधीन संगृहीत निधियों का हिसाब पृथक से रखेगा।
- (iii) दक्षिण गुजरात विश्वविद्यालय भारतीय समाज विज्ञान अनुसंधान परिषद् नई दिल्ली, को छूट के अधीन संगृहीत निधि दक्षित करते हुए और वह रीति दक्षित करते हुए जिसमें निधियों का उपयोग किया गया है, एक वार्षिक रिपोर्ट भेजेगा।

संस्था

दक्षिण गुजरात विश्वविद्यालय, सूरत

यह अधिसूचना 1 अप्रैल, 1977 से प्रभावी है।

[सं० 1751 (फा० सं० 203/104/76-आई० टी० ए-II)]

S.O. 2232.—It is hereby notified for general information that the University mentioned below has been approved by the Indian Council of Social Science Research, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, subject to the following conditions :—

- (i) The funds collected by the South Gujarat University, Surat, under this exemption will be utilised exclusively for promotion of research in Social Sciences.
- (ii) That the University shall maintain separate accounts of the funds collected by them under the exemption.
- (3) That the South Gujarat University, Surat, shall send an Annual report to the Indian Council of Social Science Research, New Delhi, showing the funds collected under the exemption and the manner in which the funds were utilised.

INSTITUTION

THE SOUTH GUJARAT UNIVERSITY, SURAT.

The notification takes effect from 1st April, 1977.

[No. 1751 (F. No. 203/104/76-ITA. II)]

क्र० आ० 2233.—इस विभाग की अधिसूचना 1641 (फा० सं० 203/11/77-आई० टी० ए०-II) तारीख 21 जनवरी, 77, के अनुसरण में सर्वसाधारण की जानकारी के लिये यह अधिसूचित किया जाता है कि निम्नलिखित संस्था को, विहित प्राधिकारी अर्थात् भारतीय कृषि अनुसंधान परिषद् द्वारा आय-कर अधिनियम, 1961 की धारा 35 की उप-धारा

(1) के खंड (ii) के प्रयोजनार्थ अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल, 1976 से प्रभावी है।

संस्था

राष्ट्रीय डेरी विकास बोर्ड, आनन्द ।

[सं० 1739 (फा० सं० 203/11/77 आ० क० अ० II)]

S.O. 2233.—In continuation of this Department's Notification No. 1641 (F. No. 203/11/77-ITA.II) dated 28th January, 1977, it is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Agricultural Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961. This notification is effective from 1st April, 1976.

INSTITUTION

NATIONAL DAIRY DEVELOPMENT BOARD, ANAND.

[No. 1739 (F. No. 203/11/77-ITA.II)]

का० आ० 2234—सर्वसाधारण की जानकारी के लिये अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय समाज विज्ञान अनुसंधान परिषद् ने निम्नलिखित संस्था को आय-कर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खंड (iii) के प्रयोजनों के लिये निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) इस छूट के अधीन सागर विश्वविद्यालय, सागर द्वारा संगृहीत निधियों का उपयोग केवल सामाजिक विज्ञान की प्रगति में अनुसंधान के लिये ही किया जायेगा ।
- (ii) यह कि उक्त विश्वविद्यालय छूट के अधीन संगृहीत निधियों का हिसाब पृथक से रखेगा ।
- (iii) सागर विश्वविद्यालय, भारतीय समाज विज्ञान अनुसंधान परिषद् नई दिल्ली, की छूट के अधीन संगृहीत निधि दक्षित करते हुए और वह रीति दक्षित करते हुए जिसमें निधियों का उपयोग किया गया है, एक वार्षिक रिपोर्ट भेजेगा ।

संस्था

सागर विश्वविद्यालय, सागर म०प्र०

यह अधिसूचना 1 अप्रैल, 1977 से प्रभावी है ।

[सं० 1750 (फा० सं० 203/57/77-आई० टी० ए० II)]

S.O. 2234.—It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research the prescribed authority for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961, subject to the following conditions :—

- (1) The funds collected by the Saugar University, Saugar under this exemption will be utilised exclusively for promotion of research in Social Sciences;
- (2) That the University shall maintain separate accounts of the funds collected by them under the exemption;
- (3) That the Saugar University, shall send an Annual report to the Indian Council of Social Science Research, New Delhi, showing the funds collected under the exemption and the manner in which the funds were utilised.

INSTITUTION

SAUGAR UNIVERSITY, SAUGAR, M.P.

This notification takes effect from 1st April, 1977.

[No. 1750 (F. No. 203/57/77-ITA.II)]

का० आ० 2235—इस विभाग की अधिसूचना सं० 730 (फा० सं० 203/64/73-आई० टी० ए०-2,) तारीख 3 अक्तूबर, 1974 के अनुक्रम में सर्वसाधारण की जानकारी के लिये यह अधिसूचित किया जाता है कि निम्नलिखित संस्था को, विहित प्राधिकारी अर्थात् भारतीय समाज विज्ञान अनुसंधान परिषद् द्वारा, आय-कर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खंड (iii) के प्रयोजनार्थ अनुमोदित किया गया है । यह अधिसूचना 1 अप्रैल, 1977 से प्रभावी है ।

संस्था

खावेर श्रम सम्बन्ध संस्थान, जमशेदपुर ।

[सं० 1740 (फा० सं० 203/116/76-आ० क० अ०-II)]

जे० पी० शर्मा, उप-सचिव

S.O. 2235.—In continuation of this Department's notification No. 730 (F. No. 203/64/73-ITA II) dated 3rd October, 1974, it is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961. This notification is effective from 1st April, 1977.

INSTITUTION

XAVIER LABOUR RELATIONS INSTITUTE, JAMSHEDPUR.

[No. 1740 (F. No. 203/116/76-ITA II)]

J. P. SHARMA, Dy. Secy.

बैंकिंग पक्ष

नई दिल्ली, 21 जून, 1977

का० आ० 2236—1 जून, 1977 को कारोबार बन्द हो जाने के बाद से, स्वयं अपने अनुरोध पर श्री जे० सी० लूथर के भारतीय रिजर्व बैंक के उप गवर्नर का पदभार छोड़ देने के परिणाम स्वरूप, उनकी सेवाएं केन्द्रीय प्रत्यक्ष बोर्ड (राजस्व पक्ष), नई दिल्ली को फिर से सौंप दी गयीं ।

[संख्या एफ० 7/2/76-बी० ओ०-I]

बलदेव सिंह, संयुक्त सचिव

(Banking Wing)

New Delhi, the 21st June, 1977

S.O. 2236.—Consequent on the relinquishment, at his own request, of the charge of his office as Deputy Governor in the Reserve Bank of India, as at the close of business on 1st June, 1977, the services of Shri J.C. Luther, were replaced at the disposal of the Central Board of Direct Taxes, (Revenue Wing), New Delhi.

[No. F. 7/2/76-BO.I]

BALDEV SINGH, Jt. Secy.

भारतीय रिजर्व बैंक

(विदेशी मुद्रा नियंत्रण विभाग)

बम्बई, 9 जून, 1977

(केन्द्रीय कार्यालय)

का० आ० 2237.—भारत सरकार के वित्त मंत्रालय की दिनांक 25 सितम्बर, 1958 की अधिसूचना सं० एफ आई (67)/ई सी/57 के अनुसरण में भारतीय रिजर्व बैंक एतद्वारा यह निदेश देता है कि दिनांक 4 दिसम्बर, 1958 की उसकी अधिसूचना सं० एफ ई आर ए 168/58-आरबी में निम्नलिखित संशोधन किया जाए (इसके बाद से "उक्त अधिसूचना" के रूप में उल्लेख किया जाये) अर्थात्—

उक्त अधिसूचना की अनुसूची में "इंडियन ओवरसीज बैंक" की प्रविष्टि के बाद "कर्नाटक बैंक लि." प्रविष्टि का सम्मिश्रण किया जाए।

[अधिसूचना सं० एफ ई आर ए-44/77-आरबी]
पी० आर० नांगिया, उप गवर्नर

RESERVE BANK OF INDIA
(Foreign Trade Control Deptt.)
CENTRAL OFFICE

Bombay, the 9th June, 1977

S.O. 2237.—In pursuance of the Notification of the Government of India in the Ministry of Finance No. FI. (67)EC/57 dated 25th September 1958, the Reserve Bank of India hereby directs that the following amendments shall be made in its Notification No. FERA. 168/58-RB dated 4th December, 1958 (hereinafter referred to as "the said Notification") namely :

In the schedule to the said Notification after the entry "Indian Overseas Bank" the entry "Karnataka Bank Ltd." shall be inserted.

[Notification No. FERA-44/77-RB]

P. R. NANGIA, Dy. Governor.

कार्यालय आयकर आयुक्त, दिल्ली (केन्द्रीय), नई दिल्ली

नई दिल्ली, 22 जून, 1977

क्रा० आ० 2238.—आयकर अधिनियम (1961 की 43) की धारा 287 के अनुसार, भारत सरकार वित्त मंत्रालय (राजस्व तथा बीमा विभाग) नई दिल्ली के आदेश एफ सं० 385/83/73-आई० टी० वी० दिनांक 5-7-1974, के अधीन केन्द्रीय सरकार द्वारा अधिकृत तथा निर्देशित निम्नलिखित निर्धारितियों, जिनका वित्तीय वर्ष 1975-76 के दौरान निर्धारण हुआ है, के नाम तथा उनसे संबंधित अन्य विवरणों को एतद् द्वारा प्रकाशित किया जाता है।

- (1) व्यष्टियों या हि० अ० कुटुम्बों के रूप में, जिनका एक लाख से अधिक की आय पर निर्धारण हुआ है।
- (2) कम्पनियों के रूप में, जिनका दस लाख से अधिक की आय पर निर्धारण हुआ है।
- (अ) सभी व्यष्टियों तथा हिन्दु अविभक्त कुटुम्बों के नाम जिनका वित्तीय वर्ष 1975-76 के दौरान एक लाख रुपये या अधिक की आय पर निर्धारण हुआ है।
- (क) प्राप्ति 'व्यष्टि' व्यक्ति को प्रकट करता है, 'हि० अ० कु०' हिन्दु अविभक्त कुटुम्ब को प्रकट करता है। व 'क०' कम्पनियों को प्रकट करता है।
- (ख) निर्धारण वर्ष को प्रकट करता है।
- (ग) विवरणों में दिखाई गई आय को प्रकट करता है।
- (घ) निर्धारित आय को प्रकट करता है।
- (ङ) देय कर को प्रकट करता है।
- (च) अदा किये गये कर को प्रकट करता है।
- (1) श्री ए० एच० डालमिया, 4-सिंधिया हाउस, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 104590 (घ) 114117 (ङ) 44277 (च) 41994
- (2) श्री अनुराग डालमिया, 4-सिंधिया हाउस, नई दिल्ली। -
(क) 'व्यष्टि' (ख) 1975-76 (ग) 180240 (घ) 180240 (ङ) 105540 (च) 105540
- (3) श्रीमती बेला डालमिया, 4-सिंधिया हाउस, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 121820 (घ) 121820 (ङ) 61444 (च) 61444

- (4) सेठ देवेन्द्र कुमार मोदी मोदीनगर (यू० पी०)।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 104420 (घ) 128330 (ङ) 35127 (च) 35127
- (5) श्रीमती गायत्री देवी मोदी, मोदीनगर (यू० पी०)।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 119010 (घ) 171100 (ङ) 34230 (च) 34230
- (6) श्रीमती गिन्तो देवी मोदी, मोदीनगर (यू० पी०)।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 81250 (घ) 109660 (ङ) 21390 (च) 21390
- (7) श्रीमती इन्दु डालमिया, 4-सिंधिया हाउस, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 181085 (घ) 181085 (ङ) 101079 (च) 101079
- (8) श्री जे० एच० डालमिया, 4-सिंधिया हाउस, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 105820 (घ) 112420 (ङ) 36901 (च) 36901
- (9) श्री जे० सी० खोसला, द्वारा मै० के० जी० खोसला एंड कं० प्रा० लि०, 1-देशबन्धु गुप्ता रोड, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 117070 (घ) 132445 (ङ) 46888 (च) 46888
- (10) श्री जगदीश प्रसाद द्वारा मै० ईस्ट्रन आर्ट कारपोरेशन, आसफ अली रोड, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 124561 (घ) 153350 (ङ) 111442 (च) 119600
- (11) श्री कृष्ण कुमार मोदी, मोदीनगर, (यू० पी०)।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 137190 (घ) 138050 (ङ) 60272 (च) 58981
- (12) श्री के० जी० खोसला (एम० डी०) मै० के० जी०, खोसला, एंड कं० प्रा० लि०, 1- देशबन्धु गुप्ता रोड, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 169960 (घ) 171138 (ङ) 67356 (च) 67356
- (13) श्री के० के० चोपड़ा, एक्स- 56, लोहा मंडी, नारायणा, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1972-73 (ग) 132646 (घ) 143550 (ङ) 131823 (च) शून्य
(ख) 1974-75 (ग) 110000 (घ) 115720 (ङ) 104035 (च) 5036
- (14) श्री कैलाश लाम्बा द्वारा मै० कन्टीनेन्टल फार्मोशंस, पंचकुआ रोड, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 116508 (घ) 128880 (ङ) 88338 (च) 92000
- (15) श्री कैलाश लाम्बा, द्वारा मै० कन्टीनेन्टल फार्मोशंस, पंचकुआ रोड, नई दिल्ली।
(क) हि० आ० कु० (ख) 1973-74 (ग) 164703 (घ) 180360 (ङ) 75256 (च) 75256
- (16) सेठ मनमोहन मोदी, मोदीनगर, (यू० पी०)।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 115110 (घ) 145950 (ङ) 15598 (च) 15598
- (17) सेठ एम० एल० मोदी, मोदी नगर (यू० पी०)।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 122190 (घ) 165188 (ङ) 79647 (च) 79647
- (18) श्री एम० एच० डालमिया, 4-सिंधिया हाउस, नई दिल्ली।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 127000 (घ) 133132 (ङ) 36826 (च) 36826

- (19) श्री मदन लाम्बा, द्वारा मै० बोल्ला रैस्टोरेन्ट, 10-बी, कनाट-प्लेस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 451715 (घ) 330670 (ङ) 286010 (च) 272488
- (20) श्री एम० एच० डालमिया, 4-सिधिया हाउस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 136260 (घ) 137180 (ङ) 28994 (च) 28994
- (21) श्री एन० एच० डालमिया, 4-सिधिया हाउस, नई दिल्ली ।
(क) 'हि० अ० कु०' (ख) 1975-76 (ग) 105715 (घ) 105715 (ङ) 52383 (च) 52383
- (22) श्री पराग डालमिया, 4-सिधिया हाउस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 254955 (घ) 254955 (ङ) 191782 (च) 191782
- (23) श्री पृथ्वी राज, 12-सिविल लार्न्स, जयपुर ।
(क) 'व्यष्टि' (ख) 1971-72 (ग) 136448 (घ) 137990 (ङ) 58215 (वापस देने योग्य) (च) 148860
(ख) 1972-73 (ग) 160360 (घ) 262020 (ङ) 25037 (वापस देने योग्य) (च) 140287
- (24) श्री आर० एच० डालमिया, 4-सिधिया हाउस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 302100 (घ) 302100 (ङ) 191782 (च) 191782
- (25) सेठ सतीश कुमार मोदी, मोदीनगर (यू० पी०) ।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 79170 (घ) 107720 (ङ) 25194 (च) 25194
- (26) सेठ सुरेश कुमार मोदी, मोदीनगर (यू० पी०) ।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 151430 (घ) 169810 (ङ) 73838 (च) 73838
- (27) सेठ सुधीर कुमार मोदी, मोदीनगर (यू० पी०) ।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 117280 (घ) 140810 (ङ) 41453 (च) 41453
- (28) श्रीमती ऊषा डालमिया, 4-सिधिया हाउस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 205480 (घ) 205480 (ङ) 123494 (च) 123494
- (29) श्री बी० एच० डालमिया, 4-सिधिया हाउस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1975-76 (ग) 156190 (घ) 156190 (च) 39211 (घ) 39211
- (30) श्रीमती विद्यावती, द्वारा मै० बोल्ला रैस्टोरेन्ट, 19-बी, कनाट-प्लेस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 102639 (घ) 107550 (ङ) 74221 (च) 62229
- (31) सेठ योगेन्द्र कुमार मोदी, मोदीनगर (यू० पी०) ।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 80240 (घ) 108650 (ङ) 25225 (च) 25225
- (32) श्री बाई० एच० डालमिया, 4-सिधिया हाउस, नई दिल्ली ।
(क) 'व्यष्टि' (ख) 1973-74 (ग) 114080 (घ) 124680 (ङ) 53882 (च) 51420
(व) कंपनियों के नाम जिनका वित्तीय वर्ष 1975-76 के दौरान दस लाख रुपये या अधिक की आय पर निर्धारण हुआ है ।

- (1) मै० भास्कर निधि लि०, 7-बहादुर शाह जफर मार्ग, नई दिल्ली ।
(क) 'क०' (ख) 1974-75 (ग) 1376167 (घ) 1375790 (ङ) 326644 (च) 326644

- (2) मै० शक्ति एज लि०, 34-ओखला इन्डस्ट्रियल एस्टेट, नई दिल्ली
(क) 'क०' (ख) 1973-74 (ग) 3790610 (घ) 3819544 (ङ) 2205784 (च) 2205784

[एफ० सं० एस० आई०/पब०(I)/सी/76-77]
एन० एस० राववन, आयुक्त

OFFICE OF THE COMMISSIONER OF INCOME-TAX

CALCUTTA, NEW DELHI

New Delhi, the 22nd June, 1977

S.O. 2238.—As authorised and directed by the Central Government vide Government of India, Ministry of Finance (Department of Revenue & Insurance), New Delhi's Order F. No. 385/83/73-IT(B) dated 5-7-1974, in terms of section 287 of the Income tax Act, 1961 (43 of 1961), the names and other specified particulars relating to assessee :—

- (1) being Individuals or Hindu undivided Families who have been assessed on an income of more than one lakh of rupees,
- (2) being Firms Association of Persons or Companies who have been assessed on an income of more than ten lakhs of rupees,

assessed during the financial year 1975-76 are hereby published.

- (I) Names of all Individuals and HUFs who have been assessed on an income of rupees one lakh or more during the financial year 1975-76.

- (i) Indicates Status — 'I' for Individuals, 'H' for Hindu undivided Families and 'C' for Companies.
(ii) Indicates — Assessment year.
(iii) Indicates — Income returned.
(iv) Indicates — Income assessed.
(v) Indicates — Tax payable; and
(vi) Indicates — Tax paid.

- (1) Sh. A. H. Dalmia, 4-Scindia House, New Delhi.

- (i) 'I' (ii) 1973-74 (iii) 104590 (iv) 114117 (v) 44277 (vi) 41994

- (2) Sh. Anurag Dalmia, 4-Scindia House, New Delhi.

- (i) T (ii) 1975-76 (iii) 180240 (iv) 180240 (v) 105540 (vi) 105540

- (3) Smt. Bela Dalmia, 4-Scindia House, New Delhi.

- (i) 'T' (ii) 1975-76 (iii) 121820 (iii) 121820 (v) 61444 (vi) 61444

- (4) Seth Devendra Kumar Modi, Modi Nagar (U.P.).

- (i) 'T' (ii) 1973-74 (iii) 104420 (iv) 128330 (v) 35127 (vi) 35127

- (5) Smt. Gaytri Devi Modi, Modi Nagar (U.P.).

- (i) 'T' (ii) 1973-74 (iii) 119010 (iv) 171100 (v) 34230 (vi) 34230

- (6) Smt. Ginni Devi Modi, Modi Nagar (U.P.).

- (i) T. (ii) 1973-74 (iii) 81250 (iv) 109660 (v) 21390 (vi) 21390

- (7) Smt. Indu Dalmia, 4-Scindia House, New Delhi.

- (i) 'T' (ii) 1975-76 (iii) 181085 (iv) 181085 (v) 101079 (vi) 101079

- (8) Sh. J. H. Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 105820 (iv) 112420 (v) 36901 (vi) 36901
- (9) Sh. J. C. Khosla C/o M/s. K. G. Khosla & Co. (P) Ltd., 1-Deshbandhu Gupta Road, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 117070 (iv) 132445 (v) 46888 (vi) 46888
- (10) Sh. Jagdish Prasad C/o M/s. Eastern Art Corporation, Asaf Ali Road, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 124561 (iv) 153350 (v) 111442 (vi) 119600
- (11) Sh. Krishan Kumar Modi, Modinagar (U.P.)
(i) 'T' (ii) 1973-74 (iii) 137190 (iv) 138050 (v) 60272 (vi) 58981
- (12) Sh. K. G. Khosla (M.D.) of M/s. K. G. Khosla & Co. (P) Ltd., 1-Deshbandhu Gupta Road, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 169960 (iv) 171138 (v) 67356 (vi) 67356
- (13) Sh. K. K. Chopra, X-56, Loha Mandi, Naraina, New Delhi.
(i) 'T' (ii) 1972-73 (iii) 132645 (iv) 143550 (v) 131823 (vi) Nil.
(ii) 1974-75 (iii) 110000 (iv) 115720 (v) 104035 (vi) 5036.
- (14) Sh. Kailash Lamba, C/o M/s. Continental Furnishers, Panchkuia Road, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 116508 (iv) 128880 (v) 88338 (vi) 92000
- (15) Sh. Kailash Lamba, C/o M/s. Continental Furnishers, Panchkuia Road, New Delhi.
(i) 'H' (ii) 1973-74 (iii) 164703 (iv) 180360 (v) 75256 (vi) 75256
- (16) Seth Man Mohan Modi, Modinagar (U.P.)
(i) 'T' (ii) 1973-74 (iii) 115110 (iv) 145950 (v) 15598 (vi) 15598
- (17) Seth M. L. Modi, Modinagar (U.P.)
(i) 'T' (ii) 1973-74 (iii) 122190 (iv) 165188 (v) 79647 (vi) 79647
- (18) Sh. M. H. Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 127000 (iv) 133132 (v) 36826 (vi) 36826
- (19) Sh. Madan Lamba, C/o M/s. Vogla Restaurant, 10-B, Connaught Place, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 451715 (iv) 330670 (v) 286010 (vi) 272488
- (20) Sh. N. H. Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1975-76 (iii) 136260 (iv) 137180 (v) 28994 (vi) 28994
- (21) Sh. N. H. Dalmia, 4-Scindia House, New Delhi.
(i) 'H' (ii) 1975-76 (iii) 105715 (iv) 105715 (v) 52383 (vi) 52383
- (22) Sh. Parag Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1975-76 (iii) 254955 (iv) 254955 (v) 191782 (vi) 191782
- (23) Sh. Prithvi Raj, 12-Civil Lines, Jaipur.
(i) 'T' (ii) 1971-72 (iii) 136448 (iv) 137990 (v) 58215 (Refundable) (vi) 148860
(ii) 1972-73 (iii) 160360 (iv) 262020 (v) 25037 (Refundable) (vi) 140287
- (24) Sh. R. H. Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1975-76 (iii) 302100 (iv) 302100 (v) 191782 (vi) 191782
- (25) Seth Satish Kumar Modi, Modinagar (U.P.)
(i) 'T' (ii) 1973-74 (iii) 79170 (iv) 107720 (v) 25194 (vi) 25194
- (26) Seth Suresh Kumar Modi, Modinagar (U.P.)
(i) 'T' (ii) 1973-74 (iii) 151430 (iv) 169810 (v) 73838 (vi) 73838.
- (27) Seth Sudhir Kumar Modi Modinagar (U.P.)
(i) 'T' (ii) 1973-74 (iii) 117280 (iv) 140810 (v) 41453 (vi) 41453
- (28) Smt. Usha Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1975-76 (iii) 205480 (iv) 205480 (v) 123494 (vi) 123494
- (29) Sh. V. H. Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1975-76 (iii) 156190 (iv) 156190 (v) 39211 (vi) 39211
- (30) Smt. Vidyawanti C/o M/s. Volga Restaurant, 19-B, Connaught Place, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 102639 (iv) 107550 (v) 74221 (vi) 62229
- (31) Seth Yogendra Kumar Modi, Modinagar (U.P.)
(i) 'T' (ii) 1973-74 (iii) 80240 (iv) 108650 (v) 25225 (vi) 25225
- (32) Sh. Y. H. Dalmia, 4-Scindia House, New Delhi.
(i) 'T' (ii) 1973-74 (iii) 114080 (iv) 124680 (v) 53882 (vi) 51420
- (II) Names of Companies who have been assessed on an income of more than ten lakhs of rupees—during the financial year 1975-76.
- (1) M/s. Bharat Nidhi Ltd., 3-Bahadur Shah Zafar Marg, New Delhi.
(i) 'C' (ii) 1974-75 (iii) 1376167 (iv) 1375790 (v) 326644 (vi) 326644.
- (2) M/s. Sharpedge Ltd. 34-Chkhla Industrial Estate, New Delhi.
(i) 'C' (ii) 1973-74 (iii) 3790610 (iv) 3819544 (v) 2205784 (vi) 2205784

[F. No. SI/Pub. (I)/C/76-77]

N. S. RAGHAVAN, Commissioner.

(व्यय विभाग)

नई दिल्ली, 2 जून, 1977

क्र० आ० 2239—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक तथा अनुच्छेद 148 के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखा परीक्षा और लेखा विभाग में सेवा कर रहे व्यक्तियों के संबंध में नियंत्रक महालेखा परीक्षक से परामर्श करने के पश्चात् केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 में और आगे संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का नाम केन्द्रीय सिविल सेवा (पेंशन) (बीषा संशोधन) नियम 1977 है।

(2) ये 1 जून, 1972 से प्रदत्त हुए समझे जाएंगे।

2. केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 के नियम 19 में, उप-नियम (1) में, खण्ड (ख) के स्थान पर निम्नलिखित धारा प्रतिस्थापित की जाएगी, अर्थात् :—

“(ख) अपनी पेंशन लेना बंद कर देता है या उपदान, जिसमें मृत्यु तथा सेवा-निवृत्ति उपदान भी सम्मिलित है, यदि कोई हो, को लौटाना बंद कर देता है और पिछली सैनिक सेवा की

अनुक सेवा के रूप में गणना करता है तो ऐसी दशा में वह सेवा जिसकी इस प्रकार गणना करने की अनुशा दी गई है, भारत में अथवा अथवा उस कर्मचारी की यूनिट या विभाग के भीतर या बाहर ऐसी सेवा तक निबन्धित रहेगी जिसके लिए संघर्ष भारत की समेकित निधि में से किया जाता है या जिसके लिए पेंशन का अंशदान सरकार द्वारा प्राप्त हो चुका है और जो भी सी गई पेंशन को वापस नहीं किया जाएगा लेकिन पेंशन के जिस अंश को पुनर्नियोजन पर वेतन का नियतन करने के लिए हिसाब में नहीं लिया गया था, लौटा दिया जाएगा।”

व्याख्यात्मक आपन

केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 के नियम 19 के उप-नियम (1) के विद्यमान उपबंध पुनः नियोजित किए गए सैनिक पेंशन-भोगियों को, जिन्होंने सिविल पेंशन के लिए सैनिक सेवा की गणना करने का विकल्प दिया था, अन्यायी सिद्ध हो रहे थे। उनको उस अवधि के लिए भी पेंशन के अंश को लौटाना पड़ता था जिसके दौरान सरकार के अधीन उन्होंने किसी पद पर काम नहीं किया हो। यह धारणा नहीं थी लेकिन धारणा उपर्युक्त उप-नियम में ठीक तरह से प्रतिबिम्बित नहीं की गई थी जिसके परिणाम-स्वरूप पुनः नियोजित पेंशन-भोगियों ने उस अवधि की पेंशन लौटा दी जिसके लिए नहीं लौटाया जाना था। संशोधित उप-नियम के अधीन सही स्थिति सम्मिलित कर दी गई है और विभिन्न प्रशासनिक प्राधिकारियों को पिछले मामले की समीक्षा करने के लिए अलग से अनुरोध किया जा रहा है, ताकि पेंशन का जो अंश लौटा दिया गया था और जिसे लौटाया जाना जरूरी नहीं था, संबंधित व्यक्तियों को वापस लौटा दिया जाए। 1 जून, 1972 से भूतलक्षी प्रभाव दिए जाने से, किसी भी सरकारी कर्मचारी पर इन नियमों का प्रतिकूल प्रभाव नहीं पड़ेगा लेकिन दूसरी और प्रभावित व्यक्तियों को पेंशन के अंश की अदायगी के लिए पात्र बना दिया गया है जिनको लौटाने की जरूरत नहीं थी।

[सं० फा० 3(9)-संस्थापन V(ए)/76]

एस० एस० एल० मल्होत्रा, अवसर सचिव

(Department of Expenditure)

New Delhi, the 2nd June, 1977

S.O. 2239.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely :—

1. (1) These rules may be called the Central Civil Services (Pension) (Fourth Amendment) Rules, 1977.

(2) They shall be deemed to have come into force on the 1st day of June, 1972.

2. In rule 19 of the CCS (Pension) Rules, 1972, in sub-rule (1), for clause (b), the following clause shall be substituted namely :—

“(b) to cease to draw his pension or refund the gratuity including death-cum-retirement; if any, and count the previous military service as qualifying service, in which case the service so allowed to count shall

be restricted to a service within or outside the employee's unit or department in India or elsewhere, which is paid from the Consolidated Fund of India or for which pensionary contribution has been received by the Government and the pension intermediately drawn shall not be required to be refunded but the element of pension which was not taken into account for fixation of pay on re-employment shall be refunded.”

EXPLANATORY MEMORANDUM

The existing provisions of sub-rule (1) of rule 19 of the CCS (Pension) Rules, 1972 were proving iniquitous to the re-employed military pensioners who opted for counting military service for civil pension. They were required to refund the element of pension even in respect of the period during which they did not hold any post under Government. This was not the intention but the intention was not correctly reflected in the aforesaid sub-rule with the result that re-employed pensioners refunded the pension in respect of the period for which no refund was called for. Under the amended sub-rule the correct position has been incorporated and various administrative authorities are being requested separately to review the past cases, so that the element of pension which was refunded and for which no refund was necessary, should be paid back to the persons concerned. No Government servant is likely to be adversely affected by the rules being given retrospective effect from 1-6-1972 but on the other hand the affected persons have been made eligible to the payment of the element of pension which was not required to be refunded.

[No. F. 3(9)-EV(A)/76]

S. S. L. MALHOTRA, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

आय-कर

नई दिल्ली, 30 अप्रैल, 1977

का० आ० 2240.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्नलिखित प्रतिष्ठान को, केन्द्रीय प्रत्यक्ष कर बोर्ड द्वारा, आय कर अधिनियम, 1961 की धारा 35-घ की उप-धारा (2) के खण्ड (क) के प्रयोजनार्थ तकनीकी तथा इंजीनियरी संबंधी परामर्श के क्षेत्र में अनुमोदित किया गया है।

संस्था

श्री ए० सी० पालिट, कंसल्टिंग इलेक्ट्रॉनिक्स इंजीनियर, कलकत्ता।
यह अनुमोदन 6 नवम्बर, 1975 से प्रभावी है।

[सं० 1741 (फा० सं० 203/169/75 आ० फ० अ II)]

जी० पी० शर्मा, सचिव

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 30th April, 1977

INCOME TAX

S.O. 2240.—It is hereby notified for general information that the concern mentioned below has been approved by the Central Board of Direct Taxes for the purpose of clause (a) of sub-section (2) of section 35D of the Income-tax Act, 1961, in the field of Technological and Engineering Consultancy.

INSTITUTION

Shri A. C. Palit, Consulting Electronics Engineer, Calcutta.
The approval takes effect from 6th November, 1975.

[No. 1741 (F. No. 203/169/75-ITA.II)]

J. P. SHARMA, Secy.

वाणिज्य मंत्रालय

संयुक्त मुख्य निर्यातक, आयात-निर्यात का कार्यालय, केन्द्रीय लाइसेंस क्षेत्र,
नई दिल्ली

नई दिल्ली, 15 अप्रैल, 1977

रद्द करने का आदेश

का० आ०—2241 सर्वश्री एन० के० ओवरसीज ट्रेडर्स सी-30, ग्रेटर कैलाश नई दिल्ली को लाइसेंस से संलग्न सूची के अनुसार अनिमित हाथी दांत (बच्चे के दांत और बड़े दांत) तथा अन्य मदों का आयात करने के लिए 1,50,000 रुपए मात्र का प्रारम्भिक लाइसेंस संख्या पी/डब्ल्यू/2698390 दिनांक 25-3-75 प्रदान किया गया था। उन्होंने आयात व्यापार नियंत्रण नियम तथा क्रियाविधि पुस्तक 1976-77 के परिशिष्ट 8 के साथ पढ़ी जाने वाली कांडिका 320 के अन्तर्गत यथा अपेक्षित एक शपथ-पत्र दाखिल किया है जिसके अन्तर्गत उन्होंने बताया है कि पूर्वोक्त लाइसेंस की सीमा-शुल्क प्रति सीमा शुल्क कार्यालय बम्बई में पंजीकृत कराने के पश्चात् और 90,000 रुपए मात्र की धनराशि का उपयोग करना शेष रहते हुए आंशिक रूप में उपयोग कर लेने के बाद अस्थानस्थ हो गई है; तथा उपयोग न की गई शेष धनराशि 90,000 रुपए के लिए सीमा शुल्क प्रति की अनुलिपि प्रति जारी करने के लिए आवेदन किया है।

मैं संतुष्ट हूँ कि 1,50,000 रुपए मात्र के लिए जारी किए गए आयात लाइसेंस संख्या पी/डब्ल्यू/2698390, दिनांक 25-3-75 की मूल सीमा शुल्क प्रति अस्थानस्थ हो गई है।

इस लिए अद्यतन यथा संशोधित आयात व्यापार नियंत्रण आदेश 1955, दिनांक 7-12-55 की उप-धारा 9(सी) द्वारा प्रदत्त अधिकारों का प्रयोग कर 1,50,000 रुपए मात्र के लिए आयात लाइसेंस संख्या पी/डब्ल्यू/2698390, दिनांक 25-3-75 की सीमा शुल्क प्रति एतद् द्वारा रद्द की जाती है जिसके लिए लाइसेंस की अनुलिपि प्रति का आवेदन किया है।

90,000 रुपए मात्र की उपयोग न की गई शेष धनराशि के लिए लाइसेंस संख्या पी/डब्ल्यू/2698390, दिनांक 25-3-75 की अनुलिपि प्रति अलग से जारी कर दी गई है।

[संख्या आई एन आई/ई एच/205/एएम-75/एस सी-6/सीएल ए/244]

के० आर० धीर, उप-मुख्य निर्यातक,
कृते संयुक्त मुख्य निर्यातक

MINISTRY OF COMMERCE

(Office of the Joint Chief Controller of Imports & Exports)

Central Licensing Area

New Delhi, the 15th April, 1977

CANCELLATION ORDER

S.O. 2241.—M/s. N. K. Overseas Traders, C. 30 Greater Kailash, I, New Delhi were granted Initial licence No. P/W/2698390, dated 25-3-75 for Rs. 1,50,000/- only for import Ivory unmanufactured (Baby tusks and full tusks) etc. and other items as per list attached. They have filed an affidavit as required under para 320 read with appendix 8 of the ITC Hand Book of Rules & Procedure, 1976-77 wherein they have stated that customs copy of the aforesaid licence has been misplaced after having been registered with Bombay Customs House and utilised partly leaving a balance of Rs. 90,000/- only and have applied for Duplicate of the Customs copy for the unutilised balance of Rs. 90,000/-.

I am satisfied that the original customs copy of licence No. P/W/2698390, dated 25-3-1975 for Rs. 1,50,000 only has been misplaced.

Therefore, in exercise of the power conferred under sub-clause 9-C in the ITC Order 1955, dated 7-12-1955 amended upto date the said Customs copy of licence No. P/V/47 GI/77—2

2698390, dated 25-3-1975 for Rs. 1,50,000 only is hereby cancelled for which a duplicate licence has been applied for.

Duplicate Customs copy of licence No. P/W/2698390 dated 25-3-1975 for the unutilised amount of Rs. 90,000/- only has been issued separately.

[No. INI/EH/205/AM. 75/SC. VI/CLA/244]

K. R. DHEER, Dy. Chief Controller.

for Jt. Chief Controller

मुख्य निर्यातक, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली, 27 अप्रैल, 1977

का० आ०—2242 सर्वश्री आइवान मिलूटोन्विच-पी० आई० एम०, कलकत्ता को सामान्य मुद्रा क्षेत्र से ला० की संलग्न सूची के अनुसार उपस्कर एवं फालतू पुर्जों का आयात करने के लिए 1,11,50,000 रुपये के लिए सीमा-शुल्क निकासी परमिट संख्या पी/जे/2373194 दिनांक 24-11-1970 प्रदान किया गया था।

2. उन्होंने उक्त सीमाशुल्क निकासी परमिट की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि उनसे मूल सीमा-शुल्क निकासी परमिट खो गया है/अस्थानस्थ हो गया है। लाइसेंसधारी ने आगे यह भी बताया है कि लाइसेंस में बिना उपयोग में लाई गई धनराशि 99,67,333 रुपये शेष हैं। सीमाशुल्क निकासी परमिट सीमा-शुल्क प्राधिकारी, बम्बई के पास पंजीकृत कराया गया था।

3. अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि मूल सीमा शुल्क निकासी परमिट खो गया है अथवा अस्थानस्थ हो गया है और इसलिए निदेश देता है कि आवेदक को सीमाशुल्क निकासी परमिट की अनुलिपि प्रति जारी की जानी चाहिए। मूल सीमाशुल्क निकासी प्रति एतद् द्वारा रद्द की जाती है।

4. उक्त सीमा निकासी परमिट की अनुलिपि प्रति अलग से जारी की जा रही है।

[सं० 17/कण्ट/70-71/एम० एल० 2/247]

एस० के० बत्ता, उप-मुख्य निर्यातक,

कृते मुख्य निर्यातक

OFFICE OF THE CHIEF CONTROLLER OF
IMPORTS AND EXPORTS
ORDER

New Delhi, the 27th April, 1977

S.O. 2242.—Ivan Milutonic-PIM, Calcutta were granted a C.C.P. No. P/J/2373194, dated 24-11-1970 for import of equipments and spare parts as per list attached to it valued at Rs. 1,11,50,000/- from G.C.A.

2. They have requested for the issue of duplicate copy of the above C.C.P. on the ground that the original C.C.P. has been lost or misplaced by them. It has been further reported by the licensee that the C.C.P. had an unutilised balance of Rs. 99,67,333. The CCP was registered with Custom authorities, Bombay.

3. In support of their contention, the applicant has filed an affidavit. The undersigned is satisfied that the original CCP No. P/J/2373194 dated 24-11-1970 has been lost or misplaced and hence directs that duplicate CCP should be issued to the applicant. The original CCP is hereby cancelled.

4. The duplicate CCP of the said CCP is being issued separately.

[File No. 17/Cont/70-71/ML. II/247]

S. K. BATTA, Dy. Chief Controller

for Chief Controller

नई दिल्ली, 10 जून, 1977

का० आ० 2243.—भारतीय व्यापार मेला प्राधिकरण के संस्था के अंतर्नियमों के नियम 59(7) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए राष्ट्रपति, वाणिज्य मंत्रालय के विदेश व्यापार विभाग में तत्कालीन सचिव श्री पी० सी० एलेक्जेंडर को, जो इस समय वाणिज्य सचिव एवं भारतीय मेला प्राधिकरण के अंशकालिक निदेशक हैं, 29 मार्च 1977 से प्राधिकरण के निदेशक मंडल के अध्यक्ष के रूप में नियुक्त करते हैं।

[सं० 3/77/(1/1/77)]

New Delhi, the 10th June, 1977

S.O. 2243.—In exercise of the powers conferred under Article 59(7) of the Articles of Association of the Trade Fair Authority of India, the President is pleased to appoint Dr. P. C. Alexander, the then Secretary, Department of Foreign Trade, Ministry of Commerce, and now Commerce Secretary, and part-time Director of the Trade Fair Authority of India as the Chairman of the Board of Directors of the Authority, with effect from 29th March 1977.

[No. 3/77(1/1/77)]

का० आ० 2244.—भारतीय व्यापार मेला प्राधिकरण संस्था के अंतर्नियम के नियम 59(2) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए राष्ट्रपति, वाणिज्य मंत्रालय के विदेश व्यापार विभाग में तत्कालीन सचिव श्री पी० सी० एलेक्जेंडर को, जो इस समय वाणिज्य सचिव हैं, 29 मार्च, 1977 से भारतीय व्यापार मेला प्राधिकरण के अंशकालिक निदेशक के रूप में नियुक्त करते हैं।

[सं० 4/77 (1/1/77)]

S.O. 2244.—In exercise of the powers conferred under Article 59(2) of the Articles of Association of the Trade Fair Authority of India, the President is pleased to appoint Dr. P. C. Alexander, the then Secretary, Department of Foreign Trade, Ministry of Commerce and now Commerce Secretary, as a part-time Director of the Trade Fair Authority of India, New Delhi, with effect from the 29th March, 1977.

[No. 4/77(1/1/77)]

का० आ० 2245.—भारतीय व्यापार मेला प्राधिकरण के संस्था के अंतर्नियमों के नियम 59(2) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए राष्ट्रपति निम्न अधिकारियों को 8-6-77 से भारतीय मेला प्राधिकरण के अंशकालिक निदेशकों के पद पर नियुक्त करते हैं—

क्रम संख्या	नाम	पदनाम
1.	श्री आर० के० जेरथ	संयुक्त सचिव (आर्थिक प्रभाग) विदेश मंत्रालय, नई दिल्ली
2.	श्री हित प्रकाश	संयुक्त सचिव (योजना एवं समन्वय), सूचना एवं प्रसारण मंत्रालय, नई दिल्ली।
3.	श्री सी० वेंकटरमन	संयुक्त सचिव एवं वित्तीय सहायकार, वाणिज्य मंत्रालय, नई दिल्ली।
4.	श्री पी० रामादोराय	प्रबंधक निदेशक, हस्तशिल्प एवं हथकरघा निर्यात निगम, लोक कल्याण भवन, नई दिल्ली।
5.	श्री के० रामानुजम	संयुक्त सचिव, वाणिज्य मंत्रालय, नई दिल्ली।

[सं० 5/77 (1/1/77)]

S.O. 2245.—In exercise of the powers conferred under Article 59(2) of the Articles of Association of the Trade Fair Authority of India, the President is pleased to appoint the following persons as part-time Directors of the Trade Fair Authority of India with effect from 8-6-1977:—

S. No.	Name	Designation
1.	Shri R.K. Jerath.	Joint Secretary (Economic Divn.) Ministry of External Affairs, New Delhi.
2.	Shri Hit Prakash.	Joint Secretary (Planning & Co-ordination), Ministry of Information & Broadcasting, New Delhi.
3.	Shri C. Venkataraman.	Joint Secretary & Financial Adviser, Ministry of Commerce, New Delhi.
4.	Shri C. Venkataraman	Managing Director, Handicrafts & Handloom Exports Corporation, Lok Kalyan Bhavan, New Delhi.
5.	Shri K. Ramanujam.	Joint Secretary, Ministry of Commerce, New Delhi.

[No. 5/77(1/1/77)]

का० आ० 2246.—भारतीय व्यापार मेला प्राधिकरण के संस्था के अंतर्नियम के अनुच्छेद 59(2) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, तथा अध्यक्ष से परामर्श करके राष्ट्रपति श्री ए० सी० बनर्जी को 1-6-77 से भारतीय व्यापार मेला प्राधिकरण के निदेशक के पद पर नियुक्त करते हैं। अध्यक्ष से परामर्श करके तथा भारतीय व्यापार मेला प्राधिकरण के संस्था के अंतर्नियम के अनुच्छेद 59(7) के अधीन, राष्ट्रपति श्री ए० सी० बनर्जी को उपर्युक्त तिथि से प्रबंध निदेशक के रूप में भी नियुक्त करते हैं।

[सं० 6/77 (1/1/77)]

के० रामानुजम, संयुक्त सचिव

S.O. 2246.—In exercise of the powers conferred under Article 59(2) of the Articles of Association of the Trade Fair Authority of India, and in consultation with the Chairman, the President is pleased to appoint Shri A. C. Banerjee as Director of the Trade Fair Authority of India with effect from 1/6/1977. In consultation with the Chairman and under Article 59(7) of the Articles of Association of the Trade Fair Authority of India, the President is further pleased to appoint Shri A. C. Banerjee as Managing Director with effect from the aforesaid date.

[No. 6/77(1/1/77)]

K. RAMANUJAM, Jt. Secy.

मुख्य नियंत्रक, आयात निर्यात का कार्यालय

आदेश

नई दिल्ली, 20 जून, 1977

का० आ० 2247.—सर्वश्री गुडइयर इंडिया लिमिटेड, नई दिल्ली को मुक्त विदेशी मुद्रा के अंतर्गत संयुक्त राज्य से 560-13 आकार के 3 नम्बर टायर के सांच का ऋण के आधार पर आयात करने के लिए 20951 रुपये (बीस हजार नौ सौ इक्यावन रुपये मात्र) के मूल्य का आयात लाइसेंस संख्या वी/सी/2068335/सी/×/48/एच/37-48, दिनांक 10-9-73 प्रदान किया गया था। फर्म ने ऊपर उल्लिखित लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है।

आगे यह भी बताया गया है कि लाइसेंस की सीमाशुल्क प्रयोजन प्रति दिल्ली पत्तन के साथ पंजीकृत की गई थी और सीमाशुल्क प्रयोजन प्रति को पूर्णतः उपयोग में लाया जा चुका है। फर्म को 31-10-79 तक सांचे को रखने की अनुमति दी गई है।

2. अपने तर्क के समर्थन में लाइसेंसधारी ने नोटरी पब्लिक के सामने विधिवत शपथ लेकर स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि आयात लाइसेंस संख्या पी/सी/2068335 दिनांक 10-9-73 की मूल सीमाशुल्क प्रयोजन प्रति फर्म से खो गई है। अतः यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-धारा 9(सी सी) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री गुडइयर इंडिया लिमिटेड, नई दिल्ली को जारी की गई उक्त मूल सीमाशुल्क प्रयोजन प्रति संख्या पी/सी जी०/2068335 दिनांक 10-9-73 एतद्वारा रद्द की जाती है।

3. उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति पार्टी को अलग से जारी की जा रही है।

[संख्या 30(12)/73-74/सी० जी० I/1421]

जी० एस० ग्रेवाल, उप-मुख्य नियंत्रक

OFFICE OF THE CHIEF CONTROLLER OF
IMPORTS & EXPORTS
ORDER

New Delhi, the 20th June, 1977

S.O. 2247.—M/s. Goodyear India Ltd., New Delhi were granted import licence No. P/C/2068335/C/XX/48/H/37-38 dated 10-9-73 for Rs. 20,951 (Rupees Twenty thousand nine hundred and fiftyone only) for the import of 3 Nos. tyre moulds size 560-13 on loan basis from U.K. against free foreign exchange. The firm have applied for issue of Duplicate copy of Customs Purposes copy of above mentioned licence on the ground that the original customs purposes copy of the licence has been lost. It has further been stated that the customs purpose copy of the licence was registered with Delhi Port, and value of the customs purpose copy has been fully utilised. The firm has been allowed retention of the moulds upto 31-10-79.

2. In support of their contention, the licensee have filed an affidavit on stamped paper duly sworn before a Notary Public, Delhi. I am accordingly satisfied that the original customs purposes copy of import licence No. P/C/2068335 dated 10-9-73 has been lost by the firm. Therefore, in exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original customs purposes copy No. P/CG/2068335 dated 10-9-73 issued to M/s. Goodyear India Ltd., New Delhi is hereby cancelled.

3. A duplicate customs purposes copy of the said licence is being issued to the party separately.

[No. 30(12)/73-74/CG. I/1421]

G. S. GREWAL, Dy. Chief Controller

आदेश

फा० आ० 2248.—सर्वश्री राजस्थान रोलर फ्लोर मिलज (फा०) लिमिटेड, माला रोड, कोटा-2 ने यह सूचित किया है कि उनकी गहूँ के उत्पाद के विनिर्माण के लिए मशीन क्लोथ सिलक वोल्टिंग क्लोथ (आयात 60 (साठ) मीटर मात्र तक प्रतिबंधित है) और लाइट स्टील प्लेटिड वायर मेज का आयात करने के लिए 3,333 रुपये (तीन हजार तीन सौ तैंतीस रुपये मात्र) के मूल्य का प्रदान किया गया आयात लाइसेंस संख्या पी/डी/2193756/सी/XX/48/एच/35-36 दिनांक 13-7-1973 पूर्णतः उपयोग में लाए जाने के बाद अस्थानस्थ हो गया है/खो गया है।

2. अपने तर्क के समर्थन में सर्वश्री राजस्थान रोलर फ्लोर मिलज कोटा ने एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि विषयाधीन मूल आयात लाइसेंस (सीमाशुल्क प्रयोजन एवं विनिमय नियंत्रण प्रयोजन प्रति) अस्थानस्थ हो गई/खो गई है और निदेश देता है कि आयात लाइसेंस (दोनों प्रतियों) की अनुलिपि प्रति उनको जारी की जानी चाहिए। एतद्वारा मूल आयात लाइसेंस की अनुलिपि प्रति के साथ रद्द किया जाता है।

3. दो प्रतियों में आयात लाइसेंस अलग से जारी किया जा रहा है।

[सं० फ्लोर/70/1/72-73/आर० एम०-5]

एन० ए० कोहली, उप-मुख्य नियंत्रक

ORDER

S.O. 2248.—It has been reported by M/s. Rajasthan Roller Flour Mills (P) Limited, Mala Road, Kota-2, that their import licence No. P/D/2193756/C/XX/48/H/35-36 dated 13-7-1973 granted to them for Rs. 3,333 (Rupees three thousand three hundred and thirty three only) for import of Machine cloth—Silk Bolting cloth (import is restricted to 60 (sixty) meters only) & Light Steel Plated Wire Mesh for the manufacture of wheat products has been misplaced/lost having utilised fully.

2. In support of this contention M/s. Rajasthan Roller Flour Mills, Kota have given an affidavit. The undersigned is satisfied that the original import licence (customs purposes & exchange control purposes copies) in question has been misplaced/lost and direct that a duplicate import licence (both copies) should be issued to them. The original import licence in duplicate is hereby cancelled.

3. An import licence in duplicate is being issued separately.

[No. Flour/70/1/72-73/RM. 5]

N. A. KOHLY, Dy. Chief Controller

आदेश

नई दिल्ली, 25 जून, 1977

फा० आ० 2249.—सर्वश्री दि इन्डस्ट्रियल एण्ड एपीकलचरल इंजीनियरिंग कं० (कलकत्ता) लिमिटेड, 19 राजेन्द्रनाथ मुखर्जी रोड, बी०बी० डी० बाग, कलकत्ता को, कलकत्ता पत्तन में पंजीकृत किये जाने वाले लाइसेंस अवधि अप्रैल 1975 मार्च 1976 के लिए संयुक्त राष्ट्र अमरीका से स्वतंत्र स्रोतों के अधीन डूआल माडल सी०एच, 16 फ्लैट और सिलिन्ड्रिकल लैपिंग मशीन, उस-साधक एवं विद्युतीय साधनों का आयात करने के लिए 56,691 रुपए (छप्पन हजार छः सौ इक्यानवे रुपये मात्र) मूल्य के लिए आयात लाइसेंस संख्या जी०ओ० 2421134/सी/एक्सएक्स/60/एच/41-42, दिनांक 23-8-76 प्रदान किया गया था। अब लाइसेंसधारी ने लाइसेंस की अनुलिपि प्रतियां (सीमाशुल्क और मुद्रा विनिमय नियंत्रण की दोनों प्रतियां) जारी करने के लिए इस कार्यालय को इस आधार पर आवेदन किया है कि मूल आयात लाइसेंस (दोनों प्रतियां) खो गयीं/अस्थानस्थ हो गई हैं। उन्होंने आगे यह भी बताया है कि मूल आयात लाइसेंस किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत नहीं कराया गया और यह पूर्णतः अप्रयुक्त है।

2. अपने तर्क के समर्थन में आवेदक ने स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि आवेदक के मूल आयात लाइसेंस संख्या जी०ओ० 2421134/सी/एक्सएक्स/60/एच/41-42 दिनांक 23-8-76 (दोनों प्रतियां) खो गई/अस्थानस्थ हो गई हैं और अतः निदेश देता है कि उपर्युक्त लाइसेंस की अनुलिपि आयात लाइसेंस (दोनों प्रतियां) उनको जारी किया जाना चाहिए। मूल आयात लाइसेंस संख्या जी०ओ० 2421134/सी/एक्सएक्स/60/एच/41-42, दिनांक 23-8-76, (दोनों प्रतियां) एतद्वारा रद्द किया जाता है।

[संख्या-3.आई/कोट/76-77/जी एल एस/347]

एल० प्रसाद, उप-मुख्य नियंत्रक

ORDER

New Delhi, the 25th June, 1977

tions as may, from time to time, be given by the Forward Markets Commission.

[F. No. 12(6)-IT/77]

S.O. 2249.—M/s. The Industrial & Agricultural Engineering Co. (Calcutta) Ltd., 19 Rajendranath Mukherjee Road, B.B.D. Bagh, Calcutta were granted an import licence No. G/O/2421134/C/XX/60/H/41.42 dated. 23-8-1976 for the import of Doall Model—Ch. 16 Flat and Cylindrical lapping machine, accessories and electricals for Rs. 56,691 (Rupees fifty six thousand six hundred and ninety one only) under free resources from U.S.A. for the licensing period April 1975-March 1976 to be registered at Calcutta port. Now the licensee has requested this office for the issue of duplicate copies of import licence (both Customs and Exchange Control Purposes copies) on the ground that the original import licence (both copies) has been lost/misplaced. They have further stated that the original import licence has not been registered with any Customs Authority and it remains fully unutilised.

2. In support of their contention, the applicant has filed an affidavit on stamped paper. The undersigned is satisfied that the original import licence No. G/O/2421134/C/XX/60/H/41.42 dated 23-8-1976 (both copies) has been lost/misplaced by the applicant and therefore directs that duplicate import licence (both copies) of the said licence should be issued to them. The original import licence (both copies) No. G/O/2421134/C/XX/60/H/41.42 dated 23-8-76 is hereby cancelled.

V. SRINIVASAN, Dy. Secy.

[No. 3. 1/Cont/76-77/GLS/347]

L. PRASAD, Dy. Chief Controller.

नागरिक पूर्ति और सहकारिता मंत्रालय

नई दिल्ली, 27 जून, 1977

कां० 2250.—केन्द्रीय सरकार, अग्रिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन ग्रेन, राइस एण्ड आयलसीड्स मर्चेण्ट्स एसोसिएशन, बम्बई द्वारा मान्यता के नवीकरण के लिए किये गये आवेदन पर वायदा बाजार आयोग के परामर्श से विचार करके और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोकहित में भी होगा, एतद्वारा उक्त अधिनियम की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एसोसिएशन को मूंग-फली की गिरी की अग्रिम संविदाओं के बारे में, 10 अगस्त, 1977 से 9 अगस्त, 1978 तक (जिसमें ये दोनों दिन भी सम्मिलित हैं) की एक की अतिरिक्त कालावधि के लिए मान्यता प्रदान करती है।

2. एतद्वारा प्रदत्त मान्यता इस शर्त के अधीन है कि उक्त एसोसिएशन ऐसे निदेशों का अनुपालन करेगा जो वायदा बाजार आयोग द्वारा समय-समय पर दिये जायें।

[मिसिल संख्या 12/(6)-आई० टी०/77]

वे० श्रीनिवासन, उप सचिव

MINISTRY OF CIVIL SUPPLIES & COOPERATION

New Delhi, the 27th June, 1977

S.O. 2250.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Grain, Rice and Oilseeds Merchants' Association, Bombay and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Association for a further period of one year from the 10th August, 1977 to the 9th August, 1978 (both days inclusive) in respect of forward contracts in groundnut kernels.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such direc-

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

आदेश

नई दिल्ली, 9 मई, 1977

कां० 2251.—यतः केन्द्रीय सरकार ने व्यापार पोत (अन्न की ढुलाई) नियम, 1974 के अन्तर्गत—

(क) सभी भारतीय जहाज, और

(ख) भारतीय जहाजों से भिन्न जहाज, यथा:—

(i) भारत में किसी पत्तन या स्थान में या भारत के क्षेत्रीय समुद्र के भीतर अनाज से लदे हुए जहाजों, या

(ii) भारत में किसी पत्तन या स्थान में प्रवेश करने वाले या अनाज से लदे हुए भारत के क्षेत्रीय समुद्र के भीतर आने वाले जहाजों के द्वारा अनुपालन के लिए व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 332 के प्रयोजनों के लिए कतिपय जुड़नारों और व्यवस्थाओं की "आवश्यक एवं उचित एहतियात" निर्धारित किया है।

और यतः केन्द्रीय सरकार की अन्यथा संतुष्टि है कि इंटर गवर्नमेंटल मेरी टाइम कन्सल्टेटिव आर्गनाइजेशन द्वारा संस्तुत और इस आदेश के परिशिष्ट I व II में उल्लिखित जुड़नार या व्यवस्थाएं उतनी प्रभावी हैं, जितना कि व्यापार पोत (अन्न की ढुलाई) नियम, 1974 में अपेक्षित हैं;

और यतः केन्द्रीय सरकार यह समझती है कि इस आदेश के उक्त परिशिष्ट I और II में निर्धारित वैकल्पिक जुड़नार या व्यवस्थाएं पूर्वोक्त जहाजों में भी लगाये जा सकती हैं।

अतः, अब, व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 454-क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित आदेश बनाती है, अर्थात्:—

(1) संक्षिप्त नाम और प्रारम्भ:—इस आदेश का नाम व्यापार पोत (अन्न की ढुलाई के लिए समतुल्य व्यवस्थाएं) आदेश, 1977 है।

(2) ये राजपत्र में प्रकाशन की तारीख की प्रवृत्त होगा।

2. अन्न की ढुलाई के लिए समतुल्य व्यवस्थाएं:—

ऐसा जहाज जिस पर व्यापार पोत (अन्न की ढुलाई) नियम, 1974 लागू होते हैं, उक्त नियमों की अपेक्षाओं की अनुपालना करने की वजाय, इस आदेश के परिशिष्ट I या II में विनिर्दिष्ट अपेक्षाओं का अनुपालन करे:

परन्तु यह कि ऐसा कोई जहाज उक्त नियमों में विनिर्दिष्ट अपेक्षाओं का तथा उक्त दोनों परिशिष्टों में से किसी एक में निर्दिष्ट अपेक्षाओं का आंशिक अनुपालन नहीं कर सकेगा।

(ii) अंशतः उक्त परिशिष्ट I में निर्दिष्ट और अंशतः उक्त परिशिष्ट II में निर्दिष्ट अपेक्षाओं का अनुपालन।

परिशिष्ट-I

वाणिज्य नौवहन (अनाज वहन) 1974 में विहित व्यवस्थाओं के सम व्यवस्थाएं

परिभाषाएं

1. इस परिशिष्ट में जब तक कि अन्यथा संदर्भ न हो, निम्न अभिव्यक्तियों के क्रमशः निम्न अर्थ होंगे:

"कक्ष"	से फलक या स्थोरा जगह जो प्रत्येक सिर पर पोत भीतों से परिवद्ध हो और जिसके ऊपर और नीचे डैक हो, अभिप्रेत है।
"भरा हुआ कक्ष"	से कोई कक्ष जिसमें अनाज भरने और समतल करने के बाद खुले अनाज का स्तर यथासाध्य उच्चतम होता है, अभिप्रेत है।
"अंशतः भरा हुआ कक्ष"	से कोई कक्ष जो खुले अनाज से पूर्ण भरा न हो, अभिप्रेत है।
"अनाज"	के अंतर्गत गेहूं, मक्का, जई, राई, जौ, चावल, दालें और बीज हैं।
"चल केन्द्री ऊंचाई"	से अनुप्रस्थ चल केन्द्र (एम) और गुस्त्व केन्द्र (जी) के बीच की वह दूरी अभिप्रेत है जो टंकियों में द्रव के मुक्त सतहों के परिणामों से शुद्धकृत है।
"रोक तख्तों"	से इस परिशिष्ट के (ख) भाग 1, अनुसूची 2 में विनिर्दिष्ट अपेक्षाओं के अनुसार सन्निमित्त रोक तख्ते हैं।

समतलन

2. (क) अनाज स्थानान्तरण का प्रभाव कम करने के लिए सभी आवश्यक और उचित समतलन किया जायेगा। किसी कक्ष में, जो खुले अनाज से भरा है; इस प्रकार समतलित किया जायेगा कि डैक और फलकों के आवरणों के नीचे की सभी जगहें संभाव्य अधिकतम सीमा तक कर दी जायें।

(ख) नौभरण के पश्चात् अंशतः भरे कक्षों में सभी खुला अनाज समतलित किया जायेगा और पोत समुद्र में जाते समय सीधा होगा। अविकल स्थिरता अपेक्षाएं

3. (क) खुला अनाज वहन करने वाले किसी पोत की अविकल स्थिरता विशेषताएं, पूरी यात्राएं अनुसूची 1 में विनिर्दिष्ट पद्धति से अनाज स्थानान्तरण से उत्पन्न नाति धूर्ण को ध्यान में रखकर कम से कम निम्न प्रमाण की पूर्ति करने वाली होंगी :

(1) अनाज स्थानान्तरण से उत्पन्न नाति का कोण 12 अंशों से अनधिक हो।

(2) स्थायिक स्थिरता आरेख में, स्थिरक भुजा दो ब्रकों के कर्णों के मध्य के अधिकतम अंतर के नाति कोण तक या 40 अंश या आप्लावन कोण* जो भी कम हो, नौभरण की सभी स्थितियों से, नाति भुजा वक्र तथा स्थिरक भुजा वक्र के मध्य का निवल या अवशिष्ट क्षेत्र 0.075 मीटर-रेडियन से अन्यून हो; और

(3) प्रारंभिक चलकेन्द्री ऊंचाई, टंकियों में द्रव्य के खुली सतह प्रभावों के लिए शुद्धविकरण के बाद 0.30 मीटरों से अन्यून होगी।

अनुलम्ब प्रभाग और तश्तरियां

4. (क) दोनों, "पूर्ण भरे" और "भागत भरे" कक्षों में, अनुलंब प्रभाग, अनाज स्थानान्तरण के प्रतिकूल झुकाव प्रभाव को कम करने को या अनाज सतह प्राप्त करने के लिए प्रयुक्त स्थोरा की गहराई सीमित

*झुकाव कोण जहां खोखु के द्वार, डैकघरों के ऊपरी ढांचे जो जलरोक बंद नहीं किये जाते, डूबते हैं। इस परिभाषा को लागू करते समय छोटे मुख जिनसे वर्धमान आप्लावन नहीं हो सकता, द्वारा नहीं समझा जायेगा।

करने की युक्ति के रूप में लगाये जायेंगे। ऐसे प्रभाग अनुरोक होंगे और अनुसूची 2 के भाग 1 के उपबन्धों के अनुसार सन्निमित्त होंगे।

(ख) "पूरे भरे" कक्षों में, प्रभाव, यदि लगाया हो, डैक या फलका आवरणों के निचली बाजू से डैक रेखा के नीचे कम से कम कक्ष की अधिकतम चौड़ाई के 1/8 दूर तक नीचली और विस्तारित होगा। तिलहन के मामलों के सिवाय फलका मुख के नीचे अधोलंब प्रभाग के बदले बोरों में बंद अनाज या अन्य उचित स्थोरा की तश्तर रखी जायेगी। ऐसी तश्तरी अनुसूची 2 के भाग 1 में विहित पद्धति के अनुसार वापसी होगी।

(ग) "भागत भरे" कक्ष में, प्रभाग, यदि लगाया हो, अनाज स्तर के पृष्ठ भाग के ऊपर कक्ष की अधिकतम चौड़ाई के 1/8 दूरी तक तथा अनाज सतह के नीचे उतने ही अंतर तक विस्तारित हो। जब सुरक्षितता के लिए प्रयुक्त स्थोरा की गहराई सीमित करने के लिए उपयोग किया जाता है, तब मध्य रेखा प्रभाग की ऊंचाई अनाज सतह के ऊपर 0.61 से अन्यून हो।

(घ) और, अनाज स्थानान्तरण से उत्पन्न प्रतिकूल झुकाव प्रभाव, कक्ष की बगलों और शिरों के पास बोरों में बंद अनाज या स्थानान्तरण प्पयिप्त रूप में रोकने वाला अन्य उचित स्थोरा वृद्धि रखकर क्रम किया जाये।

सुरक्षितता :

5. (क) इन उपबन्धों के अनुसार अनाज स्थानान्तरण से उत्पन्न प्रतिकूल झुकाव प्रभाव को लेखों में लिये बिना, किसी भी "भागतः भरे" हुए कक्ष में खुले अनाज का पृष्ठभाग समतलित किया जायेगा और ऊपर बोरों में बंद अनाज दृढ़ता से लगा कर और खुले अनाज के पृष्ठभाग की चौड़ाई 1/16 से अन्यून की ऊंचाई या 1.22 मीटर, जो भी अधिक हो, तक बढ़ाकर ऊपरी सतह बंद की जायेगी। बोरों में बंद अनाज के बदले, अन्य उचित स्थोरा जो कम से कम उतना ही दाव दे सके प्रयोग में लाया जा सकेगा।

(ख) बोरों में बंद अनाज या अन्य उचित स्थोरा अनुसूची 2 के भाग 2 में उपवर्णित पद्धति से आलवित किया जायेगा। विकल्पतः खुला अनाज पृष्ठभाग पट्टियों या रस्सीयों से जैसे अनुसूची 2 के भाग 2 में उपवर्णित है, सुरक्षित किया जायेगा।

संभरक और या ट्रंक

6. यदि संभरक और/या ट्रंक फिट किये हो, अनुसूचित 1 के भाग 3 में उपवर्णित पद्धति से नीति धूर्ण परिकलन करते समय उनके प्रभावों पर उचित ध्यान दिया जायेगा। ऐसे संभरकों की सीमायें परिवद्ध करने वाले प्रभागों का वल अनुसूचित 2 के भाग 1 के उपबन्ध के अनुरूप होगा, 1, सम्मिलित व्यवस्थाएं

7. निम्न फलके और उनके भागों की द्वीन डैक जगहें एक कक्ष के रूप में नौभरित की जायेंगी, वशत कि, नीति धूर्ण परिकलन करते समय, निम्न जगहों में अनाज के बहाव की उचित गणना ध्यान में ली गयी हो।

अनुसूची—1

गृहीत नाति धूर्ण का परिकलन

भाग 1	असमतल अनाज सतह के गृहीत नमूने और अटूट स्थिरता के परिकलन की रीति का विवरण।
भाग 2	नौभरित कक्ष के गृहीत आयतनी नाति धूर्ण का निर्धारण।
भाग 3	संभरक और ट्रंक।
भाग 4	भागतः नौभरित कक्ष।
भाग 4	असमतल अनाज सतह के गृहीत नमूने और अटूट स्थिरता के परिकलन की रीति का विवरण।

(अ) साधारण

(क) खुला अनाज वहन करने वाले पोतों की स्थिरता परिकलन करने के लिए यह माना जायेगा कि :—

- (1) फलकों की बाजू के 500 और 600 मि० मी० के मध्य की गहराई के गर्डर वाले पोतों के नीभारित कक्षों में, डेक के नीचे के रिक्त स्थान (vd) की सामान्य गहराई 460 मि०मी० है।
- (2) जब फलकों बाजू के गर्डर की गहराई 500 और 600 मि०मी० के मध्य नहीं होती, रिक्त स्थान की औसत गहराई निम्न सूत्र के आधार पर परिकलित की जायेगी :

$$vd = vd_1 + 0.75 (d - 600) \text{ मि०मी०}$$

जहाँ vd_1 औसत रिक्त स्थान गहराई मि०मी० में
 $vd_{मानक}$ रिक्त स्थान गहराई निम्न सारणी।
 vd निश्चित गर्डर मि०मी० में 1 किसी भी दशा में vd
 100 मि०मी० से कम नहीं होगी।
 सारणी 1

फलके सिरे या बाजू से कक्ष की सीमा तक का अंतर	मानक रिक्त स्थान गहराई
1	2
मीटर	मि०मी०
0.5	570
1.0	530
1.5	500
2.0	480
2.5	450

कुल अनाज विचलन से
 उत्पन्न नति कोण
 स्थिरक भुजा

1	2
3.0	440
3.5	430
4.0	430
4.5	430
5.0	430
5.5	450
6.0	470
6.5	490
7.0	520
7.5	550
8.0	590

(3) उन सतहों के नीचे जिनका क्षैतिज झुकाव 30 अंश या अधिक हो रिक्त स्थान नहीं होंगे।

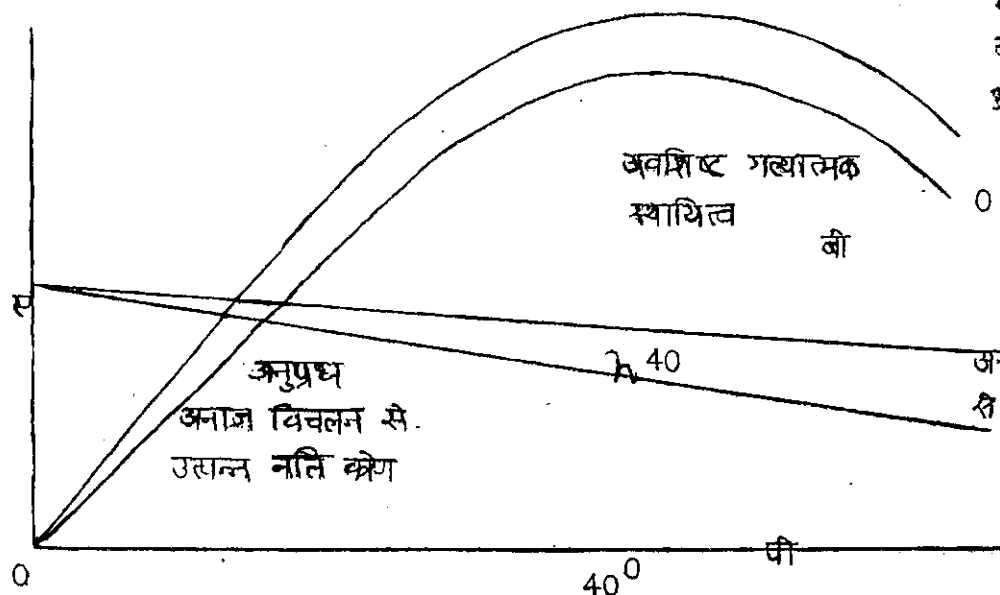
(4) नीभारित फलकों के मध्य, फलके आवरण के निचले भाग से अनाज सतह तक औसत रिक्त स्थान गहराई 75 मि०मी० होती है। यदि फलका मुख पूर्णतः भरा न हो, तो गृहीत नति धूर्ण परिकलित करते समय यह रिक्त स्थान किसी अन्य अधूरे भरे फलके के रिक्त स्थान के संयोजन में लिया जायेगा।

(ख) पोत स्थिरता संगणनायें इस आधार पर निर्धारित होंगी कि स्थिरा का गुरुत्वकेन्द्र संपूर्ण स्थिरा जगह के आयतनी केन्द्र के पास हो, और ऐसे मामलों में केवल अनुप्रस्थ अनाज स्थानान्तरण से उत्पन्न प्रतिकूल नति धूर्ण परिकलित करना आवश्यक होगा। तथापि, पोत का स्थिरक भुजा वक्र परिकलित करते समय, डेक के नीचे से विद्यमान रिक्त स्थानों से उत्पन्न पोत के उर्ध्वधर गुरुत्व केन्द्र की कमी को लेखे में लेना यदि आवश्यक समझा गया, तो अनाज के उर्ध्वधर संघटक स्थानान्तरणों के निवल परिणामों को भी कुल गृहीत नति धूर्ण वक्र में जोड़ दिया जायेगा।
 आकृति 1 देखिए।

स्थिरक भुजा वक्र (डेक के नीचे रिक्त स्थानों के लिए समंजित स्थिरा का गुरुत्वकेन्द्र स्थिरक भुजा वक्र (स्थिरा जगह के आयतनी केन्द्र

के पास स्थिरा का गुरुत्व
 कै०) उर्ध्वधर ओर
 अनुप्रस्थ

अनाज विचलन से
 0.66 उत्पन्न कुल नति धूर्ण
 वक्र



नति कोण (अंश)

आकृति -1

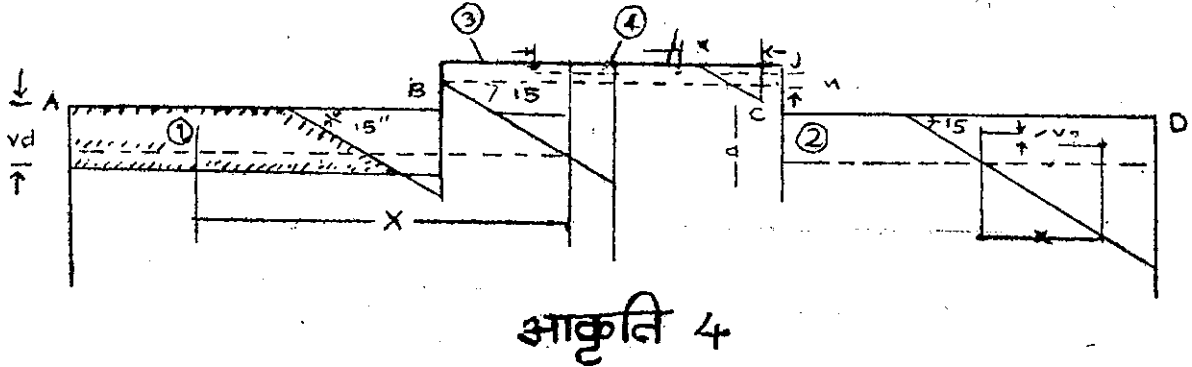
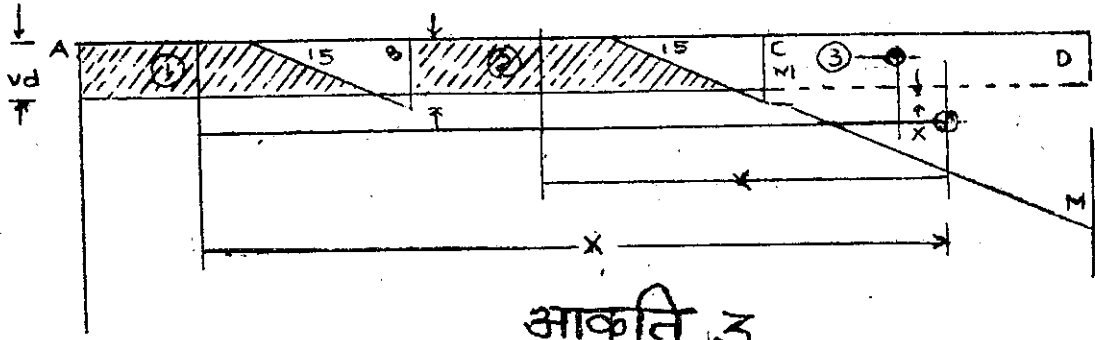
अहां

$$NO = \frac{\text{अनुप्रस्थ विचलन से उत्पन्न गृहीत आयातनी धूर्ण}}{\text{नीभर गणांक} \times \text{स्थापन}}$$

नीमरण गुणांक \times विस्थापन

$$n40 = 0.80 \times n0$$

\times = उर्ध्वाधर विचलन से उत्पन्न गृहीत आयतनी नति धूर्ण



भाग 1 (अ) (क) (iv) देखिए

गृहीत क्षेत्रीय आयतनी नति घूर्ण =

$$[(1)XX1]+[(2)XX2]+[(3)X3]+[(4)XX4]$$

गृहीत उर्ध्वाधर आयतनी नति घूर्ण =

$$[(1)XY1]+[(2)XY2]+[(3)Y3]+[(4)XY4]$$

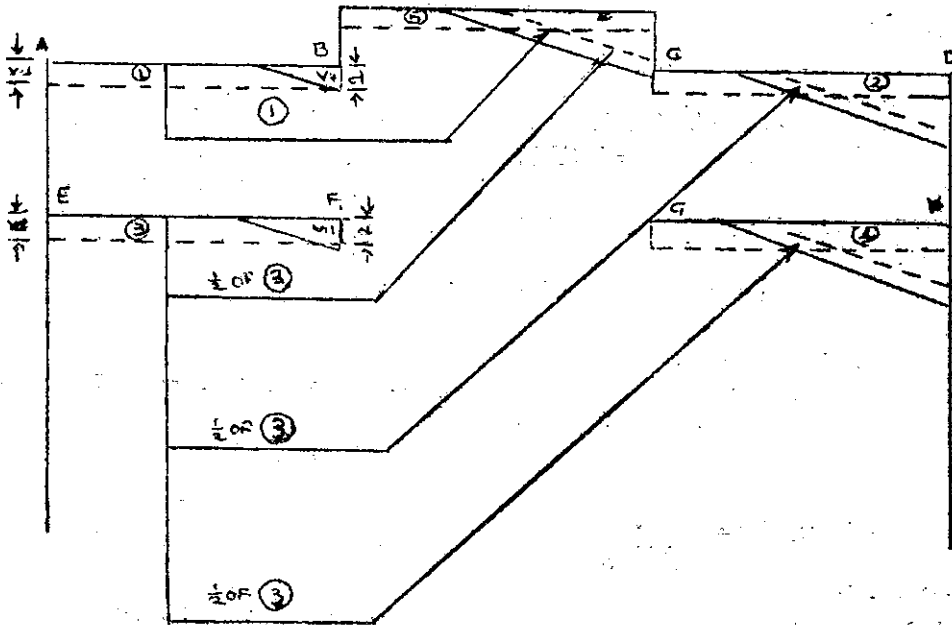
(ब) जब फलका मुख में मध्यरेखा विभाजन नहीं होता परिकलन उप-युक्त क(अ) के समान होगा सिवाय कि अनुप्रस्थ उत्तोलक $\times 1$, रिक्त स्थान मध्यरेखा विभाजन के पास होने के बदले गार्डर C के पास हो

जाने से बड़ जायेगा और (3) तथा (4) एक मात्र मूल रिक्त स्थान निर्माण करने के लिए संयुक्त हो जायेंगे।

(ड) नौभरण की संयुक्त व्यवस्थाओं के साथ बहुखण्ड डेक

(अ) डेक अछिद्रण

- (1) सिवाय जहां विभाग द्वारा स्वीकृत डेक छिद्रणों के नमूने समाविष्टित हैं, ऐसा माना गया है कि सामान्य परिमाणों के फलकों, यदि खुले भी हों, का समतलन डेक के नीचे के रिक्त स्थानों के आयतनों को कम करने में कोई महत्वपूर्ण प्रभाव नहीं डालता।
- (2) मध्यरेखा विभाजन के विरहीत दो डेक व्यवस्था (आकृति 5 देखिए)



आकृति 5

भाग 1(अ) (क) (iv) देखिए

इस व्यवस्था में रिक्त स्थानों का स्थानान्तरण निम्न प्रकार हुआ है ऐसा माना जायेगा :

- (1) खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;
- (2) खुले डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;
- (3) का 1/2 खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान में स्थानान्तरित होता है;
- (3) का 1/4 उच्च बाजू पर खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान में स्थानान्तरित होता है;
- (3) का 1/4 द्वितीय डैक के नीचे, उच्च बाजू पर अंतिम रिक्त स्थान में स्थानान्तरित होता है;
- (4) द्वितीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;
- (5) खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;

जहां :

$$(1) = AB \times Vd_1 - Vr^1, \text{ जहां } Vr^1 = \frac{d_1^2}{2 \tan 15^\circ}$$

$$(2) = VD \times Vd_1$$

$$(3) = (EF \times Vd_2) - Vr^2, \text{ जहां } Vr^2 = \frac{d_2^2}{2 \tan 15^\circ}$$

$$(4) = GH \times Vd_3$$

$$(5) = BC \times Vd_0$$

खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान का आयतन होगा।

(5)+(1)+(3) का 1/2 और उसका परिकेन्द्र तदनुसार स्थित होगा।

खुले डैक उच्च बाजू के नीचे अंतिम रिक्त स्थान का आयतन होगा।

(2)+(3) का 1/4 और उसका परिकेन्द्र तदनुसार स्थित होगा। द्वितीय डैक उच्च बाजू के नीचे अंतिम रिक्त स्थान का आयतन होगा।

(4)+(3) का 1/4 और उसका परिकेन्द्र तदनुसार स्थित होगा।

(iii) ट्वीन डैक मध्य रेखा विभाजन सहित दो डैक व्यवस्था (आकृति 6 देखिए)

इस व्यवस्था में रिक्त स्थानों का स्थानान्तरण, आकृति 6 में निर्दिष्ट, जो उपर्युक्त (ड) (अ) (ii) में आरेखित सिद्धांतों का अनुसरण करता है के अनुसार हुआ है ऐसा माना जायेगा सिवाय कि मध्यरेखा विभाजन की उपस्थिति (1) और (3) का भागतः अनुप्रस्थ स्थानान्तरण कम करे।

(iv) तीन डैक व्यवस्था। (आकृति 7 देखिए)

इस व्यवस्था में रिक्त स्थानों का स्थानान्तरण निम्न प्रकार हुआ है ऐसा माना जायेगा :

- (1) खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;
- (2) खुले डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;
- (3) का 1/2 खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान में स्थानान्तरित होता है;
- (3) का 1/4 खुले डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान में स्थानान्तरित होता है;
- (3) का 1/4 द्वितीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान में स्थानान्तरित होता है;
- (4) द्वितीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है।
- (5) का 1/4 खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान में स्थानान्तरित होता है;

- (5) का 1/4 खुले डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान में स्थानान्तरित होता है;

- (5) का 1/4 द्वितीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान में स्थानान्तरित होता है;

- (5) का 1/4 तृतीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान में स्थानान्तरित होता है;

- (6) तृतीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;

- (7) खुले डैक फलका आवरण के नीचे अंतिम स्थान के परिकेन्द्र में स्थानान्तरित होता है;

जहां:—

$$(1) = (AB \times Vd_1) - Vr^1, \text{ जहां } Vr^1 = \frac{d_1^2}{2 \tan 15^\circ}$$

$$(2) = CD \times Vd_1$$

$$(3) = (EF \times Vd_2) - Vr^2, \text{ जहां } Vr^2 = \frac{d_2^2}{2 \tan 15^\circ}$$

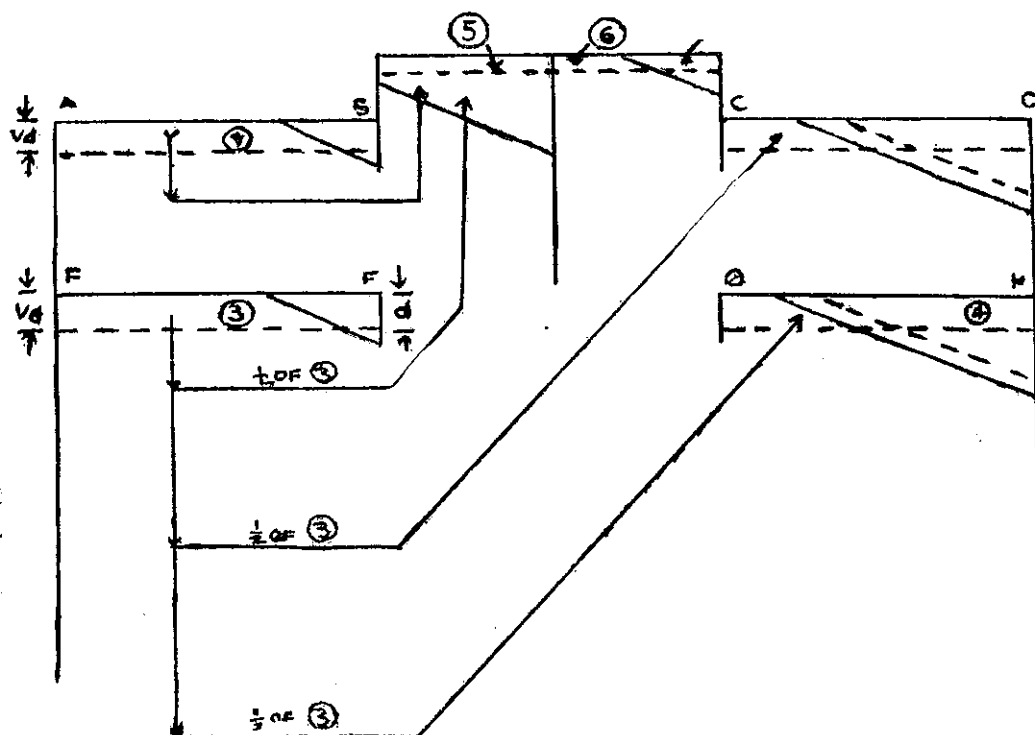
$$(4) = GH \times Vd_2$$

$$(5) = (JK \times Vd_3) - Vr^3, \text{ जहां } Vr^3 = \frac{d_3^2}{2 \tan 15^\circ}$$

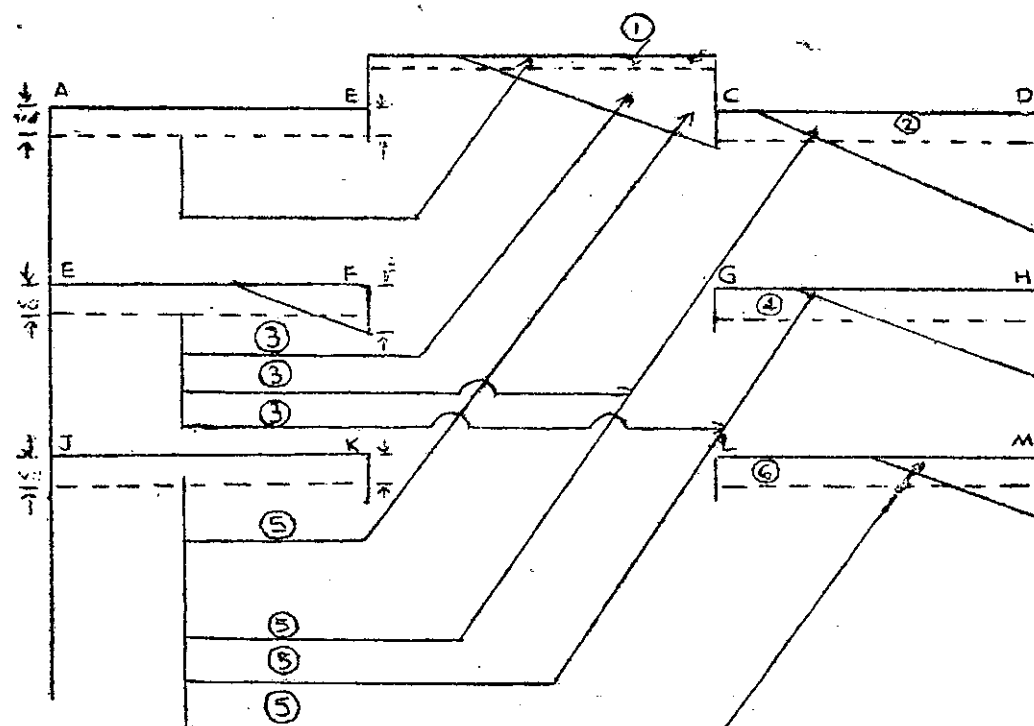
$$(6) = LM \times Vd_3$$

$$(7) = BC \times Vd_0$$

FIG. 7



आकृति ६



आकृति ७

खुले डैक फलका आवरण के नीचे अंतिम रिक्त स्थान का आयतन होगा (7)

(7)+(1)+(3) का $1/2(5)$ का $1/4$ और तदनुसार उसका परिकेन्द्र स्थित होगा।

खुले डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान का आयतन होगा (2)+(3) का $1/4+(5)$ और तदनुसार उसका परिकेन्द्र स्थित होगा।

द्वितीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान का आयतन होगा।

(4)+(3) का $1/4+(5)$ और तदनुसार उसका परिकेन्द्र स्थित होगा।

तृतीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान का आयतन होगा।

(6)+(5) का $1/4$ और तदनुसार उसका परिकेन्द्र स्थित होगा।

(5) अतिरिक्त बहुखण्ड डैक व्यवस्थाएं:

ऐसी व्यवस्थाओं के लिए ऐसा माना जायेगा कि हर अतिरिक्त डैक के नीचे निम्न बाजू के रिक्त स्थान उच्च बाजू के सभी रिक्त स्थानों में समान रूप से विभाजित किये जाते हैं। उदाहरणार्थ, यदि आकृति 7 में चतुर्थ डैक जोड़ दिया, तो उस डैक के नीचे निम्न बाजू के रिक्त स्थान उच्च

बाजू के पांच रिक्त स्थानों में (जैसे फलका मुख, खुला डैक, द्वितीय डैक, तृतीय डैक और चतुर्थ डैक क्रमशः) से प्रत्येक स्थान में समरूप से स्थानान्तरित हुए हैं ऐसा माना जायेगा।

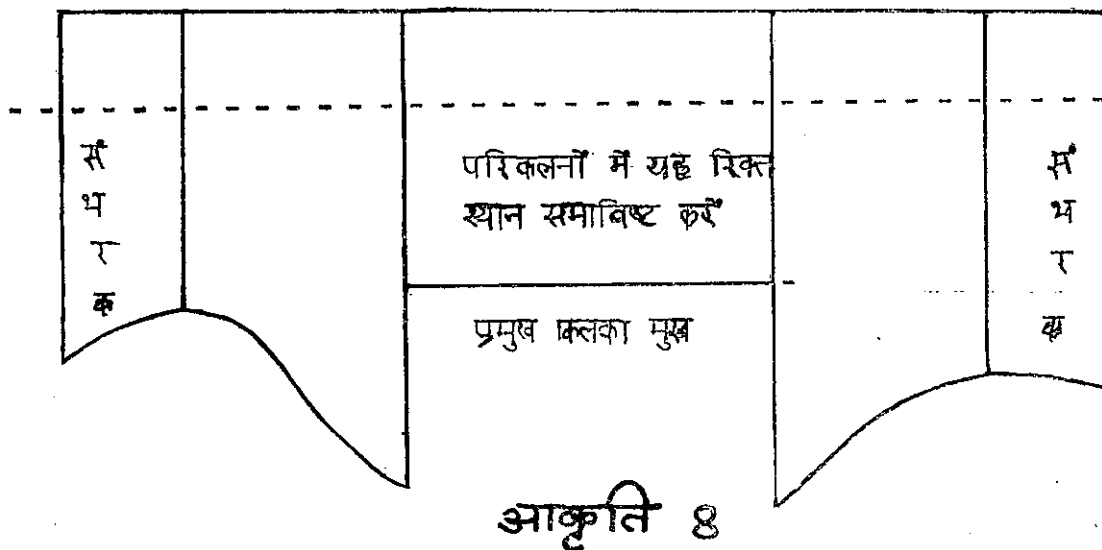
(ब) डैक छिद्रण सहित:

(1) जहां डैक छिद्रित होते हैं, ऐसे डैकों के नीचे के रिक्त स्थान नौभरण में कम होंगे। बाकी मूल रिक्त स्थानों की प्रतिशतता आकृति 12 से प्राप्त की जाये।

(2) पोत गति के प्रभाव में यह माना जायेगा कि ये रिक्त स्थान छिद्रणों के मध्य अनुप्रस्थ रूप से अन्त में पूर्णतः भरे हैं। विभाग का समाधान हो जाये कि ये छिद्रण डैक की अनुलंब सीमा के अन्त तक इस प्रकार बांटे गये हैं कि प्रभावकारी रिक्त स्थान नौभरण माध्य हो नति धूर्ण उपर्युक्त (अ) में उपर्युक्त पद्धति से, बड़े रिक्त स्थानों के आयतनों में वृद्धि और छिद्रक डैक के नीचे के कोई शेष रिक्त स्थानों की ओर उचित स्थान देकर परिकलित किये जायेंगे।

भाग-III संभरक और ट्रंक

(अ) सुस्थित पक्ष संभरक (आकृति 8 देखिए)



यह माना जायेगा कि पोत गति के प्रभाव के अधीन डैक के नीचे के रिक्त स्थान अनुलंब संभरकों के युग्म से अनाज प्रवाह द्वारा पूर्णतः भरे जायेंगे बशर्ते कि:

- (1) संभरक डैक की पूरी लंबाई तक विस्तारित हैं और उनमें छिद्रण पर्याप्त दूरी पर हैं;
- (2) प्रत्येक संभरक का आयतन डैक के नीचे के फलका बाजू के गार्डर और उसके अनुवर्ती के बाहरी रिक्त स्थान के आयतन के बराबर है।

(ब) प्रमुख फलका मुखों के ऊपर स्थित ट्रंक (आकृति 9 देखिए) इस व्यवस्था में रिक्त स्थानों का स्थानान्तरण निम्न प्रकार हुआ है ऐसा माना जायेगा:

- (1) ट्रंक बाजू के पास अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;
- (2) खुले डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है;

(3) का $2/3$ मध्य रेखा पर ट्रंक के तल के पास स्थानान्तरित होता है;

(3) का $1/3$ द्वितीय डैक के नीचे उच्च बाजू पर रिक्त स्थान में स्थानान्तरित होता है।

(4) द्वितीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान के परिकेन्द्र में स्थानान्तरित होता है।

जहां:

$$(1) = AB \times Vd_1$$

$$(2) = CD \times Vd_1$$

$$(3) = (EF \times Vd_2) - Vr^2, \text{ जहां } Vr^2 = \frac{d_2^3}{2 \tan 15^\circ}$$

$$(4) = GH \times Vd_2$$

द्वितीय डैक के नीचे उच्च बाजू पर अंतिम रिक्त स्थान का आयतन होगा (4)+(3) का $1/3$ और तदनुसार उसका परिकेन्द्र स्थित होगा।

स्वयं ट्रंक में नति धूर्ण वह माना जायेगा जो 25 अंश के पूर्ण वेज स्थानान्तरण से उत्पन्न होता है।

जहां ट्रंक निम्न द्वीन डैकों के ऊपर स्थित है, रिक्त स्थान का गृहीत नमूना इस अनुसूची के भाग 2(ड)(अ)(2), (3) या (4) के सिद्धांतों के अनुसार स्थानान्तरित होता है।

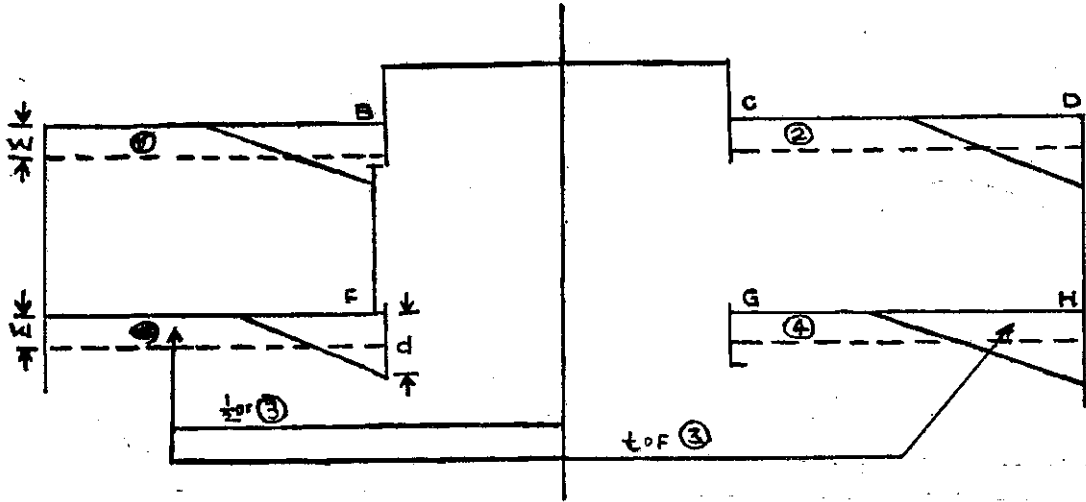
भाग—IV अंशतः भरे कक्ष

(अ) साधारण :

जब खुले अनाज को मुक्त सतह परिशिष्ट के भाग 5 के अनुसार सुरक्षित नहीं की गयी हो तब यह माना जायेगा कि सभी सतहों के ऊपर 25 अंश के सतह विचलन (वेज कोण) को स्थानान्तरण होता है

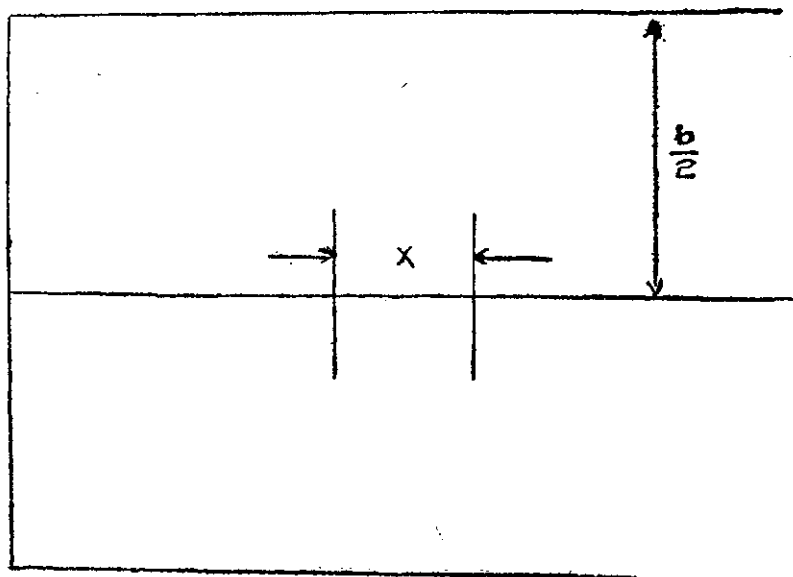
(ब) विच्छिन्न अनुलम्ब विभाजन :

कक्ष, जिसमें अनुलम्ब विभाजन अनुप्रस्थ सीमाओं में विच्छिन्न है, में ऐसे किसी भी विभाजनों के ऊपर की लंबाई जो अनाज सतहों के पूर्ण चौड़ाई विच्छिन्नों को रोकने के लिए युक्तियों के रूप में प्रभावकारी होती है, विचाराधीन विभाजन के भाग को वास्तविक लंबाई कृण(—) विभाजन और संलग्न विभाजन या पोत बाजू के बीच की दो अनुप्रस्थ दूरियों में से बड़ी दूरी को दो बटा सात (2/7) (आकृति 10 और 11 देखिए) मानी जायेगी।



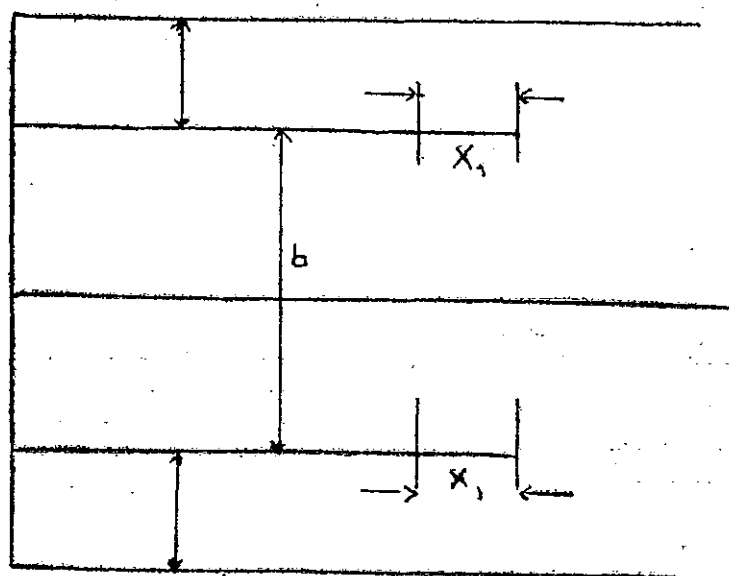
आकृति 9

आकृति 9 सभी अंतिम अनाज सतहों की दलाने 15° पर।



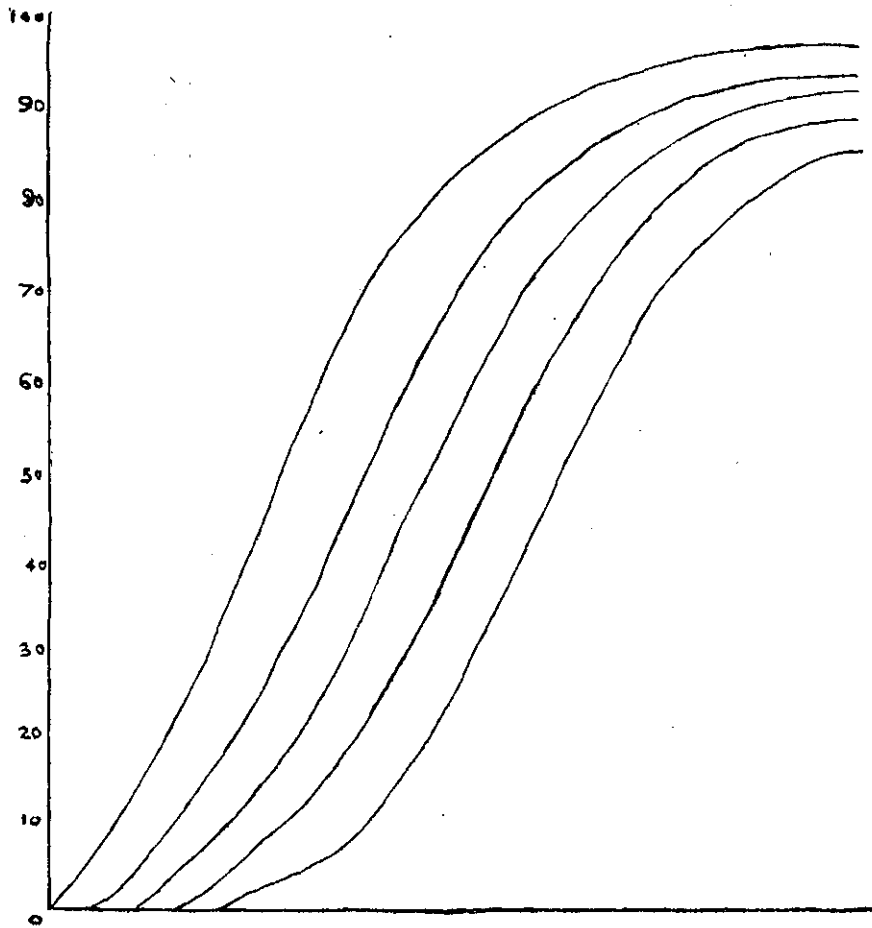
आकृति 10

कमी $X = 2/7 = X \ 6/2$ अर्थात् $6/7$ जहां 6 = फलके की चौड़ाई



आकृति 11

कमी $X_1 = 2/7$ (9 या 6 जो भी बड़ा हो)



छिद्रों का अन्तर
छिद्रों का अन्तर (केंद्र से केंद्र मीटरों में)

आकृति 12

अनुसूची-II

भाग -1 अनाज फिटिंग का बल

- साधारण (कार्यकारी प्रतिबलों सहित)
- दोनों बाजूओं पर नौभरित प्रभाग
- एक ही बाजू पर नौभरित प्रभाग
- तश्तरियां

भाग-II अंशतः भरे कक्षों की सुरक्षितता

- पट्टियों से बांधना या रस्सियों से बांधना
- व्यवस्थाएं सुरक्षित करने के निर्माण संबंधी विवरण
- बोरों में बन्द अनाज

भाग 1 अनाज फिटिंग का बल

(अ) साधारण :

(क) काष्ठ-अनाज फिटिंग के लिए प्रयुक्त सभी काष्ठ अच्छे मजबूत दर्जे का और उस प्रकार और श्रेणी का होगा जो इस हेतु समाधान कारक सिद्ध हुआ है। काष्ठ के वास्तविक तैयार परिमाण इसके पश्चात् इस अनुसूची में निर्दिष्ट परिमाणों के अनुसार होंगे। बाहरी बाजू का प्लायवुड

जलसह सरेस से जोड़ा होगा और इस प्रकार लगाया जायगा कि अग्रभाग में अनाज की दिशा आलंबित खड़े खंबों की अभिलंबीत होंगी या बाइन्डर का प्रयोग किया जाय वशत कि उसका बल समुचित घटक चिरान के ठोस काष्ठ के तुल्य बल हो।

(ख) कार्यकारी प्रतिबल - एक ही बाजू पर नौभरित प्रभागों के परिमाण परिकल्पित करते समय इस अनुसूची के इस भाग के परिच्छेद (क) (अ) और (द) की सारणियों का उपयोग करते हुए निम्न कार्यकारी प्रतिबलों का अंगीकार किया जाए।

इस्पात के प्रभागों के लिए . . . 2,000 कि० ग्रा०
हर वर्ग से० मी० काष्ठ के प्रभागों के लिए . . . 160 कि० ग्रा०
हर वर्ग से० मी०

(ग) अन्य धातु - काष्ठ या इस्पात से भिन्न धातु ऐसे प्रभागों के लिए अनुमोदित किये जा सकते हैं वशत कि उनके यांत्रिक गुणधर्मों पर उचित ध्यान दिया गया है।

(घ) खड़े खंबे

(1) खड़े खंबों के सिरे उनके खोले से निकल न जाने का बंदोबस्त करने के उपाय जब तक नहीं किये गये हों, प्रत्येक खड़े खंबे

- के हर सिर के पास के छिद्र की गहराई 75 मि०मी० से कम नहीं होगी। यदि खड़ा खंबा सिर पर सुरक्षित नहीं है, तो अत्युच्च धाम या रस्सी यथासाध्य उसके पास लगायी जावगी।
- (2) खड़े खंबे की अनुप्रस्थ काट के भाग को हटाकर रोक तख्तों को निविष्ट करने के लिए की गयी व्यवस्थाएं ऐसी होंगी कि प्रतिबलों का स्थानीय स्तर अनुचित रूप से अधिक नहीं होगा।
- (3) एक बगल पर नीभरित प्रभाग को आलंब रूप से प्रयुक्त खड़े खंबे पर लदा अधिकतम नति पूर्ण सामान्यतः ऐसा मानकर परिकलित किया जाएगा कि खड़े खंबों के सिर मुक्त रूप में आलंबित हैं। तथापि, यदि विभाग का समाधान हो गया है कि स्वीकृति स्थिरता की कोई भी डिग्री व्यवहार में साध्य की जाय, तो खड़े खंबे के सिरों के पास की स्थिरता की किसी डिग्री से उत्पन्न अधिकतम नति पूर्ण की किसी भी कमी को संगणना में लिया जाएगा।
- (ङ) जोड़ खंड—जहां खड़े खंबे, बाइन्डर्स, या अन्य कोई बल घटक दो विभिन्न खंडों से बनते हैं, विभाजन के हर बगल पर एक एक और पर्याप्त दूरी पर आर पार बोल्टों द्वारा अंतर संयोजित होते हैं, वहां प्रभावी खंड मापांक दो भिन्न खंडों के मापांकों का जोड़ माना जायेगा।
- (च) आंशिक प्रभाग : जहां प्रभाग संभरक की पूरी गहराई तक विस्तारित नहीं होते, वहां ऐसे प्रभाग और उनके उर्ध्वखंडे आलंबित या रस्सियों से बांधे जायें ताकि वे उन प्रभागों जो संभरक की पूरी गहराई तक विस्तारित होते हैं के समतुल्य सक्षम हों।
- (ब) दोनों बगलों पर नीभरित प्रभाग
- (अ) रोक तख्तों :—
- (1) रोक तख्तों की मोटाई 50 मि०मी० से कम नहीं होगी और वे अन्तर्द्वय फिट किये जायेंगे और जहां आवश्यक हो वहां उर्ध्वखंडों से आलंबित होंगे।
- (2) विभिन्न मोटाई के रोक तख्तों के लिये अधिकतम आलंब रहित पाट निम्न प्रकार होंगे।

मोटाई	अधिकतम आलंबरहित पाट
50 मि०मी०	2.5 मीटर
60 मि०मी०	3.0 मीटर
70 मि०मी०	3.5 मीटर
80 मि०मी०	4.0 मीटर

यदि मोटाई इससे अधिक दी गयी हो तो अधिकतम आलंबरहित पाट मोटाई की अधिकता के अनुपात से प्रत्यक्ष बदल जायेगा।

- (3) सभी रोक तख्तों के सिर न्यूनतम 75 मि०मी० बैयरिंग लंबाई के साथ सुरक्षित रूप से बँधायें जायेंगे।
- (ब) अन्य धातु : आण्ड से अन्य धातु से सन्निमित प्रभाग उपर्युक्त (ब) (क) में निदिष्ट रोक तख्तों की शक्ति के समतुल्य होंगे
- (क) खड़े खंबे :
- (1) दोनों बगलों पर नीभरित भागों के लिए आलंब रूप में प्रयुक्त इस्पात के उर्ध्वधर खंबे $W = aW_1$ द्वारा प्रदत्त खण्ड मापांक के होंगे।

जहां : $W =$ ।

$W =$ खण्ड मापांक से०मी०³ में;

$a =$ खड़े खंबों के बीच की क्षैतिज पाट मीटरों में।

परिच्छेद मापांक प्रति मीटर पाट W_1 सूत्र

$$W_1 = 14.8(H_1 - 1.22 \text{ से०मी०}^3 \text{ प्रति मीटर}$$

द्वारा दिये गये मापांक से कम नहीं होगा ;

H_1 उर्ध्वर आलंब रहित पाट मीटरों में है, और वह किसी दो संलग्न या धामों के बीच की या धाम और अर्धधर खंबे के किसी एक सिर के बीच की दूरी का अधिकतम मूल्य माना जायेगा। जहां यह दूरी 2.44 मीटरों से कम है वहां उसका मापांक उसका वास्तविक मूल्य 2.44 मीटर मानकर ही परिकलित किया जायेगा।

- (2) काष्ठ खड़े खंबों के मापांक संगत इस्पात खड़े खंबों के मापांकों को 12.7 से गुणा करके निर्धारित किये जायेंगे। यदि अन्य धातु प्रयुक्त किये गये हों तो उनके मापांक, कम के कम इस्पात के लिये अपेक्षित मापांक से इस्पात के लिये अनुव्यय प्रतिबलों और प्रयुक्त धातु के प्रतिबलों के अनुपात के अनुसार वर्धित होंगे। ऐसे मामले में प्रत्येक खड़े खंबे की सापेक्ष दृढ़ता की ओर भी यह निश्चित करने के लिए कि झुकाव अत्यधिक न हो, समुचित ध्यान दिया जायेगा।
- (3) खड़े खंबों के बीच की क्षतिज दूरी ऐसी होनी कि रोक तख्तों के आलंब रहित पाट, अनुसूची के इस भाग के परिच्छेद (अ) (2) में निदिष्ट अधिकतम पाट से अधिक न हो।
- (ड) धाम

- (1) काष्ठ धाम, जब प्रयुक्त है, एक टुकड़े से सन्निमित होंगे और प्रत्येक सिर के पास सुरक्षित रूप से में लगाये जायेंगे तथा पोत के स्थायी ढांचे की ओर, सिवाय कि वे सीधे पोत की प्लेटिंग बाजू की ओर रखे न हों झुके होंगे।
- (2) निम्न उप परिच्छेद (3) और (4) के उपबंधों के अधीन, काष्ठ धामों के न्यूनतम आकार निम्न प्रकार होंगे।

धाम की लंबाई मीटरों में	आयताकार	वृत्ताकार
	खण्ड मि०मी०	खण्ड का व्यास मि०मी०
3 मी० से अनधिक	150 × 100	140
3 मी० से अधिक परन्तु 4 मी० से अनधिक	150 × 150	165
5 मी० से अधिक परन्तु 6 मी० से अनधिक	150 × 150	180
6 मी० से अधिक परन्तु 7 मी० से अनधिक	200 × 150	190
7 मी० से अधिक परन्तु 8 मी० से अनधिक	200 × 150	200
8 मी० से अधिक	200 × 150	215

7 मीटर या अधिक के लम्बाई के धाम लगभग आधी लंबाई पर सुरक्षितता से सेतुबन्धित किये जायेंगे।

- (3) जब खड़े खंबों के बीच की क्षतिज दूरी 4 मीटरों से महत्वपूर्ण रूप से बदलती है, तब धामों के जड़त्व अपूर्ण सीधे समानुपात में बदलेंगे।
- (4) जहां धाम का क्षैतिज से कोण 10 अंशों से अधिक हो जाता है, वहां इस परिच्छेद से उप-परिच्छेद (2) द्वारा अपेक्षित बड़े आकार का धाम उस धाम के आगे लगाया जायेगा परन्तु किसी

याम और क्षैतिज के बीच का कोण किसी भी दिशा में 45
अंशों से अधिक नहीं होगा।

(इ) रस्सियां : जहां दोनों बगलों पर नौभरित प्रभागों के लिए
रस्सियां आलंब रूप में प्रयुक्त की गयी हैं, वहां वे क्षैतिजतः
लगायी जाएंगी या यथासाध्य उनके सनिकट में, हर सिरे पर

(क) एकही बगल पर नौभरित प्रभाग

(ख) अनुलंब प्रभाग : प्रभाग की लंबाई की प्रति मीटर भार निम्न प्रकार होगा।

सारणी-1*

B(मी०)

1	2	3	4	5	6	7	8	10
1.5	850	900	1010	1225	1500	1770	2060	2645
2.0	1390	1505	1710	1985	2295	2605	2930	3590
2.5	1985	2160	2430	2740	3090	3435	3800	4535
3.0	2615	2845	3150	3500	3885	4270	4670	5480
3.5	3245	3525	3870	4255	4680	5100	5540	6425
4.0	3890	4210	4590	5015	5475	5935	6410	7370
4.5	4535	4890	5310	5770	6270	6765	7880	8315
5.0	5185	5570	6030	6530	7065	7600	8150	9260
6.0	6475	6935	7470	8045	8655	9265	9890	11150
7.0	7765	8300	8910	9560	10245	10930	11630	13040
8.0	9055	9665	10350	11075	11835	12595	13370	14930
9.0	10345	11030	11790	12590	13425	14260	15110	16820
10.0	11635	12395	13230	14105	15015	15925	16850	18710

h-अनाज की ऊंचाई मीटरों में**

B-खुले अनाज का अनुप्रस्थ विस्तार मीटरों में।

* उपरोक्त भार ब्रिटिश एककों (टन/फीट) में परिवर्तित करने के लिए 1 कि० ग्राम० प्रति मीटर लंबाई 0.0003 टन प्रति फुट लंबाई के बराबर माना जायेगा।

** जहां प्रभाग से संभरक या फलकामुख तक का अन्तर 1 मीटर या उससे कम हो, तो ऊंचाई h उस फलकामुख या संभरक में अनाज के स्तर तक की मानी जाएगी। अन्य सभी मामलों में ऊंचाई प्रभागों के मार्ग के उपरी डैक तक मानी जाएगी।

h और/या B के अन्य मूल्यांकों के लिए भार यथावश्यक रेखीय अन्तर्वेश या बहुवृक्षन द्वारा निर्धारित किया जाएगा।

(ब) अनुप्रस्थ प्रभाग/प्रभागों का भार कि० ग्रा० में प्रति मीटर लंबाई निम्न प्रकार माना जायेगा :

सारणी-2

L(मी०)

h 1	2	3	4	5	6	7	8	10	12	14	16
1.5	670	690	730	780	835	890	935	1000	1040	1050	1050
2.0	1040	1100	1170	1245	1325	1400	1470	1575	1640	1660	1660
2.5	1460	1565	1675	1780	1880	1980	2075	2210	2285	2305	2305
3.0	1925	2065	2205	2340	2470	2590	2695	2845	2925	2950	2950
3.5	2425	2605	2770	2930	3075	3205	3320	3480	3570	3595	3595
4.0	2950	3160	3355	3535	3690	3830	3950	4120	4210	4235	4240
4.5	3495	3725	3940	4130	4295	4440	4565	4750	4850	4880	4885
5.0	4050	4305	4535	4735	4910	5060	5190	5385	5490	5525	5530
6.0	5175	5465	5720	5954	6135	6300	6445	6655	6775	6815	6825
7.0	6300	6620	6905	7150	7365	7445	7700	7930	8055	8105	8115
8.0	7425	7780	8090	8360	8590	8685	8950	9200	9340	9395	9410
9.0	8550	8935	9275	9565	9820	9930	10205	10475	10620	10685	10705
10.0	9680	10095	10460	10770	11045	11270	11460	11745	11905	11975	11997

h-अनाज की ऊंचाई मीटरों में।

L-खुले अनाज का अनुलंब विस्तार मीटरों में

* उपर्युक्त भार ब्रिटिश एककों (टन/फीट) में परिवर्तित करने के लिए 1 कि० ग्रा० प्रति मीटर लंबाई 0.0003 टन प्रति फुट लंबाई के बराबर माना जायेगा।

** जहां प्रभाग से संभरक या फलकामुख तक का अन्तर 1 मीटर है, वहां ऊंचाई h, उस फलकामुख या संभरक के अनाज के स्तर तक मानी जायेगी। अन्य सभी मामलों में ऊंचाई प्रभाग के मार्ग के उपरी डैक तक मानी जायेगी।

) h और/या L के अन्य मूल्यांकों के लिए रेखीय अन्तर्वेशन या वृहिवेशन द्वारा यथावश्यक भार निर्धारित किया जायेगा।

(क) भारों का उर्ध्वाधर वितरण : सारणी 1 और 12 में निर्दिष्ट प्रभावों का प्रति एकक लम्बाई का कुल भार, यदि आवश्यक हो, ऊंचाई के समलंबक वितरण के समान माना जायेगा। ऐसे मामले में उर्ध्वाधर घटक या खड़े खंभे के ऊपरी और निम्न सिरे के पास दाबभार प्रभाव नहीं होंगे। ऊपरी सिरे के पास दाब भार उर्ध्वाधर घटक या खड़े खंभे द्वारा आलम्बीत कुल भार की प्रतिशतताओं के रूप में अभिव्यक्त किया जायेगा जो कि सारणी 3 और 4 में निर्दिष्ट है।

एकही बाजू पर नौभरित अनुलम्ब प्रभाग

सारणी—3

बड़े खंभे के ऊपरी सिरे के पास बेयरिंग दाब भार प्रतिशतता के रूप में (सारणी—1)

B(मी०)

h (मी०)	2	3	4	5	6	7	8	10
1.5	43.3	45.1	45.9	46.2	46.2	46.2	46.2	46.2
2.0	44.5	46.7	47.6	47.8	47.8	47.8	47.8	47.8
2.5	45.4	47.6	48.6	48.8	48.8	48.8	48.8	48.8
3.0	46.0	48.3	49.2	49.4	49.4	49.4	49.4	49.4
3.5	46.5	48.8	49.7	49.8	49.8	49.8	48.9	49.8
4.0	47.0	49.1	49.9	50.1	50.1	50.1	50.1	50.1
4.5	47.4	49.4	50.1	50.2	50.2	50.2	50.2	50.2
5.0	47.7	49.4	50.1	50.2	50.2	50.2	50.2	50.2
6.0	47.9	49.5	50.1	50.2	50.2	50.1	50.1	50.2
7.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
8.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
9.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
10.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2

β खुले अनाज का अनुप्रस्थ विस्तार

h और/या β के अन्य मूल्यांकों के लिए दाब भार यथा साध्य रेखीय अन्तर्वेशन या वृहिवेशन द्वारा निर्धारित किया जायेगा।

एक ही बाजू पर नौभरित अनुप्रस्थ प्रभाग

सारणी—4

खड़े खंभे के ऊपरी सिरे के पास बेयरिंग दाब भार प्रतिशतता के रूप में (सारणी—2)

—(मी०)

h (मी०)	2	3	4	5	6	7	8	10	12	14	16
1.5	37.3	38.7	39.7	40.6	41.4	42.1	42.6	43.6	44.3	44.8	45.0
2.0	39.6	40.6	41.4	41.1	42.7	43.1	43.6	44.3	44.7	45.0	45.2
2.5	41.0	41.8	42.5	43.0	43.5	43.8	44.2	44.7	45.0	45.2	45.2
3.0	42.1	42.8	43.3	43.8	44.2	44.5	44.7	45.0	45.2	45.3	45.3
3.5	42.9	43.5	43.9	44.3	44.6	44.8	45.0	45.2	45.3	45.3	45.3
4.0	43.5	44.0	44.4	44.7	44.9	45.0	45.2	45.4	45.4	45.4	45.4
5.0	43.9	44.3	44.6	44.8	45.0	45.2	45.3	45.5	45.5	45.5	45.5
6.0	44.2	44.5	44.8	45.0	45.2	45.3	45.4	45.6	45.6	45.6	45.6
7.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
8.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
9.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
10.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	46.5	45.6	45.6

L=खुले अनाज का अनुलंब विस्तार

11 और/या H के अन्य मूल्यांकों के लिए दाबभार यथावश्यक रेखीय अन्वेषण या बहिर्वेशन द्वारा निर्धारित किया जायेगा।

ऐसे उर्ध्वाधर घटक या खड़े खंभों के अन्तिम संयोजनों का सामर्थ्य किसी भी सिरे के पास लादे रखने वाले अधिकतम भार के आधार पर परिकल्पित किया जायेगा। ये भार निम्न प्रकार हैं :—

शीर्ष पर अधिकतम भार	सारणी 1 से उचित कुल भार के 50%
अनुलंब प्रभाग	
तल पर अधिकतम भार	सारणी 1 से उचित कुल भार के 55%
शीर्ष पर अधिकतम भार	सारणी 11 से उचित कुल भार के 45%
अनुप्रस्थ प्रभाग	
तल पर अधिकतम भार	सारणी 11 से सहित कुल भार के 60%

क्षैतिज काष्ठ तख्तों की मोटाई भी उपर्युक्त सारणी 3 और 4 में निर्दिष्ट नौभरण के उर्ध्वाधर वितरण की ओर ध्यान देकर निर्धारित की जा सकेगी और ऐसे मामलों में :

$$t = 10a \frac{\sqrt{P \times K}}{h \times 213.3}$$

जहां

t—तखते की मोटाई मि०मी०;

a—तखते का क्षैतिज पाट, अर्थात् खड़े खंभों के बीच की दूरी मीटरों में;

h—अनाज की उपरी सतह के प्रभाग के तल तक मोटरों में;

P—कुल भार सारणी 1 या 2 से व्युत्पन्न प्रति एकक लम्बाई कि०ग्रा० में ;

K—नौभरण के उर्ध्वाधर वितरण पर आश्रित घटक।

जब नौभरण का उर्ध्वाधर वितरण समरूप अर्थात् आयतनी है, ऐसा माना जाता है, तब K 1.0 के बराबर माना जायेगा।

समलंबाव वितरण के लिए

$$K = 1.0 - 0.06(50 - R)$$

जहां R सारणी 3 या 4 से लिया ऊपरी सिरे का बेयरिंग दाब है।

(ड) रस्सियां या धाम : रस्सियों या धामों के आकार इस प्रकार निर्धारित किये जायेंगे कि पूर्व परिच्छेद (अ) और ब में दिये सारणी 1 और 2 से व्युत्पन्न भार भंजन भारों के 1/3 से अधिक नहीं होंगे।

(ड) तश्तरियां : जब तश्तरी पूर्ण कक्ष में नति धूनों को कम करने के लिए प्रयुक्त की जाती है तब उसकी गहराई, तश्तरी के तल से डेक रेखा तक नापने पर, निम्न प्रकार होगी ;

9.14 मोटरों तक की मोल्लेड चौड़ाई के पोतों के लिए, 1.22 मोटरों से कम नहीं।

18.29 या उससे अधिक मोटरों की मोल्लेड चौड़ाई के पोतों के लिए, 1.83 मोटरों के कम नहीं।

9.14 मोटर और 18.29 मोटर के बीच की मोल्लेड चौड़ाई के पोतों के लिए तश्तरी की न्यूनतम गहराई अन्तर्वेशन द्वारा परिकल्पित की जायेगी।

यथासाध्य तश्तरी की शीर्ष (मुख) फलकामुख के मार्ग अर्थात् फलके की बाजू के गर्डर या अड़वाल और फलके के अन्तिम धरन में अवर डेक संरचना द्वारा बनाया गया हो। उपरोक्त तश्तरी और फलका मुख बोरों

में बन्द अनाज या अन्य यथोचित स्थीरा पृथक्कारी कपड़ों या उसके समतुल्य पर रखकर पूरा भर दिया जायेगा और संलग्न संरचनाएं तथा सुबाह्य फलकामुख धरनों, यदि वे उस स्थान में हों, के पास कमकर नौभरित किया जायेगा।

भाग ii—सुरक्षित करना या अंशतः भरे कक्ष

(क) पट्टियों से या रस्सियों से बांधना

(अ) जब अंशतः भरे कक्षों में नति धूनों को हटाने के लिए पट्टियों या रस्सियों से बांधना प्रयुक्त किया जाता है, तब सुरक्षितता निम्न प्रकार परिपूर्ण हो जायेगी :

(i) अनाज समतलित और पूरे विस्तार तक किंचित उभरित रूप में चौरस किया जायेगा और टाट पृथक्कारी कपड़ों टारपोलिनों या उसके समतुल्य से आच्छादित किया जायेगा।

(ii) पृथक्कारी कपड़े और/या टारपोलिन कम से कम 1.83 मीटर एक दूसरे पर चढ़े हुए हों।

(iii) दो मजबूत 25 मि० मी० के काष्ठ फर्श जिसका ऊपरी फर्श अनुलंबी और निम्न फर्श से तिरछी रूप में कील किया गया हो विकल्पतः दो 25 मि० मी० के काष्ठ फर्शों के बदले एक 50 मि० मी० का काष्ठ फर्श अनुलम्बी और 50 मि० मी० के जिसकी चौड़ाई 150 मि० मी० से अत्यून हो, के तलधारक के शीर्ष पर कील किया गया हो, प्रयुक्त किया जा सकता है। तल-धारक कक्ष को पूरी चौड़ाई तक विस्तारित होंगे और 2.44 मीटरों से अधिक की दूरी पर लगाये होंगे। व्यवस्थाओं में भिन्न धातु प्रयुक्त किये हों और विभाग द्वारा पूर्ववर्ती के समतुल्य माने गये हों तो स्वीकृत होंगे।

(iv) इस्पात तार (19 मि० मी० व्यास या समतुल्य), दुहरी इस्पात पट्टियां (50 मि० मी० × 1.3 मि० मी०) या जंजीर, प्रत्येक की अंजन सामर्थ्य कम से कम 5,000 कि० ग्रा० की हो और 32 मि० मी० के मुड़े हुए बक-सुओं से मजबूत की गई हो, रस्सियों के लिए प्रयुक्त की जा सकेंगी। जब इस्पात पट्टियों से बांधा जाता है तब 32 मि० मी० के मुड़े हुए बकसुओं के स्थान में पाशन बाजू के संयोजन में प्रयुक्त बिब कसने वाला प्रतिस्थापन किया जा सकेगा बशर्ते कि यथावश्यक लगाने के लिए यथोचित मरोड़ प्राप्त हों जब इस्पात पट्टियां प्रयुक्त की जाती है, तब सिरों की सुरक्षितता के लिए तीन से अत्यून बार किनारे मोड़ कर मुहर की जायेगी। जब तार प्रयुक्त की जाती है, तब चार से अत्यून विलप रस्सियों में ढांचे बनाने के काम प्रयुक्त किये जाएंगे।

(v) नौभरण की समाप्ति के पूर्व रस्सी फ्रेम से अन्तिम अपेक्षित अनाज सतह के नीचे लगभग 450 मि० मी० के स्थान पर 25 मि० मी० की जंजीर या उसके तुल्य-बल धरन बंध द्वारा निश्चित रूप में जोड़ी जायेगी।

(vi) रस्सियां 2.44 मीटरों से अधिक दूरी पर लगायी जायेंगी और प्रत्येक बायें और पीछे की छत पर के धारक कील से आलंबित की जायेंगी। यह धारक 25 मि० मी० × 150 मि० मी० से अत्यून काष्ठ का या उसके समतुल्य हो और कक्ष की पूरी चौड़ाई तक विस्तारित हो।

(रक्षित व्यवस्थाओं के रचनात्मक विवरण)

जहाँ बोरो में बंद अनाज या अन्य यथोचित स्थोरा अंशतः भरे कक्षों की सुरक्षितता के उद्देश्य से रखा जाता है वहाँ खुले अनाज की ऊपरी सतह पृथक्कारी कपड़े या उसके समतुल्य हो और/या यथोचित प्लेटफार्म से आच्छादित किया जायेगा। ऐसे प्लेटफार्म 1.22 मीटरों से अधिक के अन्तराल पर लगाये काष्ठ धारकों और उन पर 100 मि० मी० से अधिक की दूरी पर रखे 25 मि० मी० के काष्ठ तख्तों से समाविष्ट हों। प्लेटफार्म भिन्न धातुओं से सज्जित किये जा सकते हैं बशर्ते कि वे विभाग द्वारा तुल्यबल माने गये हैं।

(ग) बोरो में बंद अनाज

बोरो में बन्द अनाज पूर्णतः भरे और सुरक्षितता से बन्द किये मजबूत बोरो में वहन किया जायेगा।

परिशिष्ट-I I

(खण्ड 2 देखिए)

वाणिज्य पोत परिवहन (अनाज वहन) नियम, 1974 में विहित किए गए इन्तजामों के समान इन्तजाम :

भाग-I

भाग-क—सामान्य उपबन्ध

(1) लागू होना : जब तक कि अभिव्यक्ततः अन्यथा उपबंधित न किया गया हो, यह परिशिष्ट-भाग क, ख और ग विहित, उन सभी पोतों द्वारा अनाज के वहन करने को लागू होता है जिन्हें वाणिज्य पोत परिवहन (अनाज वहन) नियम, 1974 लागू होता है।

(2) परिभाषाएं :—

(क) “अनाज” पद में गेहूँ, मक्का (दाने), जई, राई, जौ, चावल, दालें, बीज तथा उनके ऐसे संसाधित रूप भी हैं जिनका गुणधर्म अनाज के उस मूल गुणधर्म के समान हैं जो कि उसका प्राकृतिक अवस्था में है,

(ख) “भरा हुआ कक्ष” पद ऐसे कक्ष के प्रति निर्देश करता है जिसमें पैरा-3 की अपेक्षा के अनुसार लदान करने और व्यवस्थित करने के पश्चात् अनाज का ढेर अपना ऐसा उच्चतम स्तर प्राप्त कर लेता है जो संभव हो,

(ग) “भागतः भरा हुआ कक्ष” पद का निर्देश ऐसे कक्ष के प्रति है जिसमें इस पैरा के उप-पैरा (ख) में विहित रीति से अनाज के ढेर का लदान नहीं किया गया है,

(घ) “आप्लावन कोण” (of) पद से पोत का ऐसा झुकाव कोण अभिप्रेत है जहाँ पर ऐसे हल के द्वारा, अधिरचना या डैक घर जो वर्षा रोकने के लिए बंद नहीं किये जा सकते हैं डूब जाते हैं। इस परिभाषा को अपनाने में उन छोटे द्वारों को जिन से वर्धमान आप्लावन नहीं हो सकता, खुला समझने की आवश्यकता नहीं है।

(3) अनाज का समतलन करना : बिना अनाज वाली सतहों को एक स्तर पर लाने और अनाज के हटाए जाने के प्रभाव को कम करने के लिए सभी आवश्यक और युक्तियुक्त व्यवस्था करनी होगी

(क) किसी “भरे हुए कक्ष” में अनाज के ढेर को इस प्रकार व्यवस्थित किया जाएगा कि डैक और बांधद्वारों के आवरणों के नीचे की सभी जगहें अधिकतम संभाव्य सीमा तक भर जाएं।

(ख) लदान के पश्चात् भागनः भरे हुए कक्षों में बिना अनाज वाली सभी सतहें समतल म होंगी।

(ग) केन्द्रीय सरकार, समतल करने से उन मामलों में छूट दे सकेगी जहाँ डैक के नीचे के रिक्त स्थान की समतल ज्यामिति पर,

जो कक्ष, जिसमें भरण नालियों, छिद्रित डैक या अन्य तत्सम साधनों का प्रबंध हो, में मुक्त अनाज के बहाव के परिणामस्वरूप होती है, रिक्त स्थान की गहराई परिकल्पित करते समय केन्द्रीय सरकार के समाधानप्रद रूप में इस पर ध्यान दिया जाएगा।

4. अक्षत स्थिरता अपेक्षाएं :—

(क) इस पैरा द्वारा अपेक्षित परिकलन वाणिज्य पोत परिवहन (स्थोरा-पोत संरचना और सर्वेक्षण) नियम, 1974 के अनुसार दी गई स्थिरता-जानकारी के आधार पर होंगे,

(ख) अनाज को प्रपुंज में वहन करने वाले किसी पोत की अक्षत स्थिरता विशेषताएं, भाग ख में वर्णित पद्धति से, अनाज स्थानान्तरण से उत्पन्न झुकाव को ध्यान में रखकर कम से कम निम्न मापदण्ड की पूर्ति करेंगी :

(i) अनाज स्थानान्तरण से उत्पन्न पोत का झुकाव कोण 12 अंश से अधिक नहीं होगा, सिवाय इसके कि यदि केन्द्रीय सरकार यह समझती है कि अनुभव के आधार पर आवश्यक है तो वह कम झुकाव कोण की मांग को अपेक्षा कर सकेगी।

उदाहरणार्थ—अनुज्ञेय झुकाव कोण को ऐसे कोण तक सीमित किया जा सकेगा जिसके पास खुले डैक का किनारा शांत पानी में डूब जाए।

(ii) स्थैतिक स्थिरता आरेख मर्देन, स्थिरक भुजा, दो वक्रों के स्थैतिक दूरियों के बीच के अधिकतम अंतर के झुकाव कोण तक या 40 अंश या आप्लावन कोण (of) जो भी कम हो, नौभरण की सभी स्थितियों में, झुकाव भुजा वक्र तथा स्थिरक भुजा वक्र के मध्य का शुद्ध या अवशिष्ट क्षेत्र 0.075 मीटर-रेडियन से कम नहीं होगा, और

(iii) प्रारम्भिक उपप्लव केन्द्रीय ऊंचाई, टंकियों में द्रव्य की खुली सतह प्रभावों के लिए शुद्धि करने के पश्चात् 0.30 मीटरों से कम नहीं होगी।

(ग) अनाज को प्रपुंज में नौभरण के पूर्व, मास्टर, यदि पत्तन के देश को सरकार द्वारा अपेक्षा की जाए, पैरा (10) और (11) के अधीन अनुमोदित तथा जारी की गई जानकारी का उपयोग करते हुए उप-पैरा (ख) द्वारा अपेक्षित स्थिरता सिद्धान्त का पालन करने के लिए किसी भी समुद्री यात्रा की सभी अवस्थाओं में पोत को क्षमता प्रदर्शित करेगा।

(घ) लदान के पश्चात् मास्टर सुनिश्चित करेगा कि पोत समुद्र यात्रा पर जाने के पहले सीधा खड़ा हो जाएगा।

5. अनुदैर्घ्य प्रभाव और तश्तरियां :

(क) “पूर्ण भरे हुए कक्षों” और अंशतः भरे हुए “कक्षों” दोनों में, अनाज-स्थानान्तरण के प्रतिकूल झुकाव प्रभाव को कम करने या अनाज सतह प्राप्त करने के लिए प्रयुक्त स्थोरा की गहराई सीमित करने की युक्ति के रूप में अनुदैर्घ्य प्रभावों की व्यवस्था की जाएगी। ऐसे प्रभावों को ऐसा फिट किया जाएगा कि अनाज निकल न सके और भाग ग के खण्ड 1 के उपबन्धों के अनुसार उनका सन्निर्माण किया जाएगा।

(ख) "पूरे भरे हुए कक्ष" में, किसी प्रभाग में, यदि अनाज स्थानान्तरण का प्रतिकूल प्रभाव कम करने के लिए उसकी व्यवस्था की गई हो, तो वह:—

(i) डैकों के बीच के कक्ष में एक डैक से दूसरे डैक तक विस्तारित होगा, और

(ii) फलके में डैक या हैच-डक्कन के निचली बाजू से भाग ख के खण्ड ii में किए गए वर्णन के अनुसार विस्तारित होगा। अलसी और अन्य तत्सम गुणधर्म वाले तिलहन के मामलों के सिवाय, विपाट-द्वार के नीचे अनुदैर्घ्य के प्रभाग के बदले ऐसी तथ्यतरी, जो भाग ग के खण्ड i में विहित रीति के अनुसार बनायी जाएगी, लगायी जाएगी।

(ग) "अंशतः भरे कक्ष" में, प्रभाग, यदि उसकी व्यवस्था की गई हो, अनाज स्तर की सतह के ऊपर कक्ष की अधिकतम चौड़ाई के $1/8$ दूरी तक तथा अनाज स्तर के नीचे उतने ही दूरी तक विस्तारित होगा। जब उसका प्रयोग ऊपर रखने की गहराई सीमित करने के लिए किया जाता है, तब प्रभाग की मध्य रेखा की ऊंचाई अनाज स्तर की सतह के ऊपर कम से कम 0.6 मीटर होगी।

(घ) इसके अतिरिक्त, अनाज स्थानान्तरण से उत्पन्न प्रतिकूल झुकाव प्रभाव को कक्ष की बगलों और सिरों के पास बोरों में बंद अनाज रख कर या ऐसे अन्य उचित स्थोरा रख कर कम किया जाएगा जिसका स्थान परिवर्तन पर्याप्त रूप से रोका गया है,

6. सुरक्षित रखना:

(क) अनाज के धान परिवर्तन से उत्पन्न प्रतिकूल झुकाई प्रभाव को लेखे में लिए बिना, इन उपबंधों के अनुसार किसी भी "अंशतः भरे हुए कक्ष" में अनाज प्रपुंज की सतह समतलित की जाएगी और इसके ऊपर बोरों में बंद अनाज दृढ़ता से लगाकर रखा जाएगा और बिना ढके हुए अनाज की सतह की अधिकतम चौड़ाई के कम से कम $1/16$ भाग या 1.2 मीटर, जो भी अधिक हो, की ऊंचाई तक विस्तारित होगी, बोरों में बंद अनाज के बदले, अन्य उचित स्थोरा, जो कम से कम उतना ही दाब दे सके, उपयोग में लाया जा सकेगा।

(ख) बोरों में बंद अनाज या अन्य उचित स्थोरा भाग ग के खण्ड ii में वर्णित रीति से आलंबित किया जाएगा। विकल्पतः अनाज के प्रपुंज सतह को भाग ग के खण्ड ii में वर्णित पट्टियों या रस्सियों से सुरक्षित किया जाएगा।

7. फीडर और ट्रंक:

यदि फीडर या ट्रंक लगाये गए हों, तो भाग ख के खण्ड iii में वर्णित पद्धति से झुकाव परिकलित करते समय उनके प्रभावों पर उचित ध्यान दिया जाएगा। ऐसे फीडरों की सीमाएं नियत करने वाले प्रभागों की सजबूती भाग ग के खण्ड i के उपबंधों के अनुरूप होगी।

8. सम्मिलित व्यवस्थाएं:

निम्न फलकों और उनके मार्ग की डैकों की बीच की जगहों में एक कक्ष के रूप में लदान किया जाएगा, परंतु अनुप्रस्थ झुकाव परिकलित करते समय, निम्न जगहों में अनाज के बहाव को ध्यान में रखा जाएगा।

9. भाग ख और ग का लागू होना:

केन्द्रीय सरकार, भाग ख और ग में विनिर्दिष्ट मान्यताओं का अनुसरण करने से छूट देने के लिए उन मामलों में प्राधिकृत कर सकती है, जहां उसका समाधान हो जाए कि लदान या संरचनात्मक व्यवस्थाओं को ध्यान में रखते हुए वह ऐसा न्यायोचित समझती है, परन्तु यह तब जब कि पैरा ख में विहित स्थिरता सिद्धान्तों का पालन किया गया हो। जहां ऐसा प्राधिकार इस पैरा के अधीन दिया जाता है, वहां उसकी विधिष्ठियां अनाज लदान आंकड़ों में सम्मिलित की जाएंगी।

10. प्राधिकार:

(क) इस परिशिष्ट के अनुसार लदे प्रत्येक पोत के लिए प्राधिकार दस्तावेज जारी की जाएगी।

(ख) दस्तावेज के साथ 4 (ग) की अपेक्षाओं की पूर्ति करने के लिए मास्टर को समर्थ बनाने के लिए दी गई अनाज लदान स्थिरता पुस्तिका होगी तथा उसके प्रति इसका निर्देश होगा। यह पुस्तिका परिच्छेद ii की अपेक्षाओं की पूर्ति करेगी।

(ग) ऐसे दस्तावेज की एक प्रति, अनाज लदान स्थिरता आंकड़े और प्लान फलक पर इसलिए रखे जाएंगे कि मास्टर, यदि ऐसी अपेक्षा की जाए, लदान पत्तन के देश की सरकार के निरीक्षण के लिए उन्हें पेश कर सके।

(घ) ऐसे प्राधिकार के दस्तावेज के बिना पोत में अनाज का लदान तब तक नहीं किया जाएगा जब तक कि मास्टर केन्द्रीय सरकार या केन्द्रीय सरकार की ओर से लदान पत्तन की सरकार के समाधानप्रद रूप में यह प्रदर्शित नहीं करता है कि पोत अपनी प्रस्थापित लदान स्थिति में इस परिशिष्ट की अपेक्षाओं का अनुपालन करेगा।

11. अनाज नौभरण सूचना:

यह सूचना मास्टर को, सभी युक्तिशुक्त लदान स्थितियों में, भाग ख के अनुसार परिकलित किए गए अनाज स्थानान्तरण से उत्पन्न झुकाव अवधारित करने देने के लिए पर्याप्त होगी। इसमें निम्नलिखित सम्मिलित होंगे:

(क) ऐसी सूचना जो केन्द्रीय सरकार द्वारा अनुमोदित होगी,

(1) प्रत्येक कक्ष, चाहे पूर्णतः भरा हुआ हो या अंशतः भरा हुआ हो, या उसके संयोजन में हो, जिसमें अस्थायी फिटिंगों के प्रभाव भी हैं, के अनाज के झुकाव वक्र या सारणियां,

(2) अधिकतम अनुज्ञेय झुकावों की सारणियां या ऐसी अन्य जानकारी जो मास्टर को अनुज्ञात करने के लिए पर्याप्त है कि वह पैरा 4(ग) की अपेक्षाओं के अनुपालन करें।

(3) किसी अस्थायी फिटिंग्स की संरचना-मदों की बाबत व्योरे और जहां लागू हों वहां वे उपबन्ध जो भाग ग के खण्ड 1(ङ) की अपेक्षाओं की पूर्ति करने के लिए आवश्यक हों।

(4) विशिष्ट लदान सेवा के संबंध में प्रस्थान और आगमन स्थितियां और जहां आवश्यक हो, वहां अन्तरिम अत्यन्त खराब सेवा स्थितियां।

(5) मास्टर के मार्गदर्शन के लिए एक हल किया हुआ उदाहरण,

(6) इस परिशिष्ट की अपेक्षाओं को संक्षिप्त करने वाली टिप्पणियों के रूप में लदान अनुदेश।

(ख) ऐसी सूचना जो केन्द्रीय सरकार को स्वीकार्य हो:—

(1) पोत की विशिष्टियां,

- (2) खाली पोत का वजन और डली तल रेखा तथा पोत मध्य खण्ड के प्रतिच्छेद से गुरुत्व केन्द्र (Kg.) तक की उर्ध्वाधर दूरी,
- (3) फ्री सरफेस करेक्सन सारणी,
- (4) क्षमता और गुरुत्व केन्द्र

भाग ख-गृहीत झुकाव का परिकलन

खण्ड-1-गृहीत रिक्त स्थानों और अक्षत स्थिरता को परिकलित करने की पद्धति का विवरण

(क) साधारण :

(ख) प्रपुंज में अनाज वहन करने वाले पोतों में स्थोरा सतह के स्थानान्तरण से उत्पन्न प्रतिकूल झुकाव के परिकलन करने के प्रयोजन के लिए यह माना जाएगा कि :-

- (1) "पूर्णतः भरे कक्षों" में जो पैरा 3 के अनुसार समतलित किए गए हैं, सभी सीमा सतहों के नीचे रिक्त स्थान जिनका क्षेत्रज झुकाव 30 अंश से कम हो, होता है और वह रिक्त स्थान उस सीमा सतह के समानान्तर है जिसकी औसत गहराई निम्नलिखित सूत्र के अनुसार परिकलित की गई है :

$$\text{वी डी} = \text{वी डी} + 0.75 (\text{डी}-600) \text{ मि० मि०}$$

जहां :

वी डी = मि० मी० में औसत रिक्त स्थान गहराई है,

वी डी₁ = मानक रिक्त स्थान गहराई जो निम्न सारणी 1 में है।

डी-मि० मी० में वास्तविक गर्डर गहराई

किसी भी दशा में वी डी को 100 मि० मी० से कम नहीं माना जाएगा।

सारणी 1

हैच के सिरे या वाजू से कक्ष की सीमा मानक रिक्त स्थान गहराई, वी डी तक की दूरी

मी०	मी० मी०
0.5	570
1.0	530
1.5	500
2.0	480
2.5	450
3.0	440
3.5	430
4.0	430
4.5	430
5.0	430
5.5	450
6.0	470
6.5	490
7.0	520
7.5	550
8.0	590

सारणी 1 पर टिप्पण :

8.0 मीटरों से अधिक दूरियों के लिए मानक रिक्त स्थान गहराई वी०डी०₁ को प्रत्येक 1.0 मीटर दूरी की वृद्धि के लिए 80 मि० मी० की वृद्धि पर से वर्धित किया जाएगा। जहां हैच वाजू गर्डर या उसके विस्तार और हैच सिरा धरन गहराई में अन्तर होता है, वहां अधिक गहराई का उपयोग किया जाएगा, सिवाय इसके कि :

- (1) जब हैचवाजू गर्डर या उसका विस्तार हैच सिरा धर से अधिक छिछला है, तब विपाट-द्वार के बराबर के रिक्त स्थानों को कम गहराई के उपयोग करके परिकलित किया जाएगा, और
- (2) जब हैच सिरा धरन हैचवमल गर्डर या उसके विस्तार से अधिक गर्डर के विस्तार के फल का विपाट-द्वार के आगे पीछे के रिक्त स्थानों को कम गहराई के उपयोग करके परिकलित किया जाएगा,
- (3) जहां विपाट-द्वार से स्पष्टतः उभरा डैक होता है वहां उभरे डैक के नीचे से परिमित रिक्त स्थान की औसत गहराई का परिकलन हैचसिरा धरन के गर्डर की गहराई सहित उभरे डैक की ऊंचाई में जोड़ कर मानक रिक्त स्थान गहराई के उपयोग से किया जाएगा।

- (ii) "पूर्णतः भरे हुए कक्षों" में, जो पैरा 3 के अनुसार समतलित नहीं किये गए हैं और जहां सीमा सतह का क्षेत्रज झुकाव 30 अंश से कम है, स्थोरा सतह का क्षेत्रज झुकाव लदान के पश्चात् 30 अंश होगा।

- (iii) पूर्ण भरे हुए विपाट-द्वारों के भीतर और हैच ढक्कन के भीतर किसी खुले रिक्त स्थान के अतिरिक्त एक रिक्त स्थान है जिसकी औसत गहराई, हैच ढक्कन के निम्नतम भाग से या हैचवाजू के अड़वाल के सिरे से, जो भी निम्नतर हो, अनाज सतह तक माप करने पर 150 मि० मी० होगी।

(ख) "भागतः भरे हुए कक्षों" में माने गए अनाज सतह की अभिरचना का विवरण इस भाग के खण्ड 4 में दिखलाया गया है।

(ग) पैरा 4(ख) (आकृति 1 देखिए) में दर्शित स्थिरता सिद्धान्तों के अनुपालन सिद्ध करने के प्रयोजन के लिए, पोत स्थिरता परिकलन, साधारणतः इस धारणा पर आधारित होगा कि पूर्ण भरे हुए कक्ष में स्थोरा का गुरुत्व केन्द्र, संपूर्ण स्थोरा जगह के आयतनी केन्द्र के पास है। उन मामलों में, जहां केन्द्रीय सरकार प्राधिकृत करती है, कि "पूर्ण भरे हुए कक्षों" में स्थोरा के गुरुत्व केन्द्र की उर्ध्वाधर स्थिति में स्थित डैक के नीचे के गृहीत रिक्त स्थानों के प्रभाव को ध्यान से रखना है, वहां उस समय यह आवश्यक होगा कि अनाज सतहों के उर्ध्वाधर विचलन के प्रतिकूल प्रभाव की क्षतिपूर्ति, अनाज के अनुप्रस्थ विचलन से उत्पन्न गृहीत झुकाव निम्न प्रकार बढ़ा कर करें :

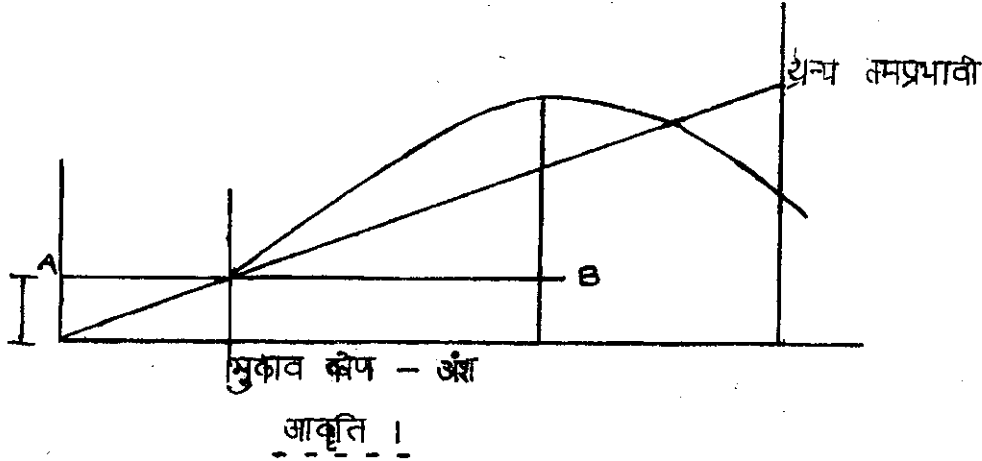
$$\text{कुल झुकाव} = 1.06 \times \text{परिकलित अनुप्रस्थ झुकाव}$$

सभी मामलों में, "पूर्ण भरे हुए कक्ष" में स्थोरा का भार नौभरण गुणांक से विभाजित पूर्ण स्थोरा जगह का आयतन होगा।

(घ) "भागतः भरे हुए कक्षों" में अनाज सतहों के उर्ध्वाधर स्थानान्तरण का प्रतिकूल प्रभाव निम्न प्रकार लेखों में लिया जाएगा :

$$\text{कुल झुकाव} = 1.12 \times \text{परिकलित अनुप्रस्थ झुकाव}।$$

(ङ) उपर्युक्त पैरा (ग) और (घ) में अपेक्षित क्षतिपूर्ति के लिए कोई अन्य समप्रभावी पद्धति अपनाई जा सकेगी।



आकृति 1 पर नोट

जहाँ— $L_0 = \frac{\text{अनुप्रस्थ विचलन से उत्पन्न माना हुआ आय तनिक झुकाव}}{\text{नौभरण गुणांक + वजन (पानी में)}}$

$L_{40} = 0.8 \times L_0$

नौभरण गुणांक = अनाज स्थीरा के वजन का प्रति एकक आयतन।

पानी में वजन = पोत का वजन, ईंधन, ताजा पानी, भण्डार आदि और स्थीरा

2. स्थिरक भुजा वक्र आड़ी—वक्रों, जो इन अपेक्षाओं के लिए ठीक तरह से वक्र को परिभाषित करने के लिए पर्याप्त संख्या में हैं, से व्युत्पन्न होगा और, इसमें 12 अंश तथा 40 अंश के आड़ी वक्र भी हैं।

खण्ड II पूर्ण भरे हुए वक्ष का माना हुआ आयतनिक झुकाव

(अ) साधारण:

(क) अनाज सतह विचलन का संबंध विचाराधीन कक्ष के भाग के आर-पार अनुप्रस्थ खण्ड से है और उस भाग का कुल झुकाव प्राप्त करने के लिए परिणामिक झुकाव को लंबाई से गुणा किया जाएगा।

(ख) अनाज विचलन से उत्पन्न माना गया अनुप्रस्थ झुकाव, अनाज के ऊंची ओर से नीची ओर विचलित होने के पश्चात् हुए रिक्त स्थानों के आकार और स्थिति के अंतिम परिवर्तनों का परिणाम है।

(ग) विचलन के पश्चात् परिणामिक अनाज सतह क्षेत्र में .15 अंश पर मानी जाएगी।

(घ) ऐसे अधिकतम रिक्त स्थान का क्षेत्रफल का जो अनुदैर्घ्य संरचनात्मक घटक के पास हो सकता है, परिकलन करते समय, किसी क्षेत्र में सतहों अर्थात् फलजों या मुख बारों के प्रभावों पर ध्यान नहीं दिया जाएगा।

(ङ) प्रारम्भिक और अंतिम रिक्त स्थानों के कुल क्षेत्रफल समान होंगे।

(च) अनुदैर्घ्य विभिन्न प्रभाग अपनी पूरी लंबाई में प्रभावशाली माना जाएगा।

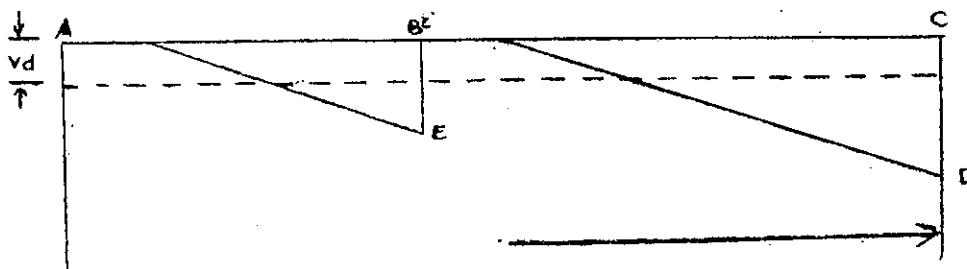
(ब) मान्यताएं:

निम्न पैराग्राफों में यह माना गया है कि कक्ष के लिए कुल झुकाव निम्न भागों के पृथक प्रतिफलों के परिणामों को जोड़ने से प्राप्त हुआ है :

(क) आगे और पीछे के विपाट-द्वार :

(1) यदि कक्ष में दो या अधिक ऐसे प्रमुख विपाट-द्वार हैं जिनसे लदान किया जा सकता है, तो ऐसे विपाट-द्वारों के बीच के भाग (भागों) के ऊँक के नीचे के रिक्त स्थानों की गहराई आगे और पीछे से विपाट-द्वारों के बीच के मध्यबिन्दु तक की दूरी का उपयोग करके अवधारित की जाएगी।

(2) अनाज के माने गए विचलन के पश्चात् अंतिम रिक्त स्थान का क्रम वह होगा जो नीचे की आकृति 2 में दिखलाया गया है :



आकृति - 2

श्रुति 2 पर टिप्पणियाँ

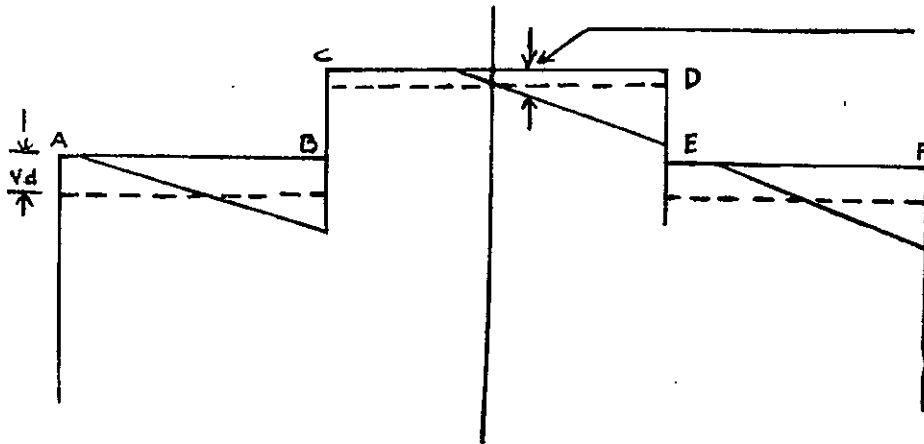
1. यदि वह अधिकतम रिक्त स्थान—क्षेत्रफल, जो गडर पर “ख” के पास हो सकता है, कक्ष के नीचे के रिक्त स्थान, अर्थात् $AB \times vd$ के प्रारंभिक क्षेत्रफल से कम हो, तो अतिरिक्त क्षेत्रफल को उच्च बाजू के अंतिम रिक्त स्थान को स्थानान्तरित माना जाएगा ।

2. यदि ग के पास अनुदैर्घ्य प्रभाग ऐसा है जो पैरा 5 (ख) (2) के अनुसार किया गया है, तो वह घ या ङ के नीचे, जो भी अधिक गहरा

हो, कम से कम 0.6 मी० बढ़ाया जाएगा ।

(ख) विपाट-द्वारों में और उसके बाजू में :

अनाज के माने गए विचलन के पश्चात् अंतिम रिक्त स्थान कम वह होगा जो निम्नलिखित आकृति 3 या आकृति 4 में दिखाया गया है :

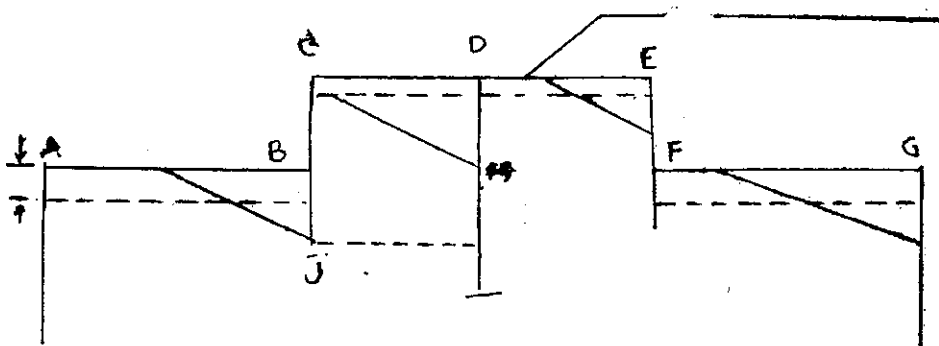


आकृति - 3)

आकृति 3 पर टिप्पणियाँ

(1) कख, उसके अतिरिक्त कोई क्षेत्रफल, जो गडर पर ‘ख’ के पास हो सकता है, विपाट-द्वार के अंतिम रिक्त स्थान क्षेत्रफल को स्थानान्तरित हो जाएगा ।

(2) गघ, उसके अतिरिक्त कोई क्षेत्रफल, जो गडर पर ङ के पास हो सकता है, उच्च बाजू के अंतिम रिक्त स्थान क्षेत्रफल को स्थानान्तरित हो जाएगा ।



(आकृति 4)

आकृति 4 पर टिप्पणियाँ

(1) यदि मध्य रेखा प्रभाग ऐसा है जो पैरा 5 (ख) (2) के अनुसार बनाया गया है, तो वह ज या झ, जो भी अधिक गहरा हो, के नीचे कम से कम 0.6 मी० तक बढ़ाया जाएगा ।

(2) कख से अतिरिक्त रिक्त स्थान क्षेत्रफल, विपाट द्वार के आधे पर के निम्न बाजू को, जहाँ दो विभिन्न अंतिम रिक्त स्थान क्षेत्रफल स्थानान्तरित होगा अर्थात् एक मध्यरेखा प्रभाग के पास और दूसरा हैचबाजू अड़वाल तथा उच्च बाजू के गडर के पास हो जाएंगे ।

(3) यदि किसी विपाट-द्वार में बंद तश्तरी या खुले अनाज की गठरी बन गई है, तो अनुप्रस्थ झुकाव परिकलित करने के प्रयोजन के लिए यह माना जाएगा कि ऐसी युक्ति कम से कम मध्य रेखा प्रभाग के समतुल्य है।

(ग) ऐसे कक्ष जिनमें सहयोगन में लदान किया गया हो

निम्नलिखित पैराग्रॉ में रिक्त स्थानों के ऐसे प्रभाव कम का वर्णन होगा जो उस दशा में माने जाएंगे जब कि कक्षों का लदान सहयोगन में किया जा रहा हो ।

(क) प्रभावकारी मध्यरेखा प्रभाग के बिना :

(1) उच्च डैक के नीचे—ऐसे होंगे जैसे कि इस भाग के खण्ड 1.1 (ख) में एकल डैक व्यवस्था के लिए वर्णित है ।

(2) द्वितीय डैक के नीचे—निम्न बाजू से स्थानान्तरण के लिए उपलब्ध रिक्त स्थान के क्षेत्रफल में से, अर्थात् मूल रिक्त स्थान क्षेत्रफल में से हैचबाजू के गडर के सामने का क्षेत्रफल कम करके निम्नलिखित रूप में स्थानान्तरित माना जाएगा : उच्च डैक विपाट-द्वार का आधा भाग और उच्च और द्वितीय डैक के नीचे प्रत्येक उच्च बाजू का चौथाई भाग ।

(3) तृतीय और निम्न डैक के नीचे—इन डैकों में से प्रत्येक डैक के निम्न बाजू से स्थानान्तरण के लिए उपलब्ध रिक्त स्थानों को उच्च बाजू डैक के नीचे के सभी रिक्त स्थानों को और उच्च डैक विपाट-द्वार के रिक्त स्थान को समान मात्रा में स्थानान्तरित माना जाएगा।

(ख) ऐसे प्रभावकारी मध्यरेखा प्रभागों सहित जो उच्च डैक विपाट-द्वार तक विस्तारित होते हैं :

(1) प्रभाग के पास में सभी डैक स्तरों पर निम्न बाजू से स्थानान्तरण के लिए उपलब्ध रिक्त स्थान क्षेत्रफल को उच्च डैक विपाट-द्वार के आधे भाग के निम्न बाजू के नीचे के रिक्त स्थान को स्थानान्तरित माना जाएगा।

(2) प्रभाग के तल से ठीक नीचे के डैक स्तर पर निम्न बाजू से स्थानान्तरण के लिए उपलब्ध रिक्त स्थान के क्षेत्रफल में से निम्नलिखित स्थानान्तरित माना जाएगा, उच्च डैक विपाट द्वार के आधे भाग के निम्न बाजू के नीचे रिक्त स्थान में, से आधा भाग और शेष में से उच्च बाजू के डैकों के नीचे रिक्त स्थानों को लदान कक्ष में स्थानान्तरित किया जाएगा।

(3) उपर्युक्त उप पैरा (1) और (2) में वर्णित स्तरों से निम्नतर डैक स्तरों के पास जो उन डैकों में से प्रत्येक डैक के निम्न बाजू से स्थानान्तरण के लिए उपलब्ध रिक्त स्थान क्षेत्रफल

को प्रभाग के प्रत्येक बाजू पर उच्च डैक विपाट-द्वार के दोनों आधे भागों में से प्रत्येक में रिक्त स्थान को और उच्च बाजू के डैकों के नीचे रिक्त स्थानों को समान मात्रा में स्थानान्तरित माना जाएगा।

(ग) ऐसे प्रभावकारी मध्य रेखा प्रभाग सहित जो उच्च डैक विपाट द्वार तक विस्तारित नहीं होते हैं :

जब रिक्त स्थानों का क्षैतिज स्थानान्तरण प्रभाग की तरह उसी डैक स्तर पर नहीं माना जाएगा तब इस स्तर के निम्न बाजू से स्थानान्तरण के लिए उपलब्ध रिक्त स्थान क्षेत्रफल को उपर्युक्त पैरा (क) और (ख) के सिद्धान्तों के अनुसार प्रभाग के ऊपर उच्च बाजू के रिक्त स्थानों को अन्तरित माना जाएगा।

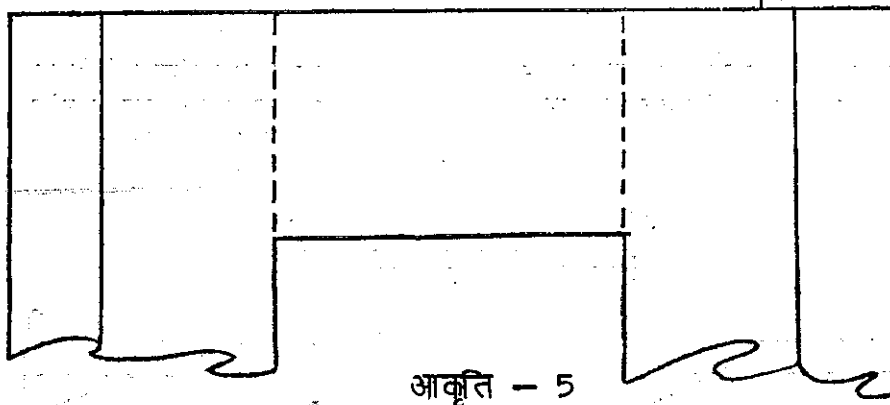
खण्ड III—फीडरों और ट्रकों का माना गया आयतनी झुकाव

(क) सुरक्षित रूप से रखे गए पक्ष फीडर (आकृति 6 देखिए)

यह माना जाएगा कि पोत की गति के प्रभाव के अधीन डैक के नीचे के रिक्त स्थान दोनों अनुदैर्घ्य फीडरों से अनाज निकलने के कारण पर्याप्त रूप से भर जाएंगे परन्तु यह तब जब कि :

(क) फीडर, डैक की पूरी लंबाई तक विस्तारित हैं और उसमें छिद्रक पर्याप्त दूरी पर हैं।

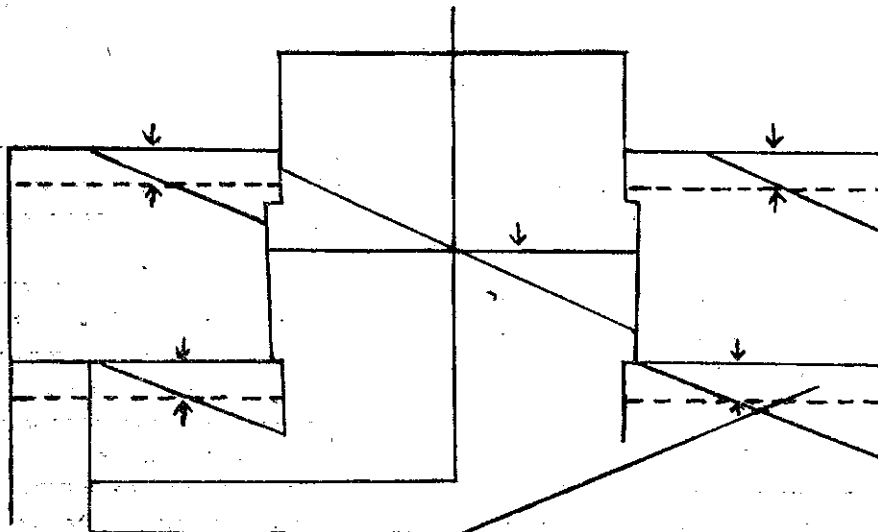
(ख) प्रत्येक फीडर का आयतन, डैक के नीचे, हैच बाजू गर्डर और उसके अनुवर्ती के बाहरी रिक्त स्थान के आयतन के बराबर है।



आकृति - 5

(ब) प्रमुख विपाट-द्वारों के ऊपर स्थित ट्रक

अनाज के माने गए विचलन के पश्चात् अंतिम रिक्त स्थान का क्रम वह होगा जो आकृति 6 में दर्शित है।



आकृति 6

आकृति 6 पर टिप्पणियाँ

यदि ट्रंक के मार्ग का पक्ष-स्थानों को पैरा 3 के अनुसार उचित ढंग से समतलित नहीं किया जाता, तो यह माना जाएगा कि सतह में 25 अंश का विचलन होता है।

खण्ड—1 अंशतः भरे कक्षों का माना गया आयतनी झुकाव

(क) साधारण :

जब प्रपुंज अनाज का मुक्त सतह पैरा 6 के अनुसार सुरक्षित नहीं की गयी हो, तब ऐसा माना जाएगा कि विचलन के पश्चात् अनाज सतह क्षैतिज रूप में 25 अंश पर होगी।

(ख) विच्छिन्न अनुदैर्घ्य प्रभाग :

ऐसे कक्ष में, जिसमें अनुदैर्घ्य प्रभाग अनुप्रस्थ सीमाओं में विच्छिन्न है, ऐसी लम्बाई को, जिसके ऊपर अनाज सतहों के पूर्ण चौड़ाई-विचलनों को रोकने के लिए ऐसे प्रभाग प्रभावकारी युक्तियों के रूप में है, विचाराधीन प्रभाग के भाग की वास्तविक लंबाई, प्रभाग और संलग्न प्रभाग या पोत बाजू के बीच की अनुप्रस्थ दूरियों में से बड़ी दूरी की दो बटा सात कम करके मानी जाएगी।

यह संशोधन किसी सम्मिलित लदान, जिसमें उच्च कक्ष या तो 'पूर्णतः भरा कक्ष' है या 'अंशतः भरा कक्ष' हैं, के निम्न कक्षों को लागू नहीं होगा।

खण्ड—5 विद्यमान पोतों के लिए वैकल्पिक लदान व्यवस्थाएं

(क) साधारण :

नीचे के या तो उप-खण्ड (ख) या उप-खण्ड (ग) के अनुसार लादे गए पोत में कम से कम पैरा 4(ख) की अपेक्षाओं के समान अक्षत स्थिरता विशेषताएं मानी जाएंगी।

इस भाग के प्रयोजन के लिए 'विद्यमान पोत' पद से ऐसा पोत अभिप्रेत है जिसकी नौतल इस अध्याय के लागू होने की तारीख के पूर्व प्रारम्भ किया गया हो।

(ब) विशेष उपर्युक्त पोतों का नौभरण :

(क) यद्यपि इस अध्याय के भाग (ख) में अन्तर्विष्ट किसी बात के होते हुए भी, उसमें विनिर्दिष्ट अपेक्षाओं की ओर ध्यान दिए बिना, उन पोतों में जो किसी अनुप्रस्थ अनाज विचलन के प्रभाव को सीमित करने के लिए उचित रूप में स्थित हैं और दो या अधिक उध्वाधर या ढलुआ अनाज के बहने को रोकने वाले अनुदैर्घ्य प्रभाग सहित सन्निमित हैं, प्रपुंज अनाज निम्न शर्तों के अधीन बहन किया जा सकेगा :

(1) उसमें उतने फलके और कक्ष पूरे भरे जाएंगे और पूर्ण समतलित किए जाएंगे जितने संभव हो :

(2) नौभरण की किसी भी विनिर्दिष्ट व्यवस्था के लिए, पोत का झुकाव कोण उस दशा में समुद्र यात्रा की किसी भी प्रक्रम पर 5 अंश से अधिक का नहीं होगा जहां :

(1) फलकों या कक्षों में, जो पूर्णतः समतलित किए गए हैं, अनाज सतह मूल सतह से आयतन के 2 प्रतिशत पर स्थिर होती है और इन फलकों और कक्षों जिनका क्षैतिज झुकाव 30 अंश से कम है, की सभी सीमाओं के नीचे उस सतह के साथ 12 अंश के कोण बनाती है;

(2) 'भागतः भरे कक्षों या फलकों' में बिना ढकी हुई अनाज की सतहें उस प्रकार स्थिर होती हैं और उनमें ऐसा परिवर्तन होता है जो इस पैरा के उप-पैरा (2)(1) में दिया है या जो ऐसा बड़ा कोण बनाता है जैसा कि केन्द्रीय सरकार द्वारा आवश्यक समझा जाए और अनाज सतहें यदि इस परिशिष्ट के पैरा 5

के अनुसार अधिक नौभरण किया जाए, मूल समतलित सतहों के साथ 8 अंश का कोण बनाती हैं। इस पैरा के उप-पैरा (2) के प्रयोजन के लिए, तन्तों को, यदि लगाये गए हों, अनाज सतह का अनुप्रस्थ विचलन सीमित करने के लिए माना जाएगा;

(3) मास्टर की, केन्द्रीय सरकार द्वारा अनुमोदित अपनायी जाने वाली नौभरण व्यवस्थाओं सहित अनाज लदान आरेख और स्थिरता पुस्तक दोनों ही दी जाती हैं और उनमें स्थिरता स्थितियाँ, जिन पर इस पैरा के उप-पैरा (2) में दिए गए परिकलन आधारित हैं, दिखावाए जाते हैं।

(ख) केन्द्रीय सरकार, इस खण्ड के पैरा (ख) (क) के अनुसार उप-पैरा (2) और (3) की अपेक्षाओं की पूर्ति करने के लिए बनाए गए पोतों के लदान का सभी अन्य स्थितियों में स्थानान्तरण के संबंध में ली जाने वाली पूर्वावधानियाँ विहित करेगी।

(ग) ऐसे पोत जो प्राधिकार दस्तावेज के बिना हैं :

ऐसे पोत को जिसके फलक पर पैरा 4 और 10 के अनुसार जारी किए गए प्राधिकार दस्तावेज नहीं हैं, की उपर्युक्त उप-खण्ड (ख) की अपेक्षाओं के अधीन या इन शर्तों पर प्रपुंज अनाज का लदान करने दिया जाएगा कि :

(क) सभी 'पूर्ण भरे कक्षों' में मध्य रेखा प्रभाग ऐसे कक्षों, की पूरी लंबाई तक विस्तारित है जो डैक की अंदर की बाजू या हैच डक्कन से नीचे की ओर डैक रेखा के नीचे कक्ष की अधिकतम चौड़ाई के कम से कम एक बटा आठ भाग तक या 2.4 मीटर, जो भी अधिक हो, की दूरी तक विस्तारित हों, लगाए जाएंगे, सिवाय इसके कि भाग ग के खण्ड II के अनुसार सन्निमित तश्तरियाँ विपाट-द्वार में और उसके नीचे मध्य रेखा प्रभाग के बदले स्वीकार की जा सकेंगी।

(ख) 'पूर्ण भरे कक्षों' के सभी हैच बंद किए जाएंगे और उनके स्थान पर डक्कन सुरक्षित रूप से लगाए जाएंगे।

(ग) 'अंशतः भरे कक्षों' में अनाज की सभी बिना ढकी हुई सतहें समतलित और भाग ग के खण्ड II के अनुसार सुरक्षित की जाएंगी।

(घ) पूरी समद्री यात्रा के दौरान, टंकिबों में द्रव्य की बिना ढकी हुई सतहों के प्रभावों के संशोधन के पश्चात् मध्य केन्द्रीय ऊंचाई 0.3 मीटर या निम्नलिखित सूत्र में के अनुसार जो भी अधिक हो, होगी :

एल बी डी (0.25 बी-0.645 बी डी बी)

जो एम आर =

$$\text{एस एफ} \times \Delta \times 0.0875$$

जहां :

एल = सभी पूरे भरे कक्षों की कुल सम्मिलित लंबाई है,

बी = जलयान की अन्दर की चौड़ाई है,

एस एफ = नौभरण गणांक है,

बी डी = इस भाग के खण्ड 1(क) के पैरा (क) (1) के अनुसार परिकलित औसत रिक्त स्थान गहराई है,

Δ पानी का वजन है।

भाग ग—अनाज फिटिंग और सुरक्षा।

खण्ड—1 अनाज फिटिंगों की मजबूती।

(क) साधारण :

(क) काष्ठ अनाज फिटिंग के लिए प्रयुक्त सभी काष्ठ अच्छे मजबूत क्वालिटी के और उस प्रकार और श्रेणी के होंगे जो इस हेतु समाधान-प्रद रूप में सिद्ध हुआ है। काष्ठ के वास्तविक फिनिस किए गए परिमाण इसमें इसके पश्चात् इस भाग में निदिष्ट परिमाणों के अनुसार होंगे। बाहरी बाजू का प्लायवुड जलसह सरेस से जोड़ा जाएगा और इस प्रकार लगाया जाएगा कि अग्रभाग में अनाज की दिशा सहायक खड़े खंबे से सीधी होगी या वाइन्डर का प्रयोग किया जाएगा, परन्तु यह तब जब कि उसकी मजबूती समुचित घटकों के ठोस काष्ठ के समतुल्य हो।

(ख) कार्यकारी प्रतिबल एक ही बाजू पर लदान के परिमाण परिकलित करते समय इस भाग के परिच्छेद (ग), (क) और (ख) की सारणियों का उपयोग करते हुए, निम्नलिखित कार्यकारी प्रतिबलों को अपनाया जाएगा।

इस्पात के प्रभागों के लिए—2,000 कि० ग्रा० प्रति वर्ग से० मी०

काष्ठ के प्रभागों के लिए—160 कि० ग्रा० प्रति वर्ग से० मी०

(ग) अन्य सामग्री—काष्ठ या इस्पात से भिन्न सामग्रियों को ऐसे प्रभागों के लिए अनुमोदित किया जा सकेगा, परन्तु यह तब जब कि उनके यांत्रिक गुणधर्मों पर उचित ध्यान दिया गया हो।

(घ) खड़े खंबे :

(1) खड़े खंबे के सिरों को उसके साकेट से निकलने को रोकने के लिए जब तक उपाय नहीं किए गए हों, तब तक प्रत्येक खड़े खंबे के हर सिर के पाट छिद्र की गहराई 75 मि० मी० से कम नहीं होगी। यदि खड़ा खंबा सिर पर सुरक्षित नहीं है, तो सबसे ऊपर या यथासाध्य उसके पास थाम या टेक लगाया जाएगा।

(2) खड़े खंबे की अनुप्रस्थ काट के भाग को हटाकर लकड़ी के तख्तों को लगाने के लिए किए गए इन्तजाम ऐसे होंगे कि प्रतिबलों का स्थानीय स्तर असम्यक् रूप से अधिक नहीं हो।

(3) एक बगल पर लदे गए प्रभाग का जो खड़े खंब का सहारा है, अधिकतम झुकाव गुणत्व सामान्यतः, ऐसा मानकर परिकलित किया जाएगा कि खड़े खंबों के सिर मुक्त रूप में अवलंबित हैं। तथापि, यदि केन्द्रीय सरकार का समाधान हो जाए कि स्वीकृत स्थिरता की कोई भी डिग्री व्यवहार में साध्य की जाए, तो खड़े खंबे के सिरों के पास की स्थिरता की किसी डिग्री से उत्पन्न अधिकतम झुकाव गुणत्व को कम किया जा सकेगा।

(ङ) मिल-संयोजन—जहां खड़े खंबे, वाइन्डर्स या अन्य कोई मजबूत घटक दो विभिन्न तैक्सनों द्वारा बनाए हैं और प्रभाग के हर बगल पर एक एक सेक्सन फिट किया गया है और पर्याप्त दूरी पर आर पार बोल्टों द्वारा अंतर-संयोजित किया गया है, जहां प्रभावी खण्ड मापांक दो भिन्न खण्डों के मापांकों का जोड़ माना जाएगा।

(च) आंशिक प्रभाग—जहां प्रभाग फलका की पूरी गहराई तक विस्तारित नहीं होते जहां ऐसे प्रभाग और उनके खड़े खंबों को इस प्रकार अवलंबित किया जाएगा या उन पर टेक लगाए जाएंगे ताकि वे उन प्रभागों जो फलाकों की पूरी गहराई तक विस्तारित होते हैं, के समतुल्य सक्षम हो जाएं।

(ब) दोनों बगलों पर लदे गए प्रभाग :

(क) रोक तख्ते—

(1) रोक तख्तों की मोटाई 50 मि० मी० से कम नहीं होगी और वे अनाज के बहाव को रोकने के लिए फिट किए जाएंगे और जहां आवश्यक हो वहां खड़े खंबों द्वारा अवलंबित किए जाएंगे।

(2) विभिन्न मोटाई के रोक तख्तों के लिए अधिकतम अवलंब रहित पाट निम्न प्रकार होंगे:

मोटाई	अधिकतम अवलंब रहित पाट
50 मि० मी०	2.5 मीटर
60 मि० मी०	3.0 मीटर
70 मि० मी०	3.5 मीटर
80 मि० मी०	4.0 मीटर

यदि मोटाई इन मोटाइयों से अधिक हो जो दी गई हैं, तो मोटाई में ज्यों-ज्यों वृद्धि होगी त्यों-त्यों अधिकतम अवलंब रहित पाट परिवर्तित होता रहेगा।

(2) सभी रोक तख्तों के सिर न्यूनतम 75 मि० मी० बेयरिंग लंबाई के साथ सुरक्षित रूप से स्थिर किए जाएंगे।

(ख) अन्य सामग्री—काष्ठ से भिन्न अन्य सामग्रियों से बने प्रभाग उपर्युक्त पैरा (ख) (क) में अपेक्षित रोक तख्तों की शक्ति के समतुल्य मजबूत होंगे।

(ग) खड़े खंबे :

(1) दोनों बगलों पर लदे प्रभागों के लिए अवलंब रूप में प्रयुक्त इस्पात के खड़े खंबे का सेक्सन मापांक डब्ल्यू—ए × डब्ल्यू द्वारा बतलाए गए रूप में मापांक के होगा।

जहां :

डब्ल्यू—सेक्सन मापांक से० मी० 3 में है,

ए—खड़े खंबों के बीच का क्षैतिज पाट मीटरों में

वहां सेक्सन मापांक प्रति मीटर पाट + डब्ल्यू उससे कम नहीं होगा जो सूत्र में दिया गया है,

डब्ल्यू₁ = 14.8 (एच₁ 1.2) से० मी०³ = प्रति मीटर

जहां :-

एच ऊर्ध्वाधर अवलंब रहित पाट मीटरों में है, और वह किसी दो पार्श्वस्थ थायों के बीच की या टेक और खड़े खंबों के किसी एक सिर के बीच की दूरी का अधिकतम मूल्य माना जाएगा। जहां यह दूरी 2.4 मीटर से कम है वहां उसका मापांक ऐसा परिकलित किया जाएगा मानों उसका वास्तविक मूल्य 2.4 मीटर हो।

(2) काष्ठ खड़े खंबों के मापांक इस्पात के बने तत्समान खड़े खंबों के मापांकों को 12.5 से गुणा करके अवधारित किए जाएंगे। यदि अन्य सामग्रियों का प्रयोग किया जाना हो तो उनका मापांक, कम से कम वह होगा जो इस्पात के लिए अपेक्षित है जिसे इस्पात के लिए अनुज्ञेय प्रतिबलों और प्रयुक्त सामग्री के प्रतिबलों के अनुपात के अनुसार बढ़ाया जाएगा। ऐसे मामलों में, प्रत्येक खड़े खंबों की सापेक्ष दृढ़ता की और भी यह सुनिश्चित करने के लिए समुचित ध्यान दिया जाएगा कि विचलन अत्यधिक न हो;

(3) खड़े खंबों के बीच की क्षैतिज दूरी ऐसी होगी कि रोक तख्तों के अवलंब रहित पाट, इस खण्ड के पैरा (ख) (क) (2) में निदिष्ट अधिकतम पाट से अधिक न हों।

(घ) धाम :

(1) काष्ठ धाम, जब प्रयुक्त किए जाएं, एक ही लकड़ी से सन्निमित्त होंगे और प्रत्येक सिरे के पास सुरक्षित रूप में लगाये जायेंगे तथा पोत के स्थायी ढांचे की ओर झुके होंगे सिवाय इसके कि वे पोत की प्लेटिंग बाजू को न हुए।

(2) नीचे के उप-पैरा (3) और (4) के उपबंधों के अधीन रहते हुए, काष्ठ धामों के न्यूनतम आकार निम्न प्रकार होंगे :

धाम की लंबाई मीटरों में	आयताकार खण्ड मि० मी०	बुत्ताकार खण्ड का व्यास मि० मी०
3 मी० से अनधिक	150 × 100	140
3 मी० से अधिक परंतु 5 मी० से अनधिक	150 × 150	165
5 मी० से अधिक परंतु 6 मी० से अनधिक	150 × 150	180
6 मी० से अधिक परंतु 7 मी० से अनधिक	200 × 150	190
7 मी० से अधिक परंतु 8 मी० से अनधिक	200 × 150	200
8 मी० से अधिक	200 × 150	215

7 मी० या अधिक की लंबाई के धामों को लगभग उनकी आधी लंबाई पर सुरक्षित रूप से अवलम्बित किया जाएगा।

(3) जब बड़े खंबों के बीच की क्षैतिज दूरी 4 मीटर से अधिक होती है, तब धामों की स्थिरता आधूरा सीधे समानुपात में बदलेंगे।

(4) जहां धामका कोण क्षैतिज से 10 अंश से अधिक हो जाता है, वहां इस पैरा के उप-पैरा (2) द्वारा अपेक्षित बड़े आकार का धाम लगाया जाएगा, परंतु किसी भी दशा में किसी धाम और क्षैतिज के बीच का कोण 45 अंश से अधिक नहीं होगा।

(ङ) टेक—जहां दोनों बगलों पर लदे प्रभागों के लिए टेकों का प्रयोग अवलम्ब रूप में किया जाता है, वहां वे क्षैतिजतः या यथासाध्य उनके निकट में लगाए जाएंगे या वे हर सिरे पर ठीक तरह से सुरक्षित होंगे और इस्पात की तार रस्सी से बनाए जाएंगे। तार रस्सी का आकार, ऐसा मानकर अवधारित किया जाएगा कि वह प्रभाग और खड़ा खंदा, जिसे टेक अवलम्बित करता है, 500 कि० ग्रा०/मी०² पर समान रूप से भारित किया जाता है टेक में इस प्रकार माना गया भार उनके खण्डन भार के एक-तिहाई से अधिक नहीं होगा।

(ग) एक ही बगल पर लदे गए प्रभाग :

(क) अनुदैर्घ्य प्रभाग—प्रभाग की लंबाई का प्रति मीटर भार निम्न प्रकार होगा :

सारणी I

बी (मी०)

(एच) (मी०)	2	3	4	5	6	7	8	10
1.5	850	900	1010	1225	1500	1770	2060	2645
2.0	1390	1505	1710	1985	2295	2605	2930	3590
2.5	1985	2160	2430	2740	3090	3435	3800	4535
3.0	2615	2845	3150	3500	3885	4270	4670	5480
3.5	3245	3525	3870	4255	4680	5100	5540	6425
4.0	3890	4210	4590	5015	5475	5935	6410	7370
4.5	4535	4890	5310	5770	6270	6765	7280	8315
5.0	5185	5570	6030	6530	7065	7600	8150	9260
6.0	6475	6935	7420	8045	8655	9265	9890	11150
7.0	7765	8300	8910	9560	10245	10930	11630	13440
8.0	9055	9665	10350	11075	11835	12595	13370	14930
9.0	10345	11030	11790	12590	13425	14260	15110	16820
10.0	11635	12395	13230	14105	15015	15925	16850	18710

एच—प्रभाग के तल से मीटरों में अनाज की ऊंचाई।

बी—प्रपुंज में अनाज का मीटरों में अनुप्रस्थ बिस्तार।

एच या बी के अन्य मूल्यांकों के लिए भार यथावश्यक रेखीय अन्तर्वेशन या बहिर्वेशन द्वारा अवधारित किया जाएगा।

(ख) अनुप्रस्थ प्रभाग/प्रभागों का प्रति मीटर लंबाई भार कि० ग्रा० में निम्न प्रकार माना जाएगा।

सारणी II*

एल मी०

(एच) (मी०)	2	3	4	5	6	7	8	10	12	14	16
1.5	670	690	730	780	835	890	935	1000	1040	1050	1050
2.0	1040	1100	1170	1245	1325	1400	1470	1575	1640	1660	1660
2.5	1460	1565	1675	1780	1880	1980	2075	2210	2285	2305	2305
3.0	1925	2065	2205	2340	2470	2590	2695	2845	2925	2950	2950
3.5	2425	2605	2770	2930	3075	3205	3320	3480	3570	3595	3595
4.0	2950	3160	3355	3535	3690	3830	3950	4120	4210	4236	4240
4.5	3495	3725	3940	4130	4295	4440	4565	4750	4850	4880	4885
5.0	4050	4305	4535	4735	4910	5060	5190	5385	5490	5525	5530
6.0	5175	5465	5720	5945	6135	6300	6445	6655	6775	6815	6825
7.0	6300	6620	6905	7150	7365	7445	7700	7930	8055	8105	8115
8.0	7425	7780	8090	8360	8590	8685	8950	9280	9340	9395	9410
9.0	8550	8935	9275	9565	9820	9930	10205	10475	10620	10685	10705
10.0	9680	10095	10460	10770	11045	11270	11460	11745	11905	11975	11997

एच—प्रभागों के तल से मीटरों में अनाज की ऊंचाई†

एल—प्रपंज अनाज का मीटरों में अनुदैर्घ्य विस्तार

एच या एल के अन्य मूल्यांकों के लिए रेखीय अन्तर्वेशन या बहिर्वेशन द्वारा यथावश्यक भार अवधारित किया जाएगा।

*उपर्युक्त भार ब्रिटिश एककों (टन/फीट) में संपरिवर्तित करने के लिए 1 कि० ग्रा० प्रति मीटर लंबाई को 0.0003 टन प्रति फुट लंबाई के बराबर माना जाएगा।

† जहां प्रभाग से फीडर या विपाट द्वार तक का अंतर 1 मीटर या कम है, वहां ऊंचाई उस विपाट द्वार या फीडर के भीतर अनाज स्तर तक की मानी जाएगी। सभी मामलों में, ऊंचाई प्रभाग के उर्वेस्थ डैक तक मानी जाएगी।

(ग) भारों का ऊपर से वितरण सारणी I और II में दिखलाए गए प्रभागों का प्रति यूनिट लंबाई का कुल भार, यदि आवश्यक समझा गया हो, के समान वह माना जाएगा कि ऊंचाई से उसमें समलम्बीय वितरण है, ऐसे मामलों में, उर्ध्वाधर घटक या खड़े खंभे के ऊपरी और निम्न सिरे पर, प्रतिक्रिया भार बराबर नहीं होंगे। ऊपरी सिरे पर प्रतिक्रिया भार जो उर्ध्वाधर घटक या खड़े खंभे द्वारा अवलम्बित कुल भार की प्रतिशतताओं के रूप में अभिव्यक्त है, वे माने जाएंगे जो निम्न सारणी III और IV में दिखलाए गए हैं।

सारणी III

एक ही बाजू पर लादा हुआ अनिदैर्घ्य भाग

खड़े खंभे के ऊपरी सिरे के पास भार प्रतिशतता के रूप में वैरियिंग प्रतिक्रिया (सारणी I) वी (मी०)

(एच) (मी०)	2	3	4	5	6	7	8	10
1.5	43.3	45.1	45.9	46.2	46.2	46.2	46.2	46.2
2.0	44.5	46.7	47.6	47.8	47.8	47.8	47.8	47.8
2.5	45.4	47.6	48.6	48.8	48.8	48.8	48.8	48.8
3.0	46.0	48.3	49.2	49.4	49.4	49.4	49.4	49.4
3.5	46.5	48.8	49.7	49.8	49.8	49.8	49.8	49.8
4.0	47.0	49.1	49.9	50.1	50.1	50.1	50.1	50.1
4.5	47.4	49.4	50.1	50.2	50.2	50.2	50.2	50.2
5.0	47.7	49.4	50.1	50.2	50.2	50.2	50.2	50.2
6.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
7.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
8.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
9.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
10.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2

वी—प्रपंज अनाज का मीटरों में अनुप्रस्थ विस्तार

एच या वी के अन्य मूल्यांकों के लिए प्रतिक्रिया और यथावश्यक रेखीय अन्तर्वेशन या बहिर्वेशन अवधारित किया जाएगा।

सारणी IV

एक ही वाजू पर लादे हुए अनुप्रस्थ प्रभाग

खड़े लंबे के ऊपरी सिरे के पास भार प्रतिशतता के रूप में वैयर्थिग प्रतिक्रिया (सारणी II) एल (मी०)

(एच) (मी०)	2	3	4	5	6	7	8	10	12	14	16
1.5	37.3	38.7	39.7	40.6	41.4	42.1	42.6	43.6	44.3	44.8	45.0
2.0	39.6	40.6	41.4	42.1	42.7	43.1	43.6	44.3	44.7	45.0	45.2
2.5	41.0	41.8	42.5	43.0	43.5	43.8	44.2	44.7	45.0	45.2	45.2
3.0	42.1	42.8	43.3	43.8	44.2	44.5	44.7	45.0	45.2	45.3	45.3
3.5	42.9	43.5	43.9	44.3	44.6	44.8	45.0	45.2	45.3	45.3	45.3
4.0	43.5	44.0	44.4	44.7	44.9	45.0	45.2	45.4	45.4	45.4	45.4
5.0	43.9	44.3	44.6	45.8	45.0	45.2	45.3	45.5	45.5	45.5	45.4
6.0	44.2	44.5	44.8	45.0	45.2	45.3	45.4	45.6	45.6	45.6	45.6
7.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
8.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
9.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
10.0	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6

एल—खुले अनाज का अनुलंब विस्तार

एच या एल के अन्य मूल्यों के लिए प्रतिक्रिया भार यथावश्यक रेखीय अन्तर्वेशन या वहिर्वेशन द्वारा अवधारित किया जाएगा। ऐसे उच्चतर घटकों या खड़े खंखों के अन्तिम संयोजनों की सामर्थ्य किसी भी सिरे के पास लादे जाने वाले अधिकतम भार के आधार पर परिकलित किया जाएगा। ये भार निम्न प्रकार हैं :

अनुदैर्घ्य प्रभाग

शीर्ष पर अधिकतम भार—सारणी-I के समुचित कुल भार का 50 प्रतिशत तल पर अधिकतम भार—सारणी-I के समुचित कुल भार का 55 प्रतिशत अनुप्रस्थ प्रभाग

शीर्ष पर अधिकतम भार—सारणी-II के समुचित कुल भार का 45 प्रतिशत तल पर अधिकतम भार—सारणी-II के समुचित कुल भार का 60 प्रतिशत

क्षैतिज काष्ठ तख्तों की मोटाई को उपरोक्त सारणी III और IV में दिखलाए गए सीधे लदान वितरण की ओर उचित ध्यान देकर अवधारित किया जा सकेगा और ऐसे मामलों में :

$$t = 10a \frac{P \times K}{h \times 231.3}$$

जहाँ :

टी=तख्त की मोटाई मि० मी० में,

ए=तख्त का क्षैतिज पाट अर्थात् खड़े खंखों के बीच की दूरी मीटरों में,

एच=प्रभाग के तल से मीटरों में अनाज की गहराई,

पी=सारणी I या II से व्युत्पन्न प्रति एकक लंबाई का कुल भार कि० ग्रा० में, के=लदान के उर्ध्वधर वितरण पर आश्रित घटक

जब लदान का ऊपर वितरण समरूप, अर्थात् आयतनी माना जाता है, तब के 1.0 के बराबर माना जाएगा।

समलंबीय वितरण के लिए—

के=1.0 0.06 (50-आर)

जहाँ : भार सारणी III या IV से लिया ऊपरी सिरे का वैयर्थिग दावा है

(घ) तश्तरीयां :

जब तश्तरी 'पूर्ण भरे कक्ष' में झुकाव को कम करने के लिए प्रयुक्त की जाती है, तब उसकी गहराई, तश्तरी के तल से डेढ़ रेखा तक नापने पर, निम्न प्रकार होगी :

9.1 मीटर तक की अन्दर की चौड़ाई वाले पोतों के लिए कम से कम 1.2 मीटर।

18.3 या उससे अधिक मीटर की अन्दर की चौड़ाई वाले पोतों के लिए कम से कम 1.8 मीटर।

9.1 मीटर और 18.3 मीटर के बीच की चौड़ाई वाले पोतों के लिए तश्तरी की न्यूनतम गहराई अन्तर्वेशन द्वारा परिकलित की जायगी।

तश्तरी का शीर्ष (मुख) विपाट-द्वार के भाग अर्थात् हैज वाजू के गड्ढे या अड़वाल और हैज सिर की धरन में निम्न डेढ़ संरचना द्वारा बनाया जायगा। उपरोक्त तश्तरी और विपाट-द्वार बोरों में बन्द अनाज से या अलग कपड़े या उसके समतुल्य अन्य यथोचित स्थीरा में रखकर पूरा कर दिया जायगा और समीपस्थ संरचनाओं तथा सुवाहुय विपाट द्वार धरनों से यदि वे उस स्थान में हों, उसे कसकर बांधा जाएगा।

(ङ) प्रतुज अनाज की गठरियां :

बोरों में बंद अनाज या अन्य उचित स्थीरा से तश्तरी को भरने के लिए प्रपुज अनाज की गठरी का प्रयोग विकल्प के रूप में किया जा सकेगा परन्तु यह तब जब कि :

(क) तश्तरी पर केन्द्रीय सरकार द्वारा स्वीकार्य सामग्री से जिसकी तनाव क्षमता प्रति 6 से०मी० पट्टी पर 274 कि०ग्रा० से अन्यून हो, अस्तर लगाया जाता है और जिसके शीर्ष पर सुरक्षित करने के लिए उचित साधन लगाए गए हैं।

(ख) उपर्युक्त पैरा (क) के विकल्पतः के रूप में केन्द्रीय सरकार द्वारा स्वीकार्य सामग्री, जिसकी तनाव क्षमता प्रति 5से०मी० पट्टी पर 137 कि० ग्रा० से अन्यून है, विकल्प के रूप में उस दशा में प्रयुक्त की जा सकती है जब कि तश्तरी निम्न प्रकार संरचित हो—

प्रपुज अनाज में संरचित तश्तरी के भीतर रस्सियां चौड़ाई में 2.4 मीटर से अधिक की दूरी पर लगाई जाएगी। ये रस्सियां पर्याप्त लम्बाई की होंगी ताकि वे तश्तरी के मुख के पास सुरक्षित से रूप में खींची जा सकें।

मौटाई में 25 मि० मी० से अन्यून या उसी प्रकार की मजबूती का अन्य उचित सामग्री वाला और चौड़ाई में 150 से 300 मि० मी० के बीच का निभार, इन रस्सियों के ऊपर आगे पीछे रखा जायेगा ताकि वह उस सामग्री को जो उनके ऊपर तश्तरी के आकार के रूप में लगायी जाएगी, काट या घिस न सके।

(ग) तश्तरी प्रपुंज अनाज से भर दी जाएगी और उसका मुख सुरक्षित किया जाएगा, सिवाय इसके कि जहां उपर्युक्त पैरा (घ) के अधीन अनुमोदित पदार्थ उपयोग में लाया जाता है, तश्तरी को रस्सियां लगा कर सुरक्षित करने से पूर्व सामग्री को थप-थपाकर उसके मुख पर अन्य निभार रखा जाएगा।

(घ) यदि तश्तरी के अस्तर के लिए एक से अधिक पदार्थ चादर प्रयुक्त किए जाते हैं, तब वे तल के पात्र सिलाई से या डबल चढ़ाव जोड़ से जोड़े जाएंगे।

(ङ) तश्तरी का मुख, धरनों, जब वे अपने जगह पर हों, के तल के बराबर हो जाएगा और उन धरनों के बीच तश्तरी के मुख पर उचित सामान्य स्थीरा या प्रपुंज अनाज रखा जा सकेगा।

(च) पूर्ण भरे हुए कक्षों के हैच ढक्कन का सुरक्षित किया जाना:

यदि "पूर्ण भरे हुए कक्ष" के ऊपर प्रपुंज अनाज या अन्य स्थीरा न हो तो हैच ढक्कनों को, ऐसे ढक्कनों को सुरक्षित करने के लिए उपबंधित वजन और स्थायी व्यवस्थाओं को ध्यान में रखकर अनुमोदित पद्धति से सुरक्षित किए जाएंगे।

पैरा 10 के अधीन जारी किए गए प्राधिकार दस्तावेजों में केन्द्रीय सरकार द्वारा आवश्यक मानी गयी सुरक्षा पद्धति को प्राप्त निर्देश में है।

भाग II अंशतः भरे कक्ष का सुरक्षित किया जाना:

क. पट्टियों से या रस्सियों से बांधना:

(क) अंशतः भरे कक्षों में झुकाव को हटाने के लिए पट्टियों या रस्सियों का प्रयोग किया जाता है, तब सुरक्षा निम्न प्रकार पूरी की जाएगी:—

(1) अनाज समतलित किया जाएगा और उस विस्तार तक किचित् उभरित रूप में चौरस किया जाएगा और मोटे टाट पृथककारी कपड़ों, टारपोलिन या उसके समतुल्य से आच्छादित किया जाएगा।

(2) पृथककारी कपड़े और/या टारपोलिन कम से कम 1.8 मी० एक दूसरे पर चढ़े हुए हों।

(3) 25 मि० मी०, 150 मि० मी० से 300 मि० मी० तक के दो मजबूत स्थूल काष्ठ फर्श ऊपरी फर्श से अनुदैर्घ्य रूप में और तल के फर्श में चौड़ाई में कील से जोड़े जाएंगे। विकल्पतः एक मजबूत 50 मि० मी० काष्ठ फर्श का अनुदैर्घ्य रूप में प्रयोग किया जा सकेगा और 50 मि० मी० के तल की लकड़ी जो 150 मि० मी० से अन्यून चौड़ी हो, के ऊपर कील लगाई जा सकेगी। तल को लकड़ियों कक्ष की पूरी चौड़ाई तक विस्तारित होंगी और 2.4 मीटर से अधिक की दूरी पर लगाई जाएंगी। ऐसी व्यवधाओं को जिनमें अन्य सामग्रियां प्रयुक्त की जानी हैं और जिन्हें पूर्ववर्ती के समतुल्य माना गया हो, स्वीकार किया जा सकेगा।

(4) इस्पात डार रस्से (19 मि० मी० व्यास या समतुल्य),—डुहरी इस्पात पट्टियां (50 मि० मी०, 1.3 मि० मी० और संजन सामर्थ्य कम से कम 5000 के जी हो) या समतुल्य सामर्थ्य की जंजीर, जिनसे प्रत्येक 32 मि० मी० के मुड़े हुए बक्सुओं से मजबूत की गयी हों, रस्सियों के लिए प्रयुक्त की जा सकेगी, जब इस्पात पट्टियों से बांधा जाता है, तब 32 मि० मी० के मुड़े

हुए बक्सुओं के स्थान से बांधा जाता है, तब 32 मि० मी० के मुड़े हुए बक्सुओं के स्थान में पाशन बाजू के संयोजन में प्रयुक्त बिब कसने वाला रखा जा सकेगा, परन्तु यह तब जब कि यथावश्यक लगाने के लिए यथाचित रिच प्राप्त हों। जब इस्पात पट्टियां प्रयुक्त की जाती हैं, तब सिरों को सुरक्षित करने के लिए तीन से अन्यून क्रिम्प मुहर प्रयुक्त की जाएंगी। जब तार प्रयुक्त की जाती है, तब चार से अन्यून क्लिप, रस्सियों में खुले स्थान बनाने के लिए प्रयुक्त किए जाएंगे।

(5) लदान की समाप्ति के पूर्व, रस्सी फ्रेम से अश्रित अन्तिम अनाज सतह के नीचे लगभग 450 मि० मी० के स्थान पर या तो 25 मि० मी० की जंजीर या उसके तुल्य मजबूत धरन क्लिप द्वारा, निश्चित रूप में जोड़ी जाएगी।

(6) रस्सियां 2.4 मीटर के अनधिक दूरी पर लगायी जाएंगी और प्रत्येक आगे और पीछे की छत पर धारक धारक कील से अवलम्बित की जाएंगी। यह धारक 25 मि० मी० 150 मि० मी० से अन्यून काष्ठ का या उसके समतुल्य होगा और कक्ष की पूरी चौड़ाई तक विस्तारित होगा।

(7) समुद्र-यात्रा के दौरान पट्टियां नियमित रूप से जांची जाएंगी और जहां आवश्यक हो ठीक की जाएंगी।

ख. ऊपर रखने की व्यवस्थाएं:

जहां बोरों में बन्द अनाज या अन्य यथोचित स्थीरा अंशतः भरे कक्षों को सुरक्षित करने के उद्देश्य से रखा जाता है वहां अनाज की खुली ऊपरी सतह की पृथककारी कपड़े या उसके समतुल्य से और/या यथोचित प्लेटफार्म द्वारा ढक दिया जाएगा। ऐसे प्लेटफार्म में 1.2 मीटर से अधिक की दूरी पर लगाए काष्ठ धारक होंगे और उन पर 100 मि० मी० से अधिक की दूरी पर से 2.5 मि० मी० के काष्ठ तहत रखे जाएंगे प्लेटफार्म भिन्न सामग्रियों से भी सन्निहित किए जा सकेंगे परन्तु यह तब जब कि वे विभाग द्वारा समतुल्य माने गए हों।

ग. बोरों में बन्द अनाज:

बोरों में बन्द अनाज अच्छी तरह से भरे हुए और सुरक्षित रूप से बन्द किए गए मजबूत बोरों में बहन किया जाएगा।

[सं० 5-एम एस आर (18)/74-एम ए]
श्री वी० भावे, महानिदेशक

MINISTRY OF SHIPPING AND TRANSPORT (Transport Wing)

New Delhi, the 9th May, 1977

ORDER

S.O. 2251.—Whereas the Central Government has prescribed, under the Merchant Shipping (Carriage of Grain) Rules, 1974, certain fittings and provisions as "necessary and reasonable precautions", for the purposes of section 332 of the Merchant Shipping Act, 1958 (44 of 1958), to be followed by :—

(a) all Indian ships, and

(b) ships other than Indian ships—

(i) when they are loaded with grain at any port or place in India or within the territorial waters of India, or

(ii) when they enter any port or place in India or come within the territorial waters of India laden with grain ;

and whereas the Central Government is otherwise satisfied that the fittings or provisions, recommended by the Inter-Governmental Maritime Consultative Organisation and set out in Appendices I and II to this Order, are as effective as those required by the Merchant Shipping (Carriage of Grain) Rules, 1974 ;

And whereas the Central Government considers it expedient to permit the alternative fittings or provisions set out in the said Appendices I and II to this Order, be fitted or made in any of the ships aforesaid ;

Now, therefore, in exercise of the powers conferred by section 454A of the Merchant Shipping Act, 1958 (44 of 1958) ; the Central Government hereby makes the following Order, namely :—

1. Short title and commencement :—(1) This Order may be called the Merchant Shipping (Equivalent Arrangements for carriage of Grain) Order, 1977.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. Equivalent Arrangements for carriage of grain :—A ship to which the Merchant Shipping (Carriage of Grain) Rules 1974, apply, may, instead of complying with the requirements of the said rules, comply with the requirements specified in either Appendix I or Appendix II to this Order :

Provided that no such ship shall be permitted to comply partly with the requirements specified in the said rules and partly with the requirements specified in any of the said two Appendices ;

(ii) Partly with the requirements specified in the said Appendix I and partly with requirements specified in the said Appendix II.

APPENDIX I

Equivalent arrangements to those prescribed in the Merchant Shipping (Carriage of Grain) Rules, 1974.

Definitions

1. In this Appendix, unless the context otherwise requires, the following expressions have the following meanings respectively:

“Compartment”	means a hold or a cargo space bounded by bulkheads at each end and having decks above and below.
“Filled compartment”	means any compartment in which after loading and trimming the level of the bulk grain is as high as possible.
“Partly filled compartment”	means any compartment loaded with bulk grain not being a filled compartment.
“Grain”	includes wheat, maize, oats, rye, barley, rice, pulses and seeds.
“Metacentric height”	means the distance between the transverse metacentre (M) and the centre of gravity (G) corrected for the free effects of liquids in tanks.
“Schedule”	means a schedule in this Appendix.
“Shifting boards”	means shifting boards constructed in accordance with the requirements of (B) Part I, Schedule II of this Appendix.

Trimming:

2. (a) All necessary and reasonable trimming should be performed to minimize the effect of grain shifting. In any compartment which is filled with bulk grain, the grain should be trimmed so as to fill all the spaces under the decks and hatch covers to the maximum extent possible.

(b) After loading all free grain surfaces in partly filled compartments should be trimmed level and the ship shall be upright when proceeding to sea.

Intact stability requirements

3. (a) The intact stability characteristics of any ship carrying bulk grain should be shown to meet, throughout the voyage, at least the following criteria after taking into account in the manner described in Schedule I, the heeling moments due to grain shift:

- (i) The angle of heel due to the shift of grain should be not greater than 12 degrees;
- (ii) in the statical stability diagram, the net or residual area between the heeling arm curve and the righting arm curve up to the angle of heel of maximum difference between the ordinates of the two curves, or 40 degrees or the angle of flooding,* whichever is the least, should in all conditions of loading, be not less than 0.075 metreradians; and
- (iii) the initial metacentric height, after correction for the free surface effects of liquids in tanks, should be not less than 0.30 metres.

Longitudinal divisions and saucers.

4. (a) In both “filled” and “partly filled” compartments, longitudinal divisions may be provided as a device either to refuse the adverse heeling effect of grain shift or to limit the depth of cargo used for securing the grain surface. Such divisions should be fitted grain-tight and constructed in accordance with the provisions of Part I of Schedule II.

(b) In a “filled” compartment, a division, if fitted, should extend downwards from the underside of the deck or hatch covers to a distance below the deck line of at least one-eighth of the maximum breadth of the compartment. Except in the case of oil seeds, a longitudinal division beneath of hatchway may be replaced by a saucer of bagged grain or other suitable cargo. Such a saucer should be formed in the manner described in Part I of Schedule II.

(c) In a “partly filled” compartment, a division, if fitted should extend from one-eighth of the maximum breadth of the compartment above the level of the grain surface and to the same distance below the grain surface. When used to limit the depth of the cargo used for securing the height of the centreline division should be not less than 0.61 metres above the grain surface.

(d) Furthermore, the adverse heeling effects of grain shift may be reduced by tightly stowing the wings and ends of a compartment with bagged grain or other suitable cargo adequately restrained from shifting.

*Is an angle of heel at which openings in the hull, superstructures of deckhouses, which cannot be closed weathertight, immerse. In applying this definition, small openings through which progressive flooding cannot take place need not be considered as open.

Securing

5. (a) Unless account is taken of the adverse heeling effect due to grain shift in accordance with these provisions, the surface of the bulk grain in any "partly filled" compartment should be trimmed level and topped off with bagged grain tightly stowed and extending to a height of not less than one-sixteenth of the breadth of the free grain surface or 1.22 metres whichever is the greater. Instead of bagged grain, other suitable cargo exerting at least the same pressure may be used.

(b) The bagged grain or other suitable cargo should be supported in the manner described in Part II of Schedule II. Alternatively, the bulk grain surface may be secured by strapping or lashing as described in Part II of Schedule II.

Feeders and/or trunks.

6. If feeders and/or trunks are fitted, proper account should be taken of the effects thereof when calculating the heeling moments as described in Part III of Schedule I. The strength of the divisions forming the boundaries of such feeders shall conform with the provisions of Part I of Schedule II.

Combination arrangements.

7. Lower holds and 'tween deck spaces in way thereof may be loaded as one compartment provided that, in calculating heeling moments, proper account is taken of the flow of grain into the lower spaces.

SCHEDULE I

Calculation of Assumed Heeling Moments	
Part I	Description of the assumed pattern of grain surface behaviour and method of calculating intact stability.
Part II	Determination of the assumed volumetric heeling movement of a filled compartment.
Part III	Feeders and trunks.
Part IV	Partly filled compartments.
Part I	Description of the Assumed Pattern of Grain Surface Behaviour and Method of Calculating Intact Stability.

(A) General.

(a) For the purpose of calculating the stability of ships carrying grain in bulk it should be assumed that:

- In filled compartments of ships with hatch side girder depths between 500 and 600 mm, the average depth of the underdeck void (Vd) is 460 mm.
- When the depth of the hatch side girder is not between 500 and 600 mm the average void depth shall be calculated according to the formula:

$$Vd = Vd1 + 0.75 (d - 600) \text{ mm.}$$

where Vd = Average void depth in mm;
Vd1 = Standard void depth from the Table I below;
d = Actual girder depth in mm.
In no case shall Vd be assumed to be less than 100 mm.

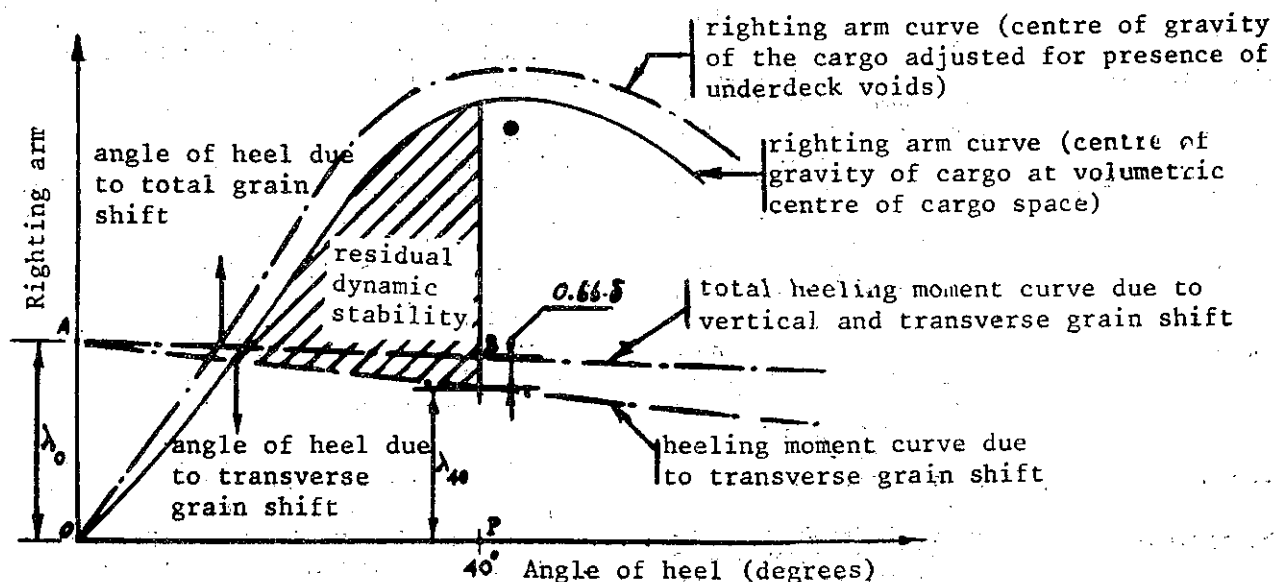
TABLE I

Distance from hatch end or hatch side to boundary of compartment metres	Standard void depth Vd1 mm
0.5	570
1.0	530
1.5	500
2.0	480
2.5	450
3.0	440
3.5	430
4.0	430
4.5	430
5.0	430
5.5	450
6.0	470
6.5	490
7.0	520
7.5	550
8.0	590

(iii) No voids will exist surfaces whose inclination to the horizontal is 30 degrees or greater.

(iv) Within filled hatches there is an average void depth of 75 mm measured from the lower part of the hatch cover to the grain surface. If the hatchway is not completely filled this void in combination with any other void arising from incomplete filling of the hatch should be used in calculating the assumed heeling moments.

(b) The ship's stability calculations should be based upon the assumption that the centre of gravity of the cargo is at the volumetric centre of the whole cargo space and in such cases it will be necessary only to calculate the adverse heeling moment due to transverse shifts of grain. However, if it is considered necessary to take into account the reduction in the ship's vertical center of gravity due to the existence of the underdeck voids when calculating the ship's righting arm curve, the net effects of the vertical component shifts of grain should also be included in the total assumed heeling moment curve (see Fig. 1).

**FIG.1**

Where:

= assumed volumetric heeling moment due to transverse shift

= $\frac{\text{stowage factor} \times \text{displacement}}{0.80 \times}$

= assumed volumetric heeling moment due to vertical shift

= $\frac{\text{stowage factor} \times \text{displacement}}{0.80 \times}$

Stowage factor = Volume per unit weight of grain cargo.
Displacement = Weight of ship, fuel, fresh water, stores, etc. and cargo.

The total assumed heeling moment curve can be approximately represented by the straight line through A and B whose ordinates are:—

OA = and PB = (+0.66) respectively.

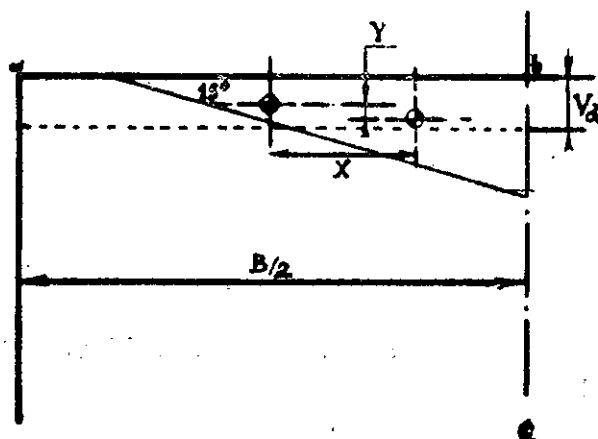


FIG-2

Assumed horizontal volumetric heeling moment = $A \times X \times 2$ for both sides.

Assumed vertical volumetric heeling moment = $A \times Y \times 2$ for both sides.

Where X = Transverse shift of centre of void due to change of space, and

Y = Vertical shift of centre of void due to change of shape.

(b) Without centreline division (see Fig.3).

(i) If the effect of the underdeck longitudinal girders is to be taken into account, the moments should be calculated according to the pattern of grain behaviour shown in Fig. 3.

Formulae: (1) = $(AB \times Vd) - Vr$ where $Vr = \frac{d^3}{2 \tan 15^\circ}$

(2) = $(BC \times Vd) - Vr$

(3) = $CD \times Vd$

Assumed horizontal volumetric heeling moment = $(1) \times X_1 + (2) \times X_2 + (3) \times X_2$

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Part II = Determination of the Assumed Volumetric Heeling Moment of a Filled Compartment.

(A) General

(a) The methods described hereunder should be used to determine the assumed volumetric heeling moment per unit length.

(b) In the figures the moments are calculated in accordance with the change in shape and/or position of voids.

(c) The angle of surface shift of the bulk grain (or wedge angle) is assumed to be 15 degrees.

Note: When the final centroid of the void is higher or lower than its initial centroid, the vertical volumetric heeling moment has to be respectively subtracted or added.

(B) Forwarded of and abaft the hatchway.

(a) With centreline division (See Fig. 2).

The moments arise directly from a change of shape of the cross-section through the void, which is originally a rectangle of area A ($ab \times Vd$) and which becomes a triangle.

Assumed vertical volumetric heeling moment =

$(1) \times Y_1 + (2) \times Y_2 + (3) \times Y_3$

(ii) If the effect of longitudinal girders is not to be taken into account the moment should be calculated in the same manner as described in (B) (a) above where B/2 becomes B in the calculations.

(C) Abreast the hatchway.

(a) When there is a centreline division in the hatchway (see Fig. 4).

Formulae: (1) = $(AB \times Vd) - Vr$, where $Vr = \frac{d^3}{2 \tan 15^\circ}$

(2) = $CD \times Vd$

(3) = $(4) = \frac{1}{2} \times BC \times Vd$

(1) transfers to the centroid of the final void on the low side of the hatchway.

(3) transfers to the centroid of the final void on the low side of the hatchway.

(2) (4) transfer from rectangular to triangular shapes.

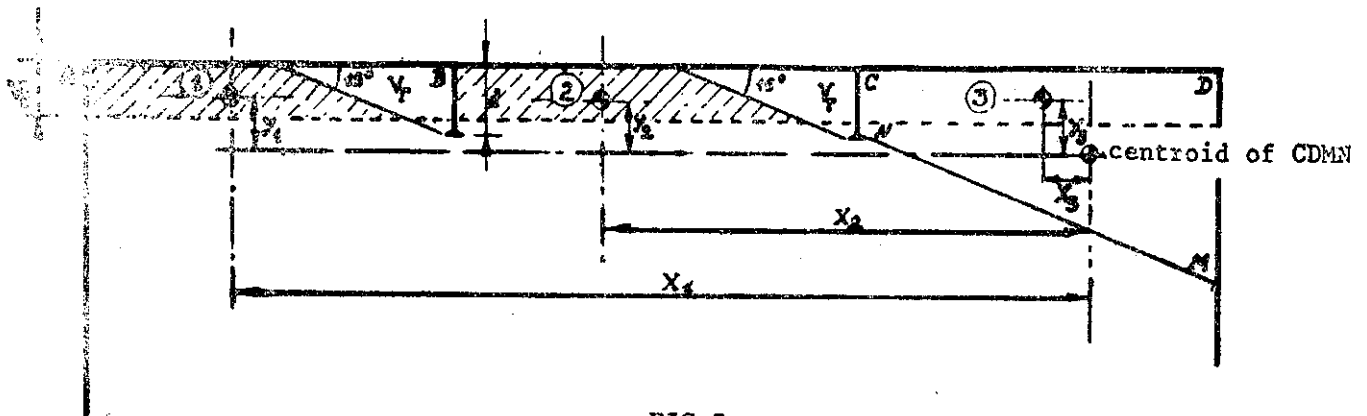


FIG. 3

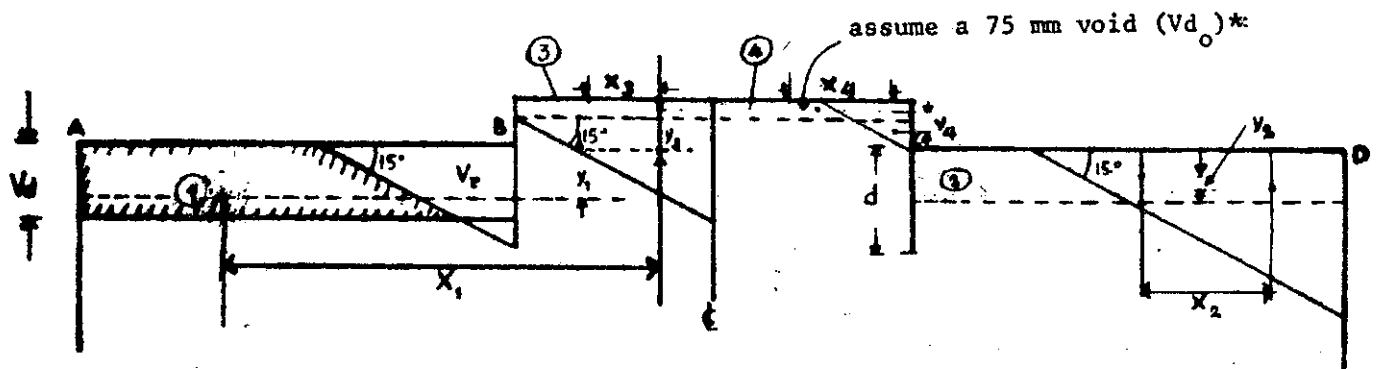


FIG. 4

Assumed horizontal volumetric heeling moment =

$$(1) \times X_1 + (2) \times X_2 + (3) \times X_3 + (4) \times X_4$$

Assumed vertical volumetric heeling moment =

$$(1) \times Y_1 + (2) \times Y_2 + (3) \times Y_3 + (4) \times Y_4$$

(b) When there is no centreline division in the hatchway. The calculation should be similar to that in (C) (a) above except that the transverse lever X_1 will increase due to the formation of the void against the girder at C instead of against the centreline division and (3) and (4) will combine to form a single initial void.

(D) Multiple decks in association with combination arrangements of loading.

(a) No deck perforations

(i) Except where included in a pattern of deck perforations accepted by the Departments, it is considered that trimming hatches of normal dimensions, even though open, have no significant effect in reducing the volume of the underdeck voids.

(ii) Two deck arrangement without centreline divisions (see Fig. 5).

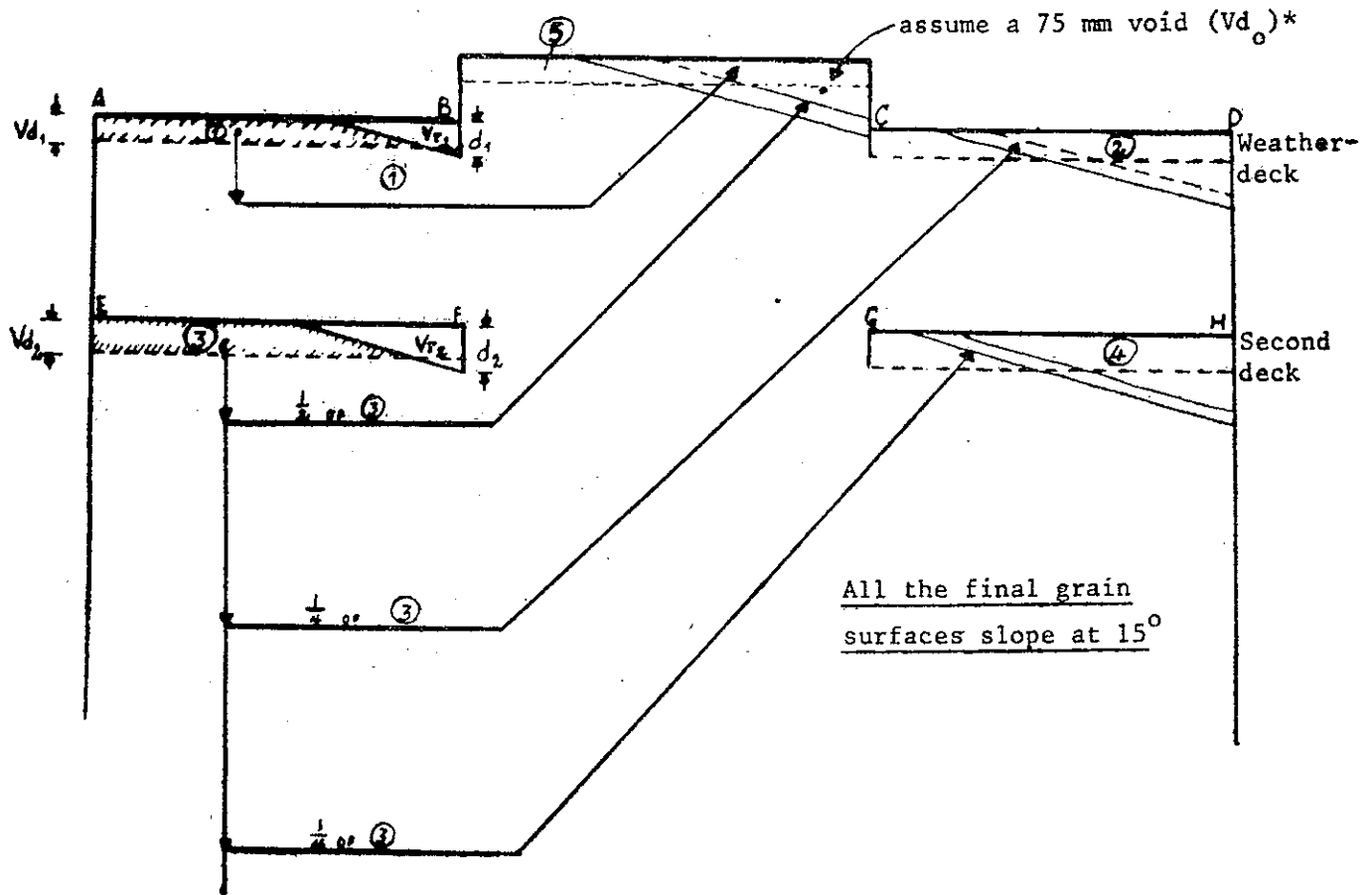


FIG. 5

*See Part I(A)(a)(iv).

The transfer of voids in this arrangement shall be assumed to have taken place as follows:—

- (1) transfers to the centroid of the final void under the weather deck hatch cover;
- (2) transfers to the centroid of the final void under the weather deck on the high side;
 $\frac{1}{2}$ of (3) transfers to the final void under the weather deck hatch cover;
 $\frac{1}{4}$ of (3) transfers to the final void under the weather deck on the high side;
 $\frac{1}{4}$ of (3) transfers to the final void under the second deck on the high side;
- (4) transfers to the centroid of the final void under the second deck on the high side;
- (5) transfers to the centroid of the final void under the weather deck hatch cover;

Where:

$$\begin{aligned} (1) &= (AB \times Vd_1) - Vr_1, \text{ where } Vr_1 = \frac{d_1 \cdot 2}{2 \tan 15^\circ} \\ (2) &= VD \times Vd_1 \\ (3) &= (EF \times Vd_2) - Vr_2 - Vr_2, \text{ where } Vr_2 = \frac{d_2 \cdot 2}{2 \tan 15^\circ} \\ (4) &= GH \times Vd_2 \\ (5) &= BC \times Vd_0 \end{aligned}$$

The volume of the final void under the weather deck hatch cover will be (5) plus (1) plus $\frac{1}{2}$ of (3) and its centroid positioned accordingly.

The volume of the final void under the weather deck on the high side will be (2) plus $\frac{1}{4}$ of (3) and its centroid positioned accordingly.

The volume of the final void under the second deck on the high side will be (4) plus $\frac{1}{4}$ of (3) and its centroid positioned accordingly.

(iii) Two deck arrangement with tween deck centreline division (see Fig. 6).

The transfer of voids in this arrangement should be assumed to have taken place as shown in Fig. 6 which follows the principles outlined in (D) (a) (ii) above except that the presence of the centreline division will reduce the transverse shift of (1) and part of (3).

(iv) Three deck arrangement (see Fig. 7).

The transfer of voids in this arrangement should be assumed to have taken place as follows:—

- (1) transfers to the centroid of the final void under the weather deck hatch cover;
- (2) transfers to the centroid of the final void under the weather deck on the high side;
 $\frac{1}{2}$ of (3) transfers to the final void under the weather deck hatch cover;
 $\frac{1}{4}$ of (3) transfers to the final void under the weather deck on the high side;
 $\frac{1}{4}$ of (3) transfers to the final void under the second deck on the high side;
- (4) transfers to the centroid of the final void under the second deck on the high side;
 $\frac{1}{4}$ of (5) transfers to the final void under the weather deck hatch cover;
 $\frac{1}{4}$ of (5) transfers to the final void under the weather deck on the high side;
 $\frac{1}{4}$ of (5) transfers to the final void under the second deck on the high side;
 $\frac{1}{4}$ of (5) transfers to the final void under the third deck on the high side;
- (6) transfers to the centroid of the final void under the third deck on the high side;
- (7) transfers to the centroid of the final void under the weather deck hatch cover.

Where :

$$\begin{aligned} (1) &= (AB \times VD_1) - Vr_1, \text{ where } Vr_1 = \frac{d_1 \cdot 2}{2 \tan 15^\circ} \\ (2) &= CD \times Vd_1 \\ (3) &= (EF \times Vd_2) - Vr_2 \text{ where } Vr_2 = \frac{d_2 \cdot 2}{2 \tan 15^\circ} \\ (4) &= CH \times Vd_2 \\ (5) &= (JK \times Vd_3) - Vr_3, \text{ Where } Vr_3 = \frac{d_3 \cdot 2}{2 \tan 15^\circ} \\ (6) &= LM \times Vd_3 \\ (7) &= BC \times Vd_0 \end{aligned}$$

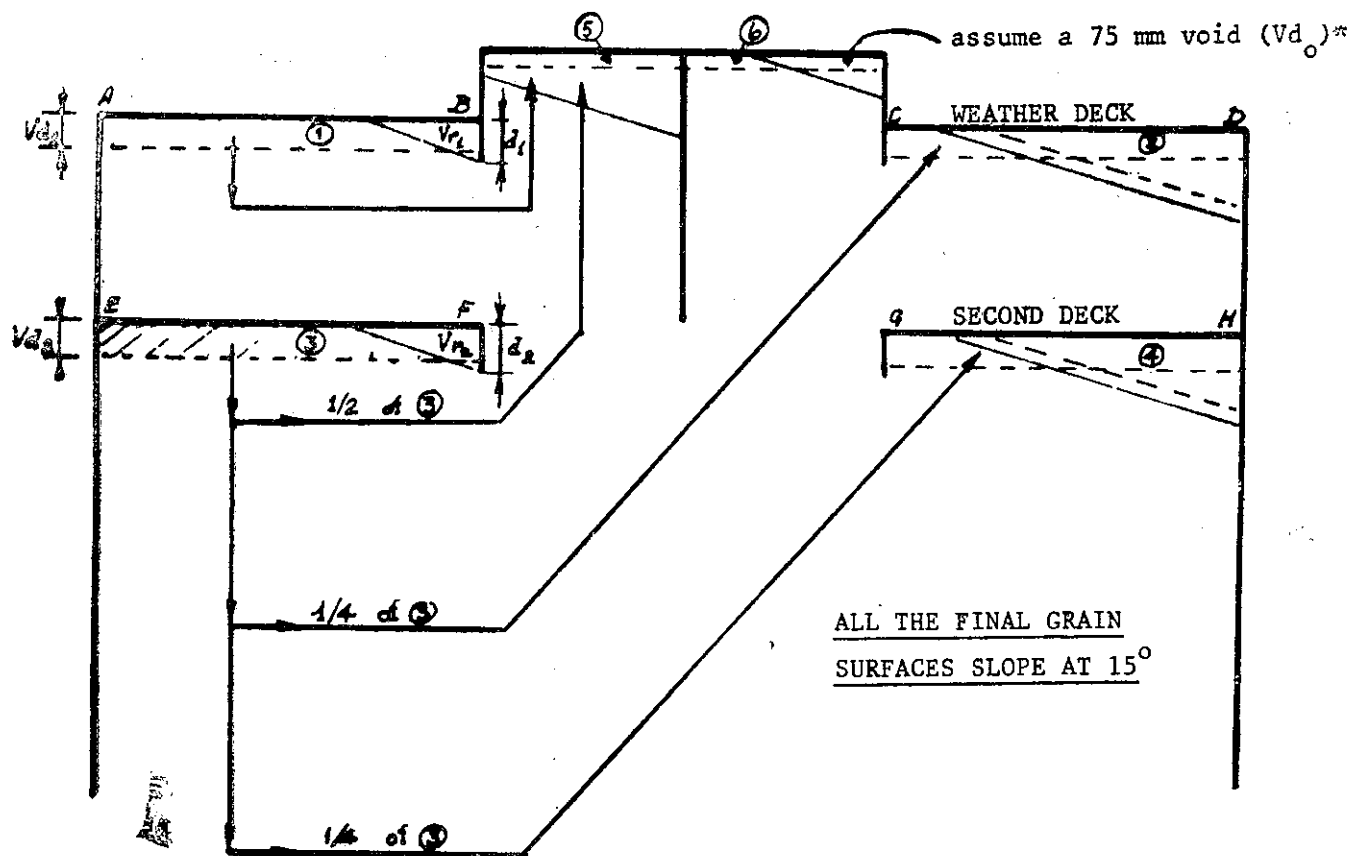
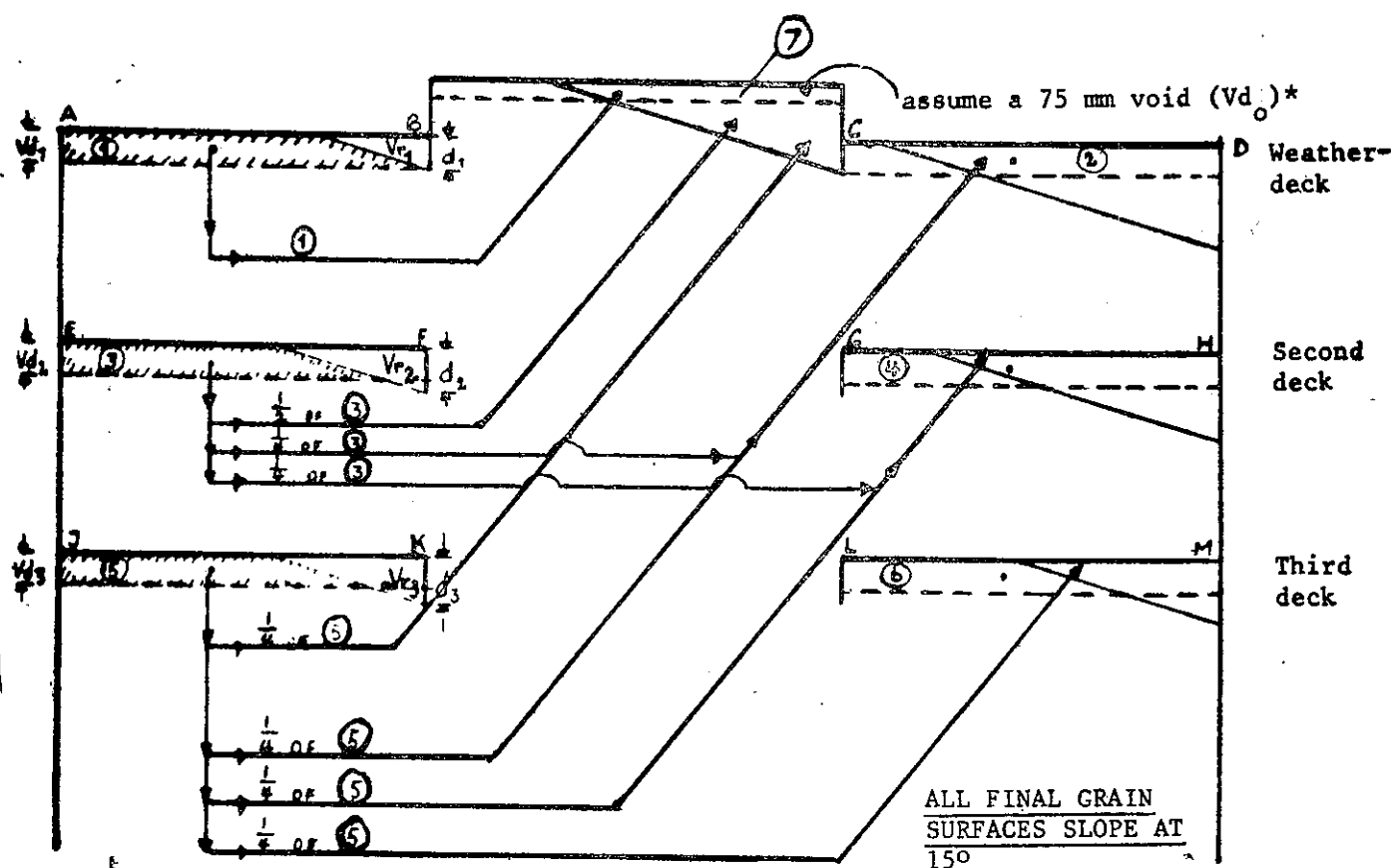


FIG. 6



The volume of the final void under the weather deck hatch cover will be (7) + (1) + 1/2 of (3) + 1/4 of (5) and its centroid positioned accordingly.

The volume of the final void under the weather deck on the high side will be (2) plus 1/4 of [(3) + (5)] and its centroid positioned accordingly.

The volume of the final void under the second deck on the high side will be (4) plus 1/4 of [(3) + (5)] and its centroid positioned accordingly.

The volume of the final void under the third deck on the high side will be (6) + 1/4 of (5) and its centroid positioned accordingly.

(v) Further multiple deck arrangements.

For such arrangements it should be assumed that the voids on the low side under each additional deck are equally distributed to all the voids on the high side. For example, if a fourth deck was added to fig. 7 the void on the low side un-

der the deck would be assumed to be equally transferred to each of the five voids on the high side (viz hatchway, weather second deck, third deck and fourth deck respectively).

(b) With deck perforations.—

- (i) Where decks are perforated the voids under such decks will be reduced during loading. The percentage of of the original voids remaining should be obtained from Fig. 12
- (ii) Under the influence of ship motion it may be assumed that these voids are eventually completely filled transversely between perforations. The Department should be satisfied that these perforations are so distributed throughout the longitudinal extent of the deck as to achieve effective void filling. The heeling moments should be calculated in the manner described in (a) above with due regard to the increase in volume of the higher voids and any voids remaining under the perforated deck.

Part III—Feeders and Trunks

(A) Suitably placed wing feeders (see Fig. 8)

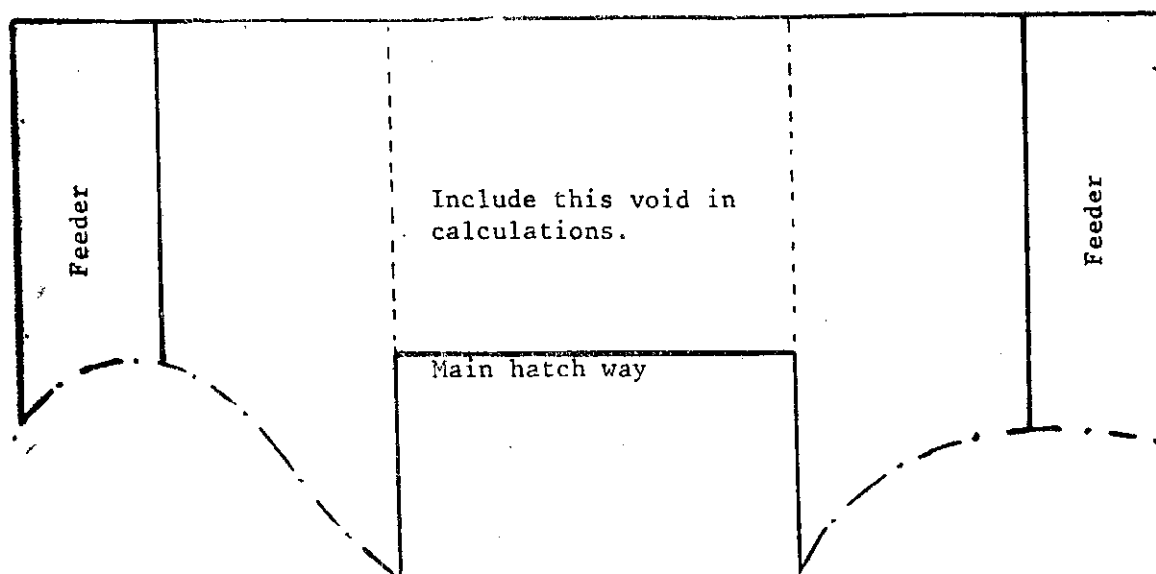


FIG.8

It may be assumed that under the influence of ship motion under deck voids will be substantially filled by the flow of grain from a pair of longitudinal feeders provided that.—

- (1) the feeders extend for the full length of the deck, and that the perforations therein are adequately spaced ;
- (2) the volume of each feeder is equal to the volume of the under deck void out-board of the hatch side girder and its continuation.

(B) Trunks situated over main hatchways (see Fig. 9).

The transfer of voids in this arrangement should be assumed to have taken place as follows :—

- (1) Transfers to the centroid of the final void against the trunk side ;
- (2) Transfers to the centroid of the final void under the weather deck on the high side ;
 $\frac{2}{3}$ of (3) transfers to the bottom of the trunk on the centreline ;
 $\frac{1}{3}$ of (3) transfers to the void under the second deck on the high side ;
- (4) Transfers to the centroid of the final void under the second deck on the high side.

Where :

- (1) $= AB \times Vd_1$
- (2) $= CD \times Vd_1$

$$(3) = (EF \times Vd_2) - Vr_2, \text{ where } Vr_2 = \frac{d_2^2}{2 \tan 15^\circ}$$

$$(4) = GH \times Vd_2$$

The volume of the final void under the second deck on the high side will be (4) plus $\frac{1}{3}$ of (3) and its centroid positioned accordingly.

Within the trunk itself the heeling moment should be assumed to be that arising from a full wedge transfer of 25 degrees.

Where a trunk is situated over lower between decks the assumed pattern of void transfers should be in accordance with the principles of Part II (D) (a) (ii), (iii) or (iv) of this Schedule.

Part IV—Partly Filled Compartments

(A) General.

When the free surface of the bulk grain has not been secured in accordance with Section 5 of the Appendix it should be assumed that a transfer takes place over all surfaces with an angle of surface shift (wedge angle) of 25 degrees.

(B) Discontinuous longitudinal divisions.

In a compartment in which the longitudinal divisions are not continuous between the transverse boundaries, the length over which any such divisions are effective as devices to prevent full width shifts of grain surfaces, should be taken to be the actual length of the portion of the division under

consideration less two-sevenths of the greater of the two transverse distances between the division and the adjacent division or ship's side (See Fig. 10 and 11)

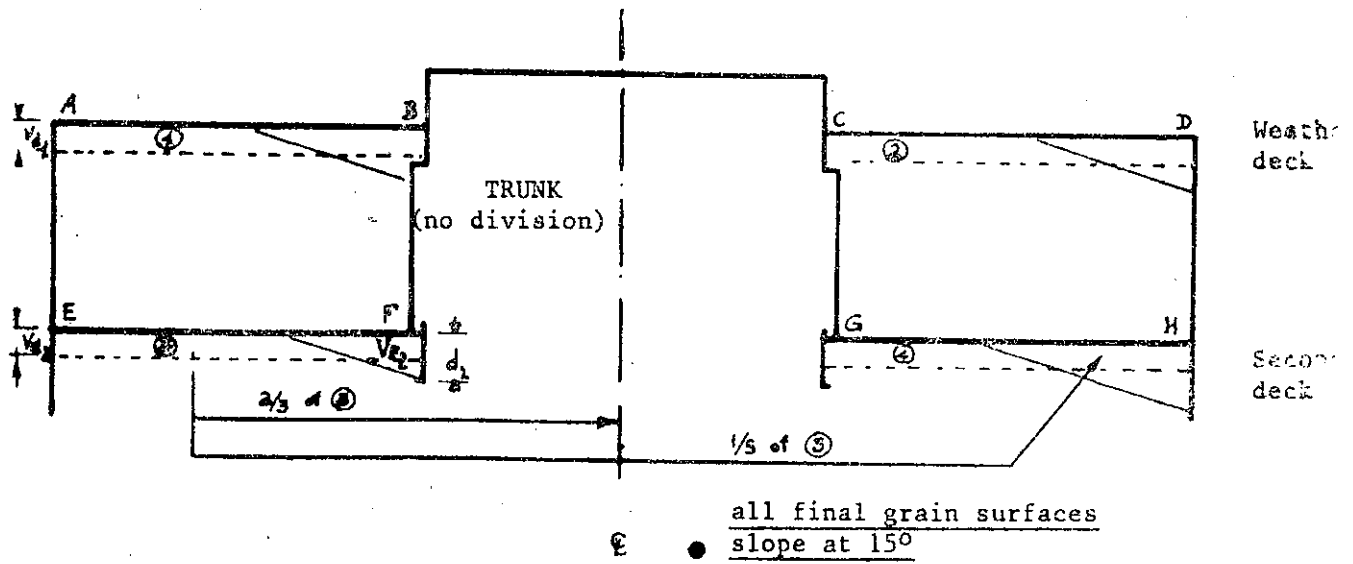


FIG.9

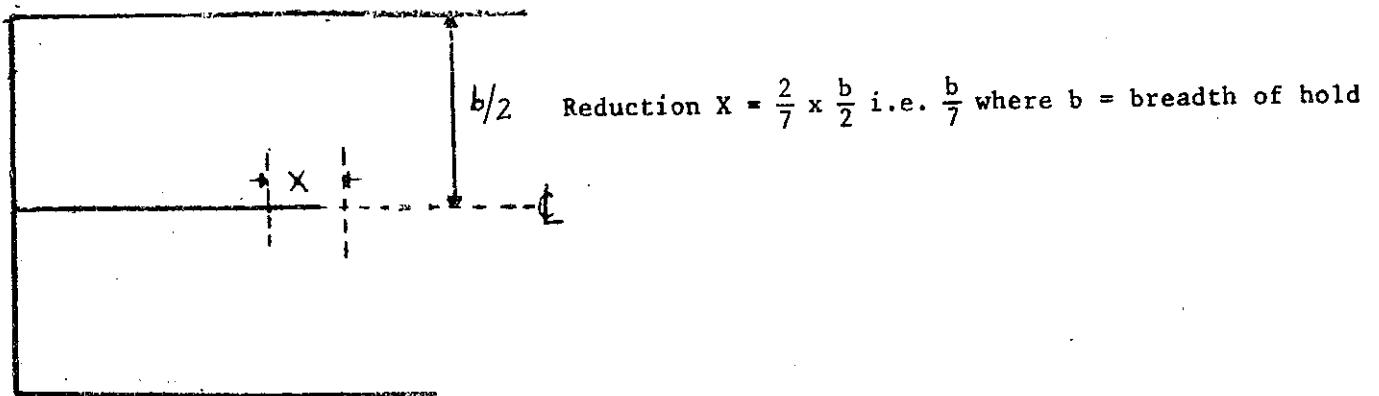


FIG.10

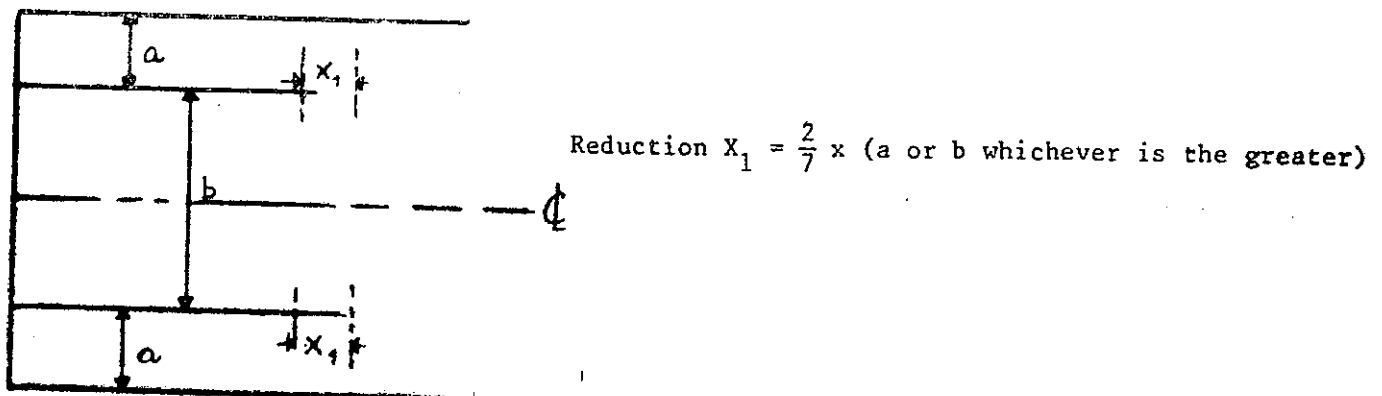


FIG.11

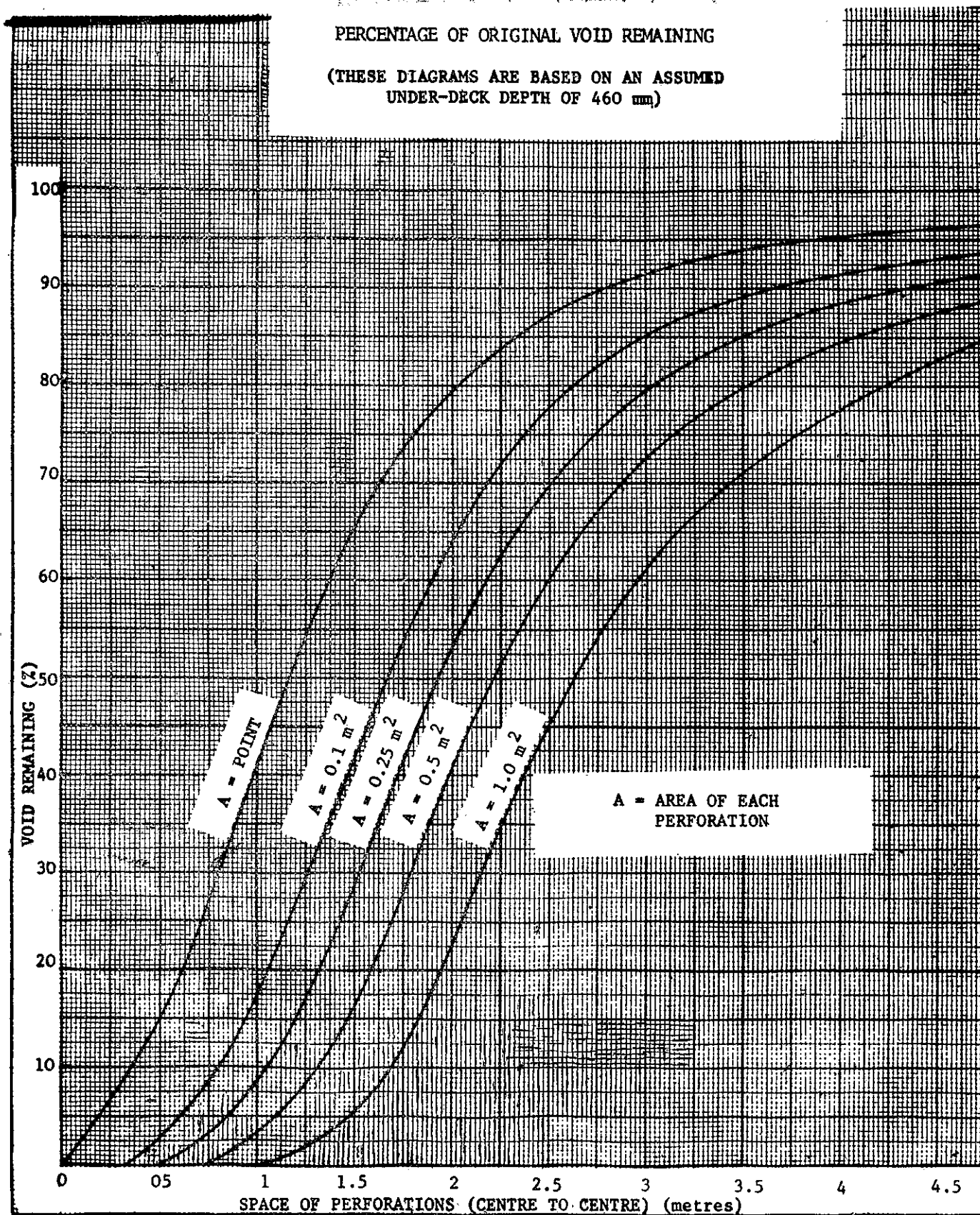


FIG. - 12

SCHEDULE II

Part I—Strength of grain fittings

- (A) General (including working stresses).
- (B) Divisions loaded on both sides.
- (C) Divisions loaded on one side only.
- (D) Saucers.

Part II—Securing of partly filled compartments.

- (A) Strapping or lashing.
- (B) Constructional details of securing arrangements.
- (C) Bagged grain.

Part I—Strength of Grain Fittings

(A) General

(a) Timber. All timber used for grain fittings should be of good sound quality and of a type and grade which has been proved to be satisfactory for this purpose. The actual finished dimensions of the timber should be in accordance with the dimensions herein after specified in this Schedule. Plywood of an exterior type bonded with water-proof glue and fitted so that the direction of the grain in the face plies is perpendicular to the supporting uprights or binder may be used provided that its strength is equivalent to that of solid timber of the appropriate scantlings.

(b) Working stresses. When calculating the dimensions of divisions loaded on one side, using the Tables in paragraphs (c), (a) and (b) of this Part of the Schedule, the following working stresses should be adopted.

For divisions of steel 2,000 kg. per square cm.
For divisions of wood 160 Kg. per square cm.

(c) Other materials. Materials other than wood or steel, may be approved for such divisions provided, that proper regard has been paid to their mechanical properties.

(d) Uprights :

(i) Unless means are provided to prevent the ends of uprights being dislodged from their sockets, the depth of housing at each end of each upright should be not less than 75 mm. If an upright is not secured at the top the uppermost shore or stay should be fitted as near thereto as is practicable.

(ii) The arrangements provided for inserting shifting boards by removing a part of the crow-section of an upright should be such that the local level of stresses is not unduly high.

(iii) The maximum bending movement imposed upon an upright supporting a division loaded on one side should normally be calculated assuming that the ends of the uprights are freely supported. However, if the Department are satisfied that any degree of fixity assumed will be achieved in practice, account may be taken of any reduction in the maximum bending moment arising from any degree of fixity provided at the ends of the upright.

(c) Composite sections. Where uprights, binders, or any other strength members are formed by two separate sections one fitted on each side of a division and inter-connected by through bolts at adequate spacing, the effective section modulus should be taken as the sum of the two moduli of the separate sections.

(f) Partial division. Where divisions do not extend to the full depth of the hold, such divisions and their uprights should be supported or stayed so as to be as efficient as those which do extend to the full depth of the hold.

(B) Divisions loaded on both sides

(a) Shifting boards.

(i) Shifting boards should have a thickness of not less than 50 mm and should be fitted grain-tight and where necessary supported by uprights.

(ii) The maximum unsupported span for shifting boards of various thickness should be as follows :—

Thickness	Maximum unsupported span
50 mm	2.5 metres
60 mm	3.0 metres.
70 mm	3.5 metres
80 mm	4.0 metres

If thicknesses greater than these are provided the maximum unsupported span should vary in direct proportion with the increase in thickness.

(iii) The ends of all shifting boards should be securely housed with 75 mm minimum bearing length.

(b) Other materials. Divisions formed by using materials other than wood should have a strength equivalent to the shifting boards required in (B) (a) above.

(c) Uprights

(i) Steel uprights used to support divisions loaded on both sides should have a section modulus given by $W = a.W_1$

Where :

W = Section moduls in cm^3 ;

a = Horizontal span between uprights in metres.

The section modulus per metre span W_1 , should be not less than that given by the formula :

$$W_1 = 14.8 (h_1 - 1.22) \text{ cm}^3 \text{ per metre ;}$$

h_1 is the vertical unsupported span in metres and should be taken as the maximum value of the distance between any two adjacent stays or between the stay or either end of the upright. Where this distance is less than 2.44 metres the respective modulus shall be calculated as if the actual value was 2.44 metres.

(ii) The moduli of wood uprights should be determined by multiplying by 12.7 the corresponding moduli for steel uprights. If other materials are used their moduli should be at least that required for steel increased in proportion to the ratio of the permissible stresses for steel to that of the material used. In such cases attention should be paid also to the relative rigidity of each upright to ensure that the deflection is not excessive.

(iii) The horizontal distance between uprights should be such that the unsupported spans of the shifting boards do not exceed the maximum span specified in paragraph (a) (ii) of this Part of the Schedule.

(d) Shores :

(i) Wood shores, when used, should be in a single piece and should be securely fixed at each end and heeled against

the permanent structure of the ship except that they shall not bear directly against the side plating of the ship.

(ii) Subject to the provisions of sub-paragraphs (iii) and (iv) below the minimum size of wood shores shall be as follows :

Length of Shore metres	Rectangular section mm	Diameter of circular section mm
Not exceeding 3 m	150 × 100	140
Over 3 m but not exceeding 5 m	150 × 150	165
Over 5 m but not exceeding 6 m	150 × 150	180
Over 6 m but not exceeding 7 m	200 × 150	190
Over 7 m but not exceeding 8 m	200 × 150	200
Exceeding	200 × 150	215

Shores of 7 metres or more in length should be securely bridged at approximately mid-length.

(iii) When the horizontal distance between the uprights differs significantly from 4 metres, the moments of inertia of the shores may be changed in direct proportion.

(iv) Where the angle of the shore to the horizontal exceeds 10 degrees the next larger shore to that required by sub-paragraph (ii) of this paragraph should be fitted provided that in no case shall the angle between any shore and the horizontal exceed 45 degrees.

(e) Stays. Where stays are used to support divisions loaded on both sides, they should be fitted horizontally or as near thereto as practicable, well secured at each end and formed of steel wire rope. The sizes of the wire rope should be determined assuming that the divisions and upright which the stay supports is uniformly loaded at 500 kg/m². The working load so assumed in the stay should not exceed one-third of its breaking load.

(C) Divisions loaded on one side only.

(a) Longitudinal divisions. The load in Kg. per metre length of the division should be taken to be as follows :—

TABLE I*

h (m)	B(m)							
	2	3	4	5	6	7	8	10
1.5	850	900	1010	1225	1500	1770	2060	2645
2.0	1390	1505	1710	1985	2295	2605	2930	3590
2.5	1985	2160	2430	2740	3090	3435	3800	4535
3.0	2615	2845	3150	3500	3885	4270	4670	5480
3.5	3245	3525	3870	4255	4680	5100	5540	6425
4.0	3890	4210	4590	5015	5475	5935	6410	7370
4.5	4535	4890	5310	5770	6270	6765	7280	8315
5.0	5185	5570	6030	6530	7065	7600	8150	9260
6.0	6475	6935	7470	8045	8655	9265	9890	11150
7.0	7765	8300	8910	9560	10245	10930	11630	13040
8.0	9055	9665	10350	11075	11835	12595	13370	14930
9.0	10345	11030	11790	12590	13425	14260	15110	16820
10.0	11635	12395	13230	14105	15015	15925	16850	18710

h=height of grain in metres**

B=transverse extent of the bulk grain in metres.

For other values of h and/or B the loads should be determined by linear interpolation or extrapolation as necessary.

* For the purpose of converting the above loads into British units (ton/ft) 1 kg per metre length should be taken to be equivalent to 0.0003 tons per foot length.

**There the distance from a division to a feeder or hatchway is 1 metre the height should be taken to the level of the grain within that hatchway or feeder. In all other cases the height should be taken to the overhead deck in way of the division.

2) Transverse divisions. The load in kg. per metre length of the divisions should be taken to be as follows :—

TABLE II*

L(m)

h (m)	2	3	4	5	6	7	8	10	12	14	16
1.5	670	690	730	780	835	890	935	1000	1040	1050	1050
2.0	1040	1100	1170	1245	1325	1400	1470	1575	1640	1660	1660
2.5	1460	1565	1675	1780	1880	1980	2075	2210	2285	2305	2305
3.0	1925	2065	2205	2340	2470	2590	2695	2845	2925	2950	2950
3.5	2425	2605	2770	2930	3075	3205	3320	3480	3570	3595	3595
4.0	2950	3160	3355	3535	3690	3830	3950	4120	4210	4235	4240
4.5	3495	3725	3940	4130	4295	4440	4565	4750	4850	4880	4885
5.0	4050	4305	4535	4735	4910	5060	5190	5385	5490	5525	5530
6.0	5175	5465	5720	5945	6135	6300	6445	6655	6775	6815	6825
7.0	6300	6620	6905	7150	7365	7445	7700	7930	8055	8105	8115
8.0	7425	7780	8090	8360	8590	8685	8950	9200	9340	9395	9410
9.0	8550	8935	9275	9565	9820	9930	10205	10475	10620	10685	10705
10.0	9680	10095	10460	10770	11045	11270	11460	11745	11905	11975	11997

h=height of grain in metres**

L=longitudinal extent of the bulk grain in metres

* For the purposes of converting the above loads into British units (ton/ft) 1 kg per metre length should be taken to be equivalent to 0.0003 tons per foot length

** Where the distance from a division to a feeder or hatchway is 1 metre the height should be taken to the level of the grain within that hatchway or feeder. In all other cases the height should be taken to the overhead deck in way of the division.

For other values of h and/or L the loads should be determined by linear interpolation or extrapolation as necessary.

(c) Vertical distribution of the loads. The total load per unit length of divisions shown in the Tables I and II above, may, if considered necessary, be assumed to have a trapezoidal

distribution with height. In such cases the reaction loads at the upper and lower ends of a vertical member or upright are not equal. The reaction loads at the upper end expressed as percentages of the total load supported by the vertical member or upright should be taken to be those shown in Tables III and IV.

LONGITUDINAL DIVISIONS LOADED ON ONE SIDE ONLY

TABLE III

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table I)

B (m)

h (m)	2	3	4	5	6	7	8	10
1.5	43.3	45.1	45.9	46.2	46.2	46.2	46.2	46.2
2.0	44.5	46.7	47.6	47.8	47.8	47.8	47.8	47.8
2.5	45.4	47.6	48.6	48.6	48.6	48.6	48.6	48.6
3.0	46.0	48.3	49.2	49.4	49.4	49.4	49.4	49.4
3.5	46.5	48.8	49.7	49.8	49.8	49.8	49.8	49.8
4.0	47.0	49.1	49.9	50.1	50.1	50.1	50.1	50.1
4.5	47.4	49.4	50.1	50.2	50.2	50.2	50.2	50.2
5.0	47.7	49.4	50.1	50.2	50.2	50.2	50.2	50.2
6.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
7.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
8.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
9.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
10.0	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2

B= transverse extent of the bulk grain.

For other values of h and/or B the reaction loads should be determined by linear interpolation or extrapolation as necessary.

TRANSVERSE DIVISIONS LOADED ON ONE SIDE ONLY

TABLE IV

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table II)

h(m)	L(m)										
	2	3	4	5	6	7	8	10	12	14	16
1.5	37.3	38.7	39.7	40.6	41.4	42.1	42.6	43.6	44.3	44.8	45.0
2	39.6	40.6	41.4	42.1	42.7	43.1	43.6	44.3	44.7	45.0	45.2
2.5	41.0	41.8	42.5	43.0	43.5	43.8	44.2	44.7	45.0	45.2	45.2
3	42.1	42.8	43.3	43.8	44.2	44.5	44.7	45.0	45.2	45.3	45.3
3.5	42.9	43.5	43.9	44.3	44.6	44.8	45.0	45.2	45.3	45.3	45.3
4	43.5	44.0	44.4	44.7	44.9	45.0	45.2	45.4	45.4	45.4	45.4
5	43.9	44.3	44.6	44.8	45.0	45.2	45.3	45.5	45.5	45.5	45.5
6	44.2	44.5	44.8	45.0	45.2	45.3	45.4	45.6	45.6	45.6	45.6
7	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
8	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
9	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
10	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6

L=Longitudinal extent of the bulk grain.

For other values of h and/or L the reaction loads should be determined by linear interpolation or extrapolation as necessary.

The strength of the end connections of such vertical members or uprights may be calculated on the basis of the maximum load likely to be imposed at either end. These loads are as follows :—

Maximum load at the top . . . 50% of the appropriate total load from Table I.

Longitudinal Divisions

Maximum load at the bottom . . . 55% of the appropriate total load from Table I.

Maximum load at the top . . . 45% of the appropriate total load from Table II.

Transverse Divisions

Maximum load at the bottom . . . 60% of the appropriate total load from Table II.

The thickness of horizontal wooden boards may also be determined having regard to the vertical distribution of the loading represented by Tables III and IV above and in such cases :

$$t = 10 a \sqrt{\frac{P x k}{h x 213.3}}$$

Where :

t = Thickness of board in mm;

a = Horizontal span of the board, i.e. distance between uprights in metres ;

h = Head of grain to the bottom of the division in metres ;

p = Total load per unit length derived from Table I or II in kg.

k = Factor dependent upon vertical distribution of the loading.

When the vertical distribution of the loading is assumed to be uniform, ce. rectangular, k should be taken as equal to 1.0.

For a trapezoidal distribution.

$k = 1.0 + 0.06 (50 - R)$, where

R is the upper end bearing reaction taken from Table III or IV.

(d) Stays or shores. The sizes of stays and shores should be so determined that the loads derived from Tables I and II

in the preceding paragraphs (a) and (b) should not exceed one-third of the breaking loads.

(D) Saucers.

When a saucer is used to reduce the heeling moments in a full compartment, its depth, measured from the bottom of the saucer to the deck line, should be as follows :

For ships with a moulded breadth of up to 9.14 metres, less than 1.22 metres.

For Ships with a moulded breadth of up to 18.29 metres or more, not less than 1.83 metres.

For ships with a moulded breadth between 9.14 metres and 18.29 metres, the minimum depth of the saucer should be calculated by interpolation.

As far as is practicable the top (mouth) of the saucer should be formed by the underdeck structure in the way of the hatchway, i.e. hatch side girders or coamings and hatch end beams. The saucer and hatchway above should be completely filled with bagged grain or other suitable cargo laid down on a separation cloth or its equivalent and stowed tightly against adjacent structures and the portable hatchway beams if the latter are in place.

PART II—Securing or Partly Filled Compartments

(A) Strapping or lashing

(a) When, in order to eliminate heeling moments in partly filled compartments, strapping or lashing is utilized, the securing should be accomplished as follows :—

(i) The grain should be trimmed and levelled to the extent that it is very slightly crowned and covered with burlap separation cloths, tarpaulins or the equivalent.

(ii) The separation cloths and/or tarpaulins shall overlap at least 1.83 metres.

(iii) Two solid floors of 25 mm timber shall be laid with the top floor running longitudinally and nailed to an athwartships bottom floor. Alternately, one solid floor of 50 mm timber, running longitudinally and nailed over the top of a 50 mm bottom bearer not less than 150 mm wide, may be used instead of the two floors of 25 mm timber. The bottom bearers should extend the full breadth of the compartment and should be spaced not more than 2.44 metres apart. Arrangements utilizing other materials and considered by the Department to be equivalent to the foregoing may be accepted.

(iv) Steel wire (19 mm diameter or equivalent), doubled strapping (50 mm × 1.3 mm) or chain, each having a breaking load of at least 5,000 kg and set tight by means of a 32 mm turnbuckle, may be used for lashings. A winch tightener, used in conjunction with a locking arm, may be substituted for the 32 mm turnbuckle when steel strapping is used, provided suitable wrenches are available for setting up as necessary. When steel strapping is used, not less than tree crimp seals should be used for securing the ends. When wire is used, no less than four clips should be used for forming eyes in the lashings.

(v) Prior to the completion of loading the lashing should be positively attached to the framing at a point approximately 450 mm below the anticipated final grain surface by means of either a 25 mm shackle or beam clamp of equivalent strength.

(vi) The lashings should be spaced not more than 2.44 metres apart and each shall be supported by a bearer nailed over the top of the fore and aft floor. This bearer should consist of not less than 25 mm by 150 mm timber or its equivalent and should extend the full breadth of the compartment.

(B) Constructional details of securing arrangements.

Where bagged grain or other suitable cargo is utilized for the purpose of securing partly filled compartments, the free grain surface should be covered with a separation cloth or equivalent and/or by a suitable platform. Such platforms should consist of wooden bearers spaced not more than 1.22 metres apart and 25 mm wooden boards laid thereon spaced not more than 100 mm apart. Platforms may be constructed of other materials provided they are considered by the Department to be equivalent.

(C) Bagged grain.

Bagged grain shall be carried in sound bags which should be well filled and securely closed.

APPENDIX—II

(See Clause 2)

Equivalent arrangements to those prescribed in the Merchant Shipping (Carriage of Grain) Rules, 1974.

Part—I

Part A—GENERAL PROVISIONS

1. Application.—Unless expressly provided otherwise, this APPENDIX, including Parts A, B and C, applies to the carriage of grain in all ships to which the Merchant Shipping (Carriage of Grain) Rules, 1974 apply.

2. Definitions:

(a) The term “grain” includes wheat, maize (corn), oats, rye, barley, rice, pulses, seeds and processed forms thereof, whose behaviour is similar to that of grain in its natural state.

(b) The term “filled compartment” refers to any compartment in which, after loading and trimming as required under para 3, the bulk grain is at its highest possible level.

(c) The term “partly filled compartment” refers to any compartment wherein bulk grain is not loaded in the manner prescribed in paragraph (b) of this para.

(d) The term “angle of flooding” means an angle of heel at which openings in the hull, superstructures or deck-houses, which cannot be closed weathertight, immerse. In applying this definition, small openings through which progressive flooding cannot take place need not be considered as open.

3. Trimming of Grain : All necessary and reasonable trimming shall be performed to level all free grain surfaces and to minimise the effect of grain shifting.

(a) In any “filled compartment,” the bulk grain shall be trimmed so as to fill all the spaces under the decks and hatch covers to the maximum extent possible.

(b) After loading, all free grain surfaces in “partly filled compartments” shall be level.

(c) The Central Government may grant dispensation from trimming in those cases where the underdeck void geometry resulting from flowing grain into a compartment, which may be provided with feeding ducts, perforated decks or other similar means, is taken into account to its satisfaction when calculating the void depths.

4. Intact Stability Requirements :

(a) The calculations required by this Paragraph shall be based upon the stability information provided in accordance with the Merchant Shipping (Cargo-ship construction and Survey) Rules, 1974.

(b) The intact stability characteristics of any ship carrying bulk grain shall be shown to meet, throughout the voyage, at least the following criteria after taking into account in the matter described in Part B, the heeling moments due to grain shift :

(i) the angle of heel of the vessel due to the shift of grain shall not be greater than 12 degrees except that the Central Government may require a lesser angle of heel if it considers that experience shows this to be necessary*;

(ii) in the statical stability diagram, the net or residual area between the heeling arm curve and the righting arm curve up to the angle of heel of maximum difference between the ordinates of the two curves, or 40 degrees or the “angle of flooding (of)”, whichever is the least, shall in all conditions of loading be not less than 0.075 metre-radians ; and

(iii) the initial metacentric height, after correction for the free surface effects of liquids in tanks, shall be not less than 0.30 metre.

(c) Before loading bulk grain the master shall, if so required by the Government of the country of the port of loading, demonstrate the ability of the ship at all stages of any voyage to comply with the stability criteria required by Sub-paragraph (b) using the information approved and issued under Paragraphs 10 and 11.

(d) After loading, the master shall ensure that the ship shall be upright before proceeding to sea.

5. Longitudinal Divisions and Saucers :

(a) In both “filled compartments” and “partly filled compartments,” longitudinal divisions may be provided as a device either to reduce the adverse heeling effect

*For example, the permissible angle of heel might be limited to the angle of heel at which the edge of the weather deck would be immersed in still water.

of grain shift or to limit the depth of cargo used for securing the grain surface. Such divisions shall be fitted grain-tight and constructed in accordance with the provisions of Section I of the Part C.

(b) In a "filled compartments," a division, if fitted to reduce the adverse effects of grain shift, shall :

(i) in a 'tween deck compartment extend from deck to deck; and

(ii) in a hold extend downwards from the underside of the deck or hatch covers as described in Section II of Part B.

Except in the case of linseed and other seeds having similar properties, a longitudinal division beneath a hatchway may be replaced by a saucer formed in the manner described in Section I of Part C.

(c) In a "partly filled compartments," a division, if fitted, shall extend from one-eighth of the maximum breadth of the compartment above the level of the grain surface and to the same distance below the grain surface. When used to limit the depth of overstowing, the height of the centreline division shall be at least 0.6 metre above the level grain surface.

(d) Furthermore, the adverse heeling effects of grain shift may be reduced by tightly stowing the wings and ends of a compartment with bagged grain or other suitable cargo adequately restrained from shifting.

6. Securing :

(a) Unless account is taken of the adverse heeling effect due to grain shift in accordance with these provisions, the surface of the bulk grain in any "partly filled compartment" shall be level and topped off with bagged grain tightly stowed and extending to a height of not less than one-sixteenth of the maximum breadth of the free grain surface or 1.2 metres, whichever is the greater, instead of bagged grain, other suitable cargo exerting at least the same pressure may be used.

(b) The bagged grain or such other suitable cargo shall be supported in the manner described in Section II of Part C. Alternatively, the bulk grain surface may be secured by strapping or lashing as described in Section II of Part C.

7. Feeders and Trunks :

If feeders or trunks are fitted proper account shall be taken of the effect thereof when calculating the heeling moments as described in section III of Part B. The strength of the divisions forming the boundaries of such feeders shall conform with the provisions of Section I of Part C.

8. Combination Arrangements :

Lower holds and 'tween deck spaces in way thereof may be loaded as one compartment provided that, in calculating transverse heeling moments, proper account is taken of the flow of grain into the lower spaces.

9. Application of Parts B and C :

The Central Government may authorize departure from the assumptions contained in Parts B and C in those cases where it considers this to be justified having regard to the provisions for loading or the structured arrangements, provided the stability criteria in Part 4(b) are met. Where such authorization

is granted under this Para, all particulars shall be included in the grain loading data.

10. Authorization :

(a) A document of authorization shall be issued for every ship loaded in accordance with this appendix.

(b) The document shall accompany and refer to the grain loading stability booklet provided to enable the master to meet the requirements of Paragraph 4(c). This booklet shall meet the requirements of Para 11.

(c) A copy of such a document, grain loading stability data and associated plan shall be placed on board in order that the master, if so required, shall produce them for the inspection of the Government of the country of the port of loading.

(d) A ship without such a document of authorization shall not load grain until the master demonstrates to the satisfaction of the Central Government or the Government of the port of loading on behalf of the Central Government that the ship in its proposed loaded condition will comply with the requirements of this appendix.

11. Grain Loading Information :

This information shall be sufficient to allow the master to determine in all reasonable loading conditions the heeling moments due to grain shift calculated in accordance with Part B. It shall include the following :—

(a) Information which shall be approved by the Central Government :—

(i) Curves or tables of grain heeling moments for every compartment, filled or partly filled, or combination thereof, including the effects of temporary fittings;

(ii) table of maximum permissible heeling moments or other information sufficient to allow the master to demonstrate compliance with the requirements of Paragraph (c);

(iii) details of the scantlings of any temporary fittings and where applicable the provisions necessary to meet requirements of Section I(E) of Part C;

(iv) typical loaded service departure and arrival conditions and where necessary, intermediate worst service conditions ;

(v) a worked example for the guidance of the master;

(vi) loading instructions in the form of notes summarizing the requirements of this Appendix.

(b) Information which shall be acceptable to the Central Government :

(i) ship's particulars ;

(ii) lightship displacement and the vertical distance from the intersection of the moulded base line and midship section of the centre of gravity (KG);

(iii) table of free surface corrections;

(iv) capacities and centres of gravity.

PART—B—CALCULATION OF ASSUMED HEELING MOMENTS

Section I—DESCRIPTION OF THE ASSUMED VOIDS AND METHOD OF CALCULATING INTACT STABILITY

(A) GENERAL

(a) For the purpose of calculating the adverse heeling moment due to a shift of cargo surface in ships carrying bulk grain it shall be assumed that :—

- (i) In "filled compartments" which have been trimmed in accordance with Para 3 void exists under all boundary surfaces having an inclination to the horizontal less than 30 degrees and that the void is parallel to the boundary surface having an average depth calculated according to the formula:

$$Vd = Vd_1 + 0.75(d - 600) \text{ mm.}$$

Where :

Vd = Average void depth in mm;

Vd_1 = Standard void depth from Table I below;

d = Actual girder depth in mm.

In no case shall Vd be assumed to be less than 100 mm.

TABLE I

Distance from hatched or hatchside to boundary of compartment.	Standard void depth Vd_1
metres	mm.
0.5 0.5	570
1.0 1.0	530
2.0 1.5	500
2.5 2.0	480
3.0 2.5	450
3.5 3.0	440
4.0 3.5	430
4.5 4.0	430
5.0 4.5	430
5.5 5.0	430
5.5 5.5	450
6.0 6.0	470
6.5 6.5	490
7.0 7.0	520
7.5 7.5	550
8.0 8.0	590

NOTES ON TABLE I:

For distances greater than 8.0 metres the standard void depth Vd_1 shall be linearly extrapolated at 80 mm increase for each 1.0 metre increase in distance. Where there is a difference in depth between the hatchside girder or its continuation and the hatched beam the greater depth shall be used except that :—

- (1) when the hatchside girder or its continuation is shallower than the hatchend beam the voids abreast the hatchway may be calculated using the lesser depth; and
- (2) when the hatchend beam is shallower than the hatchside girder or its continuation the voids fore and aft of the

hatchway inboard of the continuation of the hatchside girder may be calculated using the lesser depth ;

- (3) where there is a raised deck clear of a hatchway the average void depth measured from the underside of the raised deck shall be calculated using the standard void depth in association with the girder depth of the hatchend beam plus the height of the raised deck.

- (ii) In "filled compartments" which are not trimmed in accordance with Paragraph 3 and where the boundary surface has an inclination to the horizontal which is less than 30 degrees, the cargo surface has an inclination of 30 degrees to the horizontal after loading.

- (iii) Within filled hatchways and in addition to any open void within the hatch cover there is a void of average depth of 150 mm measured down to the grain surface from the lowest part of the hatch cover or the top of the hatchside coaming, whichever is the lower.

(b) The description of the pattern of grain surface behaviour to be assumed in "partly filled compartments" is shown in Section IV of this Part.

(c) For the purpose of demonstrating compliance with the stability criteria in Paragraph 4(b) (See Figure I), the ships stability calculations shall be normally based upon the assumption that the centre of gravity of cargo in a "filled compartment" is at the volumetric centre of the whole cargo space. In those cases where the Central Government authorizes account to be taken of the effect of assumed underdeck voids on the vertical position of the centre of gravity of the cargo in "filled compartments" it will be necessary to compensate for the adverse effect of the vertical shift of grain surface by increasing the assumed heeling moment due to the transverse shift of grain as follows :—

Total heeling moment = $1.05 \times$ calculated transverse heeling moment.

In all cases the weight of cargo in a "filled compartment" shall be the volume of the whole cargo space divided by the stowage factor.

(d) In "partly filled compartments" the adverse effect of the vertical shift of grain surfaces shall be taken into account as follows :—

(e) Total heeling moment = $1.12 \times$ calculated transverse heeling moment.

(f) Any other equally effective method may be adopted to make the compensation required in paragraphs (c) and (d) above.

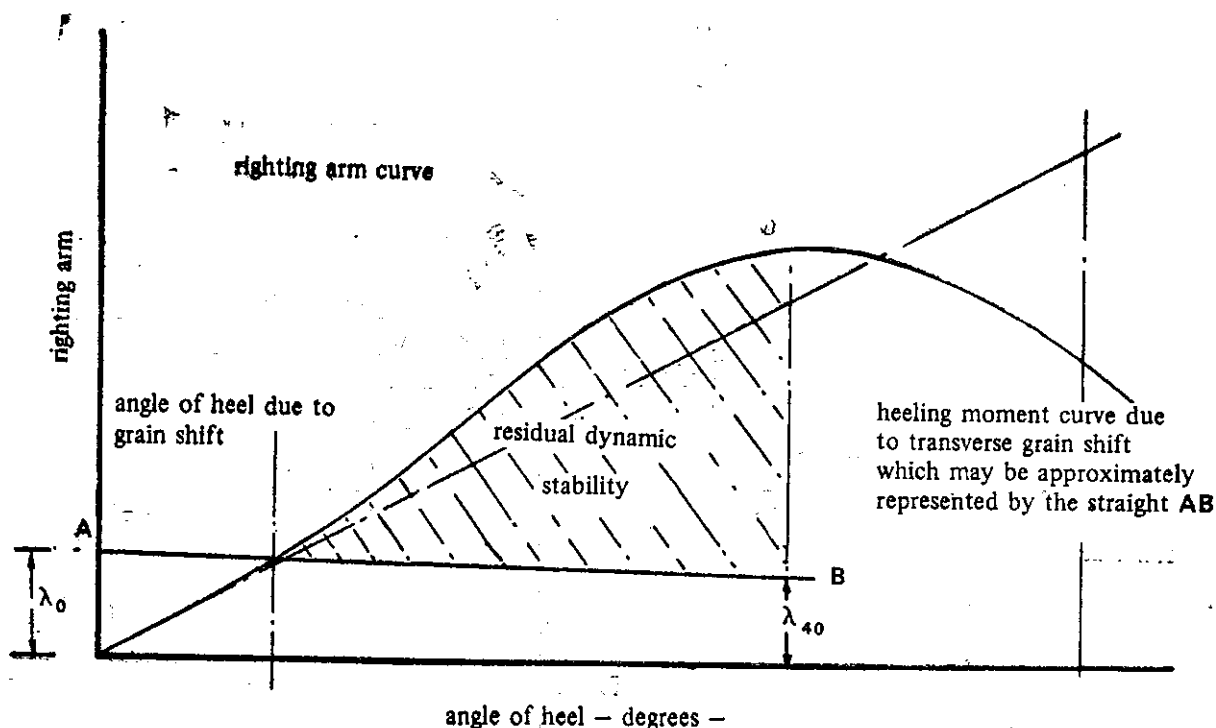


Figure 1

NOTES ON FIGURE 1

1. Where:

h_0 = Assumed Volumetric Heeling Moment due to Transverse Shift;

Stowage Factor \times Displacement

$h_{40} = 0.8 \times h_0$;

Stowage factor = Volume per unit weight of grain cargo;

Displacement = Weight of ship, fuel, fresh water, stores etc. and cargo.

2. The righting arm curve shall be derived from cross-curves which are sufficient in number to accurately define the curve for the purpose of these requirements and shall include cross-curves at 12 degrees and 40 degrees.

SECTION II—ASSUMED VOLUMETRIC HEELING OF A FILLED COMPARTMENT

(A) GENERAL

(a) The pattern of grain surface moment relates to a transverse section across the portion of the compartment being considered and the resultant heeling moment should be multiplied by the length to obtain the total moment for that portion.

(b) The assumed transverse heeling moment due to grain shifting is a consequence of final changes of shape and position of voids after grain has moved from the high side to the low side.

(c) The resulting grain surface after shifting shall be assumed to be at 15 degrees to the horizontal.

(d) In calculating the maximum void area that can be formed against a longitudinal structural member, the effects of any horizontal surfaces, e.g. flanges or face bars, shall be ignored.

(e) The total areas of the initial and final voids shall be equal.

(f) A discontinuous longitudinal division shall be considered effective over its full length.

(b) ASSUMPTIONS

In the following paragraphs it is assumed that the total heeling moment for a compartment is obtained by adding the results of separate considerations of the following portions;

(a) Before and abaft hatchways :

(i) If a compartment has two or more main hatchways through which loading may take place the depth of the underdeck void for the portion (s) between such hatchways shall be determined using the fore and aft distance to the midpoint between the hatchways.

(ii) After the assumed shift of grain the final void pattern shall be as shown in Figure 2 below :

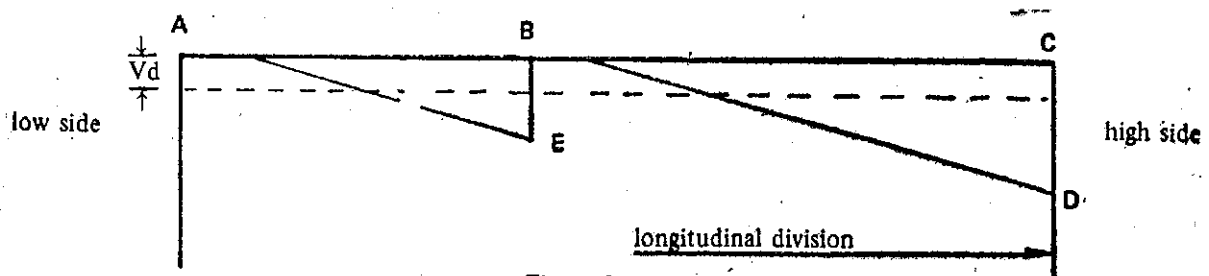


Figure 2

NOTES ON FIGURE 2

1. If the maximum void area which can be formed against the girder at B is less than the initial area of the void under AB, i.e. $AB \times V_d$, the excess area shall be assumed to transfer to the final void on the high side.

2. If the longitudinal division at C is one which has been provided in accordance with Paragraph 5(b)(ii) it shall extend to at least 0.6 m below D or E whichever gives the greater depth.

(b) In and abreast hatchways :

After the assumed shift of grain the final void pattern shall be as shown in the following Figure 3 or Figure 4.

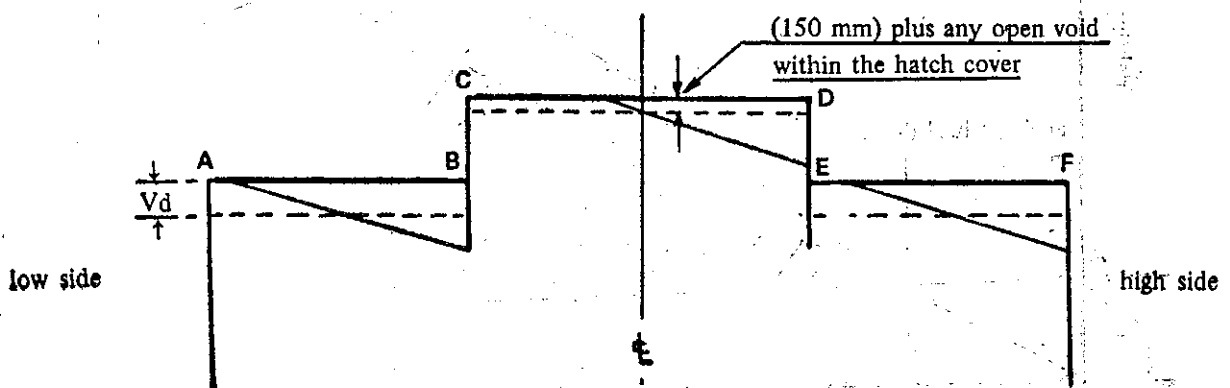


Figure 3

NOTES ON FIGURE 3

(1) AB any area in excess of that which can be formed against the girder at B shall transfer to the final void area in the hatchway.

(2) CD Any area in excess of that which can be formed against the girder at E shall transfer to the final void area on the high side.

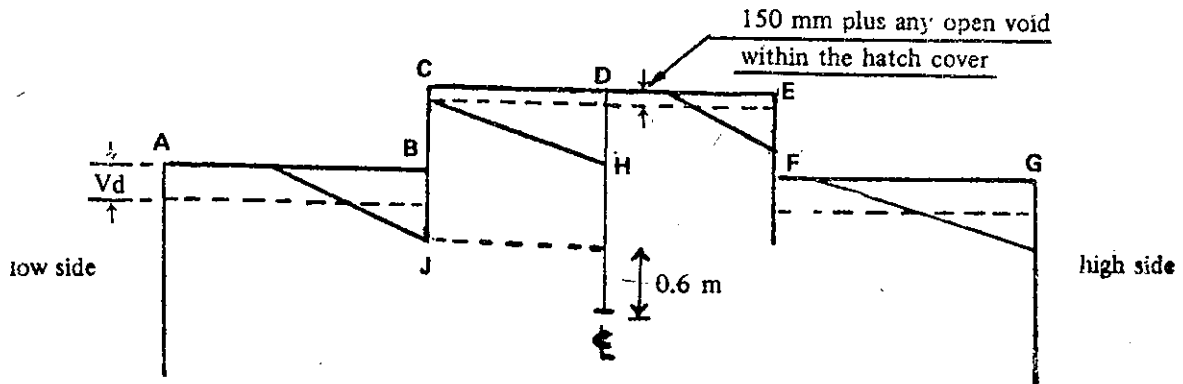


Figure 4

NOTES ON FIGURE 4

(1) If the centreline division is one which has been provided in accordance with Paragraph 5(b)(ii) it shall extend to at least 0.6 m below H or J whichever gives the greater depth.

(2) The excess void area from AB shall transfer to the low side half of the hatchway in which two separate final void areas will be formed viz. one against the centreline division and the other against the hatchside coaming and girder on the high side.

(3) If a bagged saucer or bulk bundle is formed in a hatchway it shall be assumed for the purpose of calculating transverse heeling moment, that such a device is at least equivalent to centreline division.

(4) COMPARTMENTS LOADED IN COMBINATION

The following paragraphs describe the pattern of void behaviour which shall be assumed when compartments are loaded in combination:

(a) Without effective centreline divisions:

- (i) Under the upper deck—as for the single deck arrangement described in Section II(B) of this Part.
- (ii) Under the second deck—the area of void available for transfer from the low side, i.e. original void area less area against the hatchside girder, shall be assumed to transfer as follows :—

one half to the upper deck hatchway and one quarter each to the high side under the upper and second deck.

- (iii) Under the third and lower decks—the void areas available for transfer from the low side of each of these decks shall be assumed to transfer in equal quantities to all the voids under the decks on the high side and the void in the upper deck hatchway.

(b) With effective centreline divisions which extend into the upper deck hatchway:

- (i) At all deck levels abreast the division the void areas available for transfer from the low side shall be

assumed to transfer to the void under the low side half of the upper deck hatchway.

- (ii) At the deck level immediately below the bottom of the division the void area available for transfer from the low side shall be assumed to transfer as follows :—

one half to the void under the low side half of the upper deck hatchway and the remainder in equal quantities to the voids under the decks on the high side.

- (iii) At deck levels lower than those described in subparagraphs (i) and (ii) above the void area available for transfer from the low side of each of those decks shall be assumed to transfer in equal quantities to the voids in each of the two halves of the upper deck hatchway on each side of the division and the voids under the decks on the high side.

(c) With effective centreline divisions which do not extend into the upper deck hatchway :

Since no horizontal transfer of voids may be assumed to take place at the same deck level as the division the void area available for transfer from the low side at this level shall be assumed to transfer above the division to voids on the high sides in accordance with the principles of paragraphs (a) and (b) above.

SECTION III—ASSUMED VOLUMETRIC HEELING MOMENT OF FEEDERS AND TRUNKS

(A) SUITABLY PLACED WING FEEDERS (See Figure 5)

It may be assumed that under the influence of ship motion underdeck voids will be substantially filled by the flow of grain from a pair of longitudinal feeders provided that :

- (a) the feeders extend for the full length of the deck and that the perforations therein are adequately spaced;
- (b) the volume of each feeder is equal to the volume of the underdeck void outboard of the hatchside girder and its continuation.

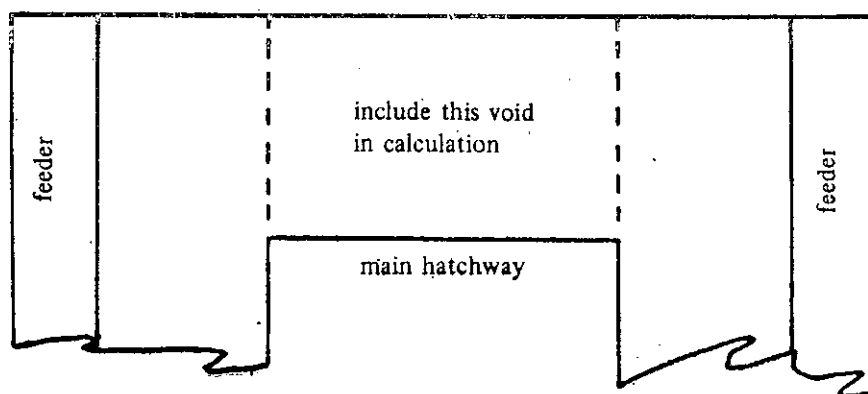


Figure 5

(B) TRUNKS SITUATED OVER MAIN HATCHWAYS
as shown in Figure 6.

After the assumed shift of grain the final void pattern shall be

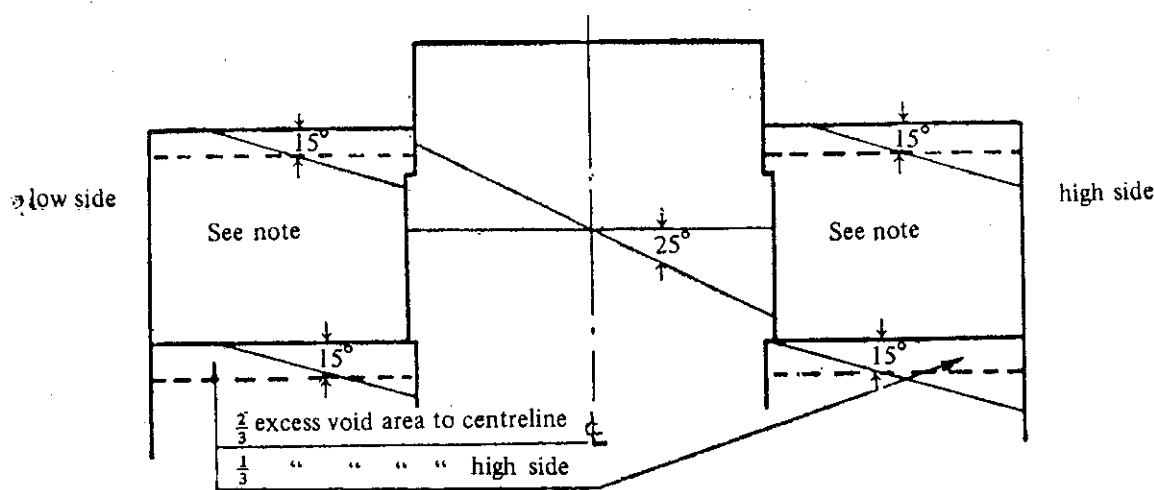


Figure 6

NOTE ON FIGURE 6 :

If the wing spaces in way of the trunk cannot be properly trimmed in accordance with Para 3 it shall be assumed that a 25 degree surface shift takes place.

SECTION IV—ASSUMED VOLUMETRIC HEELING MOMENT OF PARTLY FILLED COMPARTMENTS

(A) GENERAL

When the free surface of the bulk grain has not been secured in accordance with Para 6 it shall be assumed that the grain surface after shifting shall be at 25° to the horizontal.

(B) DISCONTINUOUS LONGITUDINAL DIVISIONS

In a compartment in which the longitudinal divisions are not continuous between the transverse boundaries, the length over which any such divisions are effective as devices to prevent full width shifts of grain surfaces shall be taken to be the actual length of the portion of the division under consideration less two-sevenths of the greater of the transverse distances between the division and its adjacent division or ship side.

This correction does not apply in the lower compartments of any combination loading in which the upper compartment is either a "filled compartment" or a "partly filled compartment".

SECTION V—ALTERNATIVE LOADING ARRANGEMENTS FOR EXISTING SHIPS

(A) GENERAL

A ship loaded in accordance with either Sub-Section (B) or Sub Section (C) below shall be considered to have intact stability characteristics at least equivalent to the requirements of Paragraph 4(b).

For the purpose of this Part, the term "Existing Ship" means at ship, the keel of which is laid before the date of coming into force of this Chapter.

(B) STOWAGE OF SPECIALLY SUITABLE SHIPS.

(a) Notwithstanding anything contained in Part B of this Chapter, bulk grain may be carried without regard to the requirements, specified therein in ships which are constructed with two or more vertical or sloping gaintight longitudinal divisions suitably disposed to limit the effect of any transverse shift of grain under the following conditions :—

- (i) as many holds and compartments as possible shall be full and trimmed full;
- (ii) for any specified arrangement of stowage the ship will not list to an angle greater than 5 degrees at any stage of the voyage where :

- (1) in holds or compartments which have been trimmed full the grain surface settled 2 per cent by volume from the original surface and shifts to an angle of 12 degrees with that surface under all boundaries of these holds and compartments which have an inclination of less than 30 degrees to the horizontal;
- (2) in "partly filled compartments or holds" free grain surfaces settled and shift as in sub-paragraph (ii) (1) of this paragraph or to such larger angle as may be deemed necessary by the Central Government, and grain surfaces if overstowed in accordance with Para 5 of this appendix shift to an angle of 8 degrees with the original levelled surfaces. For the purpose of sub-paragraph (ii) of this paragraph shifting boards, if fitted, will be considered to limit the transverse shift of the surface of the grain;
- (iii) the master is provided with a grain loading plan covering the stowage arrangements to be adopted and a stability booklet, both approved by the Central Government, showing the stability conditions upon which the calculations given in sub-paragraph (ii) of this paragraph are based.
- (b) Central Government shall prescribe the precautions to be taken against shifting in all other conditions of loading of ships designed in accordance with paragraph (B) (a) of this Section which meet the requirements of sub-paragraphs (ii) and (iii) of that paragraph.

(C) SHIPS WITHOUT DOCUMENTS OF AUTHORIZATION

A ship not having on board documents of authorization issued in accordance with Paras 4 and 10 may be permitted to load bulk grain under the requirements of sub-Section (B) above or provided that:

- (a) All "filled compartments" shall be fitted with centreline divisions extending for the full length of such compartments which extend downwards from the underside of the deck or hatch of the maximum breadth of the compartment or 2.4 metres, whichever is the greater except that saucers constructed in accordance with Section II of Part C may be accepted in lieu of a centreline division in and beneath a hatchway.
- (b) All hatches to "filled compartments" shall be closed and covers secured in place.
- (c) All free grain surfaces in "partly filled compartments" shall be trimmed level and secured in accordance with Section II of Part C.
- (d) Throughout the voyage the metacentric height after correction for the free surface effects of liquids in tanks shall be 0.3 metre or that given by the following formula, whichever is the greater:

$$LBVD (0.25 B - 0.645 \sqrt{Vd B})$$

$$GMR = \frac{SF \times \Delta \times 0.0875}{L}$$

where :

- L = total combined length of all full compartments;
B = moulded breadth of vessel;

SF = stowage factor;

Vd = calculated average void depth as per paragraph (a)(i) of Section I(A) of this Part;

Δ = displacement

PART C—GRAIN FITTINGS AND SECURING SECTION I—STRENGTH OF GRAIN FITTINGS

(A) GENERAL

(a) Timber. All timber used for grain fittings shall be of good sound quality and of a type and grade which has been proved to be satisfactory for this purpose. The actual finished dimensions of the timber shall be in accordance with the dimensions hereinafter specified in this Part. Plywood of an exterior type bounded with waterproof glue and fitted so that the direction of the grain in the face plies is perpendicular to the supporting uprights or binder may be used provided that its strength is equivalent to that of solid timber of the appropriate scantlings.

(b) Working Stresses. When calculating the dimensions loaded on one side, using the Tables in paragraphs (C)(a) and (b) of this Part, the following working stresses should be adopted:

For divisions of steel.....2000 kg per square cm

For divisions of wood.....160 kg per square cm

(c) Other Materials. Materials other than wood or steel may be approved for such divisions provided that proper regard has been paid to their mechanical properties.

(d) Uprights

(i) Unless means are provided to prevent the ends of uprights being dislodged from their sockets, the depth of housing at each end of each upright shall be not less than 75 mm. If an upright is not secured at the top, the supermost shore or stay shall be fitted as near thereto as is practicable.

(ii) The arrangements provided for inserting shifting boards by removing a part of the cross-section of an upright shall be such that the local level of stresses is not unduly high.

(iii) The maximum bending moment imposed upon an upright supporting a division loaded on one side shall normally be calculated assuming that the ends of the uprights are freely supported. However, if the Central Government is satisfied that any degree of fixity assumed will be achieved in practice, account may be taken of any reduction in the maximum bending moment arising from any degree of fixity provided at the ends of the upright.

(e) Composite Section. Where uprights, binders or any other strength members are formed by two separate sections, one fitted on each side of a division and inter connected by through bolts at adequate spacing, the effective section modulus shall be taken as the sum of the two moduli of the separate section.

(f) Partial Division. Where divisions do not extend to the full depth of the hold such divisions and their uprights shall be supported or stayed so as to be as efficient as those which do extend to the full depth of the hold.

(B) DIVISIONS LOADED ON BOTH SIDES

(a) Shifting Boards

(i) Shifting boards shall have a thickness of not less than 50 mm and shall be fitted grain-tight and where necessary supported by uprights.

- (ii) The maximum unsupported span for shifting boards of various thickness shall be as follows :

Thickness	Maximum Unsupported Span
50 mm	2.5 metres
60 mm	3.0 "
70 mm	3.5 "
80 mm	4.0 "

If thickness greater than these are provided the maximum unsupported span will vary directly with the increase in thickness.

- (iii) The ends of all shifting of boards shall be securely boused with 75 mm minimum bearing length.

(b) Other Materials. Divisions formed by using materials other than wood shall have a strength equivalent to the shifting boards required in paragraph (B) (a) above.

- (c) Uprights

- (i) Steel uprights used to support divisions loaded on both sides shall have a section modulus given by

$$W = a \times W_1$$

Where :

W = section modulus in cm³;

a = horizontal span between uprights in metres.

The Section modulus per metre span W_1 shall be not less than that given by the formula:

$$W_1 = 14.8 (h_1 - 1.2) \text{ cm}^3 \text{ per metre};$$

Where :

h_1 is the vertical unsupported span in metres and shall be taken as the maximum value of the distance between any two adjacent stays or between the stay or either end of the upright. Where this distance is less than 2.4 metres the respective modulus shall be calculated as if the actual value was 2.4 metres.

- (ii) The moduli of wood uprights shall be determined by multiplying by 12.5 the corresponding moduli for steel uprights. If other materials are used their moduli shall be at least that required for steel increased in proportion to the ratio of the Permissible stresses for steel to that of the material used. In such cases attention shall be paid also to the relative rigidity of each upright to ensure that the deflection is not excessive.

- (iii) The horizontal distance between uprights shall be such that the unsupported spans of the shifting boards do not exceed the maximum span specified in paragraph (B) (a)(ii) of this Section.

- (d) Shores

- (i) Wood shores, when used, shall be in a single piece and shall be securely fixed at each end and heeled against the permanent structure of the ship except that they shall not bear directly against the side plating of the ship.

- (ii) Subject to the provision of sub-paragraphs (iii) and (iv) below, the minimum size of wood shores shall be as follows :—

Length of Shore in metres	Rectangular Section	Diameter of Circular Section
	mm	mm
Not exceeding 3 m	150 × 100	140
Over 3 m but not exceeding 5 m	150 × 150	165
Over 5 m but not exceeding 6 m	150 × 150	180
Over 6 m but not exceeding 7 m	200 × 150	190
Over 7 m but not exceeding 8 m	200 × 150	200
Exceeding 8 m	200 × 150	215

Shores of 7 metres or more in length shall be securely bridged at approximately mid-length.

- (iii) When the horizontal distance between the uprights differs significantly from 4 metres, the moments of inertia of the shores may be changed in direct proportion.

- (iv) Where the angle of the shore to the horizontal exceeds 10 degrees the next larger shore to that required by sub-paragraph (ii) of this paragraph shall be fitted provided that in no case shall the angle between any shore and the horizontal exceed 45 degrees.

(e) Stays. Where stays are used to support divisions loaded on both sides, they shall be fitted horizontally or as near thereto as practicable well secured at each end and formed of steel wire rope. The sizes of the wire rope shall be determined assuming that the divisions and upright which the stay supports are uniformly loaded at 500 kg/m². The working load so assumed in the stay shall not exceed one third of its breaking load.

(C) DIVISIONS LOADED ON ONE SIDE ONLY

- (a) Longitudinal Divisions. The load in kg per metre length of the division shall be taken to be as follows :—

TABLE I*
B(m)

h (m)	2	3	4	5	6	7	8	10
1.5	850	900	1010	1225	1500	1770	2060	2645
2.0	1390	1505	1710	1985	2295	2605	2930	3590
2.5	1985	2160	2430	2740	3090	3435	3800	4535
3.0	2615	2845	3150	3500	3885	4270	4670	5480
3.5	3245	3525	3870	4255	4680	5100	5540	6425
4.0	3890	4210	4590	5015	5475	5935	6410	7370
4.5	4535	4890	5310	5770	6270	6765	7280	8315
5.0	5185	5570	6030	6530	7065	7600	8150	9260
6.0	6475	6935	7470	8045	8655	9265	9890	11150
7.0	7765	8300	8910	9560	10245	10930	11630	13040
8.0	9055	9665	10350	11075	11835	12595	13370	14930
9.0	10345	11030	11790	12590	13425	14260	15110	16820
10.0	11625	12395	13230	14105	15015	15925	16850	18710

h = height of grain in metres from the bottom of the division.**

B = transverse extent of the bulk grain in metres.

*For the purpose of converting the above loads into British units (ton/ft) 1 kg per metre length shall be taken to be equivalent to 0.0003 ton per foot length.

**Where the distance from a division to a feeder or hatchway is 1 metre or less the height-h shall be taken to the level of the grain within that hatchway or feeder. In all cases the height shall be taken to the overhead deck in way of the division.

For other values of h or B the loads shall be determined by linear interpolation or extrapolation as necessary.

(b) Transverse Divisions. The load in kg per metre length of the divisions shall be taken to be as follows :—

TABLE II*
L(m)

h (m)	2	3	4	5	6	7	8	10	12	14	16
1.5	670	690	730	780	835	890	935	1000	1040	1050	1050
2.0	1040	1100	1170	1245	1325	1400	1470	1575	1640	1660	1660
2.5	1460	1565	1675	1780	1880	1980	2075	2210	2285	2305	2305
3.0	1925	2065	2205	2340	2470	2590	2695	2845	2925	2950	2950
3.5	2425	2605	2770	2930	3075	3205	3320	3480	3570	3595	3595
4.0	2950	3160	3355	3535	3690	3830	3950	4120	4210	4235	4245
4.5	3495	3725	3940	4130	4295	4440	4565	4750	4850	4880	4885
5.0	4050	4305	4535	4735	4910	5060	5190	5385	5490	5525	5530
6.0	5175	5465	5720	5945	6135	6300	6445	6655	6775	6815	6825
7.0	6300	6620	6905	7150	7365	7445	7700	7930	8055	8105	8115
8.0	7425	7780	8060	8590	8685	8950	9200	9340	9395	9410	9410
9.0	8550	8935	9275	9565	9820	9930	10205	10475	10620	10685	10705
10.0	9680	10095	10460	10770	11045	11270	11460	11745	11905	11975	11997

h=height of grain in metres from the bottom of the division**

L=longitudinal extent of the bulk grain in metres.

For other values of h or L the loads shall be determined by linear interpolation or extrapolation as necessary.

*For the purpose of converting the above loads into British units (ton/ft) 1 kg per metre length shall be taken to be equivalent to 0.0003 ton per foot length.

**Where the distance from a division to a feeder or hatchway is 1 metre or less the height-h shall be taken to the level of the grain within that hatchway or feeder. In all cases the height shall be taken to the overhead deck in way of the division.

(c) Vertical Distribution of the Loads. The total load per unit length of divisions shown in the Tables I and II above may, if considered necessary, be assumed to have a trapezoidal distribution with height. In such cases, the reaction loads at the

upper and lower ends of a vertical member or upright are not equal. The reaction loads at the upper end expressed as percentages of the total load supported by the vertical member or upright shall be taken to be those shown in Tables III and IV below :—

TABLE III

Longitudinal Divisions Loaded on the One Side Only

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table I)

B(m)

h (m)	2	3	4	5	6	7	8	10
1.5	43.3	45.1	45.9	46.2	46.2	46.2	46.2	46.2
2.0	44.5	46.7	47.6	47.8	47.8	47.8	47.8	47.8
2.5	45.4	47.6	48.6	48.8	48.8	48.8	48.8	48.8
3.0	46.0	48.3	49.2	49.4	49.4	49.4	49.4	49.4
3.5	46.5	48.8	49.7	49.8	49.8	49.8	49.8	49.8
4.0	47.0	49.1	49.9	50.1	50.1	50.1	50.1	50.1
4.5	47.4	49.4	50.1	50.2	50.2	50.2	50.2	50.2
5.0	47.4	49.4	50.1	50.2	50.2	50.2	50.2	50.2
6.0	47.4	49.5	50.1	50.2	50.2	50.2	50.2	50.2
7.0	47.4	49.5	50.1	50.2	50.2	50.2	50.2	50.2
8.0	47.4	49.5	50.1	50.2	50.2	50.2	50.2	50.2
9.0	47.4	49.5	50.1	50.2	50.2	50.2	50.2	50.2
10.0	47.4	49.5	50.1	50.2	50.2	50.2	50.2	50.2

B = transverse extent of the bulk grain in metres.

For other values of h or B the reaction loads shall be determined by linear interpolation or extrapolation as necessary.

TABLE IV

Transverse Divisions Loaded on the One Side Only

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table II)

L(m)

h (m)	2	3	4	5	6	7	8	10	12	14	16
1.5	37.3	38.7	39.7	40.6	41.4	42.1	42.6	43.6	44.3	44.8	45.0
2.0	39.6	40.6	41.4	42.1	42.7	43.1	43.6	43.3	44.7	45.0	45.2
2.5	41.0	41.8	42.5	43.0	43.5	43.8	44.2	44.7	45.0	45.2	45.2
3.0	42.1	42.8	43.3	43.8	44.2	44.5	44.7	45.0	45.2	45.3	45.3
3.5	42.9	43.5	43.9	44.3	44.6	44.8	45.9	45.2	45.3	45.3	45.3
4.0	43.5	44.0	44.4	44.7	44.9	45.0	45.2	45.4	45.4	45.4	45.4
5	43.9	44.3	44.6	44.8	45.0	45.2	45.3	45.5	45.5	45.5	45.5
6	44.2	44.5	44.8	45.0	45.2	45.3	45.4	45.6	45.6	45.6	45.6
7	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
8	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
9	44.4	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6
10	44.3	44.6	44.9	45.1	45.3	45.4	45.5	45.6	45.6	45.6	45.6

L=longitudinal extent of the bulk grain in metres.

For other values of h or L the reaction loads shall be determined by linear interpolation or extrapolation as necessary.

The strength of the end connections of such vertical members of uprights may be calculated on the basis of the maximum load likely to be imposed at either end. These loads are as follows :—

Longitudinal Divisions

Maximum load at the top 50% of the appropriate total load from Table-I.
Maximum load at the bottom 55% of the appropriate total load from Table-I.

Transverse Divisions

Maximum load at the top 45% of the appropriate total load from Table-II.
Maximum load at the bottom 60% of the appropriate total load from Table-II.

The thickness of horizontal wooden boards may also be determined having regard to the vertical distribution of the loading

Represented by Tables III and IV above and in such cases.

$$t=10a \sqrt{\frac{P \times k}{h \times 213.3}}$$

Where:

- t = thickness of board in mm;
 a = horizontal span of the board i.e. distance between up-rights in metres.
 h = head of grain to the bottom of the division in metres.
 p = total load per unit length derived from Table I or II in kg;
 k = factor dependent upon vertical distribution of the loading.

When the vertical distribution of the loading is assumed to be uniform i.e. rectangular, k shall be taken as equal to 1.0. For a trapezoidal distribution.

$$k = 1.0 + 0.06 (50 - R)$$

Where:

R is the upper and bearing reaction taken from Table III or IV.

(d) Stays or Shores. The sizes of stays and shores shall be so determined that the loads derived from Tables I and II in the preceding paragraphs (a) and (b) shall not exceed one-third of the breaking loads.

(D) SAUCERS

When a saucer is used to reduce the heeling moments in a "filled compartment" its depth measured from the bottom to the saucer to the deck line shall be as follows:—

For ships with a moulded breadth of upto 9.1 metres, not less than 1.2 metres.

For ships with a moulded breadth of 18.3 metres or more, not less than 1.8 metres.

For ships with a moulded breadth between 9.1 metres and 18.3 metres, the minimum depth of the saucer shall be calculated by interpolation.

The top (mouth) of the saucer shall be formed by the under-deck structure in the way of the hatchway, i.e. hatchside girders or coamings and hatch-end beams. The saucer and hatchway above shall be completely filled with bagged grain or other suitable cargo laid down on a separation cloth or its equivalent and stowed tightly against adjacent structures and the port-table hatchway beams if the latter are in place.

(E) BUNDLING OF BULK

As an alternative to filling the saucer with bagged grain or suitable cargo a bundle of bulk grain may be used provided that:

- The saucer is lined with a material acceptable to the Central Government having a tensile strength of not less than 274 kg per 5 cm strip and which is provided with suitable means for securing at the top.
- As an alternative to paragraph (a) above a material acceptable to the Central Government having a tensile strength of not less than 137 kg per 5 cm strip may be used if the saucer is constructed as follows:—

Athwartship lashings shall be placed inside the saucer formed in the bulk grain at intervals of not more than 2.4 metres. These lashings shall be of sufficient

length to permit being drawn up light secured at top of the saucer.

Dunnage not less than 25 mm in thickness or other suitable material of equal strength and between 150 to 300 mm in width shall be placed fore and aft over these lashings to prevent the cutting or chafing of the material which shall be placed thereon to line the saucer.

- The saucer shall be filled with bulk grain and secured at the top except that when using material approved under paragraph (h) above further dunnage shall be laid on top after tapping the material before the saucer is secured by setting up the lashings.
- If more than one sheet of material is used to line the saucer they shall be joined at the bottom either by sewing or a double lap.
- The top of the saucer shall be concidental with the bottom of the beams when these are in place and suitable general cargo or bulk grain may be placed between the beams on top of the saucer.

(F) SECURING HATCH COVERS OF FILLED COMPARTMENTS

If there is no bulk grain or other cargo above a "filled compartment" the hatch covers shall be secured in an approved manner having regard to the weight and permanent arrangements provided for securing such covers.

The documents of authorisation issued under Para 10 shall include reference to the manner of securing considered necessary by the Central Government.

SECTION II—SECURING OF PARTLY FILLED COMPARTMENT

(A) STRAPPING OR LASHING

(a) When, in order to eliminate heeling moments in "partly filled compartments", strapping or lashing is utilized, the securing shall be accomplished as follows:—

- The grain shall be trimmed and levelled to the extent that it is very slightly crowned and covered with burlap separation cloths, tarpaulins or the equivalent.
- The separation cloths and/or tarpaulins shall overlap at least 1.8 metres.
- The solid floors of rough 25 mm by 150 mm to 300 mm lumber shall be laid with the top floor running longitudinally and nailed to an athwartships bottom floor. Alternatively, one solid floor of 50 mm lumber, running, longitudinally, and nailed over the top of a 50 mm bottom bearer not less than 150 mm wide, may be used. The bottom bearers shall extend the full breadth of the compartment and shall be spaced not more than 2.4 metres, apart. Arrangements utilizing other materials and deemed to be equivalent to the foregoing may be accepted.
- Steel wire rope (19 mm diameter or equivalent), doubled steel strapping (50 mm × 1.3 mm and having a breaking load of at least 5000 kg), or chain of equivalent strength, each of which shall be set tight by means of a 32 mm turnbuckle, may be used for lashings. A which tightener, used in conjunction with a locking arm, may be substituted for the 32 mm turnbuckle when steel strapping is used, provided suitable wrenches are available for setting up as necessary. When steel strapping is used, not less than three crimp seals shall be used for securing the ends. When wire is used, not less

than four clips shall be used for forming eyes in the lashings.

(v) Prior to the completion of loading the lashing shall be positively attached to the framing at a point approximately 450 mm below the anticipated final grain surface by means of either a 25 mm shackle or beam clamp of equivalent strength.

(vi) The lashings shall be spaced not more than 2.4 metres apart and each shall be supported by a bearer nailed over the top of the fore and aft floor. This bearer shall consist of not less than 25 mm by 150 mm lumber or its equivalent and shall extend the full breadth of the compartment.

(vii) During the voyage the strapping shall be regularly inspected and set up where necessary.

(B) Overstowing Arrangements

Where bagged grain or other suitable cargo is utilised for the purpose of securing "partly filled compartments" the free grain surface shall be covered with a separation cloth or equivalent or by a suitable platform. Such platforms shall consist of bearers spaced not more than 1.2 metres apart and 25 mm boards laid there on spaced not more than 100 mm apart. Platforms may be constructed of other materials provided they are deemed to be equivalent.

(C) BAGGED GRAIN

Bagged grain shall be carried in sound bags which shall be well filled and securely closed.

[No. 5-MSR(18)/74-MA]

S.V. BHAVE, Director General

नई दिल्ली, 20 जून, 1977

कांआ० 2252.—नौवहन विकास निधि समिति (सामान्य) नियम 1960 के नियम (4) के साथ पठित व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 15 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री पी०जी० गवाई, नौवहन महानिदेशक, बम्बई को श्री एस०वी० भावे के स्थान पर 14 जून, 1977 से नौवहन विकास निधि समिति का सदस्य नियुक्त करती है और भारत सरकार के भूतपूर्व परिवहन और संचार मंत्रालय (परिवहन विभाग-परिवहन पक्ष) की अधिसूचना सं० सांआ० 628, दिनांक 17 मार्च, 1959 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में क्रम सं० 7 तथा तत्संबंधी प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाए, अर्थात् :—

"7. श्री पी० जी० गवाई,

नौवहन महानिदेशक,

बम्बई।"

14 जून, 1977

[सं० एम एस डी (19)/77-एमडी]

बी० के० जुत्सी, निदेशक

New Delhi, the 20th June, 1977

S.O. 2252.—In exercise of the powers conferred by sub-section (1) of Section 15 of the Merchant Shipping Act, 1958 (44 of 1958), read with rule 4 of the Shipping Development Fund Committee (General) Rules, 1960, the Central Government hereby appoints Shri P.G. Gavai, Director General of Shipping Bombay, as a member of the Shipping Development Fund Committee with effect from 14th June 1977 vice Shri S. V. Bhave and makes the following amendment in the Notification of the Government of India in the late Ministry

of Transport and Communications (Department of Transport—Transport Wing) No. S.O. 628 dated the 17th March 1959, namely :—

In the said Notification, for serial number 7 and the entries relating thereto, the following shall be substituted, namely :—

"7. Shri P. G. Gavai, Director General of Shipping, Bombay."

14th June, 1977.

[No. MSD/19/77-MD]

B. K. ZUTSHI, Director.

नई दिल्ली, 22 जून, 1977

(व्यापार पोत)

कांआ० 2253.—व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री एस०वी० भावे, आई०ए०एस० के स्थान पर श्री पी०जी० गवाई, आई०ए०एस० को 14 जून, 1977 के पूर्वाह्न से बम्बई में नौवहन महानिदेशक नियुक्त करती है।

[सं० 1-एम डी एस (45)/77-एमएस]

New Delhi, the 22nd June, 1977

(Merchant Shipping)

S.O. 2253.—In exercise of the powers conferred by sub-section (1) of section 7 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby appoints with effect from the fore-noon of the 14th June, 1977, Shri P.G. Gavai, I.A.S. as Director General of Shipping, Bombay vice Shri S. V. Bhave, I.A.S.

[No. 1-MDS(45)/77-MA]

नई दिल्ली, 23 जून, 1977

कांआ० 2254.—नाविक भविष्य निधि योजना, 1966 के पैरा 4 के साथ पठित नाविक भविष्य निधि अधिनियम, 1966 (1966 का 4) की उपधारा 3 के अनुसरण में तथा नौवहन और परिवहन मंत्रालय (परिवहन पक्ष), भारत सरकार की अधिसूचना सं० कां० आ० 1521 दिनांक 30-4-1977 के क्रम में केन्द्रीय सरकार एतद्वारा निदेश देती है कि भविष्य निधि अंशदान, व्याज तथा अन्य प्राप्ति की आय, आवश्यक खर्च घटाने के बाद, का निवेश निम्नलिखित तमूने के अनुसार होगा, अर्थात् :—

- (1) केन्द्रीय सरकार द्वारा सृजित तथा निर्गत 25 प्रतिशत से कम नहीं। लोक ऋण अधिनियम, 1944 (1944 का 18) की धारा 2 के खंड (2) में यथा परिभाषित सरकारी प्रतिभूतियां।
- (2) किसी राज्य सरकार द्वारा सृजित तथा 25 प्रतिशत से कम नहीं। निर्गत ऋण अधिनियम, 1944 (1944 का 18) की धारा 2 के खंड (2) में यथा परिभाषित सरकारी प्रतिभूतियां।
- (3) अन्य हस्तांतरणीय प्रतिभूतियां अथवा 25 प्रतिशत से कम नहीं। बंधपत्र जिनके मूलधन और उन पर व्याज की बिना शर्त पूरी गारंटी केन्द्रीय सरकार अथवा किसी राज्य सरकार द्वारा हो गई हो।
- (4) 7 वर्षीय राष्ट्रीय बचत प्रमाणपत्र (द्वितीय 30 प्रतिशत से अधिक नहीं। तथा तृतीय निर्गमन) अथवा डाकघर सावधिक जमा।

- (V) भारत सरकार के वित्त मंत्रालय (आर्थिक 20 प्रतिशत से अधिक नहीं कार्य विभाग) की अधिसूचना सं० एफ०-16(1)-पी डी / 75 दिनांक 30-6-75 द्वारा चालू की गई विशेष जमा योजना।

उपर्युक्त व्यवस्था 1 जुलाई, 1977 से और आदेश होने तक के लिए लागू रहेगी। इस अवधि के दौरान परिपक्व होने वाली डाकघर सावधिक जमा का पुनर्निवेश 50 प्रतिशत डाकघर सावधिक जमा में और 50 प्रतिशत विशेष जमा में किया जाएगा। इसके अधीन, भविष्य निधि संचय की अन्य सभी परिपक्व राशियों का पुनर्निवेश किया जाता रहेगा

[सं० एम डब्ल्यूएस (20)/77-एमआई]

New Delhi, the 23rd June, 1977

S. O. 2254.—In pursuance of sub-section (3) of Section 4 of the Seamen's Provident Fund Act, 1966 (4 of 1966), read with paragraph 44 of the Seamen's Provident Fund Scheme, 1966, and in continuation of the notification of the Government of India, in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 1521 dated 30-4-1977, the Central Government hereby directs that accumulations out of provident fund contributions, interest and other receipts as reduced by obligatory out goings, shall be invested in accordance with the following pattern, namely:—

- | | |
|--|---------------------|
| (i) Government securities as defined in clause (2) of section 2 of the Public Debt Act, 1944 (18 of 1944) created and issued by the Central Government. | Not less than 25% |
| (ii) Government securities as defined in clause (2) of section 2 of the Public Debt Act, 1944 (18 of 1944) created and issued by any State Government | Not less than 25% |
| (iii) Any other negotiable securities or bonds, the principal where of and interest whereon is fully and unconditionally guaranteed by the Central Government or any State Govt. | |
| (iv) 7-Year National Saving Certificates (Second Issue and Third Issue) or Post Office Time Deposits. | Not exceed- ing 30% |
| (v) Special Deposit Scheme introduced by the notification of the Govt. of India in the Ministry of Finance (Deptt. of Economic Affairs) No. F. 16(1)-PD/75, dated 30-6-1975. | Not exceed- ing 20% |

2. The above pattern will be in force from the 1st July, 1977 until further orders. Re-investment of Post Office Time Deposit maturing during this period shall be made 50% in Post Office Time Deposits and 50% in Special Deposits. Subject to this, re-investment of all other maturities of Provident Fund accumulations shall continue to be made in accordance with the pattern mentioned in paragraph 1 above.

[No. MWS (20)/77-MI]

(व्यापार नौवहन)

का०आ० 2255.—व्यापार पोत परिवहन अधिनियम, 1958 (1958 का 44) की धारा 358 की उपधारा (2) के अनुसरण में, केन्द्रीय सरकार भारत सरकार के भूतपूर्व वाणिज्य विभाग की अधिसूचना सं० 70-एम 1(30)/29, तारीख 18-11-1933 में, जो उन अधिकारियों की नियुक्तियों के सम्बन्ध में है, जिन्हें नौवहन दुर्घटनाओं की सूचना दी जानी चाहिए, निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना के साथ उपावद्ध अनुसूची में—

(क) तूतीकोरिन पत्तन के सामने, शीर्षक "अधिकारी" और "दुर्घटनाएं" के अन्तर्गत वर्तमान प्रविष्टियों के स्थान पर क्रमशः निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात्:—

तूतीकोरिन "(1) नव तूतीकोरिन वे दुर्घटनाएं जिनका प्रभाव केवल पत्तन के उपसंरक्षक निम्नलिखित पर पड़ता है—

(क) नव तूतीकोरिन पत्तन के डाक अथवा मूरिंग में खड़े जहाज।

(ख) दुर्घटना के समय नव तूतीकोरिन पत्तन के नियोजन में कार्यरत बन्दरगाह मास्टर अथवा पायलट के प्रभाराधीन जहाज।

(ग) नव तूतीकोरिन पत्तन के जहाज।

(2) पत्तन अधिकारी, उपरोक्त दुर्घटनाओं को छोड़ तूतीकोरिन शेष सभी दुर्घटनाएं।

(ख) मंगलौर पत्तन के सामने, शीर्षक, "अधिकारी" और "दुर्घटनाएं" के अन्तर्गत वर्तमान प्रविष्टियों के स्थान पर क्रमशः निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात्:—

मंगलौर "(1) नव मंगलौर पत्तन वे दुर्घटनाएं जिनका प्रभाव केवल के उपसंरक्षक निम्नलिखित पर पड़ता है—

(क) नव मंगलौर पत्तन के डाक अथवा मूरिंग में खड़े जहाज।

(ख) दुर्घटना के समय नव मंगलौर पत्तन के नियोजन में कार्यरत बन्दरगाह मास्टर अथवा पायलट के प्रभाराधीन जहाज,

(ग) नव मंगलौर पत्तन के जहाज।

(2) पत्तन अधिकारी, उपरोक्त दुर्घटनाओं को छोड़ मंगलौर शेष सभी दुर्घटनाएं।

(ग) अन्त में निम्नलिखित प्रविष्टि रखी जाएंगी, अर्थात्:—

"पारादीप—पारादीप पत्तन के उपसंरक्षक सभी दुर्घटनाएं

[सं० 12 एम ए ओ/95/74 एम ए]

उपायकर कौशिक, अवसर सचिव

(Merchant Shipping)

S. O. 2255.—In pursuance of sub-section (2) of Section 358 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby makes the following further amendments in the notification of the Government of India in the late Department of Commerce No. 70-M. I (30)/29, dated the 18th November, 1933, relating to the appointment of officers to whom notice of the shipping casualties should be given, namely:—

In the Schedule annexed to the said notification,—

(a) for the existing entries under the headings "Officers" and "Casualties" against the port of Tuticorin, the following entries shall respectively be substituted, namely:—

T TUTORIN "(1) The Deputy Casualties affecting only :
Conservator of (a) Ships lying in the docks
the New Tuti- or moorings belonging to
corin Port. the New Tuticorin
Port:

(b) ships in charge, at the
time of the casualty, of
Harbour Masters or Pilots
in the employ of the
New Tuticorin Port.

(c) ships belonging to the
New Tuticorin Port.

(2) The Port All casualties other than
Officer Tuticorin. those mentioned above."

(b) for the existing entries under the headings "Officers"
and "Casualties" against the port of Mangalore, the following
entries shall respectively be substituted, namely:—

MANGA- "(1) The Deputy Casualties affecting only:
LORE Conservator of (a) ships lying in the docks
the New Man- or moorings belonging
galore Port. to the New Mangalore
Port.

(b) ships in charge, at the
time of casualty, of
Harbour Masters or Pilots
in the employ of the
New Mangalore Port.

(c) ships belonging to the
New Mangalore Port.

(2) The Port All casualties other than
Officer, Man- those mentioned above".
galore.

(c) the following entries shall be inserted at the end,
namely:—

"PARADIP The Deputy Con- All casualties."
servator Paradip
Port.

[No. 12-MAO (95)/74-MA]

U. S. KAUSHIK, Under Secy.

निर्माण और आवास मंत्रालय

(निर्माण प्रबंध)

नई दिल्ली, 22 जून, 1977

का० आ० 2256.—केन्द्रीय सरकार, राजघाट समाधि अधिनियम,
1951 (1951 का 41) की धारा 4 की उपधारा (1) के खण्ड (ख) और
उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री डी० आर० कोहली
उपराज्यपाल दिल्ली, को राजघाट समाधि समिति का शासकीय सदस्य
नामनिर्देशित करती है और उन्हें श्री कृष्ण चन्द्र के स्थान पर उक्त समिति
का अध्यक्ष भी नियुक्त करती है, और भारत सरकार के भूतपूर्व निर्माण,
आवास और पुंति मंत्रालय की अधिसूचना सं० 19/2/62-डब्ल्यू०आई०,
तारीख 22 अगस्त, 1962 में निम्नलिखित और संशोधन करती है,
अर्थात्:—

उक्त अधिसूचना में प्रविष्टि "श्री कृष्णचन्द्र" के स्थान पर, दो स्थानों
पर जहाँ वह आई है, प्रविष्टि "श्री डी० आर० कोहली" रखी जाएगी।

[सं० 25012(3)/72-डब्ल्यू-3]

मेहर सिंह, उप सचिव

MINISTRY OF WORKS AND HOUSING (Works Division)

New Delhi, the 22nd June, 1977

S.O. 2256.—In exercise of the powers conferred
by clause (b) of sub-section (1) and sub-section (2)
of section 4 of the Rajghat Samadhi Act, 1951 (41 of 1951),
the Central Government hereby nominates Shri D. R. Kohli,
Lt. Governor of Delhi, to be an official member of the Raj-
ghat Samadhi Committee and also appoints him as the Chair-
man of the said Committee vice Shri Krishan Chand, and
hereby makes the following further amendment in the noti-
fication of the Government of India in the late Ministry of
Works, Housing and Supply No. 19/2/62-WI dated the 22nd
August, 1962, namely:—

In the said notification, for the entry "Shri Krishan Chand"
at the two places where it occurs, the entry "Shri D. R. Kohli"
shall be substituted.

[No. 25012(3)/72-WIHI]

MEHAR SINGH, Dy. Secy.

दिल्ली विकास प्राधिकरण

नई दिल्ली, 2 जुलाई, 1977

का०आ० 2257.—एतद्वारा संकल्प सं० 60 दिनांक 21-2-70
के संशोधन एवं संकल्प सं० 153 दिनांक 26-5-77 के अनुसरण में दिल्ली
विकास प्राधिकरण धारा 5ए की उपधारा (1) जिसे दिल्ली डवैलपमेंट
एक्ट, 1957 की धारा 52 की उपधारा (1) के साथ पढ़ा जाए, के
अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए आवास एवं सम्बन्धित योज-
नाओं के परिपालन हेतु एक कमेटी जिसका नाम आवास कमेटी होगा,
गठन करती है, तथा जिसके सदस्यों के चयन का अधिकार अध्यक्ष, दिल्ली
विकास प्राधिकरण को प्रदान करती है।

2. उक्त प्रदत्त शक्तियों का प्रयोग करते हुए अध्यक्ष, दिल्ली विकास
प्राधिकरण आवास कमेटी का निम्न रूप से पुनर्गठन करते हैं:—

1. अध्यक्ष, दिल्ली विकास प्राधिकरण . . . अध्यक्ष, आवास कमेटी
2. उपाध्यक्ष, दिल्ली विकास प्राधिकरण . . . सदस्य
3. संयुक्त सचिव (यू०डी०) निर्माण एवं आवास . . . सदस्य
मंत्रालय
4. अभियन्ता सदस्य . . . सदस्य
5. वित्त सदस्य . . . सदस्य
6. योजना सदस्य . . . सदस्य
7. आयुक्त, दिल्ली नगर निगम . . . सदस्य
8. महाप्रबंधक, दिल्ली विद्युत प्रदाय संस्थान . . . सदस्य
9. अध्यक्ष, दिल्ली परिवहन निगम . . . सदस्य
10. आयुक्त, आवास/अन्य सम्बन्धित अधिकारी सदस्य-सचिव
जिसके अधीन दिल्ली विकास प्राधिकरण में
आवास कार्य हो रहा है।

[सं० पी०ए०/वी०सी०/77/541]

पी० के० बी० सिंह, सचिव

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 2nd July, 1977

S.O. 2257.—In modification of Resolution No. 60, dated
21-2-70 and pursuant to Resolution No. 153, dated 26-5-77 and
in exercise of the powers conferred under sub-section (1) of
Section 5-A read with sub-section (1) of Section 52 of the
Delhi Development Act, 1957, the Delhi Development Autho-
rity constitutes a Committee known as Housing Committee
for implementing housing and allied schemes and delegates
the powers to name its members to the Chairman, DDA.

2. In exercise of the powers conferred on him, the Chairman, DDA, reconstitutes the Housing Committee as under :—

- | | |
|---|-----------------------------|
| (1) Chairman, DDA | Chairman, Housing Committee |
| (2) Vice-Chairman, DDA | Member. |
| (3) Joint Secretary (UD),
Ministry of Works & Housing. | " |
| (4) Engineer Member | " |
| (5) Finance Member | " |
| (6) Planning Member | " |
| (7) Commissioner, MCD | " |
| (8) General Manager, DESU | " |
| (9) Chairman, DTC | " |
| (10) Commissioner Housing Member-Secretary, or such
other officer concerned looking after the housing
works in the DDA. | |

[No. F. PA/VC/77/541]

P. K. B. SINGH, Secy.

पूति और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

(सेटलमेंट विंग)

नई दिल्ली, 4 जून, 1977

का०आ० 2258.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा पुनर्वास विभाग में कार्य कर रहे बंदोबस्त अधिकारी श्री सरदारी लाल को उक्त अधिनियम द्वारा या उसके अधीन प्रबंध अधिकारी को सौंपे गए कार्यों को निष्पादित करने के लिए प्रबंध अधिकारी के रूप में नियुक्त करती है।

[सं० ए०-36016(1)/75-प्रशासन (राज०)/ए०जी०जेड/सेवि०]

एच० के० टेकचन्दानी, अवर सचिव

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

(SETTLEMENT WING)

New Delhi, the 4th June, 1977

S.O. 2258.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954) the Central Government hereby appoints Shri Sardari Lal, Settlement Officer in the Department of Rehabilitation as Managing Officer for the purpose of performing the functions assigned to such officers by or under the said Act.

[No. A. 36016(1)/75-Ad(GZ)/AGZ/SW]

H. K. TECKCHANDANI, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 20 जून, 1977

का०आ० 2259.—केन्द्रीय सरकार ने, यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड (6) के उपबन्धों के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 4863, तारीख 7 दिसम्बर, 1976 द्वारा दिल्ली दुग्ध योजना के अधीन दुग्ध प्रदाय उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 22 दिसम्बर, 1976 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 22 जून, 1977 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं० एस० 11017/11/77-डी 1 (ए)]

MINISTRY OF LABOUR

New Delhi, the 20th June, 1977

S.O. 2259.—Whereas, the Central Government, having been satisfied that the public interest so required, had in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 4863 dated the 7th December, 1976, the industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the said Act for a period of six months from the 22nd December, 1976;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 22nd June, 1977.

[No. S. 11017/11/77/DI(A)]

नई दिल्ली, 30 जून, 1977

का०आ० 2260.—यतः भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 216 (ई) दिनांक 19 मार्च, 1976 द्वारा केन्द्रीय सरकार ने रिजर्व बैंक इंडिया में नियोजन को एक ऐसे नियोजन के रूप में घोषित कर दिया था जिस पर भारतीय सुरक्षा और आन्तरिक सुरक्षा नियम, 1971, का नियम 119 लागू होता है;

और यतः केन्द्रीय सरकार का विचार है कि उक्त अधिसूचना को और आगे जारी रखना आवश्यक नहीं है;

अतः, अब, उक्त नियम 119 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा पूर्वोक्त अधिसूचना को विखण्डित करती है।

[संख्या एस-42012/1/77-डी-1(ए)]

New Delhi, the 30th June, 1977

S.O. 2260.—Whereas by the notification of the Government of India in the Ministry of Labour No. S.O. 216(E) dated the 19th March, 1976, the Central Government had declared any employment in the Reserve Bank of India as an employment to which rule 119 of the Defence and Internal Security of India Rules, 1971; applies;

And whereas the Central Government is of opinion that it is no more necessary to continue the said notification in force;

Now, therefore, in exercise of the powers conferred by the said rule 119, the Central Government hereby rescinds the aforesaid notification.

[No. S. 42012/1/77/DI(A)]

आदेश

नई दिल्ली, 30 जून, 1977

कां०आ० 2261.—यतः भारत सरकार के श्रम मंत्रालय के आदेश संख्या कां० आ० 688 (ई) दिनांक 21 अक्टूबर, 1976 द्वारा केन्द्रीय सरकार ने बम्बई स्थित पुत्तन और गोदियों में नियोजन को एक ऐसे नियोजन के रूप में घोषित कर दिया था जिस पर भारतीय रक्षा और आन्तरिक सुरक्षा नियम, 1971 का नियम 119 लागू होता है ;

और यतः केन्द्रीय सरकार का विचार है कि उक्त आदेश को और आगे जारी रखना आवश्यक नहीं है ;

अतः, अब, उक्त नियम 119 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा पूर्वोक्त आदेश को विखण्डित करती है।

[संख्या एस० 42025/3/77-डी-1(ए)(i)]

ORDER

New Delhi, 30th June, 1977

S.O. 2261.—Whereas by the order of the Government of India in the Ministry of Labour No. S.O. 688(E) dated the 21st October, 1976, the Central Government had declared any employment in Port and Docks at Bombay as an employment to which rule 119 of the Defence and Internal Security of India Rules, 1971, applies ;

And whereas the Central Government is of opinion it is no more necessary to continue the said order in force.

Now, therefore, in exercise of the powers conferred by the said rule 119, the Central Government hereby rescinds the aforesaid order.

[No. S. 42025/3/77/DI(A)(i)]

आदेश

कां०आ० 2262.—यतः भारत सरकार के श्रम मंत्रालय के आदेश संख्या कां० आ० 714(ई) दिनांक 5 नवम्बर, 1976 द्वारा केन्द्रीय सरकार ने गोवा शिपयार्ड लिमिटेड, वास्को-डि-गामा, गोवा में नियोजन को एक ऐसे नियोजन के रूप में घोषित कर दिया था जिस पर भारतीय रक्षा और आन्तरिक सुरक्षा नियम, 1971 का नियम 119 लागू होता है ;

और यतः केन्द्रीय सरकार का विचार है कि उक्त आदेश को और आगे जारी रखना आवश्यक नहीं है,

अतः, अब, उक्त नियम 119 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा पूर्वोक्त आदेश को विखण्डित करती है।

[संख्या एस० 42025/3/77-डी-1(ए)(ii)]

एल० के० नारायणन, डेस्क अधिकारी

ORDER

S.O. 2262.—Whereas by the Order of the Government of India in the Ministry of Labour No. S.O. 714(E) dated the 5th November 1976, the Central Government had declared any employment in Goa Shipyard Limited, Vasco-Da-Gama, Goa, as an employment to which rule 119 of the Defence and Internal Security of India Rules, 1971, applies ;

And whereas the Central Government is of opinion it is no more necessary to continue the said order in force ;

Now, therefore, in exercise of the powers conferred by the said rule 119, the Central Government hereby rescinds the aforesaid order.

[No. S. 42025/3/77/DI(A)(ii)]

L. K. NARAYANAN, Desk Officer

नई दिल्ली, 21 जून, 1977

कां०आ० 2263.—केन्द्रीय सरकार, कर्मचारी अधिव्य निधि स्कीम, 1952 के पैरा 4 के उपपैरा (1) के खण्ड (ग) के अनुसरण में, जिसको मेटल वेयर फैक्टरी, पाण्टा साहिब, हिमाचल प्रदेश के प्रबंध निदेशक, श्री पी० एस० गर्ग को, हिमाचल प्रदेश राज्य के लिए गठित प्रादेशिक समिति के सदस्य के रूप में नियुक्त करती है और भारत सरकार के

श्रम मंत्रालय की अधिसूचना सं० एस० ओ० 4441, तारीख 2 नवम्बर, 1976 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, क्रम सं० 5 के सामने की प्रविष्टियों में, “श्री के० जी० खन्ना, वित्त निदेशक, मोहन मीकंस ब्रेवरीज लिमिटेड, सोलन, हिमाचल प्रदेश” के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“श्री पी० एस० गर्ग, प्रबंध निदेशक, जिसको मेटल वेयर फैक्टरी, पाण्टा साहिब, हिमाचल प्रदेश”।

[सं० वी०-20012/1/77-पी० एफ० 2]

New Delhi, the 21st June, 1977

S.O. 2263.—In pursuance of clause (c) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri P. S. Garg, Managing Director, Jesico Metalware Factory, Paonta Sahib, Himachal Pradesh as a member of the Regional Committee set up for the State of Himachal Pradesh and makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 4441, dated the 2nd November, 1976, namely :—

In the said notification, in the entries against serial number 5, for “Shri K. G. Khanna, Director Finance, Mohan Meaking Breweries Limited, Solan, Himachal Pradesh”, the following shall be substituted, namely :—

“Shri P. S. Garg, Managing Director, The Jesico Metalware Factory, Paonta Sahib, Himachal Pradesh”.

[No. V. 20012/1/71-PF. II]

नई दिल्ली, 24 जून, 1977

कां०आ० 2264.—तमिलनाडु राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री टी० वी० एन्टोनी के स्थान पर श्री सी० रामाचन्द्रन, सचिव, तमिलनाडु सरकार, मद्रास को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है ;

अतः, अब, केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या कां०आ० 1517 तारीख 14 अप्रैल, 1976 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “(राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे क्रमांक 24 के सामने की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“श्री सी० रामाचन्द्रन,
सचिव, तमिलनाडु सरकार,
श्रम और रोजगार विभाग,
मद्रास।”

[संख्या यू-16012(2)/77-एच० आई०]

New Delhi, the 24th June, 1977

S.O. 2264.—Whereas the State Government of Tamil Nadu has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri C. Ramachandran, Secretary to the Government of Tamil Nadu, Madras, to represent that State on the Employees' State Insurance Corporation, in place of Shri T. V. Antony;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central

Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 1517, dated the 14th April, 1976, namely:—

In the said notification, under the heading "(Nominated by the State Governments under clause (d) of section 4)", for the entry against serial number 24, the following entry shall be substituted, namely :—

"Shri C. Ramachandran,
Secretary to the Government of Tamil Nadu,
Labour and Employment Department, Madras".

[No. U-16012/2/77-HI]

नई दिल्ली, 25 जून, 1977

का०आ० 2265.—केन्द्रीय सरकार ने, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 9) की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० आ० 3056, तारीख 25 अगस्त, 1967 द्वारा, उक्त अधिसूचना की अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, मैसर्स थोस कुक एण्ड सन्स (कान्टीनैटल एण्ड ओवरसीज) लिमिटेड को कर्मचारी भविष्य निधि स्कीम, 1952 के सभी उपबन्धों के प्रवर्तन से छूट दे दी है;

और पूर्वोक्त "मैसर्स थोस कुक एण्ड सन्स (कान्टीनैटल एण्ड ओवरसीज) लिमिटेड" ने अपने स्थापन का नाम 2 दिसम्बर, 1974 से "मैसर्स थामस कुक ओवरसीज लिमिटेड" परिवर्तित कर दिया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (1) के उपबन्धों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का०आ० 3056 तारीख 25 अगस्त, 1967 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में उद्देशिका के पैरा 1 में, पद "मैसर्स थोस कुक एण्ड सन्स, (कान्टीनैटल एण्ड ओवरसीज) लिमिटेड" के स्थान पर "मैसर्स थामस कुक ओवरसीज लिमिटेड" पद प्रतिस्थापित किया जाए।

[सं० एस० 35014(12)/77-पी० एफ०-II]

New Delhi, the 25th June, 1977

S.O. 2265.—Whereas in exercise of the powers conferred by clause (a) of sub-section (i) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government had, by the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) number S.O. 3056 dated the 25th August, 1967, exempted, subject to the conditions specified in the Schedule to the said notification, Messrs Thos Cook and Sons (Continental and Overseas) Limited from the operation of all the provisions of the Employees' Provident Funds Scheme, 1952;

And whereas the aforesaid Messrs Thos Cook and Sons (Continental and Overseas) Limited, have changed the name of their establishment to "Messrs Thomas Cook Overseas Limited", with effect from 2nd December, 1974;

Now, therefore, in exercise of the Provision of sub-section (1) of section 17 of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) number S.O. 3056 dated the 25th August, 1967 :—

In the said notification, in Paragraph 1 of the preamble, for the expression "Thos Cook and Sons (Continental and Over-

seas) Limited", the expression "Messrs Thomas Cook Overseas Limited" shall be substituted.

[No. S. 35014(12)/77-PF. II]

नई दिल्ली, 27 जून, 1977

का०आ० 2266.—केन्द्रीय सरकार, कोयला खान भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1948 (1948 का 46) की धारा 10 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 4525, तारीख 8 नवम्बर, 1976 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "प्रादेशिक भविष्य निधि आयुक्त" शब्दों के पश्चात् "ज्येष्ठ वित्त अधिकारी, वित्त अधिकारी, सहायक वित्त अधिकारी" शब्द अन्तः स्थापित किए जाएंगे।

[संख्या ए० 12034 (1)/77-पी० एफ०-I]

एस०एस० सहस्रनामान, उप सचिव

New Delhi, the 27th June, 1977

S.O. 2266.—In exercise of the powers conferred by sub-section (1) of section 10 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 4525 dated the 8th November, 1976, namely :—

In the said notification, after the words "Regional Provident Fund Commissioner", the words "Senior Finance Officer, Finance Officer, Assistant Finance Officer, Coal Mines Provident Fund Organisation", shall be inserted.

[No. A-12034(7)/77-PF. II]

S. S. SAHASRANAMAN, Dy. Secy.

नई दिल्ली, 1 जुलाई, 1977

का०आ० 2267.—केन्द्रीय सरकार, समान वेतन अधिनियम, 1976 (1976 का 25) की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उपावद्ध अनुसूची में उल्लिखित थोक और खुदरा व्यापार तथा रेस्तरां और होटल के नियोजनों को समुचित सरकार द्वारा एक या उससे अधिक सलाहकार समितियां गठित करने के लिए निर्दिष्ट करती है, जो इस सम्बन्ध में सलाह देगी कि ऐसे नियोजनों में किस सीमा तक महिलाओं को नियोजित किया जाए।

अनुसूची

खाद्य वस्त्र, जीवित पशुओं, पेय और मादक वस्तुओं का थोक व्यापार :

1. अनाज और दालों का थोक व्यापार।
2. अनाज और दालों से भिन्न खाद्य पदार्थों का थोक व्यापार।
3. कपड़ा और कपड़े के उत्पादों, जैसे हर प्रकार के कपड़ों, पोशाकों, कमीज के कपड़ों, सूट के कपड़ों और मोजे, बनियान आदि का थोक व्यापार।
4. फिनिलपेय जैसा मादक द्रव्यों से भिन्न पेयों का थोक व्यापार।
5. शराब और मदिरा जैसे मादक द्रव्यों का, जिसके अन्तर्गत शराब और मदिरा का थोक व्यापार।
6. अफीम और गांजा जैसी नशीली वस्तुओं का थोक व्यापार।
7. तम्बाकू और तम्बाकू के उत्पादों का थोक व्यापार।
8. पशुओं का थोक व्यापार।
9. भूसे और चारे का थोक व्यापार।

ईंधन, रोशनी, रसायन, सुगन्धित सामग्री, चीनी मिट्टी की वस्तुओं और शीशे का थोक व्यापार :

10. औषध और रसायन का थोक व्यापार।
 11. ईंधन और प्रकाश सम्बन्धी उत्पादों का थोक व्यापार।
 12. प्रसाधन, सुगन्धित सामग्री और चीनी मिट्टी (कास्मेटिक्स) की वस्तुओं का थोक व्यापार।
 13. धातु, पॉसिलेन और शीशे के बर्तन, काकरी और चीनी मिट्टी के बर्तन का थोक व्यापार।
- काष्ठ, कागज, चमड़े और अखाद्य तेलों का थोक व्यापार :
14. पेट्रोल, मोबिल आयल तथा सहवृद्ध उत्पादों का थोक व्यापार।
 15. काष्ठ, बेंत, बांस फूस और इस प्रकार की अन्य वस्तुओं का थोक व्यापार।
 16. कागज और अन्य लेखन-सामग्री का थोक व्यापार।
 17. खाल, चमड़ा और लोमचर्म (फर) तथा इस प्रकार की अन्य वस्तुओं का थोक व्यापार।
- परिवहन एवं बिजली के उपस्कर सहित सभी प्रकार की मशीनरी, उपस्कर का थोक व्यापार :
18. कृषि और औद्योगिक मशीनरी, कटाई, भूसी निकालने एवं बुवाई की मशीनें और इस प्रकार के अन्य सामान का थोक व्यापार।
 19. बिजली की मशीनों और उपस्करों का थोक व्यापार।
 20. परिवहन और संग्रहण उपस्करों का थोक व्यापार।
- प्रकीर्ण विनिर्माण सामान का थोक व्यापार :
21. फर्नीचर और फिक्सचरों का थोक व्यापार।
 22. खड़ और खड़ के उत्पादों का थोक व्यापार।
 23. ऐसे घरेलू उपस्करों का थोक व्यापार, जो अन्यत्र वर्गीकृत नहीं हैं।
 24. भवन निर्माण सामग्री का थोक व्यापार।
 25. दीवाल घड़ियों और चश्मों (नजर के शीशों के फ्रेमों सहित) का थोक व्यापार।
 26. लोहे का सामान और सफाई उपस्करों का थोक व्यापार।
 27. वैज्ञानिक, चिकित्सीय और शल्य उपकरणों का थोक व्यापार।
 28. कीमती धातु, रत्न और जेवर का थोक व्यापार।
 29. ऐसे सामान का थोक व्यापार जो अन्यत्र विनिर्दिष्ट नहीं हैं।
- खाद्य और खाद्य पदार्थों, पेय तम्बाकू और मादक द्रव्यों का खुदरा व्यापार :
30. अनाज और किराना भंडार।
 31. सब्जी और फल विक्रय।
 32. मांस, मछली और मुर्गी-पालन का व्यापार।
 33. मिष्ठान, बेकरी उत्पादों, डेरी उत्पादों और अण्डे का व्यापार।
 34. पान, बीड़ी और सिगरेट की दुकानें।
 35. फेनिलपेय (एरीटेड वाटर) मद्य रहित पेय और आईस क्रीम का व्यापार।
 36. शराब और मदिरा की दुकानें।
 37. ऐसे खाद्य और खाद्य पदार्थ, पेय, तम्बाकू और मादक द्रव्य में खुदरा व्यापार जो अन्यत्र विनिर्दिष्ट नहीं हैं।
- वस्त्र उद्योगों में खुदरा व्यापार :
38. वस्त्र उद्योग (बिना सिले हुए कपड़े) का व्यापार।
 39. सिले हुए कपड़ों का व्यापार।
- ईंधन और अन्य घरेलू उपयोगी और टिकाऊ वस्तुओं का खुदरा व्यापार :
40. ईंधन की लकड़ी, कोयला, मिट्टी के तेल का व्यापार।
 41. बर्तनों की दुकान।

42. फेंसी स्टोर (काकरी और शीशे के सामान का व्यापार करने वाले भंडारों सहित)।
 43. विद्युत और इलेक्ट्रॉनिकी सामानों का व्यापार।
 44. फर्नीचर की दुकानें।
 45. जेवर की दुकानें।
 46. जूतों की दुकानें।
 47. ऐसे ईंधन और अन्य घरेलू उपयोगी और टिकाऊ वस्तुओं में खुदरा व्यापार जो अन्यत्र विनिर्दिष्ट नहीं हैं।
- कुछ अन्य सामानों के संबंध में खुदरा व्यापार :
48. दवाइयों की दुकानें।
 49. पुस्तक विक्रेता और लेखन-सामग्री बेचने वाले।
 50. भवन निर्माण सामग्री का व्यापार।
 51. परिवहन उपस्कर का व्यापार।
 52. पेट्रोल बेचने वाले स्टेशन।
 53. ऐसे सामानों का खुदरा व्यापार, जो अन्यत्र वर्गीकृत नहीं हैं।

रेस्तरां और होटल

54. रेस्तरां के और खाने पीने के अन्य स्थान।
55. होटल, अस्थायी निवास गृह, कैम्प और अन्य यात्री निवास भवन।

[संख्या एस-42013/23/76-डब्ल्यू० सी०]

New Delhi, the 1st July, 1977

S.O. 2267.—In exercise of the powers conferred by sub-section (1) of section 6 of the Equal Remuneration Act, 1976 (25 of 1976), the Central Government hereby specifies the employments in wholesale and retail trade and restaurants and hotels specified in the Schedule annexed hereto for the purpose of constitution of one or more Advisory Committees by the appropriate Governments to advise it with regard to the extent to which women may be employed in such employments.

SCHEDULE

Wholesale trade in food, textiles, live animals, beverages and intoxicants :—

1. Wholesale trade in cereals and pulses.
2. Wholesale trade in food stuffs other than cereals and pulses.
3. Wholesale trade in textiles and textile products like all kinds of fabrics, garments, shirtings, suitings and hosiery goods.
4. Wholesale trade in beverages other than intoxicants such as aerated water.
5. Wholesale trade in intoxicants like wines and liquors including bottling of wines and liquors.
6. Wholesale trade in narcotics like opium and ganja.
7. Wholesale trade in tobacco and tobacco products.
8. Wholesale trade in animals.
9. Wholesale trade in straw and fodder.

Wholesale trade in fuel, light, chemicals, perfumery, ceramics and glass :—

10. Wholesale trade in medicines and chemicals.
11. Wholesale trade in fuel and lighting products.
12. Wholesale trade in toilets, perfumery and cosmetics.
13. Wholesale trade in metal, porcelain and glass utensils, crockery and chinaware.

Wholesale trade in wood, paper, skins and inedible oils :—

14. Wholesale trade in petrol, mobil oil and allied products.

15. Wholesale trade in wood, cane, bamboo, thatches and such other articles.
16. Wholesale trade in paper and other stationery goods.
17. Wholesale trade in skin, leather and fur and such other articles.

Wholesale trade in all types of machinery, equipment including transport and electrical equipment :—

18. Wholesale trade in agricultural and industrial machinery, harvestors threshers sowing machines and such other articles.
19. Wholesale trade in electrical machinery and equipment.
20. Wholesale trade in transport and storage equipment.

Wholesale trade in miscellaneous manufactures :—

21. Wholesale trade in furniture and fixtures.
22. Wholesale trade in rubber and rubber products.
23. Wholesale trade in household equipment not elsewhere classified.
24. Wholesale trade in building materials.
25. Wholesale trade in clocks and eye-glasses (including frames of eye-glasses).
26. Wholesale trade in hardware and sanitary equipment.
27. Wholesale trade in scientific, medical and surgical instruments.
28. Wholesale trade in precious metals, stones and jewellery.
29. Wholesale trade in goods not elsewhere specified.

Retail trade in food and food articles, beverages, tobacco and intoxicants :

30. Grain and grocery store.
31. Vegetable and fruit selling.
32. Dealers in meat, fish and poultry.
33. Dealers in sweetmeat, bakery products, dairy products and eggs.
34. Pan, bidi and cigarette shops.
35. Dealing in aerated water, soft drinks and ice cream.
36. Wine and liquor shops.
37. Retail trade in food and food articles, beverages, tobacco and intoxicants not elsewhere specified.

Retail trade in textiles :—

38. Dealing in textiles (now readymade).
39. Dealing in readymade garments.

Retail trade in fuel and other household utilities and durables :—

40. Dealing in firewood, coal and kerosene oil.
41. Utensil shops.
42. Fancy stores (including stores dealing in crockery and glassware).
43. Dealing in electrical and electronic goods.
44. Furniture shops.
45. Jewellery marts.
46. Footwear shops.
47. Retail trade in fuel and other household utilities and durables not elsewhere classified.

Retail trade in relation to certain other goods :—

48. Medical shops.
49. Booksellers and stationers.
50. Dealing in building material.
51. Dealing in transport equipment.
52. Petrol filling stations.
53. Retail trade in goods not elsewhere classified.

Restaurants and hotels :—

54. Restaurants, cafes and other eating and drinking places.
55. Hotels, rooming houses, camps and other lodging places.

[No. S-42013/23/76-WC]

का०अ०२२६८.—केन्द्रीय सरकार समान पारिश्रमिक अधिनियम, 1976 (1976 का 25) की धारा 1 की उप-धारा 1 (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 1 जुलाई, 1977 को उस तारीख के रूप में नियत करती है जिसको उक्त अधिनियम इससे उपाबद्ध अनुसूची में विनिर्दिष्ट थोक और खुदरा व्यापार तथा रेस्तरां और होटलों के नियोजनों के संबंध में प्रवृत्त होगा।

अनुसूची

खाद्य, वस्त्र, जीवित पशुओं, पेय और मादक वस्तुओं का थोक व्यापार

1. अनाज और दालों का थोक व्यापार।
2. अनाज और दालों से भिन्न खाद्य पदार्थों का थोक व्यापार।
3. कपड़ा और कपड़े के उत्पादों, जैसे हर प्रकार के कपड़ों, पोशाकों, कमीज के कपड़ों, सूट के कपड़ों और मोजे, बनियान आदि का थोक व्यापार।
4. फैनिलपेय जैसे मादक द्रव्यों से भिन्न पेयों का थोक व्यापार।
5. शराब और मदिरा जैसे मादक द्रव्यों का, जिसके अन्तर्गत शराब और मदिरा को बोतलों में भरना भी है, थोक व्यापार।
6. अफीम और गांजा जैसी नशीली वस्तुओं का थोक व्यापार।
7. तम्बाकू और तम्बाकू के उत्पादों का थोक व्यापार।
8. पशुओं का थोक व्यापार।
9. भूसे और चारे का थोक व्यापार।

ईंधन, रोशनी, रसायन, सुगन्धित सामग्री, चीनी मिट्टी की वस्तुओं और शीशे का थोक व्यापार

10. औषध और रसायन का थोक व्यापार।
11. ईंधन और प्रकाश संबंधी उत्पादों का थोक व्यापार।
12. प्रसाधन, सुगन्धित सामग्री और चीनी मिट्टी (कस्मेटिक्स) की वस्तुओं का थोक व्यापार।
13. धातु, पॉसिलेन और शीशे के बर्तन, काकरी और चीना मिट्टी के बर्तन का थोक व्यापार।
- काष्ठ, कागज, चमड़े और अबाद्य तेलों का थोक व्यापार
14. पेट्रोल, मोबिल आयल, तथा गृहव्यवस्था उत्पादों का थोक व्यापार।
15. काष्ठ, बेंत, बांस, फूस और इस प्रकार की अन्य वस्तुओं का थोक व्यापार।
16. कागज और अन्य लेखन-सामग्री का थोक व्यापार।
17. खाल, चमड़ा और लोमचर्म (फर) तथा इस प्रकार की अन्य वस्तुओं का थोक व्यापार।

परिवहन एवं विजली के उपस्कर सहित सभी प्रकार का मशीनरी, उपस्कर का थोक व्यापार

18. कृषि और औद्योगिक मशीनरी, कटाई, भूसी निकालने एवं बुवाई की मशीनें और इस प्रकार के अन्य सामान का थोक व्यापार।

19. बिजली की मशीनों और उपकरणों का थोक व्यापार।

20. परिवहन और संग्रहण उपकरणों का थोक व्यापार।

प्रकीर्ण विनिर्माण सामान का थोक व्यापार

21. फर्नीचर और फिक्सचरों का थोक व्यापार।

22. खड़ और खड़ के उत्पादों का थोक व्यापार।

23. ऐसे घरेलू उपकरणों का थोक व्यापार, जो अन्यत्र वर्गीकृत नहीं हैं।

24. भवन निर्माण सामग्री का थोक व्यापार।

25. दीवाल घड़ियों और चश्मों (नजर के शीशों के फ्रेमों सहित) का थोक व्यापार।

26. लोहे का सामान, और सफाई उपकरणों का थोक व्यापार।

27. वैज्ञानिक, चिकित्सीय और शल्य उपकरणों का थोक व्यापार।

28. कीमती धातु, रत्न और जेवर का थोक व्यापार।

29. ऐसे सामान का थोक व्यापार जो अन्यत्र विनिर्दिष्ट नहीं हैं।

खाद्य और खाद्य पदार्थों, पेय तम्बाकू और मादक द्रव्यों का खुदरा व्यापार

30. अनाज और किराना भंडार।

31. सब्जों और फल विक्रय।

32. मांस, मछली और मुर्गी-पालन का व्यापार।

33. मिठान, बेकरी उत्पादों, डेरी उत्पादों, और अण्डे के व्यापार।

34. पान, बीड़ी और सिगरेट की दुकानें।

35. फैनिलपेय (एरेटेड वाटर) मद्य रहित पेय और आईस क्रिम का व्यापार।

36. शराब और मदिरा की दुकानें।

37. ऐसे खाद्य और खाद्य पदार्थों, पेय, तम्बाकू और मादक द्रव्य में खुदरा व्यापार, जो अन्यत्र विनिर्दिष्ट नहीं हैं।

वस्त्र उद्योगों में खुदरा व्यापार

38. वस्त्र (बिना सिले हुए कपड़े) का व्यापार।

39. सिले हुए कपड़ों का व्यापार।

ईंधन और अन्य घरेलू उपयोगी और टिकाऊ वस्तुओं का खुदरा व्यापार

40. ईंधन की लकड़ी, कोयला, मिट्टी के तेल का व्यापार।

41. घर्तनों की दुकान।

42. फेंसी स्टोर (काकरी और शीशे के सामान का व्यापार करने वाले भंडारों सहित)

43. विद्युत् और इलेक्ट्रॉनिकी सामानों का व्यापार।

44. फर्नीचर की दुकानें।

45. जेवर की दुकानें।

46. जूतों की दुकानें।

47. ऐसे ईंधन और अन्य घरेलू उपयोगी और टिकाऊ वस्तुओं में खुदरा व्यापार, जो अन्यत्र विनिर्दिष्ट नहीं हैं।

कुछ अन्य सामानों के संबंध में खुदरा व्यापार

48. दवाइयों की दुकानें।

49. पुस्तक विक्रेता और लेखन सामग्री बेचने वाले।

50. भवन निर्माण सामग्री का व्यापार।

51. परिवहन उपकरण का व्यापार।

52. पेट्रोल बेचने वाले स्टेशन।

53. ऐसे सामानों का खुदरा व्यापार, जो अन्यत्र वर्गीकृत नहीं हैं।

रेस्तरां और होटल:—

54. रेस्तरां, कैफे और खाने और पीने के अन्य स्थान।

55. होटल, अस्थायी निवास गृह, कैम्प और अन्य यात्री निवास भवन।

[संख्या एस०-420-13(23)/76-डब्ल्यू०सी०]

मीना गुप्ता, अवर सचिव

S.O. 2268.—In exercise of the powers conferred by sub-section (3) of section 1 of the Equal Remuneration Act, 1976 (25 of 1976), the Central Government hereby appoints the 1st day of July 1977 as the date on which the said Act shall come into force in respect of employments in wholesale and retail trade and restaurants and hotels specified in the Schedule annexed hereto:

SCHEDULE

Wholesale trade in food textiles, live animals, beverages and intoxicants:—

1. Wholesale trade in cereals and pulses.
2. Wholesale trade in food stuffs other than cereals and pulses.
3. Wholesale trade in textiles and textile products like all kinds of fabrics, garments, shirtings, suitings and hosiery goods.
4. Wholesale trade in beverages other than intoxicants such as aerated water.
5. Wholesale trade in intoxicants like wines and liquors including bottling of wines and liquors.
6. Wholesale trade in narcotics like opium and ganja.
7. Wholesale trade in tobacco and tobacco products.
8. Wholesale trade in animals.
9. Wholesale trade in straw and fodder.

Wholesale trade in fuel, light, chemicals, perfumery, ceramics and glass:—

10. Wholesale trade in medicines and chemicals.
11. Wholesale trade in fuel and lighting products.
12. Wholesale trade in toilets, perfumery and cosmetics.
13. Wholesale trade in metal, porcelain and glass utensils, crockery and chinaware.

Wholesale trade in wood, paper, skins and inedible oils:—

14. Wholesale trade in petrol, mobil oil and allied products.
15. Wholesale trade in wood, cane, bamboo, thatches and such other articles.
16. Wholesale trade in paper and other stationery goods.
17. Wholesale trade in skin, leather and fur and such other articles.

Wholesale trade in all types of machinery, equipment including transport and electrical equipment:—

18. Wholesale trade in agricultural and industrial machinery, harvestors, threshers, sowing machines and such other articles.
19. Wholesale trade in electrical machinery and equipment.
20. Wholesale trade in transport and storage equipment.

Wholesale trade in miscellaneous manufactures:—

21. Wholesale trade in furniture and fixtures.
22. Wholesale trade in rubber and rubber products.
23. Wholesale trade in household equipment not elsewhere classified.
24. Wholesale trade in building materials.
25. Wholesale trade in clocks and eye-glasses (including frames of eye-glasses).
26. Wholesale trade in hardware and sanitary equipment.
27. Wholesale trade in scientific, medical and surgical instruments.

28. Wholesale trade in precious metals, stone and jewellery.

29. Wholesale trade in goods not elsewhere specified.

Retail trade in food and food articles, beverages, tobacco and intoxicants :

30. Grain and grocery store.

31. Vegetable and fruit selling.

32. Deal in meat, fish and poultry.

33. Deal in sweetmeat, bakery products, dairy products and eggs.

34. Pan, bidi and cigarette shops.

35. Dealing in aerated water, soft drinks and ice cream.

36. Wine and liquor shops.

37. Retail trade in food and food articles, beverages, tobacco and intoxicants not elsewhere specified

Retail trade in textiles :—

38. Dealing in textiles (non-readymade)

39. Dealing in readymade garments.

Retail trade in fuel and other household utilities and durables :—

40. Dealing in firewood, coal and kerosene oil.

41. Utensil shops.

42. Fancy stores (including stores dealing in crockery and glassware).

43. Dealing in electrical and electronic goods.

44. Furniture shops.

45. Jewellery marts.

46. Footwear shops.

47. Retail trade in fuel and other household utilities and durables not elsewhere classified.

Retail trade in relation to certain other goods :—

48. Medical shops.

49. Booksellers and stationers.

50. Dealing in building material.

51. Dealing in transport equipment.

52. Petrol filling stations.

53. Retail trade in goods not elsewhere classified.

Restaurants and hotels :—

54. Restaurants, cafes and other eating and drinking places.

55. Hotels, rooming houses, camps and other lodging places.

[No. S-42013/23/76-WC]

MEENA GUPTA, Under Secy.

आदेश

नई दिल्ली, 27 जून, 1977

कां०आ० 2269—केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स एसोसिएटेड सीमेंट कम्पनीज, लिमिटेड, मदुक्कारई के प्रबन्धतन्त्र और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करना वांछनीय समझती है;

अतः, अब, केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एक औद्योगिक अधिकरण का गठन करती है जिसके पीठासीन अधिकारी श्री टी० एन०

शिगारवेलू होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिये निर्देशित करती है।

अनुसूची

1. "क्या मैसर्स एसोसिएटेड सीमेंट कम्पनीज लिमिटेड, मदुक्कारई, डाकघर, कोयम्बतूर जिला के प्रबन्धतन्त्र द्वारा 13-9-1974 से श्री कुमारन, टी० सं० 51, ड्रिलर को 'ग' ग्रेड से 'ख' ग्रेड में पदोन्नत करना और 'ग' ग्रेड के निम्नलिखित ड्रिलरों, अर्थात् :—

(1) श्री एस० रामलिंगम, आर० सं० 15;

(2) श्री एस० बेलुस्वामी, टी० सं० 153;

(3) श्री एस० अरुमुघम, टी० सं० 26;

(4) श्री चिन्नाकरप्पन, टी० सं० 154; और

(5) श्री शंकरन, टी० सं० 158;

के दावों की उपेक्षा करना न्यायोचित है? यदि नहीं, तो वे किस अनुतोष के और किस तारीख से हकदार हैं?"

2. 'जैक हैम्बर ड्रिलरों,' को 'हालको ड्रिलरों' की श्रेणी में पदोन्नत करने का मापदण्ड क्या होना चाहिये तथा क्या केवल जैक हैम्बर ड्रिलरों के लिये वर्तमान ग्रेड 'घ' और 'ग' और हालको ड्रिलरों के लिये 'घ', 'ग' और 'ख' न्यायोचित हैं?

[सं० एल०-29011/34/76-डी०-III-बी]

बी० वेलायुधन, अवसर सचिव

ORDER

New Dehi, the 27th June, 1977

S.O. 2269.—Whereas, the Central Government is of opinion that an industrial dispute exists between the Management of Messrs Associated Cement Companies Limited, Madukkarai and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. N. Shingaravelu shall be the Presiding Officer with headquarters at Madras, and refer the said dispute for adjudication, to the said Tribunal.

SCHEDULE

1. "Whether the management of Messrs Associated Cement Companies Limited, Madukkarai, P.O. Coimbatore District in promoting Shri Kumaran T. No. 51, Driller from 'C' grade to 'B' grade with effect from 13-9-1974 overlooking the claims of the following drillers in 'C' grade namely (i) Shri S. Ramalingam. R. Nos. 13; (ii) Shri S. Veluswamy. T. No. 153, (iii) Shri S. Arumugham, T. No. 26, (iv) Shri Chinnakaruppan, T. No. 154 and (v) Shri Sankaran, T. No. 158 is justified? If not to what relief are they entitled to and from what date?"

2. "What should be the criteria for promotion of 'Jack Hammer Drillers' to the category of 'Halco Drillers' and also whether the existing grades 'D' and 'C' only for Jack Hammer Drillers and Grades 'D', 'C' and 'B' for Halco Drillers are justified?"

[No. L-29011/34/76-D. III.B.]

V. VELAYUDHAN, Under Secy.

नई दिल्ली, 25 जून, 1977

ANNEXURE 'A'

कां०आ० 2270.—केन्द्रीय सरकार, कोल माइन्स पिट-हेड बाथ रूल्स, 1959 के नियम 2 के उपनियम (ख) के अनुसरण में और भारत सरकार के भूतपूर्व धर्म और रोजगार मंत्रालय की अधिसूचना सं० एस० ओ० 3443, तारीख 24 अक्टूबर, 1970 को अधिकृत करते हुए श्री एच०एच० खुरेशी को, उक्त नियमों के अधीन सक्षम प्राधिकारी के, सभी कृत्यों का पालन करने के लिये, कोयला खान कल्याण का अपर आयुक्त नियुक्त करती है ।

[सं० ए०/12026/2/77-एम०-II]

सं० न० सक्सेना, कल्याण आयुक्त (हेडक्वार्टर्स)

New Delhi, the 25th June, 1977

S.O. 2270.—In pursuance of sub-rule (b) of rule 2 of the Coal Mines Pit-head Bath Rules, 1959 and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S. O. 3443, dated the 24th October, 1970, the Central Government hereby appoints Shri H. H. Quraishy, Additional Coal Mines Welfare Commissioner, to perform all the functions of a competent authority under the said rules.

[No. A-12026/2/77-MII]

S. N. SAXENA, Welfare Commissioner (H.Q.)

New Delhi, the 28th June, 1977

S.O. 2271.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Allahabad Bank, Calcutta and their workmen, which was received by the Central Government on 22-6-77.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 9 of 1977

PARTIES: Employers in relation to the management of the Allahabad Bank, Calcutta,

AND

Their Workmen.

APPEARANCE:

On behalf of Employers Absent

On behalf of Workmen Absent.

State : West Bengal

Industry : Banking.

AWARD

The Government of India, Ministry of Labour, by their Order No. L-12011/3/77-D. II. A. dated 22-4-1977, referred an industrial dispute existing between the employers in relation to the management of the Allahabad Bank, Calcutta and their workmen, to this Tribunal, for adjudication. The reference reads:

"Whether the action of the management of Allahabad Bank, Calcutta in appointing 35 workmen mentioned in Annexure 'A' as permanent Cashiers with effect from 29-1-75 without giving them the benefit of their temporary service in the Bank is justified? If not, to what relief are these workmen entitled?"

47 GI/77—10

Sl. No.	Name	Date of initial Appointment
1.	Shri Bijoy Laha	27-12-72
2.	Shri Amrit Sharma	27-12-72
3.	Shri Bhagavati Pd. Kapoor	21-6-72
4.	Shri Arun Mustafi	29-12-72
5.	Shri Swapan Kumar Ghosh	3-1-73
6.	Shri Nirmal Kumar Banerjee	9-1-73
7.	Shri Amit Kumar Chakraborty	24-1-73
8.	Shri Prithwis Chowlia	24-1-73
9.	Shri Subrata Mukherjee	24-1-73
10.	Shri Haridas Day	24-1-73
11.	Shri Surendra Rai	24-1-73
12.	Shri Dipankar Das	27-1-73
13.	Shri Dilip Kukar Ghosh	29-1-73
14.	Shri Ganga Pd. Singh	1-2-73
15.	Shri Prem Ch. Khanna	1-2-73
16.	Shri Debandra Pd. Mishra	1-2-73
17.	Shri Prabir Kumar Biswas	7-2-73
18.	Shri Shree Chand Tandon	16-2-73
19.	Shri Sukhendu Das	14-5-73
20.	Shri Satya Brata Chatterjee	15-5-73
21.	Shri Tarun Kumar Dutta	14-5-73
22.	Shri Nemai Banerjee	9-7-73
23.	Shri Chitta R. Dutta	8-8-73
24.	Shri Uttam Kumar Chatterjee	3-9-73
25.	Shri Pradip Kr. Ghosal	17-9-73
26.	Shri Md. Fahimuddin	3-9-73
27.	Shri Ram Kr. Saha	23-7-73
28.	Shri Dilip Kr. Tandon	8-11-73
29.	Shri Bijay Kumar Chakraborty	10-9-73
30.	Shri Susanta Kr. Sarkar	13-9-73
31.	Shri Jayan Kr. Samanta	10-9-73
32.	Shri Baban Pandey	10-9-73
33.	Shri Uttam Kr. Mishra	13-9-73
34.	Shri Swapan R. Chakraborty	13-9-73
35.	Shri Shyam Sunder Mehra	27-9-73"

2. The parties did not file written statement even after the summons was received by them.

3. However they have now filed a joint application stating that the subject matter of the Reference is settled out of Court

4. In the result, the Reference is rejected as settled out of Court.

Dated Calcutta,

15th June, 1977.

E. K. MOIDU, Presiding Officer.

[F. No. L-12011/3/77-D. II. A.]

S.O. 2272.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the State Bank of India, Mandla Branch and their workmen, which was received by the Central Government on the 22-6-77.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT,
JABALPUR (M.P.)

Case No. CGIT/LC(R)(12)/1976

PARTIES :

Employers in relation to the State Bank of India, Mandla Branch and their workman, Shri Nannhelal Koshti, Watchman.

APPEARANCES :

For workman.—Shri P. S. Nair, Advocate.

For Bank.—Shri S. S. Sharma, Officer of the Bank.

INDUSTRY : Banking

DISTRICT : Mandla (M.P.).

Dated June 16, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its order No. L-12012/65/76-DII A Dated 27-8-1976 for the adjudication of the following industrial dispute:—

"Whether the action of the management of State Bank of India, Mandla Branch in discharging Shri Nannhelal Koshti, Watchman from service with effect from 18-8-1975 is justified? If not, to what relief is the workman entitled?"

2. Shri Nannhelal Koshti, Watchman, admittedly burnt certain papers in the night between 29th and 30th September, 1972 in the Bank premises of Mandla Branch of State Bank of India. In the morning ashes were thrown away in an open place outside the premises of the bank from where they were collected at about 11 a.m. on 30th September, 1972. The ashes contain some pieces of burnt vouchers such as cheques, drafts etc. The enquiry was conducted by Shri G. G. Vaidya, Enquiry Officer. It has been held vide order dated 15-3-1977 that the enquiry was proper and no principle of natural justice was violated. Proper opportunity of defence was given to the delinquent. The Enquiry Officer submitted a report holding that the charge of burning some vouchers of 29th September, 1972 belonging to the Bank was established against Shri Nannhelal Koshti. However, he submitted that no motive was established against the delinquent and that could be a mitigating circumstance. The disciplinary officer proposed the punishment of discharge and after considering the representation of Shri Nannhelal Koshti discharged him from the service with effect from 18th August, 1975.

3. Now the questions raised on behalf of the workman before this Tribunal are :

That the delay in framing the charge was fatal and amounted to waiver of the proposed action. There was violation of the mandatory provision of Sastri Award inasmuch as the intention to take the proposed action was not communicated within three days. The Enquiry report was perverse as the findings were not based on legal evidence. The burden was, wrongly placed on the workman and the guilt was not fully established against Shri Koshti. There was discrimination between one workman and the other as the accountant was simply warned and transferred for the loss of the same vouchers while Shri Nannhelal Koshti was discharged from service. This affected the validity of the order. In any case the punishment awarded was grossly disproportionate to the nature and seriousness of delinquency and requires to be revised specially because the factors necessary to be considered for awarding the punishment were ignored at the time of awarding the same.

4. The management has denied all these allegations. The points so raised shall be taken up one after the other in the following paragraphs.

5. The paper which is marked as Ex. 11 in the enquiry file is an application tagged to the register. It was given by Shri Nannhelal on 4-10-1972. In that application he

admitted that the Agent of the Bank had served him with a memo on 30th September, 1972 at 6 p.m. enquiring about five bundles. Shri Sharma, appearing for the management argued that the service of this memo on Shri Nannhelal Koshti amounted to giving notice to the delinquent that the management proposed to initiate departmental enquiry against him. It amounted to substantial compliance of the direction given in sub-clause (9) of Clause 521 of Sastri Award, which runs as follows :—

"When it is decided to take any disciplinary action against an employee such decision shall be communicated to him within three days thereof."

6. The sub-clause envisages that at first the management should decide to take disciplinary action and then the communication should follow within three days of such a decision. There is absolutely no evidence as to when the management took a decision to start domestic enquiry against him. Such a decision could not be taken on 30th September, 1972 itself. The papers of enquiry proceedings vide Ex. 2 to Ex. 11 attached to the register go to show that some fact finding enquiry was instituted about that incident which enquiry continued upto 5-10-1972. All concerned persons were served with the notices. The management had to decide as to how many persons were involved and who others were negligent so that the vouchers, which should have been in the safe, were left in the waste paper basket affording an opportunity of being burnt at the hands of the Chowkidar along with other waste papers. A decision on this point could not therefore be taken before 5-10-1972. It is thus obvious that the management could not have taken a decision on 30th September, 1972 to start domestic enquiry against Shri Nannhelal Koshti. Such a decision as said above is sine-qua-non for addressing the required communication to delinquent employee. It is thus clear that the memo of 30th September, 1972 could not be the memo desired to be given to the delinquent employee vide sub-clause 9 of Clause 521 of Sastri Award.

7. Moreover the reference of the memo dated 30th September, 1972 made in Ex. 11 says that under that memo Shri Koshti was asked to explain about five bundles. It is obvious from Ex. 2 to Ex. 11 (papers of fact finding enquiry) that such memos were addressed to several other employees and they were asked to explain the facts within their knowledge. The aforesaid reference of the memo addressed to Shri Nannhelal Koshti does not mention that the memo expressed management's intention to take disciplinary action against him. It was for the management to produce the office copy of that memo if it thought that the memo did give such intimation as is desired by sub-clause (9) of Clause 521. It failed to produce the document and this may give rise to adverse inference. Thus the said memo dated 30th September, 1972 could not be the one contemplated under the said provision.

8. The charge-sheet annexure A to the management's written statement states that Regional Manager had ordered to serve the charges upon Shri Koshti. This means that Regional Manager was the competent authority for taking disciplinary action. It necessarily follows that a decision to take disciplinary action could have been taken only by the Regional Manager and not by the Agent of the Branch. The memo dated 30th September, 1972 was from Branch Manager and not from the Regional Manager. In fact Regional Manager had not been informed of the incident by the time the said memo of 30th September, 1972 was issued to Shri Koshti. This again establishes very clearly that the said memo of 30th September, 1972 could not be the one contemplated under the aforesaid provision of Sastri Award.

9. Even the service of the charge-sheet could be deemed to be giving the information to the delinquent about the management's decision to start disciplinary proceedings against him provided the charge-sheet is served within three days of such a decision. But as said above it is not clear as to when that decision was taken by the competent authority and therefore it cannot be said that the charge-sheet was served within three days of such a decision. It was for the delinquent to prove that the requirements of sub-clause (9) of Clause 521 were not followed and for that it was necessary for him to prove the date of decision of the competent authority to initiate against him a domestic enquiry. He could have got the relevant documents produced or could have examined the concerned disciplinary officer. He cannot draw the benefit from his own mistake in not furnishing

proper proof of the non-compliance of the aforesaid provisions of Sastri Award. Thus though the document relied upon by the management is not the one which was issued in compliance of the directions contained in the said sub-clause yet the delinquent, who had raised the plea of non-compliance of the said provision of Sastri Award has failed to substantiate it by proper evidence.

10. Moreover the said provision is not mandatory. Sastri Award does not lay down the consequence of the non-compliance of that provision. The delay if any could not attract waiver or acquiescence. Many times, as in the present case, the provision as to the time limit is only directory. It was so held in *Remington Rand of India Vs. Workmen* (AIR 1968 SC 224) with respect to the provision of time within which an award should be published. An award published even after the lapse of that time will not become invalid on that account. So is the case here. Even if the delinquent is not informed within three days it would not render the proceedings illegal or void. This point has therefore no force.

11. The next point relating to the delay of seven months in serving the charge-sheet and starting the domestic enquiry has also no force even though there is no apparent explanation for this inordinate delay. The fact finding enquiry had finished by about 5th October, 1972, and there is nothing to show on the record as to why the matters were delayed till 19-4-1973 when the charge-sheet was framed. This point of delay has already been dealt with in the order dated 15-3-1977. There is no need to dilate upon it here. The delay will not give rise to any presumption of waiver of action nor shall it invalidate the proceedings.

12. Learned Counsel for the workman has argued that the charge does not make out any specific major misconduct and for a minor misconduct, if any, the punishment of discharge from service could not be awarded by the authority concerned. It is true that the charge fails to mention any specific sub-clause of Clause 521 of the Sastri Award. However, the act alleged can at the most be said to be covered either by sub-clause (4) (d) or (4) (j) of Clause 521 of Sastri Award. Sub-clause (4) (d) runs as follows:—

“wilful damage or attempt to cause damage to the property of the bank or any of its customers.”

The word ‘wilful’ has been used in the same sense as in the first explanation of Sec. 107 of Indian Penal Code. It speaks of mens-rea as a necessary ingredient and governs the clause ‘damage to the property of the bank’. It is thus apparent that in order to attract this provision the damage should be wilfully caused. The delinquent did admit that he wilfully burnt waste papers but there is no evidence nor admission that the Bank vouchers were also wilfully burnt along with waste papers. They could not be seen and were put on the fire rather inadvertently. Shri Sharma has admitted at the bar that there was neither any motive alleged nor any intention established for the delinquent to burn the Bank vouchers. The charge also fails to mention the mens-rea which is an essential ingredient of the misconduct contemplated under this sub-clause. Thus there is neither any charge nor any evidence to bring the act within the mischief of sub-clause (4) (d) of Clause 521.

13. Sub-clause (4)(j) runs as follows:—

“doing any act prejudicial to the interests of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss.”

This sub-clause combines three independent major misconducts viz. :—

- (i) doing any act prejudicial to the interests of the bank; or
- (ii) gross negligence; or
- (iii) negligence resulting in or likely to result in serious loss.

The alleged act and the language of the charge point towards the misconduct conceived in the first part of this sub-clause i.e. doing any act prejudicial to the interests of the bank.

14. Learned Counsel for the delinquent employee has argued that mens-rea should be presumed to be an essential ingredient of the misconduct contemplated in the first part because the words indicating the mens-rea specifically appear in the second and third parts. Moreover the magnitude of the prejudicial act should be such as to be equivalent to the magnitude of the delinquency contemplated in the second and third parts i.e. the act should be of grossly prejudicial nature because all the three types of misconducts have been huddled together in one and the same sub-clause.

15. Simply because the words ‘gross negligence’ or ‘negligence’ resulting in serious loss appear in the latter two parts of the sub-clause, it cannot be presumed that similar mens-rea should be inherently in existence in the first part as well. The rule of ejusdem generis has no inverse application. It was so held by the Court of Appeal in *Re Wellsted’s Will Trusts* (1949 (1) All.E.R.577 (588)), by the Privy Council in *Canadian National Railways Vs. Canada Steamship Lines Ltd.* (1945 S.C. 204 (211)) and by the Supreme Court in *Thakur Amar Singh Vs. State of Rajasthan* (AIR 1955 SC 504 (523)). What prevented the authors of the award to write that the act should be wilful or grossly prejudicial to the interest of the bank? No degree of seriousness can be added to the first part because of the degree of seriousness expressed in the latter two parts of the sub-clause (4)(j).

16. The first part therefore conceives of strict liability misconduct which means the actus-reus itself of punishable if it is prejudicial to the interests of the bank without there being any mens-rea or inadvertence on the part of the employee. The provision is conceived with a view to save the bank from all acts prejudicial to its interest whether they are done intentionally, knowingly, wilfully, negligently or foolishly. The quantum of punishment may differ according to the presence or absence of mens-rea or the gravity of the actus-reus.

17. In the leading case of *Sherras Vs. De-Rutzen* (1895-99) All.E.R. 1167 (1169), following three classes of cases were mentioned where the legislature enacted a strict liability offence—

- (i) cases where the act is not criminal in the real sense;
- (ii) cases where the act is prohibited in public interest under a penalty; and
- (iii) where the proceedings though criminal are in fact the summary mode of enforcing a civil right.

This misconduct of the acts prejudicial to the interests of the bank satisfies all the three aforesaid conditions. All acts prejudicial to the bank may not be strictly criminal. It is in public interest to restrain the employees of the bank from doing such acts and virtually this provision protects the civil right of the bank to carry on its business unsabotaged. In some cases under Essential Commodities Act the Supreme Court observed that the severity of punishment provided may also be pointer for determining whether the provision carves out a strict liability offence. From that point of view also this major misconduct has been made punishable not simply by dismissal but by a range of punishments from stoppage of increments to the severest penalty of dismissal from service. Thus considering from all these angles it is clear that this first part of sub-clause (4)(j) conceives a strict liability misconduct for which mens-rea is not necessary. The charge and the alleged act squarely fall within the mischief of this sub-clause.

18. This brings us to the argument that the findings of the Enquiry Officer are perverse because they are not based on evidence, and the burden has been wrongly placed on the delinquent. The standard of proof required for establishing the charge has also been under estimated. It is argued that there is no evidence to prove that—

- (a) the vouchers burnt were of this bank;
- (b) the ash recovered at 11 a.m. from the open place was the same as of the papers burnt by the Watchman in the night; and
- (c) the vouchers burnt were of 29th September, 1972.

19. It is admitted that the Watchman, Shri Koshti, burnt the papers taking them from the waste paper basket. If they contained the vouchers it is obvious that those vouchers were the property of this branch of the Bank. Possession is the evidence of ownership.

20. Shro Prasad Bajpai has stated that the ashes collected from the place outside the bank premises did contain bank vouchers. One half burnt piece indicates that it was the voucher for Rs. 500 a cheque executed in favour of Sitaram Khem Chand issued against the Savings Bank accounts in the Bank of India Mandla Branch. There is another piece under which Rs. 1000 were paid to Kailash. It bears a part of the seal in which letters 'NDLA' which are the last letters of 'Mandla' are clearly visible. These two vouchers are kept separately in the envelope marked 'A'. There are other 5/6 pieces of vouchers from which much of the particulars cannot be gathered. It is thus obvious that the ashes collected did contain half burnt pieces of vouchers of the Mandla branch of the State Bank of India.

21. The ash of the burnt papers was thrown away behind the Manager's room under a tree at about 7 in the morning and it was from the same place that this ash was collected at 11 a.m. Though the place was open and accessible yet there is neither any allegation nor any suggestion that anybody was interested in falsely implicating the Chowkidar or in tampering with the ash. Bank vouchers are not available on the road for being planted. Thus the suggestion at a late stage that there is no evidence to prove that between 7 a.m. and 11 a.m. anybody tampered with the ash or planted half burnt vouchers in it, cannot but be an extra-vagant hypothesis which is not sufficient to break the chain of circumstantial evidence as was held in *Govindareddy Vs. State of Mysore* (AIR 1960 SC 29). The Enquiry Officer believed the evidence and not unreasonably. His assessment of evidence cannot be lightly interfered with. It is permissible for him to believe even a sub-standard evidence which a Court of law may not hold to be of much credence yet that discretion is his and the tribunal is not competent to substitute its own assessment of evidence unless it comes to a finding that it is a case of no evidence. It is, therefore, held that the Enquiry Officer's finding that it was the same ash and the delinquent burnt the vouchers of this bank cannot be said to be perverse or based on no evidence.

22. However, there is no legal evidence to prove that the vouchers burnt were of 29th September, 1972. The charge is specific about the vouchers of that date. It did not speak of any and every voucher of any other date. The delinquent was required to meet that charge relating to the vouchers of 29-9-1972 and not something which was not in the charge. None of the half burnt pieces bear any impression of date, hence the fact that some half burnt pieces of vouchers were found in the ash, is by itself not sufficient to establish the charge of burning the vouchers of 29-9-1972.

23. The Branch Manager did state before the Enquiry Officer that the delinquent burnt the bank vouchers of 29th September, 1972 but it is obvious that he was not present at the time when the vouchers were burnt nor he had any direct knowledge on the point. His statement is only a hear-say inferential evidence which is not admissible and cannot be called legal evidence. It is true that in *State of Haryana Vs. Ratan Singh* [1977 (34) FIR 26] the High Court of Punjab and Haryana did observe that there is no allergy to the admission of hear-say evidence in domestic enquiries provided it has reasonable nexus and credibility but this observation even though circumscribed by several cautious statements cannot be said to be laying down good law in the face of the Supreme Court's categorical expression in *Central Bank of India Vs. Prakash Chand Jain* (7 SCLJ 541) that the hear-say evidence is not admissible hence the finding based on it in a domestic enquiry cannot be upheld. I am, therefore, of the view that the statement of the Branch Manager is not sufficient to prove that the vouchers that were burnt were of 29th September, 1972.

24. Shri L. N. Deshmukh stated that he was the last man to leave the bank at the closing hours on 29-9-72. He does not remember where the vouchers were kept by Shri L. P. Yadav but the latter was sent to send a telegram only

after he had put in all papers in the safe and the almirah and had locked them properly. Similar is the statement of Shri L. P. Yadav. However, Shri Prasad Bajpai who is the Naik of the Bank stated categorically that he was present at the closing time that day because he was granted one hour's overtime, and saw that no voucher was left outside. All the vouchers and books were only kept inside the almirah before the accountant left the Bank.

25. Whereas Shri L. N. Deshmukh and closing messenger Shri L. P. Yadav do not say that on 29-9-72 the vouchers were left outside; they feign ignorance by giving non-committal replies in order to save their skin; Shri Shiv Prasad Bajpai is categorical that no paper was left outside. The impact of this positive evidence that there was no voucher of 29th left outside, so no voucher of that date could be burnt by Shri Koshti, was not considered by the Enquiry Officer. He only argued that when at the opening time vouchers, which are usually kept in the safe, were not found there on 30th September, 1972 it was obvious that they were left out the previous evening. He forgets that they could be misplaced anywhere else or could be got mixed up with other papers in the closing confusion. The inference drawn by him is not the necessary corollary hence it cannot belie the direct and positive testimony of the eye witness Shri Shiv Prasad Bajpai. The Enquiry Officer has not touched his evidence at all and has thus chosen to deal with only that evidence which conveniently supported his conclusion of guilt. This is not the proper way of marshalling the evidence.

26. Nannhelal is categorical that he burnt the waste papers. He said so at the earliest opportunity when he was questioned about the ash on 30th at 9.30 a.m. by Lal Bahadur. No enquiry had started till then. This was not the first time that waste papers were burnt in bank premises. Lal Bahadur recalls that previously also waste papers or refuse etc., used to be burnt in a cigri but not on the floor as in the present case. Simply because this time papers were burnt on the floor it cannot be presumed that some mischief was played or vouchers were burnt.

27. The only connecting link between the loss of vouchers of 29th and the pieces of burnt vouchers recovered from the ash which was thrown behind Manager's room under a tree, could be established by tracing out of the transactions evidence by the half burnt pieces specially those two which I have kept in envelope 'A'. It was not impossible to trace from the registers of the bank whether any cheque issued on the Savings Bank Account of Bank of India, Mandla Branch in the name of Sitaram Khem Chand for Rs. 500 was received or encashed that day. Similarly it could easily be traced whether Rs. 1000 were paid that day to Kailash. I think the Bank officers must have made such an attempt during all these 7 months for which period the enquiry was delayed, but these recovered half burnt vouchers must not have been of 29th hence they were unable to establish this important link. They could not even prepare a list of the vouchers of 29th September, 1972 during this long period of 7 months.

28. Thus though the evidence proves that vouchers of 29th were found missing on 30th yet it is clear that they were not left outside on the table or in waste papers basket and Shri Koshti had no opportunity to burn them. Nannhelal did burn the waste papers that night and inadvertently that might have included some discarded vouchers or dead or cancelled vouchers of some other date but there is absolutely no evidence that he burnt the vouchers of 29th nor the recovered ash indicates that the whole lot of vouchers of 29th, which must have been a fairly big bundle, was burnt that night. The ashes only indicate that some stray vouchers might have been burnt along with waste papers. In this way there is no evidence to establish the charge that vouchers of 29-9-1972 were burnt. It is strange that the one who misplaced the vouchers of 29th negligently suffers only a transfer and some warning while the poor Watchman with an honest career of 10/12 years is made the scape-goat and punished with discharge from service even when there is no evidence against him. This discrimination may not be illegal or unconstitutional but it is certainly unhappy and uncalled for. It is thus held that the Enquiry Officer's finding that the vouchers of that particular date were burnt is based on no-evidence and is therefore a perverse finding.

29. In any case I cannot help saying that the punishment awarded is grossly disproportionate to the gravity of the charge even if it is held to be proved. Its gravity cannot be enhanced on airy susceptibilities that the bank might have suffered any big amount of loss or the building might have caught fire and collapsed etc. These are hypothetical apprehensions. The following extenuating circumstances were present and yet were not considered by the disciplinary authority disregarding the directions in sub-clause (10)(c) of Clause 521 of Sastri Award:—

- (a) The nature of the incident though technically a gross misconduct appears to be flowing out of inadvertence, the gravity of which was not apprehended by the delinquent.
- (b) No loss or damage has been proved to have been caused to the bank by the said Act.
- (c) It is not proved as to what prejudice was actually caused to the bank or its business.
- (d) No cause or motive for acting against the interest of the bank has been alleged or proved against the delinquent employee.
- (e) Rendering of the honest faithful and unblemish service of 10/12 years was not considered at all. Visiting of minor inadvertence with the severest penalty (discharge and dismissal have not much of the distinctive features for an employee) may verge on victimisation.
- (f) Lastly the fact that Shri Koshti was never suspended and was allowed to discharge his normal duties even after the date of incident for almost three years till the date of discharge speaks volumes against the loss of confidence or alleged apprehensions against the security or interest of the bank.

30. Considering all these facts and circumstances it is held that the finding of the Enquiry Officer was perverse. The punishment awarded by the disciplinary authority is, therefore, set aside and the delinquent is reinstated with all back wages and other benefits. He shall report to the Branch Manager within one month from the date of publication of this award in the Gazette for rejoining his duties. The Bank shall pay Rs. 100 as costs of this litigation to the employee besides all his arrears of pay etc.

16-6-1977.

S. N. JOHRI, Presiding Officer

[F. No. L-12012/65/76-D.II.A.]
R. P. NARULA, Under Secy.

New Delhi, the 21st June, 1977

S.O. 2273.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay, in the industrial dispute between the employers in relation to the management of the Western Railway Carriage Workshops Canteen, Parel and Mahalaxmi, Bombay and their workmen, which was received by the Central Government on the 17th June, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/4 of 1976

PARTIES :

Employers in Relation to the Management of the Western Railway Carriage Workshops Canteen, Parel and Mahalaxmi, Bombay,

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri M. P. Pai, Advocate.

For the Workmen—Shri J. G. Gadkari, Advocate.

INDUSTRY : Railways.

STATE : Maharashtra.

Bombay, dated the 6th June, 1977

AWARD

The Government of India, Ministry of Labour acting under Section 10(1)(a) of the Industrial Disputes Act, 14 of 1947 has by its order No. L-41012(62)/72-LR.III/D.IIB, dated the 4th February, 1976 referred the following dispute to this Tribunal for adjudication.

“Whether the demands of the workmen of the Western Railway Carriage Workshops Canteen, Parel and Mahalaxmi, Bombay, for (i) grant of dearness allowance and (ii) for grant of sick leave and casual leave with wages, are justified? If so, to what reliefs are the workmen entitled?”

On behalf of the workmen of the Canteen the General Secretary, Hotel Mazdoor Sabha has filed statement of claim stating that the workmen are the employees of the Western Railway Carriage Workshops Canteens at Parel and Mahalaxmi (hereinafter referred to as ‘Canteen’). The workmen organised themselves and joined the said Sabha in or about the month of May, 1971. The Union by its letter dated 12-6-1971 demanded better pay scales, Dearness Allowance, Casual Leave, Washing Allowance etc. The matter was referred for conciliation on or about 22-6-1971. The conciliation proceedings having failed the dispute was referred to the State Industrial Tribunal by the Government of Maharashtra, which by its award dated 27-7-1972 rejected the reference on the ground of want of jurisdiction as in its opinion the dispute pertained to an industry run by or under the authority of the Central Government. Thereafter the matter was referred to the Regional Labour Commissioner (C), Bombay for conciliation. The Assistant Labour Commissioner (C), Bombay submitted his failure of conciliation report in October, 1972. Thereafter the Central Government has referred this dispute to this Tribunal for adjudication by its order dated 4-2-1976. They say that the Western Railway Administration is obliged to run the Canteen under the provisions of Section 46 of the Factories Act. The Canteen is managed by a Committee constituted by the Railway Board. The Railway Board meets the expenses of the Canteen on account of purchase of utensils, furniture, coal, fuel and all types of vessels and utensils. It also reimburses the expenditure incurred by it in paying the wages to its workmen. It is run on no profit, no loss basis. If any profit is made the same is repaid to the Consumers by reducing the cost of eatables. The Union therefore submits that the question of financial capacity of the Canteen management to pay the enhanced wages does not enter the picture. The Union demands Dearness Allowance of Rs. 100 per month at cost of living index standing at 800 points, and for every 10 points rise in the cost of living index they claim additional D.A. of Rs. 3 per month. On this basis they claim of Rs. 210 per month for the unskilled workmen. The minimum wages that are now being paid by the Canteen to the lowest category of workmen viz., Cleaner is Rs. 110 p.m. basic pay and Rs. 20 as Ad-hoc D.A. Out of this pay Rs. 15 per month is deducted towards food that is supplied to the workers. They justify this demand on the basis of region-cum-industry wise, as well as the wages fixed under the Minimum Wages Act. The workers claim 10 days sick leave with wages and allowance with facility to accumulate the same for 30 days. The Canteen workers are not covered by the E.S.I. Scheme. The Union submits that the aforesaid demands of the Canteen workers are modest and are enjoyed by their counter-parts working in the industry.

On behalf of the management a written statement is filed saying that the Canteen in question is not an industry within the meaning of the Industrial Disputes Act and therefore this reference for adjudication is incompetent. They claim that the wages that are now being paid to the employees are above the minimum wages fixed under the statute and also the wages that are paid to the workers in the other Canteens. They deny the allegation that the Railway Administration is running the Canteen. According to them the Canteen is being run by a Committee and that the Railway Administration only sees to it that their workmen get the maximum benefit from this Canteen. They plead their inability to pay the higher wages that are now claimed. They say that the enhanced D.A. claimed by the workers is excessive. They also say that after the promulgation of the

emergency the prices have registered a downward trend and therefore the demand for D.A. on the basis of rising cost of living index is not justified. Regarding the demand for leave they submit that they are giving 21 days leave with pay besides 15 workshop holidays in a year with wages. For the aforesaid reasons they pray that this reference may be rejected.

On the above averments the points that arise for consideration are :—

- (1) Whether this Tribunal has no jurisdiction to entertain this reference ?
- (2) Whether there is a case for grant of D.A. and if so, to what D.A. are the workmen entitled and from what date ?
- (3) Whether the management has the capacity to bear the additional burden if any ?
- (4) Whether the workmen are entitled to sick leave and casual leave as prayed for ?
- (5) To what relief ?

Point 1 :

Originally this dispute was referred by the Maharashtra Government to the State Industrial Tribunal. Before this Tribunal it was contended on behalf of the management that this dispute pertains to an industry that was carried on by or under the authority of the Central Government and therefore the reference to the State Tribunal was incompetent. That contention was upheld by the State Tribunal by its award dated 26/27-27-1972. Thereafter there was a reference of the dispute to the Assistant Labour Commissioner (C), Bombay for conciliation and that attempt at conciliations failed in February, 1976. The dispute was referred to this Tribunal for adjudication on 4-2-1976. The learned Advocate for the Railways raised the plea that the Canteen in question is not an industry for the reason that it does not cater to the needs of outsiders, but only to the needs of the employees of the Railway Workshop. It is also pointed out that the Canteen is run on no profit no loss basis, and that there is no co-operation of capital and labour. It is unnecessary to consider the question whether this Canteen is an industry or not from this angle in view of the decisions reported in AIR, 1973, Supreme Court, 2297. The *Saraspur Mills Co. Ltd. Vs. Ramanlal Chimanlal and others* and 1975 Lab. IC 1574 N. Jagga Rao and others vs. Union of India and others. The case reported in AIR, 1973 Supreme Court 2297 arose under the Bombay Industrial Relations Act. The facts are that the persons employed in the Canteen of the mills claimed wages on a par with those working in the other sections of the Factory as per the Award. The Canteen in that case was being run by a Co-operative Society and the Canteen workers were appointed by the said Society. It was contended that since the employees of the Canteen were not directly appointed by the management of the mill but by the Co-operative Society that was running the Canteen, the Canteen workers were not entitled to claim wages on the same scale as those claimed by the persons directly working under the mills in terms of the Award. For the workmen it was urged that since the management was bound to run the Canteen under Section 46 of the Factories Act the running of the Canteen whether directly by the management or indirectly through the Co-operative Society, formed an integral part of the industrial activity carried on by the management. Therefore the Canteen workers also must be deemed to be persons employed in the industry. This contention was accepted. This point was decided on the basis of the definitions of the words 'employees' and 'employers' found in the Bombay Industrial Relations Act which definitions take in also the employees engaged by the Co-operative Society running the Canteen as the employees of the mills. It was urged on behalf of the workmen in this case that in view of the Supreme Court decision to the effect that the running of the Canteen by the Mill owner formed part of the Industry carried on by him, in the present case also it should be held that the running of the Canteen is an essential part of the Factory run by the Railway Administration. I agree. It follows that the Canteen in question also forms part of the industry viz. the workshop run by the Railway Administration and the persons working therein are industrial workers. The facts of the other case reported in 1975 Lab. IC. 1574 are the

persons working in the Canteen of the Railway Loco Carriage and Electrical Workshop, South-Eastern Railway Kharagpur filed a petition for the issue of a writ in the nature of mandamus directing the South-Eastern Railway to pay them enhanced D.A. on a par with the persons working in the other sections of the Factory. It was contended *inter-alia* by the Railways that since the Canteen workers were appointed by the management of the Canteen and not by them they were not entitled to claim enhanced D.A. along with their other employees. Repelling this contention it was held that in law the Canteen workers appointed by the Canteen under the Factories Act are to be deemed and treated as employees of the occupier, the Railways. The following passages from the decision occurring at page 1578 are apposite :—

“Worker's under the Factories Act, means any person employed, direct by or through any agency in any manufacturing process or any other kind of work incidental to or connected with the manufacturing process. Through the workers of the canteen are not directly engaged in any manufacturing process or even any other work incidental thereto, on the terms of the definition in the statute and on the authority of the decisions cited above the establishment of the canteen must be deemed as being in course of conducting the undertaking as supplying basic and essential amenities to workers in the manufacturing process. The workers of the canteen thus are also be regarded in operations connected with the industry carried on by the employer and thus workers of the factory in which they are so employed. This is more so when the establishment and maintenance of the canteen is a statutory liability as in the present case.

at page 1578 It may be that the canteen workers are not included as Railway employees under the relevant rules. Under the statute under our consideration, we have seen that such workers are to be deemed as workers in the employ of the occupier of the Factory which is the Railway Administration. It may be the canteen workers constitute a separate and distinct class of employees and their terms and conditions may be governed by the contract contained in letters of appointment issued to them by the Canteen Management Committee. But the contention that employees of this category can be Railway employees by reason of their non-inclusion or absence of provision in Establishment Code can hardly be accepted as the Railways have always the power to employ servants by contract which power does not appear to have been expressly or otherwise taken away.”

The above decision is directly applicable to the present case. It must be therefore held that the persons working in the Canteen are also employed in the industry carried on by the Railway Administration. Point 1 held against the management.

Points 2 and 3 :

The workmen herein demand wages on a par with those working in the Canteens attached to the Bank of India Staff Canteen and the Customs Office Staff Cooperative Canteen. On behalf of the workmen a comparative table Ex. W-6 is filed giving the wages that are being paid in the Canteen in dispute and the other two canteens. It shows that the basic minimum pay of the manager of the Railway Canteen is Rs. 210/-, the Asstt. Manager Rs. 175/-, Clerks Rs. 165/-, Head Cook Rs. 165/-, Asstt. Cook Rs. 150/-, Tea Master Rs. 150/-, Grinder Rs. 145/- and the Cleaners Rs. 110/- per month. The basic wages of the Railway Canteen are somewhat higher than the basic wages given to the corresponding employees of the other two canteens. While the Bank of India Staff Canteen and the Customs Office Staff Co-operative Canteen pay a uniform earnings Allowance of Rs. 135/- and Rs. 147/- per month respectively to all categories of workmen the Railway canteen was not paying any Dearness Allowance to its employees till the Union raised a dispute in 1971 June. On 1-1-1974 the management ordered payment of Rs. 10/- per month and Rs. 20/- per month from 1-8-1974 to every employee in question on an *ad hoc* basis. Thereafter the wages remained stagnant. The workmen

mand that they should be paid Dearness Allowance at the same rates as are being paid to the Customs Office Canteen and the Bank of India Staff Canteen. The learned Advocate for the Union stated that the Dearness Allowance and other benefits that are being paid by the Bank of India Staff Canteen which are on the high side need not be taken into account for the purpose of this case. He submitted that the workmen in question would be satisfied if their total wages are brought on a level with the employees of the Customs Office Staff Canteen. They pray that the difference in wages may be paid in the shape of D.A. It may be noticed from the comparative statement of wages Ex. W-6 that the Customs Office Canteen is paying D.A. to its staff at Rs. 147/- p.m. on the basis of the cost of living index standing at 1370 points (in March and April, 1977). He also submits that for every further rise of 10 points in the Consumer price Index a sum of Rs. 1.50 per month may be paid as additional D.A. to neutralize the rising prices.

Shri Pai, learned Advocate for the Railways objects to this demand on two grounds (1) the wages that are now being paid to the employees of the Railway Canteen are much higher than the minimum wages fixed by the State Government for canteen workers and also the wages paid to the workers working in other canteens in the city. (2) The Railway Canteen which is run on no profit no loss basis has not got the necessary capacity to bear the additional financial burden. In support of the first contention necessary information is not placed before the Court. Similarly there is absolutely no evidence regarding the Management's claim that the wages that are being paid to their Canteen employees compare favourably with those that are being paid to the Canteen workers elsewhere in the city. Shri Pai found fault with the Union for not filing a statement of wages that are being paid by the other canteens in the city. He contends that since this Union represents all the Canteen and hotel workers working in the city an adverse inference must be drawn against them for their failure to produce that information. I do not agree. It is for the party that wants to rely upon this circumstance to place the necessary material before the court. In the absence of such material it must be held that the claim that the salaries of the Canteen workers in question compare favourable with those of their counter-parts working elsewhere in the city of Bombay cannot be accepted.

On the question of higher D.A. that is demanded by the workers it is submitted that since the Canteen in question is not being run on a commercial basis for making profit it cannot bear the additional financial burden. He relies upon the balance-sheets and income and expenditure statements Exs. E-1 to E-8 for the years 1972 to 1975. He also submitted that there would be a furore from the Railway employees working in the workshop if the prices of the eatables are to be raised even by a paise to raise the extra funds necessary to pay the additional Dearness Allowance. He further submits that the persons patronising the Canteen in question being mostly mazdoors drawing very eagre salaries cannot be expected to pay higher prices for the edible articles sold at the Canteen. Shri Gadkari for the Union submits that for the sake of their employees the Railways cannot make the Canteen workers sweat paying them absolutely low wages. He further submits that the doubts expressed by Shri Pai regarding the financial capacity of the Canteen in question to bear the additional burden are more imaginary than real. He invited the attention of this Court to Rule 2834 of Chapter 28 of the Railway Manual, the relevant portion of which runs as follows :—

"2834 :—INCIDENCE OF COST.—When it is proposed to open a canteen, as outlined in the above paragraphs the incidence of cost shall be as under :—

(2) Canteens provided under the Factories Act, 1948 :—

Besides the facilities mentioned in item 1(a) above, the Administration will have to meet the statutory obligations, in respect of the expenditure on providing and maintaining canteens, arising from the provisions of the Factories Act and the rules framed by the State Government thereunder.

NOTE 1. The legal position is that expenditure on account of the following items is to be met by the Adminis-

tration and is not to be taken into account in fixing the cost of meals : (a) the cost of utensils including cooking vessels, plates, glasses and other articles which would be necessary to serve the meals to the workmen ;

(b) the cost of furniture ;

(c) the cost of coal, fuel and electricity ; and

(d) the salaries of the cooks and of the canteen staff.

2. In cases where the canteens are being run on a co-operative basis either by a Co-operative Society or by a Managing Committee of Staff and there subsists a relationship of master and servant between the Co-operative Society/Managing Committee and the canteen employees (i.e. where the canteen staff have been employed by the Co-operative Society/Managing Committee of Staff and not by the Administration as such), the canteen staff are not to be treated as Railway Servants, even though the cost of these staff is reimbursed to the Co-operative Society/Managing Committee under item (d) of Note 1 above."

From the above it is crystal clear that the entire wage bill of the Canteen provided under the Factories Act has to be borne by the Railways. Therefore the question of financial capacity of the Canteen in question to pay the additional wage bill does not arise for consideration.

The learned Advocate for the Railways Shri Pai has not chosen to dispute the correctness of the statement Ex. W-6 giving the details of wages that are being paid by the Customs Office staff canteen and the Canteen in question to their respective employees. That shows when the Consumer Price Index number for industrial workers for Bombay stood at 1370 points the Dearness Allowance that was being paid by the Customs Office staff canteens was Rs. 147/- per month to bring the total pay to Rs. 193/- for the lowest paid staff in the minimum of the scale. Mr. Gadkari for the Union submits that between 1971 and March, 1977 the cost of living index for industrial workers moved up by 570 points. Therefore there is every justification for the demand for enhancement of pay in the shape of Dearness Allowance. There is force in this contention. The cost of living index figure for industrial workers ending with January, 1977 for Bombay is 1336 as can be seen from the figures given in the Indian Labour Journal in its April issue. Mr. Gadkari has filed a statement Ex. W-7 showing that the Consumer Price Index number stood at 1372 in the months of March and April 1977. This fact is not disputed by the learned Advocate for the Railways. Nor the fact that the cost of living index stood at 800 points in 1971. From this figure 1372 it can be seen that the cost of living index went up nearly by 570 points during the brief period 1971 to 1977. The Canteen management has begun to pay Rs. 20/- per month on an *ad hoc* basis from 1974 August and thereafter nothing more is being paid. Mr. Gadkari for the workmen submits that for the rise of 570 points in the Consumer Price Index number from 1971 to 1977 March a sum of Rs. 85.50 becomes payable by way of Dearness Allowance at the rate of Rs. 1.50 per month for every rise of 10 points. It may be noticed that in the statement of claim the workmen demanded Rs. 3/- for every rise of 10 points in the Consumer Price Index number, but during the course of arguments the demand is limited to Rs. 1.50 for every 10 points rise. For D.A. their claim is on an uniform basis for all categories of workmen, though the basic minimum salary of the cleaner is Rs. 110/- and the basic minimum salary of the Manager is 210/- p.m. Even in the Customs Office staff canteen no distinction is being made in the quantum of Dearness Allowance that is being paid to the Manager down to the Cleaner. Mr. Pai for the Railways says that the fact that the management supplies uniform to their workmen and also issues Railway passes to them from the place of work to their respective places of residence, after six months' of continuous service may also be taken into account in fixing the quantum of D.A. I do not see any justification for reducing the quantum of D.A. on this account. I therefore find that each of the employees of the canteen in question in all the categories is entitled to claim Rs. 85.50 p.m. by way of Dearness Allowance on the basis that the cost of living index in 1971 when the dispute was raised stood

at 800 points and by March and April, 1977 it stood at 1370 at the rate of Rs. 1.50 p.m. for every rise of 10 points in the Consumer Price Index number Additional Dearness Allowance at the same rate should be paid to the above categories of workmen for every further rise of 10 points in the Consumer Price Index number. There will be a corresponding reduction in the Dearness Allowance at the same rate, when the consumer price index register abas.

The learned Advocate for the workmen pleaded that retrospective effect should be given to the payment of Dearness Allowance at the above rate from the date of demand at least viz. from June 1971. In the alternative he suggested that retrospective effect be given from the date on which this dispute was originally referred to the State Industrial Tribunal by the Government of Maharashtra. Mr. Pai for the Railways submits that this Tribunal is not competent to grant Dearness Allowance from a date prior to the date of reference of the dispute to it. This particular dispute is referred to this Tribunal by the order dated 4-2-1976. I feel that the interest of justice will be sufficiently met if this award is made effective from 1-3-1976. For the period 1-3-1975 to 31-3-1977 the workmen will get Dearness Allowance at the rate of Rs. 73.50 p.m. on the basis of Consumer Index Number standing at 1292 points. Thereafter i.e. from 1-4-1977 they will get Dearness Allowance at Rs. 85.50 p.m. as the Consumer Price Index number went up to 1370. The D.A. directed to be paid under this award is inclusive of the ad-hoc Dearness Allowance of Rs. 20/- per month the management has been paying from 1974 onwards. From this amount a sum of Rs. 15/- per month is liable to be deducted as per the usual practice on account of lunch and snacks supplied to the workmen.

Points 2 and 3 are found accordingly.

Point 4 :

Regarding the demand for grant of casual leave and sick leave the Union has not given in the statement of claim the number of days of sick leave and casual leave they are now being given. The management in their written statement has stated that at present they are giving to their employees 21 days leave on full pay besides 15 days workshop holidays every year. This appears to be very fair and no revision in this regard is required. Nor is it asked for. This should amply cover the demand for sick leave and casual leave. It is sufficient if it is ordered that the workers be permitted to accumulate the leave upto 30 days. The statement that the workmen are not covered by the E.S.I. Scheme is not controverted.

In view of the fact that the permissible leave on full pay is 21 days in a year the demand for provision of Casual Leave is not pressed.

Point 4 found accordingly.

Point 5 :

The points referred to this Tribunal for adjudication are answered as indicated below :—

(1) The demand for Dearness Allowance is justified. The workers are granted Dearness Allowance at the rate of Rs. 1.50 p.m. for every rise of 10 points in the Consumer Price Index for Industrial Workers, for Bombay City. For the period 1-3-1976 to 31-3-1977 the workers are entitled to claim Dearness Allowance at the rate of Rs. 73.50 per month on the basis of the Cost of Living Index standing at 1292 points during the period. From 1-3-1977 onwards they are entitled to claim at the rate of Rs. 85.50 per month on the basis of Consumer Price Index standing at 1370 points. There will be a corresponding fall in the D.A. at the same rate of Rs. 1.50 for every fall of 10 points in the Consumer Price Index.

(2) Regarding grant of sick leave and casual leave the demand is not justified as 21 days leave with full pay and 15 workshop holidays is considered to be very fair and ought to cover the demand for casual leave also. The workmen are permitted to accu-

mulate leave with full pay upto 30 days as provided for.

P. RAMAKRISHNA, Presiding Officer.

[No. L-41012(62)/72-LRIII/D.II(B)]

HARBANS BAHADUR, Desk Officer.

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 9 जुलाई, 1977

का० आ० 2274.—भारत के निर्यात व्यापार के विकास के लिए शक्ति परिणामितों (ट्रांसफार्मर) के निर्यात से पहले उन्हें क्वालिटी नियंत्रण और निरीक्षण के अधीन लाने के लिए कतिपय प्रस्ताव निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षानुसार, भारत सरकार के वाणिज्य मंत्रालय के आदेश सं० का० आ० 2240, तारीख 3 जुलाई, 1976 के अन्तर्गत भारत के राजपत्र भाग-2 खंड-3 उप-खंड-(22) में प्रकाशित किए गए थे:—

और उन सब व्यक्तियों से जिन के उससे प्रभावित होने की संभावना है 3 सितम्बर, 1976 तक आक्षेप और सुझाव मांगे गए थे:

और उक्त राजपत्र 3 जुलाई, 1976 को जनता को उपलब्ध करा दिया गया था और उक्त प्रस्तावों के संबंध में जनता से प्राप्त आक्षेपों और सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है।

अतः अब केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और निर्यात निरीक्षण परिषद् से परामर्श करने के पश्चात् यह राय होने के कारण कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक और समीचीन है वह,

- (1) यह अधिवृत्ति करती है कि शक्ति परिणामितों के निर्यात से पहले क्वालिटी नियंत्रण और निरीक्षण किया जाएगा।
- (2) शक्ति परिणामितों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 के अनुसार क्वालिटी नियंत्रण और निरीक्षण के उस प्रकार को विनिर्दिष्ट करती है जो ऐसा क्वालिटी नियंत्रण और निरीक्षण होगा जो निर्यात से पहले ऐसे शक्ति परिणामितों को लागू होगा:
- (3) ऐसे विनिर्देशों को मान्यता देती है जो भारतीय या अन्य राष्ट्रीय मानक, आई० ई० सी० सिफारिशों, या मानक संबंधी मान्यता प्राप्त संगमों के मानक होंगे, या ऐसे मानक होंगे जो शक्ति परिणामितों के लिए मानक विनिर्देशों के रूप में किसी देश के मंत्रालय, या सरकारी विभाग या जन उपादेय संस्थाओं द्वारा अनुमोदित हों:
- (4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे शक्ति परिणामितों के निर्यात को तब तक के लिए प्रतिषिद्ध करती है जब तक कि उनके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन स्थापित किसी अभिकरण द्वारा जारी किया गया इस आशय का प्रमाण-पत्र न हो कि शक्ति परिणामितों का परेक्षण, क्वालिटी नियंत्रण और निरीक्षण संबंधी शर्तों को पूरा करता है और निर्यात योग्य है।

2. इस आदेश में 'शक्ति परिणामित' से लगातार चलने वाले पुर्जों से रहित एक ऐसा उपकरण अभिप्रेत है जो एक या अधिक कुण्डलन में प्रत्यावर्ती बोल्टता एवं धारा को विद्युत-चुम्बकीय प्रेरणा द्वारा उसी आवृत्ति

पर सामान्यतः वोल्टता एवं धारा के विभिन्न मानों पर एक या अधिक 'कुण्डलों' में परिवर्तित कर देता है। इसमें एकल फेज के लिए I के बी ए तथा अधिक के एवं बहुफेज प्रचालन के लिए 25 के बी ए तथा अधिक के परिणामित, और वितरण परिणामित सम्मिलित होंगे परन्तु निम्नलिखित सम्मिलित नहीं होंगे :

- (क) मोटर प्रवर्तक परिणामित
- (ख) खनन परिणामित
- (ग) वेल्डन परिणामित
- (घ) जांच परिणामित
- (ङ) भू-संपर्कित परिणामित
- (च) एक्स-रे परिणामित
- (छ) रिएक्टर
- (ज) भट्टी प्रकार के परिणामित
- (झ) बूस्टर परिणामित, तथा
- (ट) परिणामितों के अन्य विशिष्ट प्रकार

3. ये नियम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

[सं० 6(12)/75-नि०नि० तथा नि०उ०]

MINISTRY OF COMMERCE

ORDER

New Delhi, the 9th July, 1977

S.O. 2274.—Whereas for the development of the export trade of India, certain proposals for subjecting Power Transformers to quality control and inspection prior to export, were published as required by sub-rule (2) of rule II of the Export (Quality Control and Inspection) Rules, 1964, in the Gazette of India, Part-II, Section 3, sub-section (ii), dated the 3rd July, 1976 under the Order of the Government of India in the Ministry of Commerce No. S.O. 2240, dated the 3rd July, 1976;

And whereas objections and suggestions were invited till the 3rd September, 1976, from all persons likely to be effected thereby;

And whereas the said Gazette was made available to the public on the 3rd July, 1976.

And whereas the objections and suggestions received from the public on the said proposals have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government, after consulting the Export Inspection Council, being of opinion that it is necessary and expedient so to do for the development of the export trade of India, hereby;

- (1) notifies that Power Transformers shall be subject to quality control and inspection prior to export;
- (2) specifies the type of quality control and inspection in accordance with the Export of Power Transformers (Quality Control and Inspection) Rules, 1977 as the type of quality control and inspection which shall be applied to such Power Transformers prior to export;
- (3) recognises the specifications which shall be Indian or other National Standards, IEC Recommendations or Standards Recognised Association Standards; or standards approved by a Ministry, or a Government Department or Public Utility of any country as the standard specifications for Power Transformers;
- (4) prohibits the export, in the course of international trade, of such Power Transformers unless the same are accompanied by a certificate issued by any of the agencies established under section 7 of the Export (Quality Control and Inspection) Act, 1963

(22 of 1963), to the effect that the consignment of Power Transformer satisfies the conditions relating to quality control and inspection and is export worthy.

2. In this order 'Power Transformers' shall mean a piece of apparatus, without continuously moving parts, which by electromagnetic induction transforms alternating Voltage and current in one or more windings usually into alternating voltage and current in one or more windings usually at different values of voltage and current and at the same frequency and shall include Transformers of IKVA and above for Single phase and 25KVA and above for Poly phase operation, and Distribution Transformers but shall not include :

- (a) Motor-Starting Transformers,
- (b) Mining Transformers,
- (c) Welding Transformers,
- (d) Testing Transformers,
- (e) Earthing Transformers,
- (f) X-ray Transformers,
- (g) Reactors,
- (h) Furnace type Transformers,
- (i) Booster Transformers, and
- (k) Other special types of transformers.

3. This Order shall come into force on the date of publication in the official Gazette.

[No. 6(12)/75-EI & EP]

का० आ० 2275.—निर्यात (क्वालिटी नियंत्रण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निम्नलिखित नियम बनाती है :—

संक्षिप्त नाम तथा प्रारम्भ.—इन नियमों का संक्षिप्त नाम शक्ति परिणामित निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 है।

(2) ये नियम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं:—इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो—

(क) 'अधिनियम से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है :

(ख) 'अभिकरण' से अधिनियम की धारा 7 के अधीन कोचीन, मद्रास, कलकत्ता, मुम्बई और दिल्ली में स्थापित अभिकरणों में से कोई एक अभिकरण अभिप्रेत है :

(ग) इस आदेश में 'शक्ति परिणामित से लगातार चलने वाले पुर्जों से रहित एक ऐसा उपकरण अभिप्रेत, है जो एक या अधिक कुण्डलन में प्रत्यावर्ती वोल्टता एवं धारा को विद्युत-चुम्बकीय परेणा द्वारा उसी आवृत्ति पर सामान्यतः वोल्टता एवं धारा के विभिन्न मानों पर एक या अधिक कुण्डलों में परिवर्तित कर देती है। इसमें एकल फेज के लिए क०बी०ए० तथा अधिक के परिणामित और वितरण परिणामित सम्मिलित होंगे, परन्तु निम्नलिखित सम्मिलित नहीं होंगे :

- (क) मोटर प्रवर्तक परिणामित
- (ख) खनन परिणामित
- (ग) वेल्डन परिणामित
- (घ) जांच परिणामित
- (ङ) भू-संपर्कित परिणामित
- (च) एक्स-रे परिणामित
- (छ) रिएक्टर

(ज) भट्टी प्रकार के परिणामित्र

(झ) बूस्टर परिणामित्र और

(ञ) परिणामित्रों के अन्य विनिष्ट प्रकार।

3. क्वालिटी नियंत्रण और निरीक्षण:—(1) विनिर्माता द्वारा शक्ति परिणामित्रों की क्वालिटी उप-नियम (2) में विनिर्दिष्ट विनिर्माण के विभिन्न स्तरों पर नियंत्रणों का प्रयोग करके एवं इन नियमों से उपाबन्ध सारणी में नियंत्रणों के स्तरों पर जांच करके सुनिश्चित की जाएगी।

(2) उप-नियम (1) में वर्णित विनिर्माण के विभिन्न स्तरों पर नियंत्रण निम्नलिखित प्रकार के होंगे:—

(1) खरीदी गई सामग्री तथा घटकों का नियंत्रण:—(क) प्रयोग में लाई जाने वाली सामग्री या घटकों के गुणधर्मों और सहायताओं सहित उनके सविस्तर आयामों को समाविष्ट करते हुए, क्रय विनिर्देश, विनिर्माता द्वारा अधिकथित किए जाएंगे।

(ख) प्रदायकर्ता के जांच प्रमाण पत्र कच्ची सामग्री जैसे कोर शीट, लपेटन तार परिणामित्रों का तेल, और प्रेस बोर्ड, और बुशिंग, आयल टी-सी-० पम्प, पंचे रेडिएटर, उपकरण या रिस् जैसे घटकों के लिए पेश किए जाएंगे। जब कच्ची सामग्री या घटकों के लिए प्रदायकर्ता के जांच प्रमाण पत्र प्राप्त हो जाएंगे जब प्रदायकर्ता जांच रिपोर्टों की प्रति जांच (काउंटर चैकिंग) की आवश्यकता नहीं होगी। प्रदायकर्ता की जांच रिपोर्ट न होने की दशा में, यह देखने के लिए कि प्रत्येक परेपण क्रय विनिर्देशों के अनुसार है या नहीं उसमें से लिए गए नमूनों की नियमित रूप से जांच की जाएगी।

(ग) खण्ड (ख) में वर्णित से भिन्न आवश्यक घटकों का यह सुनिश्चित करने के लिए निरीक्षण एवं जांच की जाएगी कि वह संख्यकीय नमूना योजना के अनुसार क्रय विनिर्देशों के अनुरूप है या नहीं।

(घ) निरीक्षण या जांच या दोनों के कर लिए जाने के पश्चात् दोष पूर्ण नमूनों के उचित पृथक्करण और निपटान के लिए व्यवस्थित पद्धति अपनाई जाएगी।

(ङ) विनिर्माता द्वारा उपर्युक्त नियंत्रणों के सम्बन्ध में पर्याप्त अभिलेख व्यवस्थित रूप से रखे जाएंगे।

(2) प्रक्रिया नियंत्रण:—(क) विनिर्माण की विभिन्न प्रक्रियाओं के लिए विनिर्माता द्वारा विस्तृत प्रक्रिया विनिर्देश अधिकथित किए जाएंगे।

(ख) प्रक्रिया विनिर्देशों से अधिकथित प्रक्रिया के नियंत्रण के लिए उपकरणों या उपकरणों की प्रयुक्ति सुविधाएं रहेंगी।

(ग) विनिर्माण की प्रक्रिया के दौरान प्रयुक्त नियंत्रणों के सत्यापन का सुलभ बनाने के लिए निर्माता द्वारा पर्याप्त अभिलेख रखे जाएंगे।

(3) उत्पादन नियंत्रण:—(क) विनिर्माण के विनिर्देशों के अनुसार उत्पादन की जांच करने के लिए विनिर्माता के पास या तो स्वयं जांच सुविधाएं होंगी या जहां ऐसी जांच सुविधाएं विद्यमान हों वहां तक उसकी पहुंच होगी विनिर्माता द्वारा उसके पर्याप्त अभिलेख रख जाएंगे।

(ख) परेपण से पहले प्रत्येक समुच्चय की अधिकथित निरीक्षण जांच सूची के अनुसार जांच की जाएगी।

(iv) मौसम सम्बन्धी नियंत्रण:—जांच में प्रयोग किए जाने वाले विद्युत मापी उपकरणों और प्रक्रिया नियंत्रण के लिए प्रयोग में आने वाले नाजुक उपकरणों के समय पर जांच की जाएगी या उनका अंश शोधन किया जाएगा और वृत्त कार्ड के रूप में विनिर्माता द्वारा अभिलेख रखे जाएंगे।

4. निरीक्षण का आधार:—निर्यात के लिए आशयित शक्ति परिणामित्रों का निरीक्षण यह देखने की दृष्टि से किया जाएगा कि नियम 3 में विनिर्दिष्ट नियंत्रणों का प्रयोग ससंगत स्तरों पर समाधानप्रद रूप में किया गया है और शक्ति परिणामित्र मानक विनिर्देशों के अनुरूप है।

5. निरीक्षण की प्रक्रिया:—(1) शक्ति परिणामित्रों का निर्यात करने का इच्छुक निर्यातकर्ता, संविदा विनिर्देशों के व्यतिरे उपदर्शित करते हुए, अभिकरण को लिखित रूप में सूचित करेगा और सूचना के साथ इस आशय का घोषणा पत्र भी देगा कि निर्यात के लिए आशयित शक्ति परिणामित्रों का परेपण नियम 3 में अधिकथित क्वालिटी नियंत्रणों का प्रयोग करके विनिर्मित किया गया है और वह परेपण इस प्रयोजन के लिए मान्यता प्राप्त विनिर्देश की अपेक्षाओं के अनुरूप है। साथ ही निर्यातकर्ता उस सूचना की एक प्रति निर्यात निरीक्षण परिषद् के निकटतम कार्यालय को भी पृष्ठांकित करेगा। परिषद् कार्यालयों के पते निम्नानुसार हैं:—

मुख्य कार्यालय: निर्यात निरीक्षण परिषद्,
वर्ल्ड ट्रेड सेंटर, 14/1-बी, एजरा स्ट्रीट,
(आठवीं मंजिल) कलकत्ता-700001
क्षेत्रीय कार्यालय: निर्यात निरीक्षण परिषद्,
अमन चैम्बर्स, पांचवीं मंजिल,
1/13, महर्षि कर्वे रोड,
मुम्बई-400004
निर्यात निरीक्षण परिषद्,
मनोहर बिल्डिंग्स, महात्मा गांधी रोड,
एनाकुलम, कोचीन-682011
निर्यात निरीक्षण परिषद्,
3, सरस्वती मार्ग, म्युनिसिपल मार्केट बिल्डिंग्स,
(पांचवीं मंजिल) करोल बाग, नई दिल्ली-110005

(2) निर्यातकर्ता परेपण पर लगाया गया पहचान-चिह्न भी अभिकरण को देगा।

(3) उप-नियम (1) के अधीन प्रत्येक सूचना तथा घोषणा, विनिर्माता के परिसर से परेपण के भेजे जाने के कम से कम दस दिन पहले अभिकरण के कार्यालय तथा निर्यात निरीक्षण परिषद् में पहुंच जानी चाहिए।

(4) उप-नियम (3) के अधीन सूचना तथा घोषणा प्राप्त हो जाने पर, अभिकरण, अपना यह समाधान कर लेने पर कि नियम 3 में दिए गए पर्याप्त क्वालिटी नियंत्रणों का प्रयोग विनिर्माण की प्रक्रिया के दौरान किया गया है तथा इस संबंध में निर्यात निरीक्षण परिषद् द्वारा जारी किए गए अनुदेशों का, यदि कोई हों, पालन किया गया है, परेपण को मान्य विनिर्देशों से अनुरूपता सुनिश्चित करने के लिए शक्ति परिणामित्रों का निरीक्षण करेगा तथा निर्यातकर्ता अभिकरण को ऐसा निरीक्षण करने के लिए सभी आवश्यक सुविधाएं देगा।

(5) निरीक्षण पूरा कर लेने के पश्चात्, अभिकरण परिणामित्रों की, जब वे लकड़ी के केसों में पैक हों, प्रत्येक रेटिंग प्लेट पर शक्ति परिणामित्रों के परेपण संबंधी अनुमोदन को तत्काल पंच कर देगा: तथा केसों को, यह सुनिश्चित करने के लिए कि माल के साथ कोई छेड़छाड़ न की जा सके सुरक्षित किया जा सकता है। परेपण की अस्वीकृति की दशा में यदि निर्यातकर्ता चाहे तो परेपण अभिकरण द्वारा पंच या मोहर बन्द नहीं किया जाएगा। किन्तु ऐसे मामलों में निर्यातकर्ता अस्वीकृति के विरुद्ध अपील करने का हकदार नहीं होगा।

(6) यदि अभिकरण ने अपना यह समाधान कर लिया है कि शक्ति परिणामित्रों का परेपण मान्यता प्राप्त विनिर्देशों की अपेक्षाओं के अनुरूप है तो वह निरीक्षण हो जाने के बाद तीन दिन के भीतर यह घोषित करते हुए निर्यातकर्ता को प्रमाणपत्र देगा कि परेपण इस संबंध में क्वालिटी नियंत्रण और निरीक्षण संबंधी शर्तों को पूरा करता है और वह निर्यात-योग्य है:

परन्तु जहां अभिकरण का इस प्रकार का समाधान नहीं होता, वहां वह उक्त तीन दिनों की अवधि के भीतर, ऐसा प्रमाण-पत्र देने से इंकार कर देगा तथा ऐसे इंकार किए जाने की सूचना, उसके कारणों सहित, निर्यातकर्ता को देगा।

6. निरीक्षण का स्थान : इन नियमों के अधीन निरीक्षण केवल विनिर्माता के परिसर में ही किया जाएगा।

7. निरीक्षण फीस :—प्रीत पर्यन्त निःशुल्क मुख्य के 0.2 प्रतिशत की दर से फीस, जो प्रति परिणामित कम से कम 100 रु० (एक सौ रुपये) और अधिक से अधिक 2000 रु० (दो हजार रुपये) होगी, निर्यात कर्ता द्वारा अभिकरण को निरीक्षण फीस के रूप में संदत्त की जाएगी।

8. अपील :—(1) नियम 5 के उप-नियम (6) के अधीन अभिकरण द्वारा प्रमाण-पत्र देने से इंकार करने से व्यथित कोई व्यक्ति, इस प्रकार इंकार की उसके द्वारा सूचना प्राप्त होने से दस दिन के भीतर, केन्द्रीय सरकार द्वारा इस प्रयोजन के लिए नियुक्त कम से कम तीन और अधिक से अधिक सात व्यक्तियों के विशेषज्ञों के पैनल को अपील कर सकेगा।

(2) पैनल में, विशेषज्ञों के पैनल की कुल सदस्यता के कम से कम दो तिहाई सदस्य गैर-सरकारी होंगे।

(3) पैनल की गणपूर्ति तीन की होगी।

(4) अपील, उसके प्राप्त होने के पन्द्रह दिन के भीतर निपटा दी जाएगी।

सारणी

नियन्त्रण के स्तर

(नियम 3 देखिए)

क्रम सं०	निरीक्षण/जांच की विशिष्टताएं	अपेक्षाएं	नमूने का आकार	लाट का आकार
1	2	3	4	5
I. खरीदी गई सामग्री तथा घटक :	उस प्रयोजन के लिए मान्यता प्राप्त विनिर्देशों के अनुसार	प्रत्येक	प्रत्येक	प्राप्त हुआ प्रत्येक परीक्षण
(क) दृश्य निरीक्षण (कारिगरी तथा फिनिश सहित)				
(ख) सहायता सहित आयाम :				
(1) सबसे मुख्य	यथोक्त	प्रत्येक	यथोक्त	
(2) अन्य	यथोक्त	अभिलिखित अन्वेषण के आधार पर निश्चित किया जाएगा।		
(ग) कोई अन्य अपेक्षा	यथोक्त	यथोक्त	यथोक्त	
II. पूर्ण समुच्चय :				
(क) कुण्डलन प्रतिरोधक के माप	यथोक्त	प्रति एक	—	
(ख) अनुपात, ध्रुवीयता तथा फेज संबंध	यथोक्त	प्रत्येक	—	
(ग) प्रतिबाधा वोल्टता	यथोक्त	प्रत्येक	—	
(घ) भार हानि	यथोक्त	प्रत्येक	—	
(ङ) शून्य भार के समय हानि तथा शून्य भार के समय द्वारा	यथोक्त	प्रत्येक	—	

1	2	3	4	5
(च) विद्युत रोधन प्रतिरोध	यथोक्त	प्रत्येक	—	
(छ) अति वोल्टता प्रेरित करने पर जांच की सहायता	यथोक्त	प्रत्येक	—	
(ज) अलग स्रोत से आने वाली वोल्टता की जांच सहायता	यथोक्त	प्रत्येक	—	
(झ) ताप वृद्धि की जांच	यदि उपभोक्ता विनिर्दिष्ट करे	—	—	—
(ट) आवेग वोल्टता की जांच सहायता				
(ड) अन्य कोई जांच				

[सं० 6(12)/75-नि०नि० तथा नि०उ०]

के० वी० बालसुब्रह्मण्यम्, उपनिदेशक

S.O. 2275.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Export of Power Transformers (Quality Control and Inspection) Rules, 1977.

(2) They shall come into force on the date of publication in the official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "agency" means any one of the agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under section 7 of the Act;

(c) "Power Transformers" means a piece of apparatus without continuously moving parts, which by electro-magnetic induction transforms alternating Voltage and current in one winding into alternating Voltage and current in one or more windings usually at different values of voltage and current and at the same frequency and includes Transformers of 1 KVA and above for single phase and 25 KVA and above for Poly phase operation, and Distribution Transformers but shall not include :

(a) Motor-Starting Transformers,

(b) Mining Transformers,

(c) Welding Transformers,

(d) Testing Transformers,

(e) Earthing Transformers,

(f) X-ray Transformers,

(g) Reactors,

(h) Furnace type Transformers,

(i) Booster Transformers, and

(k) Other special types of transformers.

3. Quality Control and Inspection.—(1) The quality of Power Transformers shall be ensured by the manufacturer by exercising the controls at different stages of manufacture specified in sub-rule (2) together with the levels of controls specified in the Table annexed to these rules.

(2) The controls at different stages of manufacture mentioned in sub-rule (1) are as follow :—

(i) Bought out materials and components control :

(a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of materials or components to be used and the detailed dimensions thereof with tolerances.

(b) Supplier's test certificates shall be produced for ray material like core Sheets, Winding Wires, Transformers Oil, and Press Board, and for components like Bushings, Oil T. C., Pumps, Fans, Radiators, Instruments/or Relays. When supplier's test certificates are obtained for raw materials or components, no counter checking of the supplier's test reports shall be required. In the absence of supplier's test report, samples from each consignment shall be regularly tested to check up its conformity to the purchase specifications.

(c) The incoming components other than those mentioned in clause (b) shall be inspected and tested for ensuring conformity to purchase specifications against statistical sampling plan.

(d) After the inspection or tests or both are carried out, systematic methods shall be adopted for proper segregation disposal of defectives.

(e) Adequate records in respect of the above mentioned controls shall be systematically maintained by the manufacturer.

(ii) Process Control :

(a) Detailed process specifications shall be laid down by the manufacturer for various process of manufacture.

(b) Equipment or instrumentation facilities shall be adequate to control the process as laid down in the process specifications.

(c) Adequate records shall be maintained by the manufacturer to enable the verification of the controls, exercised during the process of manufacture.

(iii) Product Control :

(a) The manufacturer shall either have his own testing facilities or shall have access to such testing facilities existing elsewhere to test the product as per the standard specifications. Adequate records thereof shall be maintained by the manufacturer.

(b) Each and every assembly shall be checked against a laid down inspection check list prior to despatch.

(iv) Metrological Control.—Electrical measuring instruments used in testing, and critical instruments used for process controls shall be periodically checked or calibrated and records shall be maintained by the manufacturer in the form of history cards.

4. Basis of Inspection.—The inspection of Power Transformers intended for export shall be carried out with a view to seeing that the controls specified in rule 3 have been exercised at the relevant levels satisfactorily and the Power Transformers conform to the standard specifications.

5. Procedure of Inspection.—(1) The exporter intending to export consignments of Power Transformers shall give intimation in writing to the agency indicating the details of the contractual specification and submit along with such intimation a declaration that the consignment of Power Transformers intended for export has been manufactured by exercising the quality controls as laid down in rule 3, and that the consignment conform to the requirements of the specification recognised for this purpose. The exporter shall at the same time endorse a copy of such intimation to the nearest office of the Export Inspection Council. The addresses of the Council offices are as under :—

Head Office —

Export Inspection Council
'World Trade Centre'
14/1B, Ezra Street, 7th Floor,
Calcutta-700001.

Regional Offices —

Export Inspection Council
'Aman Chambers' 4th Floor,
113, M. Karve Road,
Bombay-400004.

Export Inspection Council
Manohar Buildings,
Mahatma Gandhi Road,
Ernakulam,
Cochin-682011.

Export Inspection Council,
3, Sarswati Marg,
Munkpal Building,
4th Floor, Karol Bagh,
New Delhi-110005.

(2) The exporter shall also furnish to the agency the identification marks applied on the consignment.

(3) Every intimation and declaration under sub-rule (i) shall reach the office of the agency and the Export Inspection Council not less than ten days prior to despatch of the consignment from the premises of the manufacturer.

(4) On receipt of the intimation and declaration under sub-rule (3), the agency, on satisfying itself that during the process of manufacture, adequate quality control as provided in rule 3 have been exercised and the instructions if any, issued by the Export Inspection Council in this regard have been observed, shall carry out the inspection of Power Transformers to ensure conformity of the consignment to the recognised specification and the exporter shall provide all necessary facilities to the agency to enable it to carry out such inspection.

(5) After completion of inspection, the agency shall immediately punch their approval of the consignment of Power Transformers on each rating plate of the Transformers when packed in wooden cases, the cases may be sealed so as to ensure that the goods cannot be tampered with. In case of rejection of a consignment if the exporter so desires, the consignment may not be punched or sealed by the agency. In such cases however, the exporter shall not be entitled to prefer any appeal against the rejection.

(6) When the agency is satisfied that the consignment of Power Transformers complies with the requirements of the recognised specifications, it shall issue within three days, after the completion of inspection, a certificate to the exporter declaring that the consignment satisfies the conditions relating to quality control and inspection in this regard and is export-worthy.

Provided that where the agency is not satisfied, it shall within the said period of three days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

6. Place of Inspection.—Inspection under these rules shall be carried out at the premises of the manufacturer only.

7. Inspection Fee.—A fee at the rate of 0.2 per cent of f.o.b. value subject to a minimum of Rs. 100 (Rupees one hundred) and a maximum of Rs. 2000 (Rupees two thousand) per transformer shall be paid by the exporter to the agency as inspection fee.

8. Appeal.—(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (6) of rule 5, may, within ten days of the receipt of the communication of such refusal by him prefer an appeal to a Panel of Experts consisting of not less than three but not more than seven persons appointed for the purpose by the Central Government.

(2) The Panel shall consist of at least two thirds of non-officials of the total membership of the panel of experts.

(3) The quorum for the Panel shall be three.

(4) The appeal shall be disposed of within fifteen days of its receipt.

THE TABLE
LEVELS OF CONTROL
(See rule 3)

Sl. No.	Particulars of inspection/test	Requirements	Sample size	Lot size
1	2	3	4	5
I	Brought out materials and components :	As per standard specification	Each	Each consignment received
	(a) visual Inspection (including workmanship and finish)	recognised for the purpose.		
	(b) Dimensions with tolerances :			
	(i) Critical	—do—	Each	—do—
	(ii) Others	—do—	To be fixed on the basis or recorded investigation	—do—
	(c) Any other requirements	—do—	—do—	—do—

1	2	3	4	5
II.	Complete Assembly :			
(a)	Measurements of winding resistance	—do—	Each	—
(b)	Ratio, Polarity and phase relationship	—do—	Each	—
(c)	Impedance voltage	—do—	Each	—
(d)	Load Losses	—do—	Each	—
(e)	No-load losses and no-load current	—do—	Each	—
(f)	Insulation resistance	—do—	Each	—
(g)	Induced over voltage withstand test	—do—	Each	—
(h)	Separate source voltage withstand test	—do—	Each	—
(j)	Temperature rise test	If specified by the customer.		
(k)	Impulse Voltage withstand test			
(m)	Any other test			

[No. 6(12)/75—EI & EP]

K.V. BALASUBRAMANIAM, Dy. Director

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प्राधिकार से प्रकाशित

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इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)

केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

**Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)**

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

नई दिल्ली, 24 जून, 1977

New Delhi, the 24th June, 1977

का०आ० 2276.—राष्ट्रपति, संविधान के अनुच्छेद 258 के खंड

(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राजस्थान सरकार की सहमति से, राजस्थान सरकार के अधीन अतिरिक्त पुलिस अधीक्षक, राज्य विशेष शाखा, जिला बीकानेर क्षेत्र, बीकानेर को भी, उसकी अधिकारिता के भीतर, विदेशियों विषयक अधिनियम, 1946 (1946 का 31) की धारा 3 की उपधारा (2) के खंड (क), (ख), (ग) तथा (गग) में विनिर्दिष्ट कोटि के आदेश करने के केन्द्रीय सरकार के कृत्यों को, निम्नलिखित शर्तों के अधीन सौंपते हैं, अर्थात्:—

(क) इस प्रकार सौंपे गए कृत्यों का प्रयोग पाकिस्तानी राष्ट्रिकों के संबंध में किया जायेगा;

(ख) ऐसे कृत्यों के प्रयोग में उक्त अतिरिक्त पुलिस अधीक्षक ऐसे साधारण अथवा विशेष निदेशों का अनुपालन करेगा जैसे कि राजस्थान सरकार अथवा केन्द्रीय सरकार द्वारा समय-समय पर जारी किये जायें; और

(ग) इस प्रकार कृत्यों के सौंपे जाने पर भी, केन्द्रीय सरकार, यदि किसी मामले में वह ऐसा करना ठीक समझे तो, उक्त कृत्यों में से किसी कृत्य का प्रयोग स्वयं कर सकती हैं।

[संख्या 19011/1/77-विदेशी-3]

के० एम० एल० छाबड़ा, संयुक्त सचिव

S.O. 2276.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Rajasthan hereby entrusts also to the Additional Superintendent of Police, State Special Branch, Bikaner District Zone, Bikaner, within his jurisdiction, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946, (31 of 1946), subject to the following conditions, namely:—

(a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;

(b) that in the exercise of such functions the said Additional Superintendent of Police shall comply with such general or special directions as the Government of Rajasthan or the Central Government may from time to time issue; and

(c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions, should it deem fit to do so in any case.

[No. 19011/1/77-F. III]

K. M. L. CHHABRA, Jt. Secy.

वित्त मंत्रालय

(राजस्व और बैंकिंग विभाग)

(राजस्व पक्ष)

नई दिल्ली, 28 अप्रैल, 1977

आय-कर

कां०आ० 2277.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री चेरपालाचारी ऐय्यपन कावू जीर्णोद्धार समिति, चेरपालाचारी पालघाट" को उक्त धारा के प्रयोजनों के लिए केरल राज्य भर में विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1738 फा० नं० 176/39/77-आई० टी० (ए० वन)]

एम० शास्त्री, अवसर सचिव

MINISTRY OF FINANCE

(Department of Revenue & Banking)

(Revenue Wing)

New Delhi, the 28th April, 1977

INCOME-TAX

S.O. 2277.—In exercise of the powers conferred by sub-section (2)(b) of Section 80C of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies "Shri Cherpalachari Ayyappankavu Jeernodharana Samithi, Cherpalachari, Palghat" to be a place of public worship of renown throughout the State of Kerala for the purposes of the said section.

[No. 1738/F. No. 176/39/77-IT(AI)]

M. SHASTRI, Under Secy.

(बैंकिंग पक्ष)

नई दिल्ली, 30 जून, 1977

कां०आ० 2278.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मराठावाड़ा ग्रामीण बैंक, नांदेद के अध्यक्ष के रूप में श्री के० बी० डामले की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 28 फरवरी, 1977 की अधिसूचना सं० एफ० 4-46/76-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-46/76-ए० सी०]

(Banking Wing)

New Delhi, the 30th June, 1977

S.O. 2278.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-46/76-AC, dated the 28th February, 1977 relating to the appointment of Shri K. B. Damle, as the Chairman of the Marathwada Gramin Bank, Nanded, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-46/76-AC]

कां०आ० 2279.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा साउथ मालाबार ग्रामीण बैंक, मालापपुरम के अध्यक्ष के रूप में श्री ए० कुरुणाकारा शेट्टी की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 11 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-60/76-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-60/76-ए० सी०]

S.O. 2279.—In exercise of the powers conferred by section 11 of the Regional Rural Bank Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-60/76-AC, dated the 11th December, 1976 relating to the appointment of Shri A. Karunakara Shetty, as the Chairman of the South Malabar Gramin Bank, Malappuram, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-60/76-AC]

कां०आ० 2280.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भोजपुर रोहतास ग्रामीण बैंक, आरा के अध्यक्ष के रूप में श्री पी० के० जैन की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 30 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-70/75-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-70/75-ए० सी०]

S.O. 2280.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-70/75-AC, dated the 30th December, 1976 relating to the appointment of Shri P. K. Jain, as the Chairman of the Bhojpur Rohtas Gramin Bank, Arrah, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-70/75-AC]

कां०आ० 2281.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा जम्मू रुहल बैंक, जम्मू के अध्यक्ष के रूप में श्री एस० आर० कोतवाल की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 31 जनवरी, 1977 की अधिसूचना सं० एफ० 04-72/75-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात्

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-72/75-ए० सी०]

S.O. 2281.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-72/75-AC, dated the 31st January, 1977 relating to the appointment of Shri S. R. Kotwal, as the Chairman of the Jammu Rural Bank, Jammu, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-72/75-AC]

कां०आ० 2282.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा तुंगभद्रा ग्रामीण बैंक, बिलारी के अध्यक्ष के रूप में श्री बी० ए० प्रभु की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 30 दिसम्बर, 1976 की

अधिसूचना सं० एफ० 4-73/75-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के “30 जून, 1977” अंकों, अक्षरों और शब्द के स्थान पर “30 सितम्बर, 1977” अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-73/75-ए० सी०]

S.O. 2282.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-73/75-AC, dated the 30th December, 1976 relating to the appointment of Shri B. A. Prabhu, as the Chairman of the Tungabhadra Gramin Bank, Bellary, namely :—

In the said notification, for the figures, letters and words “30th June, 1977” the figures, letters and words “30th September, 1977” shall be substituted.

[No. F. 4-73/75-AC]

का०आ० 2283.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मयूरक्षी ग्रामीण बैंक, सूरी के अध्यक्ष के रूप में श्री के० एस० बनर्जी की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 28 फरवरी, 1977 की अधिसूचना सं० एफ० 4-75/76-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के “30 जून, 1977” अंकों, अक्षरों और शब्द के स्थान पर “30 सितम्बर, 1977” अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-75/76-ए० सी०]

S.O. 2283.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-75/AC, dated the 28th February, 1977 relating to the appointment of Shri K. S. Banerjee, as the Chairman of the Mayurakshi Gramin Bank, Suri, namely :—

In the said notification, for the figures, letters and words “30th June, 1977” the figures, letters and words “30th September, 1977” shall be substituted.

[No. F. 4-75/76-AC]

का०आ० 2284.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा सुल्तानपुर क्षेत्रीय ग्रामीण बैंक, सुल्तानपुर के अध्यक्ष के रूप में श्री जगदीश प्रसाद दुबे की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 8 फरवरी, 1977 की अधिसूचना सं० एफ० 4-77/76-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के “30 जून, 1977” अंकों, अक्षरों और शब्द के स्थान पर “30 सितम्बर, 1977” अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-77/76-ए० सी०]

S.O. 2284. In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-77/76-AC, dated the 8th February, 1977 relating to the appointment of Shri Jagdish Prasad Dubey, as the Chairman of Sultanpur Kshetriya Gramin Bank, Sultanpur, namely :—

In the said notification, for the figures, letters and words “30th June, 1977” the figures, letters and words “30th September, 1977” shall be substituted.

[No. F. 4-77/76-AC]

का०आ० 2285.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा प्रागज्योतिष गांभोलिया बैंक, नलवाड़ी के अध्यक्ष के रूप में श्री जी० सी० कालिता की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 30 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-79/75-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के “30 जून, 1977” अंकों, अक्षरों और शब्द के स्थान पर “30 सितम्बर, 1977” अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० 4-79/75-ए० सी०]

S.O. 2285.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-79/75-AC, dated the 30th December, 1976 relating to the appointment of Shri G. C. Kalita, as the Chairman of the Pragyotish Gaonlia Bank, Nalwari, namely :—

In the said notification, for the figures, letters and words “30th June, 1977” the figures, letters and words “30th September, 1977” shall be substituted.

[No. F. 4-79/75-AC]

का०आ० 2286.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा रायलासीमा ग्रामीण बैंक कुडप्पा के अध्यक्ष के रूप में श्री कुरुपसागर कुंडे की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 31 जनवरी, 1977 की अधिसूचना सं० एफ० 4-83/76-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के “30 जून, 1977” अंकों, अक्षरों और शब्द के स्थान पर “30 सितम्बर, 1977” अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-83/76-ए० सी०]

S.O. 2286.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-83/76-AC, dated the 31st January, 1977 relating to the appointment of Shri Kurupasagar Kunda, as the Chairman of the Rayalaseema Gramseena Bank, Cuddapah, namely :—

In the said notification, for the figures, letters and words “30th June, 1977” the figures, letters and words “30th September, 1977” shall be substituted.

[No. F. 4-83/76-AC]

का०आ० 2287.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा त्रिपुरा ग्रामीण बैंक, अगरतला के अध्यक्ष के रूप में श्री मानवेन्द्र सेन की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 21 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-84/75-ए० सी० में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के “30 जून, 1977” अंकों, अक्षरों और शब्द के स्थान पर “30 सितम्बर, 1977” अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-84/75-ए० सी०]

S.O. 2287.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-84/75-AC, dated the 21st December, 1976 relating to the appointment of Shri Manabendra Sen, as the Chairman of the Tripura Gramin Bank, Agartala, namely :—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-84/75-AC]

का० आ० 2288.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा कोसी क्षेत्रीय ग्रामीण बैंक, पूर्णिया के अध्यक्ष के रूप में श्री के०एन० शुक्ल की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 23 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-85/76-ए०सी० में निम्नलिखित संशोधन करती है; अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-85/76-ए०सी०]

S.O. 2288.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-85/76-AC, dated the 23rd December, 1976 relating to the appointment of Shri K. N. Shukla, as the Chairman of the Kosi Kshetriya Gramin Bank, Purnea, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-85/76-AC]

का० आ० 2289.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा पुरी ग्राम्य बैंक, पिपली के अध्यक्ष के रूप में श्री सुरेन्द्र महन्ती की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 31 जनवरी, 1977 की अधिसूचना सं० एफ० 4-87/75-ए०सी० में निम्नलिखित संशोधन करती है; अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-87/75-ए०सी०]

S.O. 2289.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-87/75-AC, dated the 31st January, 1977 relating to the appointment of Shri Surendra Mahanty, as the Chairman of the Puri Gramya Bank, Pipili, namely:—

In the said notification, for the figures, letters and word "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-87/75-AC]

का० आ० 2290.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मालप्रभा ग्रामीण बैंक, धारवार के अध्यक्ष के रूप में श्री एम०वी० इनामदार की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 28 फरवरी, 1977 की अधिसूचना सं० एफ० 4-87/76-ए०सी० में निम्नलिखित संशोधन करती है; अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-87/76-ए०सी०]

S.O. 2290.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-87/76-AC,

dated the 28th February, 1977 relating to the appointment of Shri M. V. Inamdar, as the Chairman of the Malaprabh Grameena Bank, Dharwar, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-87/76-AC]

का० आ० 2291.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा बलिया क्षेत्रीय ग्रामीण बैंक, बलिया के अध्यक्ष के रूप में श्री डी० आर० कथूरिया की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 25 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-89/76-ए०सी० में निम्नलिखित संशोधन करती है; अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" अंकों, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-89/76-ए०सी०]

S.O. 2291.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-89/76-AC, dated the 25th December, 1976 relating to the appointment of Shri D. R. Kathuria, as the Chairman of Ballia Kshetriya Gramin Bank, Ballia, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-89/76-AC]

का० आ० 2292.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा नाथ मालाबार ग्रामीण बैंक कन्नानूर के अध्यक्ष के रूप में श्री ए० एम० दामोदरन नायर की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 12 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-90/76-ए०सी० में निम्नलिखित संशोधन करती है; अर्थात्:—

उक्त अधिसूचना के 30 जून, 1977 अंकों, अक्षरों और शब्द के स्थान पर 30 सितम्बर, 1977 अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-90/76-ए०सी०]

S.O. 2292.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-90/76-AC, dated the 12th December, 1976 relating to the appointment of Shri A. M. Damodaran Nair, as the Chairman of the North Malabar Gramin Bank, Cannanore, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-90/76-AC]

का० आ० 2293.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा हिमाचल ग्रामीण बैंक, मण्डी के अध्यक्ष के रूप में श्री के० एस० राजपूत की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग (बैंकिंग पक्ष) की दिनांक 23 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-136/76-ए०सी० में निम्नलिखित संशोधन करती है; अर्थात्:—

उक्त अधिसूचना के 30 जून, 1977 अंकों, अक्षरों और शब्द के स्थान पर 30 सितम्बर, 1977 अंक, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-136/76-ए०सी०]

S.O. 2293.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue and Banking (Banking Wing) No. F. 4-136/76-AC, dated the 23rd December, 1976 relating to the appointment of Shri K. S. Rajput, as the Chairman of the Himachal Gramin Bank, Mandi, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-136/76-AC]

का० आ० 2294.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा रीवा-सिद्धी ग्रामीण बैंक, रीवा के अध्यक्ष के रूप में श्री बी०डी० नारंग की नियुक्ति विषयक भारत सरकार, राजस्व और बैंकिंग विभाग (बैंकिंग पक्ष) की दिनांक 20 दिसम्बर, 1976 की अधिसूचना सं० एफ० 4-139/76 ए० सी० में निम्नलिखित संशोधन करती है अर्थात्:—

उक्त अधिसूचना के "30 जून, 1977" श्रृंखला, अक्षरों और शब्द के स्थान पर "30 सितम्बर, 1977" श्रृंखला, अक्षर और शब्द प्रतिस्थापित किये जायेंगे।

[सं० एफ० 4-139/76-ए०सी०]

सी० आर० बिस्वास, उप-सचिव

S.O. 2294.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in the notification of the Government of India, Department of Revenue & Banking (Banking Wing) No. F. 4-139/76-AC, dated the 20th December, 1976 relating to the appointment of Shri B. D. Narang, as the Chairman of the Rewa-Sidhi Gramin Bank, Rewa, namely:—

In the said notification, for the figures, letters and words "30th June, 1977" the figures, letters and words "30th September, 1977" shall be substituted.

[No. F. 4-139/76-AC]

C. R. BISWAS, Dy. Secy.

(व्यय विभाग)

नई दिल्ली, 30 जून, 1977

का०आ० 2295.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक और अनुच्छेद 148 के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारतीय लेखा परीक्षा और लेखा विभाग में सेवारत व्यक्तियों की दशा में नियंत्रक और महालेखा परीक्षक से परामर्श करने के पश्चात् केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. (1) इन नियमों का नाम केन्द्रीय सिविल सेवा (पेंशन) (पांचवां संशोधन) नियम, 1977 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 में, नियम 33 में टिप्पण 9 के पश्चात् निम्नलिखित टिप्पण अंतः स्थापित किया जाएगा, अर्थात्:—

"टिप्पण 10—जहां कोई सरकारी सेवक किसी ऐसे स्वशासी निकाय में स्थानान्तरित किया जाता है जो किसी सरकारी विभाग के संपरिवर्तन के फलस्वरूप बना हो और इस प्रकार स्थानान्तरित सरकारी सेवक सरकारी नियमों के अधीन पेंशन की सुविधाएं बनाए रखने का विकल्प करता है वहां स्वायत्तशासी निकाय के अधीन प्राप्त की गई उपलब्धियां इस नियम के प्रयोजन के लिए उपलब्धियां समझी जाएंगी।"

[सं० एफ० 2(5)—सं० V(क)/77]

एस०एस०एल० मल्होत्रा, अवसर सचिव

Department of Expenditure)

New Delhi, the 30th June, 1977

S.O. 2295.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and

Auditor-General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:—

1. (1) These rules may be called the Central Civil Services (Pension) (Fifth Amendment) Rules, 1977.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Pension) Rules, 1972, in rule 33 after Note 9 the following Note shall be inserted, namely:—

"Note 10. Where a Government servant has been transferred to an autonomous body consequent on the conversion of a Department of the Government into such a body and the Government servant so transferred opts to retain the pensionary benefits under the rules of the Government, the emoluments drawn under the autonomous body shall be treated as emoluments for the purpose of this rule."

[No. F. 2(5)-EV(A)/77]

S. S. L. MALHOTRA, Under Secy.

कार्यालय समाहर्ता, केन्द्रीय उत्पादन शुल्क, बड़ौदा:

बड़ौदा, 25 अप्रैल, 1977

विनिर्मित उत्पादन

का० आ० 2296.—केन्द्रीय उत्पाद शुल्क नियम, 1944 के नियम 5 के अधीन मुझे प्रदत्त शक्तियों का प्रयोग करते हुए, मैं, (बड़ौदा समाहर्तालय में) केन्द्रीय उत्पाद शुल्क के सहायक समाहर्ताओं को, उनके सम्बन्धित अधिकार-क्षेत्र में, केन्द्रीय उत्पाद शुल्क नियम, 1944 के नियम 173-आर०के० के अधीन, जहां पर महीने के आरम्भ से पहले शुल्क की अदायगी की जाती है, ऐसे मामलों में शुल्क की अदायगी में हुए विलम्ब को माफ करने के लिए, एतद्वारा समाहर्ता की शक्तियों का प्रत्यायोजन करता हूँ।

[अधिसूचना सं० 1/77/सं० IV/16-7/76/वि०उ०]

Office of the Collector, Central Excise, Baroda

Baroda, the 25th April, 1977

MANUFACTURED PRODUCTS

S.O. 2296.—In exercise of the powers conferred upon me under rule 5 of the Central Excise Rules, 1944, I hereby delegate to Assistant Collectors of Central Excise (in Baroda-Collectorate) within their respective jurisdiction, the powers of the Collector under rule 173RK of the Central Excise Rules, 1944 to condone delay in payment of duty in cases where the payment is made before the commencement of the month.

[Notification No. 1/77/No. IV/16-7/76/MP]

बड़ौदा, 20 मई, 1977

का० आ० 2297.—केन्द्रीय उत्पाद शुल्क नियम, 1944 के नियम 5 के अधीन मुझे प्रदत्त शक्तियों का प्रयोग करते हुए, मैं, बड़ौदा समाहर्तालय में केन्द्रीय उत्पाद शुल्क के अधीक्षक की रैंक से नीचे न हो ऐसे सभी अधिकारियों को, केन्द्रीय उत्पाद शुल्क नियम, 1944 के नियम 192 के अधीन, एतद्वारा शक्तियां प्रदान करता हूँ।

अधिसूचना सं० 1-58 दिनांक 14-3-1958 उपर्युक्त सीमा तक परिवर्तित समझा जाए।

[अधिसूचना सं० 2/77/सं० IV/16-8/77/वि०उ०]

एच० आर० सिएम, समाहर्ता

Baroda, the 20th May, 1977

S.O. 2297.—In exercise of the powers conferred upon me under rule 5 of the Central Excise Rules, 1944, I hereby delegate to all officers not below the rank of the Superintendents of Central Excise in Baroda Collectorate the powers under rule 192 of the Central Excise Rules, 1944.

2. Notification No. 1/58 dated 14-3-1958 is modified to the above extent.

[Notification No. 2/77/No. IV/16-8/77/MP]

H. R. SYIEM, Collector

कार्यालय समाहर्ता, केन्द्रीय उत्पादन शुल्क, कोचीन

कोचीन, 26 मई, 1977

का० आ० 2298.—केन्द्रीय उत्पाद शुल्क नियम, 1944 के नियम 173 चर्च के उपनियम (2) के अन्तर्गत मुझे प्रदत्त शक्तियों का प्रयोग करते हुए मैं एतद्वारा उत्पादन शुल्क लगाने योग्य माल को निम्नलिखित मामलों में उक्त नियम के उपनियम (1) के अन्तर्गत निर्धारित समय के बाद हटाने की अनुमति देता हूँ:—

- (1) मध्यवर्ती उत्पाद, जिन्हें उती कारखाने में और आगे उत्पादन के लिए इस्तेमाल किया जाता हो अथवा जिन्हें सतत प्रक्रिया के एक भाग के रूप में साथ वाली अन्य फैक्ट्री में ले जाया जाता हो।
- (2) निर्यात के लिए हटाया जाने वाला माल।
- (3) परीक्षणशालाओं अथवा संस्थापनों से पाइप लाइन के जरिये निकाला गया 'पेट्रोलियम' उत्पाद अथवा समुद्र तट पर और विदेशों को जाने वाले जलयानों और वायुयानों में पुनः ईंधन भरने के लिये निकाला गया पेट्रोलियम उत्पाद;
- (4) ऐसे कारखानों से निकाला गया माल जिनमें चीवीसों घटे माल भेजा जाता हो, जिनके माल का भेजा जाना रेल के डिब्बों के आवंटन डिब्बों की माल ले जाने की क्षमता और भरे हुए डिब्बों को रेल द्वारा लाने ले जाने पर आश्रित हो, और
- (5) दैनिक समाचार पत्रों और मुद्रित पत्रिकाएं हटाना।

[अधिसूचना संख्या 4/77-केन्द्रीय उत्पाद शुल्क]

सी० के० गोपालकृष्णन, समाहर्ता

Office of the Collector, Central Excise, Cochin

Cochin, the 26th May, 1977

S.O. 2298.—In exercise of the powers conferred upon me under sub-rule (2) of rule 173FF of the Central Excise Rules 1944, I hereby permit removal of excisable goods outside the hours fixed under sub-rule (1) of the said rule in the following cases:—

- (i) intermediate products which are utilised within the same factory for further production or are removed to another adjacent factory as part of continuous process;
- (ii) goods removed for exports;
- (iii) petroleum products removed from refineries or installations through pipeline or for refuelling coastal and foreign going vessels and aircraft;
- (iv) goods removed from factories having round the clock despatches, their despatches being dependent on allotment of railway wagons, carrying capacity of the wagons and movement of the loaded wagons by the railways; and
- (v) removal of daily newspapers and printed periodicals.

[Notification No. 4/77-CE]

C. K. GOPALAKRISHNAN, Collector

केन्द्रीय उत्पादन शुल्क समाहर्ता कार्यालय, इलाहाबाद

इलाहाबाद, 2 जून, 1977

का० आ० 2299.—केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के नियम 233 के अन्तर्गत मुझे जो शक्तियां प्रदत्त की गई हैं, मैं उनका प्रयोग करते हुए इस अधिसूचना के द्वारा यह निदेश देता हूँ कि केन्द्रीय उत्पादन शुल्क समाहर्तालय इलाहाबाद में उत्पादन शुल्क योग्य माल के विनिर्माता, जो केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के अध्याय

सात-क में निर्धारित कार्याविधि स्व निकासी (एस०आर०पी०) के अन्तर्गत कार्य करते हैं बजट से पहले दिन (अर्थात् 16 जून, 1977) शाम को 6 बजे के तुरन्त बाद अपनी फैक्ट्री के प्रभारी रेंज अधिकारी को इस अधिसूचना के साथ संलग्न फार्म में एक घोषणा प्रस्तुत करेंगे। उक्त कार्याविधि भारत सरकार की अधिसूचना सं० 171/69-के०उ०शु० दिनांक 21-6-1969, 121/70-के०उ०शु० दिनांक 28-5-1970, 179/71-के०उ०शु० दिनांक 28-9-1971, 195/71-के०उ०शु० दिनांक 12-11-1971, 117/72-के०उ०शु० दिनांक 25-3-1972 और 161/73-के०उ०शु० दिनांक 16-8-73 तथा 18/75 दिनांक 1-3-1975 द्वारा अधिसूचित की गई थी। उक्त घोषणा में निम्नलिखित धीरे दिए जाएंगे:—

(क) विनिर्माता द्वारा उस दिन अर्थात् दिनांक 16-6-77 को ताम को 6 बजे तक जारी किए गए अन्तिम गेट पास (जी०पी०-1 और जी०पी०-2) की संख्या; और

(ख) विनिर्माता के अधिकार में उस दिन अर्थात् 16 जून, 1977 को शाम को 6 बजे स्टॉक की इति शेष (अन्तिम बाकी)।

2. निर्धारित उपरोक्त घोषणा यदि उनको फैक्ट्री रेंज मुख्यालय के निकट स्थित हों तो रेंज कार्यालय में दस्तोखा से (हार्थोहथ) प्रस्तुत करेंगे और उसको लिखित पात्रों प्राप्त करेंगे अन्य निर्धारित अपनी घोषणा यदि किसी अन्य निर्धारित को फैक्ट्री रेंज मुख्यालय से दूर स्थित हों, तो वे उसे उसी दिन दस्तोखा से (हार्थोहथ) अथवा तार से भेजेंगे।

[अधिसूचना सं० 3/1977-के०उ०शु०/फा० सं० चार (16)/32-नीति/77]

के० एस० दिलीप सिंहजी, समाहर्ता

Central Excise Collector, Allahabad

Allahabad, the 2nd June, 1977

S.O. 2299.—In exercise of the powers conferred on me under Rule 233 of the Central Excise Rules, 1944, I hereby direct that all the manufacturers of excisable goods in the Central Excise Collectorate, Allahabad, working under Self Removal Procedure as laid down in Chapter VII-A of the Central Excise Rules, 1944 and notified under Government of India's Notification Nos. 171/69 CE dated 21-6-1969, 121/70-CE dated 28-5-1970, 179/71-CE dated 23-9-1971, 195/71-CE dated 12-11-1971, 117/72-CE dated 25-3-1972 and 161/73-CE dated 16-8-73 and 18/75 dated 1-3-1975 shall file immediately after 6 p.m. on the day prior to the Budget day (i.e. the 16th June, 1977) a declaration with the Range Officer in charge of their factory with a copy to the Proper Officer in the form appended to this Notification. The declaration shall contain:—

(a) the number of last Gate Pass (G.P. 1 and G.P. 2) issued by the manufacturer up to 6 p.m. on that date i.e. 16-6-77, and

(b) the closing balance of the stocks held by the manufacturer at 6 p.m. on that date i.e. 16th June, 1977.

2. The above declaration shall be submitted by the assessee by hand in the Range Office against a written acknowledgment where the factories are located at or near the Range Hdqrs. Other assessee who may be situated for away from the Hdqrs. of the Range Office may send their declaration either by hand or through telegram despatched on the same day.

[Notification No. 3/1977-CE/C. No. IV(16)132-POL/77]

K. S. DILIPSINGHJI, Collector

केन्द्रीय उत्पादन शुल्क के समाहर्ता का कार्यालय, पुणे

पुणे, 14 जून, 1977

केन्द्रीय उत्पाद शुल्क

का० आ० 2300.—केन्द्रीय उत्पाद शुल्क नियम 1944 के नियम 5 के अधीन मुझे प्रदत्त शक्तियों का प्रयोग करते हुए मैं, केन्द्रीय उत्पाद, शुल्क के अधीक्षक के तथा उससे उपर के दर्जे के सभी अधिकारियों को केन्द्रीय उत्पाद शुल्क नियम 1944 के नियम 192 के अधीन उन के अपने-अपने क्षेत्राधिकार में समाहर्ता की शक्तियां प्रदान करता हूँ।

[सं० सी०आर०/7/77/फा० सं० बी०जी०एन० (8)-50/टी०ए०/77]

जे० एम० वर्मा, समाहर्ता

Office of the Collector of Central Excise, Pune

Pune, the 14th June, 1977

CENTRAL EXCISES

S.O. 2300.—In exercise of the powers vested in me under Rule 5 of the Central Excise Rules, 1944, I empower all the Officers of and above the rank of the Superintendent of Central Excise to exercise within their respective jurisdiction the powers of the Collector under Rule 192 of the Central Excise Rules, 1944.

[No. CER/7/77/F. No. VGN(8)-50/TA/77]

J. M. VERMA, Collector

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 16 जुलाई, 1977

का० आ० 2301.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिये, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना संख्या का० आ० 1004 (तारीख 23 मार्च, 1967 में नीचे विनिर्दिष्ट रीति से और संशोधन करना आवश्यक तथा समीचीन है;

और केन्द्रीय सरकार ने निम्न प्रस्तावों को निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) की अपेक्षानुसार निर्यात निरीक्षण परिषद को भेज दिया है;

अतः अब, केन्द्रीय सरकार उक्त उप-नियम के अनुसरण में उक्त प्रस्तावों को ऐसे सभी लोगों की जानकारी के लिये प्रकाशित करती है जिसके इससे प्रभावित होने की संभावना है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में यदि कोई व्यक्ति कोई आक्षेप या सुझाव देना चाहे तो वह उसे इस आदेश के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिनों के भीतर निर्यात निरीक्षण परिषद, 'वर्ल्ड ट्रेड सेंटर (आठवीं मंजिल) 14/1-बी एजरा स्ट्रीट, कलकत्ता-1 को भेज सकता है।

प्रस्ताव

भारत सरकार के वाणिज्य मंत्रालय के आदेश सं० का० आ० 1004 तारीख 23 मार्च, 1967 में:—

- (i) उपाध्व I में, मद 7 और 13 तथा इससे संबंधित प्रविष्टियों का लोप किया जायेगा;
- (ii) उपाध्व II में, क्रम सं० 7 तथा उससे संबंधित प्रविष्टियों का लोप किया जायेगा;
- (iii) उपाध्व III में, क्रम सं० 5 तथा उससे संबंधित प्रविष्टियों का लोप किया जायेगा।

[सं० 6(19)/76-नि० नि० तथा नि० उ०]

MINISTRY OF COMMERCE

ORDER

New Delhi, the 16th July, 1977

S.O. 2301.—Whereas the Central Government is of opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary and expedient further to amend the notification of the Government of India in the Ministry of Commerce No. S.O. 1004, dated the 23rd March, 1967, in the manner specified below for the development of the export trade of India;

And whereas the Central Government has forwarded the proposal in that behalf to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposal may forward the same within forty-five days from the date of publication of this order in the Official Gazette to the Export Inspection Council, 'World Trade Centre (7th floor), 14/1B, Ezra Street, Calcutta-1.

PROPOSALS

In the Order of the Government of India in the Ministry of Commerce No. S.O. 1004, dated the 23rd March, 1967;

- (i) in Annexure I, items 7 and 13 and the entries relating thereto shall be omitted;
- (ii) in Annexure II, Sl. No. 7 and the entry relating thereto shall be omitted;
- (iii) in Annexure III, Sl. No. 5 and the entry relating thereto shall be omitted.

[No. 6 (19)/76/EI & EP]

आदेश

का० आ० 2302.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिये भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना संख्या का० आ० 79, तारीख 15 जनवरी, 1967 में नीचे विनिर्दिष्ट रीति से संशोधन करना आवश्यक तथा समीचीन है:

और केन्द्रीय सरकार ने इस निम्न प्रस्तावों को निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम 1964 के नियम 11 के उपनियम (2) की अपेक्षानुसार निर्यात निरीक्षण परिषद को भेज दिया है:

अतः अब केन्द्रीय सरकार उक्त उप-नियम के अनुसरण में उक्त प्रस्तावों को उससे ऐसे सभी लोगों की जानकारी के लिये एतद्वारा प्रकाशित करती है जिनके इससे प्रभावित होने की संभावना है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में यदि कोई व्यक्ति कोई आक्षेप या सुझाव देना चाहे तो वह उसे इस आदेश के सरकारी राजपत्र में प्रकाशन की तारीख से पैंतालीस दिनों के भीतर निर्यात निरीक्षण परिषद 'वर्ल्ड ट्रेड सेंटर (आठवां मंजिल), 14/1 बी, एजरा स्ट्रीट, कलकत्ता-1 को भेज सकेगा।

प्रस्ताव

भारत सरकार के वाणिज्य मंत्रालय के आदेश सं० का० आ० 79, तारीख 5 जनवरी, 1967 में:—

- (i) उपाध्व I में, मद 2 तथा उससे संबंधित प्रविष्टियों को लोप किया जाएगा।

[सं० 6(19)/76-नि० नि० तथा नि० उ०]

ORDER

S.O. 2302.—Whereas the Central Government is of opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary and expedient to amend the notification of the Government of India in the Ministry of Commerce No. S.O. 79, dated the 5th January, 1967, in the manner specified below for the development of the export trade of India;

And whereas the Central Government has forwarded the proposal in that behalf to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964 ;

Now, therefore, in pursuance of the said sub-rule the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposal may forward the same within forty-five days from the date of publication of this Order in the Official Gazette to the Export Inspection Council, 'World Trade Centre' (7th floor), 14/1B, Ezra Street, Calcutta-1.

PROPOSAL

In the Order of the Government of India in the Ministry of Commerce, No. S.O. 79 dated the 5th January, 1967 :—

(i) in Annexure I, item 2 and the entry relating thereto, shall be omitted.

[No. 6 (19)/76 EI & EP]

आदेश

का० आ० 2303.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार को यह राय है कि भारत के निर्यात व्यापार के विकास के लिये भारत सरकार के भूतपूर्व विदेश व्यापार मंत्रालय की आटोमोबाइल के पुर्जों संघटकों तथा उपकरणों के निर्यात पूर्व निरीक्षण से संबंधित, अधिसूचना सं० का० आ० 458, तारीख 17 फरवरी, 1973 में निम्नलिखित संशोधन करना आवश्यक तथा समीचीन है।

और केन्द्रीय सरकार के उक्त प्रयोजन के लिये नीचे विनिर्दिष्ट प्रस्ताव तैयार किये हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षानुसार निर्यात निरीक्षण परिषद को भेज दिया है।

अतः अब केन्द्रीय सरकार उक्त उप नियम के अनुसरण में उक्त प्रस्तावों को ऐसे सभी लोगों की जानकारी के लिये प्रकाशित करती है जिनके उससे प्रभावित होने की संभावना है।

2. सूचना दी जाती है कि ऐसा कोई व्यक्ति जो उक्त प्रस्तावों के बारे में कोई आक्षेप या सुझाव देना चाहता है उन्हें इस आदेश के सरकारी राजपत्र में प्रकाशन की तारीख से पैंतालीस दिनों के भीतर, निर्यात निरीक्षण परिषद्, 'वर्ल्ड ट्रेड सेंटर' 14/1, बी, एजरा स्ट्रीट (आठवीं मंजिल) कलकत्ता 700001 को भेज सकता है।

प्रस्ताव

1. भारत सरकार के भूतपूर्व विदेश व्यापार मंत्रालय की अधिसूचना सं० का० आ० 458, तारीख 17 फरवरी, 1973 में निम्नलिखित संशोधन किये जायेंगे, अर्थात्—

(i) उपाबन्ध I में, क्रम सं० 21 तथा उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित अन्तः स्थापित किया जायेगा, अर्थात्—

'22. रेडिएटर होज

23. आटोमोटीव हार्डिडोलिक ब्रेक होज

24. आटोमोटीव फैन बैट'

(ii) उपाबन्ध-III में, क्रम सं० 21 तथा उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित अन्तःस्थापित किया जायेगा, अर्थात्—

'22. रेडिएटर होज के लिये विनिर्देश

1. प्रकार

1.1 प्रकार'

होज निम्नलिखित तीन प्रकार के होंगे:

(क) प्रकार 1—गर्म इथानिडियल (एथिलीन ग्लाइकोल) का प्रतिरोधी रबड़ के अस्तर तथा कवर के साथ :

(ख) प्रकार 2—गर्म इथानिडियल (एथिलीन ग्लाइकोल) का प्रतिरोधी तथा रबड़ के अस्तर गर्म तेल के प्रतिरोधी और संश्लिष्ट रबड़ के कवर के साथ : तथा

(ग) प्रकार 3—तेल का प्रतिरोधी संश्लिष्ट रबड़ के अस्तर तथा कवर के साथ।

2. बनावट—होज 2.1 से 2.3 तक में विनिर्दिष्ट रीति से बनाया जाएगा।

2.1 रबड़ का भीतरी अस्तर

रबड़ का अस्तर का अस्तर सीजन रहित व्यक्ति रूप से एकरस वायु फकोलों, संरप्रता तथा अन्य सतही दोषों से मुक्त होगा। 50.0 मि० मी० से अधिक आन्तरिक व्यास वाले होजों की दशा में अस्तर रबड़ की चट्टों की दो या अधिक प्लार्ई से बनाया जाएगा।

2.2 प्रबलन प्लार्ई

प्रबलन प्लार्ई बायस पर लागू बुने हुए वस्त्र या गुथे हुए तांगों की होगी। बुना हुआ वस्त्र या तांगा भली प्रकार घर्षणयुक्त या उपयुक्त रूप से रबड़ मिश्रण के साथ दोनों ओर फला होगा तथा वस्त्र या तांगा प्लार्ई की संख्या सारणी 1 में निर्धारित रूप में होगी। प्रबलित बुने हुए फैब्रिक के साथ होजों की दशा में प्लार्ई की परस्पर व्याप्ति 12.5 मि० मी० से कम नहीं होगी।

सारणी-1

रेडिएटर होजों का आन्तरिक तथा बाह्य व्यास तथा प्रबलन प्लार्ई की न्यूनतम संख्या

क्रम सं०	आन्तरिक व्यास पर	आन्तरिक व्यास पर	प्रबलित प्लार्ई की न्यूनतम सं०	बाह्य व्यास पर	बाह्य व्यास पर
(1)	(2)	(3)	(4)	(5)	(6)
	मि० मी०	मि० मी०		मि० मी०	मि० मी०
(1)	10.00	± 0.75	2	16.7	
(2)	12.5		2	20.0	
(3)	16.0		2	23.0	± 0.75
(4)	20.0		3	28.5	
(5)	22.0		3	32.0	
(6)	25.0		3	35.0	
(7)	28.0	± 1.25	3	38.0	± 1.25
(8)	31.5		3	41.0	
(9)	35.0		3	45.0	
(10)	38.0		3	48.0	
(11)	41.0		3	50.0	
(12)	45.0	± 1.50	4	56.0	± 1.50
(13)	50.0		4	63.0	
(14)	56.0		4	70.0	
(15)	63.0		4	77.0	
(16)	70.0		4	84.0	
(17)	75.0		4	90.0	

2.3 कवर

बाह्य कवर पर वस्त्र-चिह्नित फिनिश या चिकनी फिनिश होगी।

3. विमायें तथा प्लाई की संख्या

प्रबलित प्लाई का आन्तरिक तथा बाह्य व्यास तथा न्यूनतम संख्या सारणी 1 में विनिर्दिष्ट के अनुसार होगी।

3.1 अन्तर तथा कवर की मोटाई—अस्तर तथा कवर की मोटाई सारणी 2 में विनिर्दिष्ट से कम नहीं होगी।

सारणी-2

रेडिएटर होज के अस्तर तथा कवर की मोटाई

क्रम सं०	आन्तरिक व्यास	अस्तर	कवर
1	2	3	4
	मि० मी०	मि० मी०	मि० मी०
(i) 45.0 तक		1.5	1.0
(ii) 45.0 तथा अधिक		2.0	1.0

3.2 लम्बाई

जब तक अन्यथा विनिर्दिष्ट न हो होज की लम्बाई 1.00 ± 0.01 मी० होगी।

4. परीक्षण

4.1 तनन मजबूती तथा टूटने पर दीर्घीकरण

सभी प्रकार के रेडिएटर होजों के अस्तर तथा कवर के लिये प्रयुक्त रखड़ की तनन मजबूती तथा टूटने पर दीर्घीकरण सारणी 3 में विनिर्दिष्ट रूप में होगी।

सारणी-3

रेडिएटर होज के अस्तर तथा कवर की तनन मजबूती तथा दीर्घीकरण

क्रम सं०	विशेषताएँ	अस्तर	कवर
(i)	टूटने पर तनन मजबूती कि० ग्रा०/से०		
	मी० ² न्यूनतम	55	55
(ii)	टूटने पर दीर्घीकरण, प्रतिशत, न्यूनतम	250	250

4.2 त्वरित काल प्रभावन (एक्सिलरेटेड एजिंग)

नमूने में तनन मजबूती में परिवर्तन तथा टूटने पर दीर्घीकरण भा० मा० 443 : 1963 के अनुसार किये गये त्वरित काल प्रभावन परख के पश्चात् सारणी 4 में दी गई सीमाओं के भीतर ही होगा।

सारणी-4

त्वरित काल प्रभावन के पश्चात् मूल नमूने पर तनन मजबूती तथा टूटने पर दीर्घीकरण पर सह्यता सीमाएँ

क्रम सं०	प्रकार	वास्तविक मूल्य के प्रतिशत के अनुसार वर्णित तनन मजबूती पर सहायता	अस्तर तथा कवर के मूल मूल्य के प्रतिशत के अनुसार वर्णित दीर्घीकरण पर सह्यता
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	अस्तर	कवर
(1)	1 +10, -25	+10, -25
(2)	2 +25, -25	±35
(3)	3 ±35	±35

4.3 आसंजन

आसंजन ऐसा होगा कि विलगाव की दर निम्नलिखित भारों के अन्तर्गत 25 मि० मी० प्रति मिनट से अधिक नहीं होगी:

(क) अस्तर तथा वस्त्र या अस्तर तथा वेणी के मध्य	3.5 कि० ग्रा०
(ख) बेरिपय प्लाई या वेणी के मध्य	4.5 कि० ग्रा०
(ग) कवर तथा फीनिक या कवर तथा वेणी के मध्य	3.5 कि० ग्रा०

4.4 फटन दबाव हाइड्रोलिक परीक्षण

परीक्षण के लिए होज का टुकड़ा सारणी 5 में निर्दिष्ट अपेक्षाओं के अनुरूप होगा। परीक्षण का तरीका भा० मा० 443 : 1963 के अनुसार होगा।

सारणी 5

रेडिएटर होज के लिए हाइड्रोलिक परीक्षण अपेक्षाएं

क्र० सं०	आन्तरिक व्यास	न्यूनतम फटन दबाव
(1)	(2)	(3)
	मि० मी०	कि० ग्रा०/से० मी० ²
(1)	*10.0	33
(2)	*12.5	30
(3)	*16.0	25
(4)	*20.0	22
(5)	22.0	21
(6)	*25.0	19
(7)	28.0	17
(8)	*31.5	15
(9)	35.0	14
(10)	*38.0	14
(11)	41.0	13
(12)	*45.0	12
(13)	*50.0	10
(14)	*56.0	8
(15)	*63.0	7
(16)	*70.0	6
(17)	*75.0	5

*ये अनुमोदित आकार हैं।

4.5 इथानिडियल (इथाईलिन ग्लाइकोल) का प्रतिरोध

इथानिडियल (इथाईलिन ग्लाइकोल) घोल में अस्तर का प्रतिरोध इस प्रकार का होगा कि वह अस्तर वस्त्र या गुंथे हुए तंतु के विलगाव का कोई चिह्न नहीं दिखाएगा तथा यह कोई भी दरार या मोटाई नहीं पैदा करेगा तथा इस दशा में होगा कि यह आसानी से विघटित हो जाए।

4.6. खनिज तेल में निमज्जन के पश्चात् श्रौतिकी विशेषताओं में परिवर्तन (प्रकार 2 के कवर तथा प्रकार 3 के अस्तर तथा कवर को लागू)

खनिज तेल में निमज्जन तथा परीक्षण के पश्चात् परीक्षण नमूना निम्नलिखित अपेक्षाओं की पूर्ति करेगा:

टूटने पर दीर्घीकरण में परिवर्तन अधिकतम प्रतिशत मूल मूल्य का 30

टूटने पर तनन मजबूती में परिवर्तन, अधिकतम प्रतिशत वास्तविक मूल्य का 50

23. आटोमोटिव हाइड्रोलिक ब्रेक होजों के लिए विनिर्देश

1. सामग्री तथा संरचना

1.1. अस्तर—अस्तर उपयुक्त तेल प्रतिरोधी रबड़ मिश्रण से बना होगा

अस्तर की मोटाई एकरस होगी और वह सकेन्द्री तथा वायुफोलों, सरंध्रता और अन्य दृश्य दोषों से मुक्त होगा। यह सीवन रहित होगा। तथा परिछिद्रों में इतना चिकना होगा कि उत्तम विनिर्माण की प्रक्रिया से संगत हो।

1.2. प्रबलन

वस्तु प्रबलन कपास विस्फोस रेयान, पोलिएस्टरफाइबर या उपयुक्त संश्लिष्ट फाइबर या इन सबके मिश्रण से बना होगा।

1.3. कवर

कवर पोलिक्लोरोपीन पर तत्त्वतः आधारित उपयुक्त संश्लिष्ट रबड़ मिश्रण से बना होगा कवर मोटाई में एक समान, सकेन्द्री, सकेन्द्रित, वायु फोलों, सरंध्रता तथा फटन से मुक्त होगा। होज का कवर चिकना, नाली-युक्त, कपड़ा चिह्नित या पैटर्न फिनिश का होगा।

2. विमाएँ तथा सह्यताएँ

2.1. व्यास तथा प्रबलित प्लाई

परिछिद्र का आकार तथा प्रबलित प्लाइयों की संख्या सारणी 1 के अनुसार होगी।

सारणी—1

परिछिद्र का आकार, प्रबलित प्लाइयों की कम से कम, संख्या तथा सह्यताएँ

अंकित परिछिद्र का आकार	सह्यता	प्लाइयों की न्यूनतम सं०
(1)	(2)	(3)
3.25	+0	2
4.85		
6.40		
	-0.3	

2.2. अस्तर तथा कवर की मोटाई

अस्तर की मोटाई 0.75 मिलिमीटर से कम नहीं होगी तथा उसके कवर की 0.6 मिलिमीटर से कम नहीं होगी।

3. परीक्षण

3.1. अस्तर तथा कवर की तनन मजबूती तथा टूटने पर दीर्घीकरण

होज के कवर की तथा अस्तर के लिए प्रयुक्त रबड़ की तनन मजबूती तथा टूटने पर दीर्घीकरण सारणी 2 में विनिर्दिष्ट रूप में होगी।

सारणी 2

अस्तर तथा कवर की तनन मजबूती तथा टूटने पर दीर्घीकरण

विशेषताएँ	के लिए अपेक्षाएँ
(1)	(2)
तनन मजबूती कि० ग्रा० क/से० मी० ²	अस्तर 140 कवर 85
टूटने पर न्यूनतम दीर्घीकरण न्यूनतम प्रतिशत।	200 250

3.2. त्वरित काल प्रभावन परीक्षण

72 घंटों की अवधि तक $70 \pm 1^\circ$ से० ग्रे० पर काल प्रभावन के पश्चात् होज के अस्तर के लिए प्रयुक्त रबड़ की तनन मजबूती तथा टूटने पर दीर्घीकरण, काल प्रभावन से पूर्व प्राप्त तत्सम मूल्यों के ± 15 प्रतिशत से अधिक नहीं होगी। आगे, 72 घंटों की अवधि तक 100 ± 1 डिग्री से० ग्रे० पर पहुँचने के पश्चात् होज के कवर के लिए प्रयुक्त रबड़ की तनन मजबूती ± 25 प्रतिशत से अधिक नहीं होगी तथा टूटने पर दीर्घीकरण कालप्रभावन से पूर्व प्राप्त तत्सम मूल्यों के $(+10, -45)$ प्रतिशत से अधिक नहीं होंगे।

3.3. सूजन परीक्षण

समान आयतन में व्यापारित श्रेणी के कैंस्टर तेल तथा शुद्ध किए हुए डायक्लोम अल्कोहल के मिश्रण में $70-10$ से० ग्रेड पर 72 घंटों तक निमज्जन करने के पश्चात् अस्तर के आयतन में वृद्धि मूल आयतन से 12 प्रतिशत से अधिक नहीं होनी चाहिए। होज के कवर की दशा में, उपरोक्त परीक्षण तरल में निमज्जन के पश्चात् वृद्धि 100 प्रतिशत से अधिक नहीं होनी चाहिए।

3.4. फटन सामर्थ्य

जब हाईड्रोलिक दबाव के अन्तर्गत परीक्षण किया जाए, तब होज का प्रत्येक नमूना सारणी 3 में विनिर्दिष्ट दबाव को 2 मिनट तक सहन कर सकेगा फटने तक, दबाव फिर 1750 ± 700 कि० ग्रा० फु०/से० मी०² प्रति मिनट की दर से बढ़ाया जाएगा। न्यूनतम घटन दबाव वह होगा जो सारणी 3 में दिया गया है।

सारणी—3

न्यूनतम फटन सामर्थ्य

छिद्र का आकार	प्रतिधारण	फटन दबाव, न्यूनतम
(1)	(2)	(3)
मि० मी०	मि० ग्रा० क/से० मी० ²	कि० ग्रा०/से० मी० ²
3.25	280	350
4.85	210	315
6.40	210	315

24. आटोमोटिव फैन वैल्टस के लिए विनिर्देश

1. सामग्री तथा विनिर्माण

1.1. आटोमोटिव फैन वैल्ट फैब्रिक या डोर कार्ड या दोनों से बनी होगी तथा रबड़ जैसे मिश्रण से उपचारित की जाएगी, सम्पूर्ण मिश्रण एकरस करके तथा एकसा आकार देकर ढाला जाएगा।

1.2. वैल्ट की संतोषजनक आयु तब प्राप्त होगी जब वैल्ट को $+70$ डि० से० तथा -20 डिग्री सेंटीग्रेड के परिमेषित तापमान के बीच प्रयोग किया जाएगा।

1.3. वैल्ट की सतह इस ढंग से तैयार की जाएगी कि वैल्ट की आन्तरिक संरचना पर, काम की सामान्य दशाओं में सीलन के कारण प्रतिकूल प्रभाव न पड़े।

2. अनुप्रस्थ काट विमाएँ—

अंकित अनुप्रस्थ काट विमाएँ सारणी 1 में दर्शित रूप में होगी। जब वैल्ट सारणी 3 में विनिर्दिष्ट दशाओं के अनुसार विशेष रूप से बनाई गई दो चरखियों पर चढ़ाई जाए तब वह सारणी 2 और 3 में दी गई

100+

सीमाओं के भीतर चरखी नालियों पर फिट की जानी चाहिए।

सारणी 1

आटोमोटिव फैन वेलर को अंकित अनुप्रस्थ काट विभाएँ
(सभी विभाएँ मिलिमीटरों में)

अंकित सिरे पर की चौड़ाई	अंकित मोटाई	कोण अंश
मी०	मी०	
(1)	(2)	(3)
10	8	40
13	11	40

सारणी 2

सारणी 3 में विनिर्दिष्ट के रूप में नई आटोमोटिव फैन वेल्ट्स को चरखियों पर नापने पर सहायताएँ एवं तनन अपेक्षाएँ

अंकित सिरे पर की चौड़ाई	वेल्ट पर कुल तनन	चरखी खांचा मापने के संबंध में पेटी की ऊपरी सतह की स्थिति	खांचों की तली पर न्यूनतम अन्तराल
(1)	(2)	(3)	(4)
मिलीमीटर	किलोग्राम फ	मिलीमीटर	मिलीमीटर
10	27	+2.4 +0.8	1.0
13	27	2.4 +0.8	4.0 4.0

सारणी 3

नए फैन वेल्ट को नापने के लिए चरखियों की विभाएँ

(सभी विभाएँ मिलिमीटरों में)

फैन वेल्ट की (बाहरी व्यास पर) नाली का बाहरी व्यास बाहरी व्यास नाली का कोण

अंकित सिरे पर की नामिक चरखी गहराई पर नाली की परिधि चौड़ाई (न्यूनतम) के सिरे की मि० मी० चौड़ाई

± 0.025

(1)	(2)	(3)	(4)	(5)	(6)
10	305	11	9.65	97	360°
13	305	14	12.70	97	36°

3. वेल्ट की लम्बाई

3. मानक लम्बाई सारणी 4 में दी गई लम्बाई के अनुसार होगी।

सारणी 4

आटोमोटिव फैन वेल्ट के लिए मानक लम्बाइयाँ
(सभी विभाएँ मिलिमीटरों में होंगी)

500	1250	1900	2250
560	1280	2100	2280
630	1315	2112	2315
710	1355	2125	2355
800	1400	2140	2400
900	1450	2160	2450
1000	1500	2180	2500
1100	1560	2200	
1112	1630	2224	
1125	1710		
1140	1800		
1160			
1180			
1200			
1224			

3. 2. लम्बाई की सहायताएँ

वेल्ट की लम्बाइयों की सहायताएँ निम्नलिखित रूप में होंगी

वेल्ट की प्रभावी लम्बाई	जब मापी चरखी पर वेल्ट लगाई जाएगी तब केन्द्रीय दूरी पर सहायताएँ	अनुरूप सेंटर के भीतर लम्बाई में अधिकाधिक परिवर्तन
मि० मी०	मि० मी०	मि० मी०
तक जिसमें 1250 भी सम्मिलित हैं	± 3.2	2.5
1250 से अधिक किन्तु 1500 तक जिसमें 1500 भी सम्मिलित हैं।	± 4	2.5
1500 से अधिक किन्तु 2500 तक जिसमें 2500 भी सम्मिलित हैं।	± 5.0	

4. वेल्ट की माप

4. 1. वेल्ट की लम्बाई तथा चढ़ाव स्थिति को तब मापा जाएगा जब वेल्ट को दो समान व्यास वाली चरखियों पर चढ़ाया जाएगा जिनमें नाली की विभाएँ सारणी 3 के अनुरूप होंगी और जिसका कुल तनन तथा नाली में वेल्ट की स्थिति वह होगी जो सारणी 2 में विनिर्दिष्ट है। कुल तनन को वेल्ट की दो लड़ियों की बीच समान रूप से बांट दिया जाएगा। तनन लागू कर दिए जाने के पश्चात् वेल्ट को विठाने के लिए चरखियों को कम से कम एक बार घुमाया जाएगा या उन्हें कम गति पर निरन्तर घुमाया जाएगा। कारगर लम्बाई की गणना मापन चरखियों में से एक की कारगर बाहरी परिधि को मापित केन्द्र दूरी के दूने के साथ जोड़ कर की जाएगी।

4. 2. इस प्रकार अवधारित कारगर लम्बाई सारणी 4 में दी गई लम्बाई के अनुरूप, किन्तु 3. 2 में दिए गए परिवर्तन की सीमाओं के भीतर होंगी।

5. परीक्षण

5. 1. कोण की जांच पड़ताल— के

फैन वेल्ट की, कोण की जांच पड़ताल अनुसार की जाएगी।

[सं० 6(19)/76-नि० नि० तथा नि० उ०]

ORDER

S.O. 2303.—Whereas the Central Government is of the opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary and expedient to amend the notification of the Government of India in the late Ministry of Foreign Trade No. S.O. 458, dated the 17th February, 1973 relating to the inspection of automobile spares, components and accessories prior to their export, in the manner specified below for the development of the export trade of India.

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of Export (Quality Control and Inspection) Rules, 1964.

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within forty-five days from the date of publication of this order in the Official Gazette to Export Inspection Council, 'World Trade Centre', 14/1B, Ezra Street (7th floor), Calcutta-700 001.

PROPOSALS

1. The notification of the Government of India in the late Ministry of Foreign Trade No. 458 dated the 17th February, 1973, shall be amended as follows, namely :—

(i) In Annexure-1, after serial No. 21 and the entry relating thereto the following shall be inserted, namely :—

"22. Radiator hose

23. Automotive hydraulic brake hose

24. Automotive fan belt";

(ii) in Annexure III, after serial No. 21 and the entries relating thereto the following shall be inserted, namely :—

22. Specification for Radiator Hose

1. Types

1.1 Types

The hoses shall be of the following three types :

(a) Type 1—With rubber lining and cover resistant to hot ethanediol (ethylene glycol);

(b) Type 2—With rubber lining resistant to hot ethanediol (ethylene glycol) and synthetic, rubber cover resistant to hot oil; and

(c) Type 3—With lining and cover from synthetic rubber resistant to oil.

2. Construction:—The hose shall be constructed as specified in 2.1 to 2.3.

2.1. Inner Rubber Lining.

The inner rubber lining shall be seamless, reasonably uniform, free from air blisters, porosity and other surface defects. In the case of hoses above 50.0 mm internal diameter, the lining may be built up of two or more plies of rubber sheets.

2.2. Reinforcement Plies.

The reinforcement plies shall be of woven fabric applied on bias, or of braided yarn. The woven fabric or yarn shall be well frictioned or suitably spread on both sides with a rubber compound and the number of fabric or yarn plies shall be as prescribed in Table 1. In the case of hoses with woven fabric reinforcement the overlap of plies shall be not less than 12.5 mm.

TABLE 1

Internal and external diameters of Radiator Hoses and minimum number of Reinforcement Plies

Sl. No.	Internal Diameters	Tolerance on internal diameter	Minimum No. of Reinforcement plies	External Diameter	Tolerance on external diameter
(1)	(2)	(3)	(4)	(5)	(6)
	mm			mm	mm
(i)	10.0	±0.75	2	16.7	±0.75
(ii)	12.5		2	20.0	
(iii)	16.0		2	23.0	
(iv)	20.0		3	28.5	
(v)	22.0	±1.25	3	32.0	±1.25
(vi)	25.0		3	35.0	
(vii)	28.0		3	38.0	
(viii)	31.5		3	41.0	
(ix)	35.0	±1.50	3	45.0	±1.50
(x)	38.0		3	48.0	
(xi)	41.0		3	50.0	
(xii)	45.0		4	56.0	
(xiii)	50.0		4	63.0	
(xiv)	56.0		4	70.0	
(xv)	63.0		4	77.0	
(xvi)	70.0		4	84.0	
(xviii)	75.0		4	90.0	

2.3. Cover.

The outer cover may have a cloth-marked finish or smooth finish.

3. Dimensions and Number of Plies.

The internal and external diameters and the minimum number of reinforcement plies shall be as specified in Table 1.

3.1. Thickness of Lining and Cover—The thickness of lining and cover shall be not less than that specified in Table 2.

TABLE 2

THICKNESS OF LINING AND COVER OF RADIATOR HOSE

Sl. No.	Internal Diameter	Lining	Cover
(1)	(2)	(3)	(4)
	mm	mm	mm
(i)	Up to 45.0	1.5	1.0
(ii)	45.0 and over	2.0	1.0

3.2. Length.

Unless otherwise specified the length of the hose shall be 1.00 ± 0.01 m

4. Tests.

4.1. Tensile Strength and Elongation at Break.

The tensile strength and elongation at break of the rubber used for lining and cover of all types of radiator hoses shall be as specified in Table 3.

TABLE 3

Tensile Strength and Elongation of Lining and Cover of Radiator Hose

Sl. No.	Characteristic	Lining	Cover
(1)	(2)	(3)	(4)
(i)	Tensile strength at break, Kg /Cm ² , Min.	55	55
(ii)	Elongation at break, per cent Min.	250	250

4 Accelerated Ageing.

The change in tensile strength and elongation at break in the sample shall be within the limits given in Table 4 after accelerated ageing test carried out as per I.S. 443 : 1963.

TABLE 4

Tolerance Limits on Tensile Strength and Elongation at break on the original Sample After Accelerated Ageing

Sl. No.	Type	Tolerance on Tensile strength expressed as percentage of original value		Tolerance on Elongation expressed as percentage of original value for lining and cover
		Lining	Cover	
(1)	(2)	(3)	(4)	(5)
(i) 1		+10	+10	±35
(ii) 2		-15	-25	
		+10	±35	
(iii) 3		-25		±35
		+35	±35	

4.3. Adhesion.

The adhesion shall be such that the rate of separation does not exceed 25 mm per minute under the following loads :

(a) Between lining and fabric of lining and braid 3.5 kg.

(b) Between fabric plies or braids 4.5 kg.

(c) Between cover and fabric or cover and braid 3.5 Kg.

4.4. Bursting Pressure Hydraulic Test.

The hose test piece shall comply with the requirements specified in Table 5. Method of test shall be as per I. S. 443 : 1963

TABLE 5

Hydraulic Test Requirements for Radiator Hose

Sl. No.	Internal Diameter	Minimum Bursting Pressure
(1)	(2)	(3)
	mm	Kg./cm ²
(i)	*10.0	33
(ii)	*12.5	30
(iii)	*16.0	25
(iv)	*20.0	22
(v)	22.0	21
(vi)	*25.0	19
(vii)	28.0	17
(viii)	*31.5	15
(ix)	35.0	14
(x)	*38.0	14
(xi)	41.0	13
(xii)	*45.0	12
(xiii)	*50.0	10
(xiv)	*56.0	8
(xv)	*63.0	7
(xvi)	*70.0	6
(xvii)	*75.0	5

*These are the recommended sizes.

4.5. Resistance to Ethanediol (Ethylene Glycol).

The resistance of the lining to ethanediol (ethylene glycol) solution shall be such that the same shall show no sign of separation of the lining and fabric or braided yarn and it shall not develop any cracks or tackiness or be in such a condition that it may be readily disintegrated.

4.6 Change in Physical Properties after Immersion in Mineral oil (Applicable to Cover of Type 2 and Lining and Cover of Type 3).

The test specimen shall satisfy the following requirements after immersion in mineral oil and testing :

Change in elongation at break, 30 of the original value. percent, Max.

Change in tensile strength at 50 of the original value. break percent, Max.

23. Specifications for Automotive Hydraulic Brake Hose.

1. Material and Construction.

1.1. Lining—The lining shall consist of a suitable oil-resistant rubber compound.

The lining shall be reasonably uniform in thickness, concentric and free from air blisters, porosity and other visible defects. It shall be seamless and as smooth in the bore as is consistent with good manufacturing practice.

1.2. Reinforcement.

The textile reinforcement shall consist of cotton, viscose rayon polyester fibre or other suitable synthetic fibre or a combination of these.

The textile reinforcement shall be firmly and evenly braided over the lining. The Plies of reinforcement shall be impregnated with a suitable rubber compound.

1.3. Cover.

The cover shall consist of suitable synthetic rubber compound based substantially on polychloroprene.

The cover shall be reasonably uniform in thickness, concentric and free from air blisters, porosity and splits. The cover of the hose shall be smooth, fluted, cloth-marked or with a pattern finish.

2. Dimensions and Tolerances.

2.1. Diameter and Reinforcement Plies.

The bore size and the number of reinforcement plies shall be as given in Table 1.

TABLE 1

Bore Size Tolerance and Minimum number of Reinforcement Plies

Nominal Bore Size	Tolerance	Minimum No. of Plies
(1)	(2)	(3)
mm	mm	
3.25	+*0	
4.85		
6.40	-0.3	2

2.2. Lining and Cover Thickness.—

The thickness of the lining shall be not less than 0.75 mm and that of the cover not less than 0.6 mm.

3. Tests.—

3.1. Tensile Strength and Elongation at Break of Lining and Cover.—

The tensile strength and elongation at break of the rubber used for lining and cover of the hose shall be specified in Table 2.

TABLE 2

Tensile Strength and Elongation at Break of Lining and cover

Characteristic	Requirement for	
	Lining	Cover
(1)	(2)	(3)
Tensile strength, kgf/cm ² , Min	140	85
Elongation at break, percent Min.	200	250

3.2. Accelerated Ageing Test

After ageing at $70 \pm 1^\circ\text{C}$ for a period of 72 hours the tensile strength and elongation at break of the rubber used for lining of hose shall not vary be more than ± 15 per cent of the corresponding values obtained before ageing. Further after ageing at $100 \pm 1^\circ\text{C}$ for 72 hours, the rubber used for the cover of the hose shall not vary by more than ± 25 percent for tensile strength, and $(+10, \pm 45)$ percent for elongation at break of the corresponding values obtained before ageing.

3.3. Swelling Test

The increase in volume of the lining after immersion in a mixture of equal volumes of commercial grade of castor oil and purified diacetone alcohol at $70 \pm 1^\circ\text{C}$ for 72 hours, shall not exceed by 12 percent of the original volume. The increase in the case of the cover of the hose after immersion in the above test liquid shall not exceed by 100 percent.

3.4. Bursting strength

When tested under hydraulic pressure, each sample of hose shall withstand the specified pressure given in Table 3 for 2 minutes. The pressure shall then be increased at the rate of 1750 ± 700 kgf./cm² per minute until burst occurs. The minimum bursting pressure shall also be as given in Table 3.

TABLE 3
Minimum Bursting Strength

Bore Size	Retention pressure	Bursting pressure, Min.
(1)	(2)	(3)
mm	kgf/cm ²	kgf/cm ²
3.25	280	350
4.85	210	315
6.40	210	315

24. Specifications for Automotive Fan Belts

1. Materials and Manufacture

1.1. The automotive fan belts shall be made of fabric or cord or both and treated with rubber or rubber-like compounds whole being moulded together in a uniform manner and shape.

1.2. The satisfactory belt life shall be obtained when the belt is used at ambient temperatures between $+70^\circ\text{C}$ and -20°C .

1.3. The surface of the belt shall be finished in such a manner that the internal structures of the belt shall not be adversely affected by moisture under normal operating conditions.

2. Cross Section Dimensions

2.1. Nominal cross section dimensions shall be as shown in Table 1. The belt shall fit pulley grooves within the limits given in Tables 2 and 3 when mounted on two pulleys specially made according to the conditions specified in Table 3.

TABLE 1

Nominal Cross Section Dimensions of Automotive Fan Belts

(All dimensions in millimetres)

Nominal top width	Nominal Thickness	Angle Degrees
(W)	(T)	
(1)	(2)	(3)
10	8	40
13	11	40

TABLE 2

Tolerance and Tensions requirements when measuring new Automotive Fan belts on Pulleys as specified in Table 3

Nominal top width	Total Tension on belt	Position of top surface of belt with respect to top of measuring pulley groove	Minimum Clearance at bottom of groove
(1)	(2)	(3)	(4)
mm	kgf	mm	mm
10	27	$+2.4$ $+0.8$	4.0
13	27	$+2.4$ $+0.8$	4.0

TABLE 3

Dimensions of Pulley for Measuring New Fan Belts
(All dimensions in millimetres)

Nominal top width of fan belt mm	Pulley circumference at outside diameter	Groove depth (Min)	Groove top width (dia)	Outside dia ± 0.05 at outside	Groove Angle ± 10
(1)	(2)	(3)	(4)	(5)	(6)
10	305	11	9.65	97	36°
13	305	14	12.70	97	36°

3. Belt Length

3.1. The standard length shall be as given in Table 4.

TABLE 4

Standard Lengths for Automotive Fan Belts

(All dimensions in millimetres)

500	1250	1900	2250
560	1280	2100	2280
630	1315	2112	2315
710	1355	2125	2355
800	1400	2140	2400
900	1450	2160	2450
1000	1500	2180	2500
1100	1560	2200	
1112	1630	2224	
1125	1710		
1140	1800		
1160			
1180			
1200			
1224			

3.2 Tolerance on Lengths

Tolerance on belt lengths shall be as follows:

Effective Belt Length	Tolerance on Centre Distance when Belt is installed on Measuring Pulleys	Maximum Variation in Length within a Matched Set
mm	mm	mm
Upto and including 1250	± 3.2	2.5
Over 1250 up to and including 1500	± 4	2.5
Over 1500 up to and including 2500	± 5.0	

4. Belt Measurements

4.1 Belt length and ride position shall be measured when the belts are mounted on two equal diameter pulleys with groove dimensions and conforming to Table 3, with total tension and the belt positioned in the groove as specified in Table 2. The total tension shall be equally divided between two strand of the belts. After the tension is applied the pulleys shall be rotated at least one turn to seat the belt or they may be rotated continuously at low speed. The effective length shall be calculated by adding effective outside circumference of one of the measuring pulleys to twice the measured centre distance.

4.2. The effective length thus determined shall agree with the length given in Table 4, within the limits of variation given in 3.2.

5. Tests

5.1 Angle checking

The angle of the fan belts shall be checked as per standard procedure laid down in this behalf."

[No. 6(19)/76/EI & EP]

आदेश

का० आ० 2304.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिए सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों को निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन करना आवश्यक तथा समीचीन है ;

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे विनिर्दिष्ट प्रस्ताव बनाए हैं तथा उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) द्वारा अपेक्षित के अनुसार निर्यात निरीक्षण परिषद् को भेज दिया है ;

अतः, अब उक्त उप-नियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को उन सभी लोगों की जानकारी के लिए प्रकाशित करती है जिनके उनसे प्रभावित होने की संभावना है ।

2. सूचना दी जाती है कि यदि कोई व्यक्ति उक्त प्रस्तावों के बारे में कोई आक्षेप या सुझाव देना चाहे तो वह उसे इस आदेश के राजपत्र में प्रकाशन की तारीख से तीस दिन के भीतर निर्यात निरीक्षण परिषद्, 14/1-बी, एजरा स्ट्रीट, कलकत्ता-1, को भेज सकता है ।

प्रस्ताव

(1) अधिसूचित करना कि सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन होंगी :

(2) इस आदेश के उपाबंध I में दिए गए सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 के प्रारूप के अनुसार क्वालिटी नियंत्रण और निरीक्षण के प्रकार को क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो कि निर्यात से पूर्व ऐसी सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों पर लागू होगा ।

(3) (क) भारतीय मानक विनिर्देश या कोई अन्य राष्ट्रीय मानक विनिर्देशों को ।

(ख) किसी भी विदेश के सरकारी क्षेत्र के उद्यमों या सरकारी विभागों द्वारा जारी किए गए विनिर्देशों को,

सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों के लिए निर्यात-कर्ता द्वारा घोषित स्वीकृत विनिर्देशों के रूप में मान्यता देना ।

(ग) उन विनिर्देशों को जो ऊपर स्तम्भ (क) या (ख) के अन्तर्गत नहीं आते परन्तु निर्यात-कर्ता द्वारा सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों के लिए सांविधिक विनिर्देशों के रूप में घोषित किए गए हों और जो निर्यात निरीक्षण परिषद् द्वारा परीक्षण तथा अनुमोदन के प्रयोजन के लिए नियुक्त विशेषज्ञों के पैनल द्वारा अनुमोदित हों ; मानक विनिर्देशों के रूप में मान्यता देना ।

(4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों के निर्यात को तब तक प्रतिषिद्ध करना जब तक कि उसके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अन्तर्गत केन्द्रीय सरकार द्वारा मान्य या स्थापित अधिकरणों में से किसी एक द्वारा जारी किया गया इस आशय का प्रमाण पत्र न हो कि सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों क्वालिटी नियंत्रण और निरीक्षण संबंधी शर्तों को पूरा करती है तथा निर्यात योग्य है या उस पर उक्त अधिनियम की धारा 6 के अन्तर्गत केन्द्रीय सरकार द्वारा मान्य चिन्ह या सील लगी हुई है ।

3. इस आदेश की कोई भी बात भावी क्रेताओं को भू-मार्ग, वायु-मार्ग या समुद्र मार्ग द्वारा सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मदों के उन नमूनों के निर्यात पर लागू नहीं होगी जिनका पोत पर्यन्त निःशुल्क मूल्य एक सौ पच्चीस रुपए से अधिक नहीं है।

4. इस आदेश में 'सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मदों' से नीचे की सूची में से दी गई कोई भी वस्तु अभिप्रेत है।

1. सभी प्रकार के विद्युत उपकरण तथा साधन
2. विद्युत स्विच गियर तथा नियंत्रण गियर (निम्न तनन तथा उच्च तनन)
3. सभी प्रकार के विद्युत लैम्प प्रतिदीप्ति ट्यूब
4. बिजली की सभी प्रकार की मोटरें
5. शक्ति तथा वितरण ट्रांसफोर्मर
6. तेल के दबाव वाले स्टोव तथा लालटेन
7. रेजर ब्लेड
8. प्रेशर कुकर
9. वेबी बायलर
10. गैस सिलेंडर

उपाबंध-I

[निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 के अन्तर्गत तदनुषंगाने के लिए प्रस्तावित नियमों का प्रारूप।]

1. संक्षिप्त नाम तथा प्रारम्भ :—(1) इन नियमों का नाम सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मदों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 है।

(2). ये को प्रवृत्त होंगे।

2. परिभाषाएं :—इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो :—

(क) 'अधिनियम' से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है ;

(ख) 'अभिकरण' से अधिनियम की धारा 7 के अन्तर्गत केन्द्रीय सरकार द्वारा स्थापित अभिकरणों में से कोई एक अभिकरण या मान्य कोई अन्य संस्था अभिप्रेत है ;

(ग) 'सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मदों' से नीचे सूची में दी गई कोई भी वस्तु अभिप्रेत है।

1. सभी प्रकार के विद्युत उपकरण तथा साधन
2. विद्युत स्विच गियर तथा नियंत्रण गियर (निम्न तनन तथा उच्च तनन)
3. सभी प्रकार के विद्युत लैम्प प्रतिदीप्ति ट्यूब
4. बिजली की सभी प्रकार की मोटरें
5. शक्ति तथा वितरण ट्रांसफोर्मर
6. तेल के दबाव वाले स्टोव तथा लालटेन
7. रेजर ब्लेड
8. प्रेशर कुकर
9. वेबी बायलर
10. गैस सिलेंडर

3. निरीक्षण के लिए आधार तथा प्रक्रिया :—(1) निर्यात के लिए आश्रित सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मदों का निरीक्षण यह सुनिश्चित करने की दृष्टि से किया जाएगा कि वे उपाबंध-II या उपाबंध-III में विनिर्दिष्ट

नियंत्रण के स्तरों का प्रयोग करके बनाई गई है और या उन क्वालिटी अधिनियम की धारा 6 के अन्तर्गत केन्द्रीय सरकार द्वारा मान्य विनिर्देशों के अनुरूप है।

(2) सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मदों के लिए निम्न-लिखित में से निरीक्षण की कोई भी एक योजना अपनाई जाएगी, अर्थात् :—

(क) स्वयं प्रमाणीकरण :

(i) उपाबंध-II की सूची के मानदण्डों का पालन करने वाला कोई भी विनिर्माण एकक निर्यात निरीक्षण परिषद्, 14/1-बी, एजरा स्ट्रीट कलकत्ता-1, को आवेदन करेगा।

(ii) परिषद् द्वारा नियुक्त पैनलों में कोई एक पैनल ऐसे यूनिट पर जाएगा तथा यह निश्चित करेगा कि क्या प्रभावशाली क्वालिटी सुनिश्चित पद्धति समाधानपूर्वक अपनाई जा रही है।

(iii) पैनल द्वारा अनुमोदित एककों को अधिनियम की धारा 7 के अन्तर्गत मान्यता दी जाएगी ताकि वे अपने निर्यात परीक्षणों की निर्यात-योग्यता का प्रमाण पत्र जारी करने में समर्थ हो सकें।

(iv) इस प्रकार की मान्यता तीन साल की अवधि तक के लिए विधिमार्ग होगी और उसके पश्चात् प्रभावशाली क्वालिटी सुनिश्चित पद्धति के जारी रहने के आधार पर नवीकृत की जाएगी :

परन्तु यदि केन्द्रीय सरकार की यह राय है कि जनसाधारण के हित में किसी भी विनिर्माण एकक को दी गई मान्यता वापिस की जानी चाहिए तो केन्द्रीय सरकार, उस एकक को उचित अवसर देते हुए, अधिनियम की धारा 7 के अन्तर्गत मान्यता वापिस ले सकती है।

(ख) उत्पादन के दौरान क्वालिटी नियंत्रण :

(1) कोई भी विनिर्माण एकक जिसके पास उपाबंध-III के अनुसार उत्पादन के दौरान क्वालिटी नियंत्रण की पर्याप्तता है, परिषद् के निम्नलिखित निकटतम कार्यालय को आवेदन कर सकता है।

मुख्य कार्यालय :

निर्यात निरीक्षण परिषद्,

14/1-बी, एजरा स्ट्रीट,

कलकत्ता-700001

क्षेत्रीय कार्यालय :

1. निर्यात निरीक्षण परिषद्,
अमन चैम्बर्स, पांचवीं मंजिल,
113, महर्षि कर्वे रोड,
बम्बई-400004

2. निर्यात निरीक्षण परिषद्,
मनोहर विल्डिंग,
महात्मा गांधी रोड,
एनाकुलम, कोचीन-682011

3. निर्यात निरीक्षण परिषद्,
670, सैक्टर 16-ए,
मथुरा रोड,
फरीदाबाद

(2) परिषद् द्वारा नियुक्त पैनलों में से कोई एक विनिर्माण एकक में जाएगा और यह सुनिश्चित करेगा कि उत्पादन के दौरान प्रभावशाली क्वालिटी नियंत्रण पद्धति को समाधानपूर्वक अपनाया जा रहा है या नहीं।

(ग) परेपणानुसार निरीक्षण:

स्तम्भ (क) तथा (ख) में विनिर्दिष्ट अपेक्षाओं की संतुष्टि न करने वाला विनिर्माण एकक अपना निर्यात परेपण निरीक्षण के लिए किसी भी अभिकरण को देगा जो यह सुनिश्चित करने के लिए परीक्षण करेगा कि इनके द्वारा विनिर्मित उत्पाद अधिनियम की धारा 6 के अंतर्गत केन्द्रीय सरकार द्वारा मान्य विनिर्देशों का अनुरूप है या नहीं।

(3) सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों के निरीक्षण प्रमाणपत्रों के लिए निम्नलिखित प्रक्रिया अपनाई जाएगी, यथा :—

(क) उप-नियम (2) के स्तम्भ (क) की स्वयं प्रमाणीकरण योजना के अधीन मान्यता प्राप्त कोई भी विनिर्माण एकक, इनके द्वारा विनिर्मित, निर्यात परेपणों की निर्यात योग्यता का प्रमाणपत्र जारी कर सकेगा।

(ख) (i) सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों का निर्यात करने का इच्छुक निर्यातकर्ता (स्वयं प्रमाणीकरण योजना के अधीन मान्यता प्राप्त विनिर्माण एककों से भिन्न) अपना ऐसा करने के आशय की सूचना लिखित रूप में देगा, तथा ऐसी सूचना के साथ इस निर्यात से संबंधित निर्यात संधिदा में दिए गए विनिर्देशों की घोषणा, सभी तकनीकी विशेषताओं का विवरण देते हुए, अभिकरणों में से किसी एक अभिकरण को देगा ताकि वह उप-नियम (2) के खंड (ख) या खंड (ग) के अवतरण में निरीक्षण कर सके।

(ii) वह उसी समय निरीक्षण के लिए अपनी ऐसी सूचना की एक प्रतिलिपि निरीक्षण अभिकरण के कार्यालय के निकटतम परिषद् के कार्यालय को देगा।

(ग) उप-नियम (2) के खंड (ख) के अंतर्गत अनुमोदित एककों द्वारा विनिर्मित उत्पादों के निर्यात के लिए निर्यातकर्ता ऐसी सूचना सहित यह घोषणा करेगा की निर्यात के लिए अश्वियत सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों को, उपाबंध—(III) में अधिकृत क्वालिटी नियंत्रणों का प्रयोग करते हुए विनिर्माण किया गया है तथा परेपण, इस प्रयोजन के लिए मान्यता प्राप्त विनिर्देशों की अपेक्षाओं को पूरा करता है।

(घ) खंड (ख) या खंड (ग) के अधीन प्रत्येक सूचना तथा घोषणा पत्र विनिर्माता के परिसर से परेपण के भेजे जाने से कम से कम दो सप्ताह पहले अभिकरण तथा परिषद् के कार्यालय में पहुंचना चाहिए।

(ङ) निर्यातकर्ता परेपण पर लागू होने वाले पहचान चिह्न भी अभिकरण को देगा।

(च) खंड (ख) या खंड (ग) के अधीन सूचना तथा घोषणा प्राप्त होने पर अभिकरण :—

(i) उप-नियम (2) के खंड (ख) के अधीन अनुमोदित एककों द्वारा विनिर्मित उत्पाद का निर्यात करने वाले निर्यातकर्ता की दशा में, अपना यह समाधान कर लेने पर कि विनिर्माण की प्रक्रिया के दौरान एकक ने उपाबंध III में दिए गए पर्याप्त क्वालिटी नियंत्रणों का प्रयोग किया है तथा इस संबंध में परिषद् द्वारा जारी किए गए अनुदेशों का, यदि कोई हो, पालन किया गया है, तीन दिनों के भीतर एक प्रमाणपत्र यह घोषणा करते हुए जारी करेगा कि सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों का परेपण निर्यात योग्य है। तथापि, अभिकरण आवश्यक निरीक्षणों से यह सुनिश्चित करेगा कि विनिर्माण परिसर पर पर्याप्त नियंत्रणों का प्रयोग किया गया है।

(ii) उप-नियम (2) के खंड (ग) के अंतर्गत आने वाले एककों द्वारा विनिर्मित उत्पादों का निर्यातकर्ता द्वारा निर्यात करने की दशा में, सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों का निरीक्षण यह देखने के विचार से किया जाएगा कि उत्पाद इस प्रयोजन के लिए मान्य विनिर्देशों के अनुरूप है।

(छ) (i) निरीक्षण की समाप्ति के पश्चात् अभिकरण उसी समय परेपण में पैकेज को इस प्रकार यह सुनिश्चित करने के लिए सील बन्द करेगा कि सील पैकेजों के साथ छेड़-छाड़ न की जा सके।

(ii) परेपण की अस्वीकृति की दशा में, यदि निर्यातकर्ता चाहे तो, अभिकरण द्वारा परेपण सीलबंद नहीं किया जाएगा।

(iii) तथापि, ऐसे मामलों में निर्यातकर्ता अस्वीकृति के विरुद्ध कोई अपील करने का अधिकारी नहीं होगा।

(ज) यदि अभिकरण का यह समाधान हो जाता है कि सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों का परेपण इन नियमों के अधीन अपेक्षाओं को पूरा करता है तो वह निरीक्षण की समाप्ति के सात दिनों के भीतर, निर्यातकर्ताओं को यह घोषणा करते हुए प्रमाण पत्र जारी करेगा कि परेपण निर्यात-योग्य है:

परन्तु, जहां अभिकरण का इस प्रकार का समाधान नहीं हो पाता, वहां उक्त सात दिनों की अवधि के भीतर, कारणों सहित अस्वीकृति पत्र जारी करेगा।

(झ) अभिकरण द्वारा, जब भी और जहां भी अपेक्षित हो, निर्यातकर्ता निर्यात किए जाने वाले परेपण में से सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों के नमूने निःशुल्क देगा। तथापि, ऐसे नमूने निरीक्षण करने के पश्चात् अभिकरण द्वारा वापिस कर दिए जाएंगे।

4. मान्यता प्राप्त चिह्नों का चिपकाना एवं उसकी प्रक्रिया : भारतीय मानक संस्थान (प्रमाणीकरण चिह्न) अधिनियम, 1952 (1952 का 36), भारतीय मानक संस्थान (प्रमाणीकरण चिह्न) नियम, 1955, तथा भारतीय मानक संस्थान (प्रमाणीकरण चिह्न) विनियमन, 1955 के प्रावधानों, को निर्यात के लिए सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों पर मान्यता प्राप्त चिह्न अथवा मुहर चिपकाने की प्रक्रिया के संबंध में जहां भी लागू किया जा सकता है तथा इस चिह्नित सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मर्दों नियम 3 के अंतर्गत किसी भी निरीक्षण के अधीन नहीं होगी।

5. निरीक्षण का स्थान :—इन नियमों के अधीन निरीक्षण विनिर्माता के परिसर पर ही किए जाएंगे।

6. निरीक्षण शुल्क :—निर्यातकर्ता द्वारा निरीक्षण शुल्क अभिकरण को निम्न रूप में दिया जाएगा :—

(क) स्वयं प्रमाणीकरण योजना के अधीन एककों के लिए : 5 लाख रु० प्रति वर्ष से कम के निर्यात के लिए 1000 रुपए प्रति-वर्ष।

5 से 25 लाख रुपए प्रतिवर्ष से अधिक के निर्यात के लिए: 2500 रुपए प्रति वर्ष।

25 से 50 लाख रुपए प्रतिवर्ष अधिक के निर्यात के लिए: 5,000 रुपए प्रतिवर्ष।

50 से 100 लाख रुपए से अधिक प्रतिवर्ष के निर्यात के लिए: 10,000 रुपए प्रतिवर्ष।

एक करोड़ रुपए से अधिक के निर्यात के लिए: 20,000 रुपए प्रतिवर्ष।

- (ख) उत्पाद क्वालिटी नियंत्रण योजना के अधीन एककों के लिए :
पोत पर्यन्त मूल्य के प्रति 100 रुपए या 0.2 प्रतिशत की दर से किन्तु कम से कम 100 रुपए (सौ रुपए) ।
- (ग) परेषणानुसार निरीक्षण योजना के अधीन एककों के लिए :
पोत पर्यन्त मूल्य के प्रति सौ रुपए पर 0.5 प्रतिशत की दर से किन्तु कम से कम 100 रुपए (सौ रुपए) ।

7. अपील :

- (1) नियम 3 के अधीन, अधिकरण द्वारा प्रमाण पत्र देने से इंकार किए जाने से व्यथित ऐसे इंकार की सूचना प्राप्त होने के दस दिनों के भीतर, केन्द्रीय सरकार द्वारा सविधित न्यूनतम तीन व्यक्तियों के विशेषज्ञों के पैनल को अपील कर सकेगा ।
- (2) विशेषज्ञों के पैनल की कुल सदस्यता के दो-तिहाई सदस्य गैर सरकारी होंगे ।
- (3) पैनल की गणपूर्ति तीन की होगी ।
- (4) प्राप्त होने के पन्द्रह दिनों के अन्दर अपील निपटा दी जाएगी ।

उपाबंध—III

(नियम 3 देखिए)

स्वयं प्रमाणीकरण के मानदंड

उपाबंध III के अनुसार, विनिर्माता के पास प्रभावशाली उत्पाद क्वालिटी नियंत्रण प्रणाली होनी चाहिए ।

1. उत्पाद या उपकरण, जिसके लिए परख राष्ट्रीय और अन्तर्राष्ट्रीय मानकों में वर्णित की गई है, वह मान्यता प्राप्त परख सदन द्वारा भारत या विदेश में परखी जानी चाहिए : यदि उचित प्रमाणपत्र उपलब्ध करा दिए जाएं तो भारतीय उत्पाद की परख के लिए विदेशी सहायक सुविधाएं भी मिल सकेंगी ।

2. विनिर्माण एकक व्यापक क्वालिटी नियंत्रण प्रलेखों को रखने की जिम्मेदारी लेगा जिसमें विशेषतौर पर क्वालिटी विनिर्देशों के लिए विदेशी क्रेताओं से प्राप्त हुए पूर्ण प्रतिपुष्टि आंकड़े और उनको ठीक करने के लिए की गई कार्यवाहियां भी शामिल होनी चाहिए ।

3. निशुल्क व्यापार क्षेत्रों को छोड़कर सभी विनिर्माण एककों के पास इनके द्वारा बेची गई सामग्रियों की क्वालिटी के बारे में देश के उपभोक्ताओं की संतुष्टि का कम से कम तीन वर्ष का अभिलेख होना चाहिए ।

4. विनिर्माण एककों के पास विदेशी बाजारों में उपभोक्ताओं की क्वालिटी के बारे में संतुष्टि का तीन वर्ष से अधिक का अभिलेख होना चाहिए ।

उपाबंध—III

(नियम 3 देखिए)

क्वालिटी नियंत्रण

सुरक्षा तथा स्वास्थ्य के लिए हानिकारक मदों की क्वालिटी विनिर्माण विभिन्न प्रक्रमों पर सुनिश्चित की जाएगी ।

1. क्रय की गई सामग्रियों तथा संघटक नियंत्रण :

(क) प्रयुक्त की जाने वाली सामग्रियों या संघटकों के गुणधर्मों तथा सहनों के साथ उनके व्यौरेवार विभागों को सम्मिलित करते हुए क्रय विनिर्देश विनिर्माता द्वारा अधिकथित किए जाएंगे

(ख) स्वीकृत परेषण, या तो क्रय विनिर्देशों की आवश्यकताओं को संतुष्ट करने वाले उत्पादक के परख प्रमाण पत्र होंगे, अथवा ऐसे परख प्रमाणपत्रों की अनुपस्थिति में प्रत्येक परेषण से नमूनों की परख क्रय विनिर्देशों से इसकी अनुरूपता की जांच करने के लिए की जाएगी । परेषण की शुद्धता को सत्यापित

करने के लिए कम से कम पांच में से एक बार उत्पादक के परख प्रमाणपत्रों की प्रति जांच की जाएगी ।

(ग) बाहर से आने वाले परेषणों को सांख्यिकी नमूना योजना के प्रतिकूल त्रय विनिर्देशों की अनुरूपता को सुनिश्चित करने के लिए निरीक्षित एवं परखा जाएगा ।

(घ) निरीक्षण एवं परख क्रियान्वित करने के पश्चात् व्यवस्थित पद्धति दोषपूर्ण नमूनों का निपटान तथा उचित वियोजन करने के लिए अपनाई जाएगी ।

(ङ) उपरोक्त नियंत्रणों के बारे में पर्याप्त अभिलेख व्यवस्थित रूप से रखे जाएंगे ।

2. प्रक्रिया नियंत्रण :

(क) व्यौरेवार प्रक्रिया विनिर्देशों विनिर्माण की विभिन्न प्रक्रियाओं के लिए विनिर्माता द्वारा अधिकथित किए जाएंगे ।

(ख) प्रक्रिया विनिर्देशों में अधिकथित प्रक्रियाओं नियंत्रणों के लिए उपस्कर या उपकरण सुविधाएं पर्याप्त होंगी ।

(ग) विनिर्माण की प्रक्रिया के दौरान प्रयुक्त नियंत्रणों के सत्यापन को सुनिश्चित करने के लिए पर्याप्त अभिलेख रखे जाएंगे ।

3. उत्पाद नियंत्रण :

(क) मानक विनिर्देशों के अनुसार उत्पाद की परख करने के लिए विनिर्माता के पास या तो अपनी परख सुविधाएं होंगी या किसी अन्य स्थान पर विद्यमान ऐसी परख सुविधाओं के लिए पहुंच होगी ।

(ख) इस पर पर्याप्त अभिलेख रखे जाएंगे ।

(ग) प्रत्येक सभा अधिकथित निरीक्षण जांच सूची के विरुद्ध जांच करेगी ।

4. मौसमी नियंत्रण :

(क) उत्पाद तथा निरीक्षण में प्रयुक्त मापकों और उपकरणों की कालिक जांच या अंशशोधन किया जाएगा और वृत्तकार्ड के रूप में अभिलेख रखे जाएंगे ।

5. परिरक्षण नियंत्रण

(क) विनिर्माता द्वारा मौसमी दशाओं के प्रतिकूल प्रभाव से उत्पाद की रक्षा करने के लिए व्यौरेवार विनिर्देश अधिकथित किए जाएंगे ।

(ख) उत्पाद, भंडारकरण और अभिवहन के दौरान, दोनों में अच्छी तरह से परिरक्षित किया जाएगा ।

6. पैकिंग नियंत्रण :

(क) पूर्वोक्त उत्पाद की पैकिंग के लिए एक विनिर्देश अधिकथित किया जाएगा ।

[सं० 6(37)/76-नि० नि० तथा नि० उ०]

के० वी० बालसुब्रह्मण्यम्, उप निदेशक

ORDER

S.O. 2304.—Whereas the Central Government is of opinion that it is necessary and expedient so to do for the development of the export trade of India and in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act 1963 (22 of 1963) safety and health hazard items shall be subject to quality control and inspection prior to export;

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within forty five days of the date of publication of this order in the Gazette of India, to the Export Inspection Council, 14/1B, Ezra Street, Calcutta-1.

PROPOSALS

(1) To notify that safety and health hazard items shall be subject to quality control and inspection, prior to export;

(2) To specify the type of quality control and inspection in accordance with the draft safety and health hazard items (Quality Control and Inspection) Rules 1977 set out in Annexure-I to this order as the type of Quality Control and Inspection which would be applied to such safety and health hazard items prior to export;

(3) To recognise

(a) Indian Standard specifications or any other national standard specifications ;

(b) the specifications issued by Government Departments or public undertakings of any foreign country, declared by the exporter as the agreed specification for safety and health hazard items ;

(c) the specifications which do not fall under clause (a) or (b) above but are approved by panels of experts appointed by the Export Inspection Council for the purpose of examining and approving such standards declared by the exporter as contractual specifications as the standard specifications for safety and health hazard items ;

(4) To prohibit the export in the course of international trade of such safety and health hazard items unless the same are accompanied by a certificate issued by any one of the Agencies recognised or established by the Central Government under section 7 of the Export (Quality Control and Inspection) Act-1963 (22 of 1963) to the effect that the safety and health hazard items satisfy the conditions relating to quality control and inspection and are exportworthy or carry a mark or seal recognised by the Central Government under section 8 of the said Act ;

3. Nothing in this order shall apply to the export by land, sea, of air or samples of safety and health hazard items to prospective buyers, the f.o.b. value of which do not exceed rupees one hundred and twenty five.

4. In this order, 'safety and health hazard items' shall mean any one of the products listed below ;

1. Electrical accessories and appliances, all types
2. Electric switch gear and control gear (low tension and high tension)
3. Electric lamps, fluorescent tubes, all types
4. Electric motors, all types.
5. Power and Distribution transformers
6. Oil pressure stoves and lanterns
7. Razor blades
8. Pressure cookers
9. Baby boilers
10. Gas cylinders.

ANNEXURE I

[Draft rules proposed to be made under section 17 of the

Export (Quality Control and Inspection) Act, 1963

(22 of 1963)]

1. Short title and commencement.—(1) These rules may be called the Export of safety and health hazard items (Quality Control and Inspection) Rules, 1977.

(2) They shall come into force.....

2. Definitions.—In these rules, unless the context otherwise requires :—

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "Agency" means any one of the agencies established or any other organisation recognised by the Central Government under section 7 of the Act ;

(c) 'Safety and health hazard items' means anyone of the products listed below :

1. Electrical accessories and appliances, all types.
2. Electrical switch gear and control gear (low tension and high tension).
3. Electric lamps, Fluorescent tubes, all types.
4. Electric Motors, all types.
5. Power and Distribution transformers.
6. Oil pressure stoves and lanterns.
7. Razor blades.
8. Pressure cookers.
9. Baby boilers.
10. Gas cylinders.

3. Basis and Procedure for Inspections.—(1) The inspection shall be carried out with a view to ensuring that safety and health hazard items intended for export, have been produced by exercising the levels of control specified in Annexure II or Annexure III or the quality of the same conforms to the specifications recognised by the Central Government under section 6 of the Act .

(2) Any one of the following schemes of inspection shall be adopted for safety and health hazard items, namely :—

(a) Self Certification :

(i) Any manufacturing unit fulfilling the norms listed in Annexure II shall apply to Export Inspection Council, 14/1-B, Ezra Street, Calcutta-1.

(ii) Any one of the panels appointed by Council shall visit such unit and assess as to whether effective quality assurance system is operating satisfactorily.

(iii) The units that are approved by the panel shall be recognised under section 7 of the Act, enabling them to issue certificates of exportworthiness for their export consignments.

(iv) Such recognition shall be valid for a period of 3 years, and shall be renewed thereafter based on the continuance of the effective quality assurance system.

Provided that if the Central Government is of opinion that any recognition granted to any manufacturing unit should, in the public interest, be withdrawn, the Central Government may, after giving a reasonable opportunity to that unit, withdraw the recognition under section 7 of the Act.

(b) In process quality control :—(i) Any manufacturing unit having adequate in process quality control as per annexure-III shall apply to the nearest office of Council, given below :

Head Office :—

Export Inspection Council,
14/1B, Ezra Street,
Calcutta-700001.

Regional Offices :—

1. Export Inspection Council,
Aman Chambers, 4th floor,
113, Maharshi Karve Road,
Bombay-400004.

2. Export Inspection Council,
Manohar Bldg.
Mahatma Gandhi Road,
Ernakulam Cochin-682011.

3. Export Inspection Council,
670-Sec'or 16-A,
Mathura Road,
Faridabad.

- (ii) Anyone of the panels appointed by the Council shall visit the manufacturing unit and assess as to whether an effective in process quality control system is operating satisfactorily.
- (c) Consignmentwise inspection.—An manufacturing unit not satisfying the requirements specified in clauses (a) and (b), shall offer to any agency their export consignments for inspection which shall be done to ensure that the products manufactured by it conforms to the specification recognised by Central Government under Section 6 of the Act.
- (3) The following procedure shall be followed for inspection certification of safety and health hazard items, namely:—
- (a) Any manufacturing unit recognised under self-certification scheme under clause (a) sub-rule (2), shall issue certificate of exportworthiness for export consignments, manufactured by it.
- (b) (i) Any exporter (other than those manufacturing units recognised under self certification scheme) intending to export safety and health hazard items shall give intimation in writing of his intention so to do and submit alongwith such intimation a declaration of the specifications giving details of all technical characteristics as stipulated in the export contract relating to such export, to any one of the Agencies to enable it to carry out inspection in accordance with clause (b) or clause (c).
- (ii) He shall at the same time endorse a copy of such intimation for inspection to the Office of the Council nearest to the office of the agency.
- (c) For export of products manufactured by units approved under clause (b) of sub-rule (2) the exporter shall also submit alongwith such intimations a declaration that the safety and health hazard items intended for export has been manufactured by exercising quality control as laid down in Annexure III and that the consignment conforms to the requirements, of the specifications recognised for this purpose.
- (d) Every intimation and declaration under clause (b) or clause (c) shall reach the office of the agency and the Council not less than two weeks prior to the despatch of the consignment from the manufacturer's premises.
- (e) The exporters shall also furnish to the agency the identification marks applied on the consignment.
- (f) On receipt of the intimation and declaration under clause (b) or clause (c), the agency:
- (i) In the case of an exporter exporting products manufactured by units approved under clause (b) of sub-rule (2) on satisfying itself that during the process of manufacture the unit, had exercised adequate quality control as provided under Annexure III and the instructions, if any, issued by the Council in this regard, shall within three days issue a certificate declaring the consignment of safety and health hazard items as exportworthy. However, the Agency shall, ensure through periodic inspections that adequate controls are exercised at the manufacturing premises.
- (ii) In case of exporter exporting products manufactured by units falling under clause (c) and sub rule (2) the agency shall carry out inspection of safety and health hazard items with a view to ensuring that the products conform to the specifications recognised for the purpose.
- (g) (i) After completion of inspection, the agency shall immediately seal packages in the consignment in a manner so as to ensure that the sealed packages cannot be tampered with.
- (ii) In case of rejection of a consignment, if the exporter so desires, the consignment may not be sealed by the agency.
- (iii) In such cases, however, the exporter shall not be entitled to prefer any appeal against the rejection.
- (h) If the agency is satisfied that the consignment of safety and health hazard items complies with the requirements under these rules it shall, within seven days of completion of inspection, issue a certificate to the exporters declaring that the consignment is exportworthy.
- Provided that where the agency is not so satisfied, it shall within the said period of seven days issue a rejection letter communicating the reasons therefor.
- (i) As and when required by the agency, the exporter shall supply free of charge for inspection and testing, samples of safety and health hazard items from export consignment, such samples shall however, be returned by the agency after done with.
4. Affixation of recognised mark and procedure thereof; The provisions of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952), the Indian Standard Institution (Certification Marks) Rules, 1955 and the Indian Standards Institution (Certification Marks) Regulations, 1955 shall so far as may be apply in relation to the procedure of affixation of the recognised mark or seal on safety and health hazard items to export and safety and health hazard items so marked shall not be subjected to any inspection under rule 3.
5. Place of Inspection.—Inspection under these rules shall be carried out at the premises of the manufacturer only.
6. Inspection fee.—Inspection fee shall be paid by the exporter to the agency as under :
- (a) for units under self-certification scheme:
- Rs. 1000 per annum for exports of less than Rs. 5 lakhs per annum.
- Rs. 2500 per annum for exports of over Rs. 5 to 25 lakhs per annum.
- Rs. 5000 per annum for exports of over Rs. 25 to 50 lakhs per annum.
- Rs. 10000 per annum for export of over Rs. 50 to 100 lakhs per annum.
- Rs. 20000 per annum for exports exceeding rupees one crore.
- (b) For units under in process quality control scheme: at the rate of 0.2 per cent of the f.o.b. value subject to a minimum of Rs. 100 (Rupees one Hundred).
- (c) For units under consignmentwise inspection scheme: at the rate of 0.5 per cent of f.o.b. value subject to minimum of Rs. 100 (Rupees One Hundred).
7. Appeal.— (1) Any person aggrieved by the refusal of the agency to issue a certificate under rule 3 may within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts, consisting of not less than three persons, that may be constituted by the Central Government.
- (2) The panel shall consist of at least two-third of non-officials of the total memberships of the panel of experts.
- (3) The quorum for the panel shall be three.
- (4) The appeal shall be disposed of within fifteen days of its receipt.

ANNEXURE—II

(See rule 3)

Norms of self-certification :

The manufacturer shall have an effective in process quality control system as outline in Annexure III.

1. The product or equipment for which type testing has been prescribed in national and international standards should have been type tested in India or abroad by a recognised test house; type testing of the Indian products with the collaborators facilities abroad, would also be admissible subject to proper certificates being made available.

2. The manufacturing unit shall undertake to maintain comprehensive quality control documentation which shall in particular include complete feedback data received from the overseas buyers on quality specifications and the corrective actions taken.

3. The manufacturing units other than in Free Trade Zones shall have a record of continuous consumer satisfaction within the country with regard to the quality of its supplies for a minimum period of three years.

4. The manufacturing unit shall have a record of continuous consumer satisfaction for quality over a period of three years in the overseas markets.

ANNEXURE—III

(See rule 3)

Quality Control :

The quality of the safety and health hazard items shall be ensured by exercising the control at different stages of manufacture.

1. Bought out materials and components control :

- (a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of materials or components to be used and the detailed dimensions thereof with tolerance.
- (b) The accepted consignments shall be either accompanied by a producer's test certificate corroborating the requirement of the purchase specifications or in the absence of such test certificates, samples from each consignment shall be regularly tested to check up its conformity to the purchase specifications. The producer's test certificate shall be counter-checked atleast once in five consignments to verify the correctness.
- (c) The incoming consignments shall be inspected and tested for insuring conformity to purchase specifications against statistical sampling plans.
- (d) After inspection and tests are carried out, systematic methods shall be adopted for proper segregation and disposal of defectives.
- (e) Adequate records in respect of the above mentioned controls shall be systematically maintained.

2. Process Control :

- (a) Detailed process specifications shall be laid down by the manufacturers for various processes of manufacture.
- (b) Equipment or instrumentation facilities shall be adequate to control the processes as laid down in the process specifications.
- (c) Adequate records shall be maintained to enable the verification of the controls exercised during the process of manufacture.

3. Product Control :

- (a) The manufacturer shall either have his own testing facilities or shall have access to such testing facilities existing elsewhere to test the product as per the standard specification. Adequate records thereof shall be maintained.
- (b) Each and every assembly shall be checked against a laid down inspection check list.

4. Metrological Control :

- (a) Gauges and instruments used in the production and inspection shall be periodically checked or calibrated and records shall be maintained in the form of history cards.

5. Preservation Control :

- (a) A detailed specification shall be laid down by the manufacturer to safeguard the product from adverse effects of weather conditions.
- (b) The product shall be well preserved both during storage and during transit.

6. Packing Control :

- (a) A specification shall be laid down for packing the aforesaid products.

[No. 6(37)/76-EP & EP]

K. V. BALASUBRAMANIAM, Dy. Director

नई दिल्ली, 1 जुलाई, 1977

(तम्बाकू उद्योग विकास परिषद्)

कां० 2305.—तम्बाकू बोर्ड नियम 1976 के नियम 3 तथा 4 के साथ पठित तम्बाकू बोर्ड अधिनियम, 1975 (1975 का 4) की धारा 4 की उपधारा (4) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री डी०के० गांगुली, अवर सचिव (वित्त प्रभाग), वाणिज्य मंत्रालय, नई दिल्ली को श्री राज पाल, निदेशक (वित्त प्रभाग) के इस मंत्रालय से स्थानान्तरण होने पर खाली हुए स्थान पर तम्बाकू बोर्ड के सदस्य के रूप में एतद्वारा नियुक्त करती है और भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं० कां० 5417 दिनांक 17 दिसम्बर, 1975 में निम्नोक्त और संशोधन करती है; अर्थात् :—

उक्त अधिसूचना में “धारा 4 की उपधारा (4) के खण्ड (ग) के उपखण्ड (iii) के अधीन नियुक्त” शीर्षक के अन्तर्गत क्रमांक 7 तथा उससे सम्बद्ध प्रविष्टियों के स्थान पर निम्नोक्त क्रमांक तथा प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात् :—

“7. श्री डी०के० गांगुली, सस्य.....
अवर सचिव, (वित्त से संबंधित मंत्रालय का प्रतिनिधित्व करने के लिए)।”
(वित्त प्रभाग),
वाणिज्य मंत्रालय,
उद्योग भवन,
नई दिल्ली।

[सं० 1(24)/76/ई०पी० (एग्री० I)]

एन० के० गुप्ता, डेस्क अधिकारी

New Delhi, the 1st July, 1977

(Tobacco Industry Development Council)

S.O. 2305.—In exercise of the powers conferred by clause (c) of sub-section (4) of section 4 of the Tobacco Board Act, 1975 (4 of 1975), read with rules 3 and 4 of the Tobacco Board Rules, 1976, the Central Government hereby appoints Shri D. K. Ganguli, Under Secretary (Finance Division), Ministry of Commerce, New Delhi as member of the Tobacco Board in the vacancy caused by the transfer of Shri Raj Pal, Director (Finance Division) from that Ministry and makes the following further amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 5417 dated the 17th December, 1975, namely :—

In the said notification, under the heading “Appointed under sub-clause (iii) of clause (c) of sub-section (4) of Section 4”, for Serial No. 7 and the entries relating thereto, the following Serial No. and entries shall be substituted, namely :—

“7. Shri D. K. Ganguli, Member
Under Secretary, (To represent the
(Finance Division), Ministry dealing
Ministry of Commerce, With Finance)”
Udyog Bhavan,
New Delhi.

[No. 1(24)/76-EP (Agri. I)]

N. K. GUPTA, Desk Officer

वाणिज्य मंत्रालय

मुख्य संयुक्त नियंत्रक, आयात-निर्यात का कार्यालय

(लोहा और इस्पात प्रखण्ड)

मद्रास, 6 मई, 1977

आदेश

कां.आ. 2306.—अप्रैल-70/मार्च-71 अवधि के लिए सामान्य मुद्रा क्षेत्र और यू.के. क्रेडिट के अन्तर्गत टिन प्लेट वेस्ट का आयात करने के लिए सर्वश्री कोठापल्ली जर्दा फैक्टरी, करीमनगर, आन्ध्र प्रदेश के नाम में प्राधिकार पत्र के साथ सर्वश्री हिन्दुस्तान स्टील लि. कलकत्ता-1 को 56,004, और 28,002 रुपये के लिए आयात लाइसेंस सं. पी/एस/8230292/सी/एसएस एक्स/52/एम/31-32/19/780 और पी/एस/8230293/आर/एम एल/52/एम/31-32/19/780 दोनों दिनांक 23-9-74 प्रदान किए गए थे। प्राधिकार पत्र धारक ने विषयाधीन आयात लाइसेंसों की सीमा-शुल्क निकासी प्रयोजन प्रतियों की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि उक्त आयात लाइसेंसों की सीमा शुल्क प्रयोजन प्रतियां बिल्कुल उपयोग में लाए बिना और किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत कराए बिना ही खो गई अथवा अस्थानस्थ हो गई हैं। अपने तर्क के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस सं. पी/एस/8230292/सी/एसएस एक्स/52/एम/31-32/19/780 और पी/एस/8230293/आर/एम एल/52/एम/31-32/19/780 दोनों दिनांक 23-9-74 की सीमा शुल्क निकासी प्रयोजन प्रतियां खो गई हैं और निदेश देता हूँ कि आवेदक को आयात लाइसेंसों की सीमा शुल्क प्रयोजन प्रतियां जारी की जानी चाहिए। आयात लाइसेंस सं. पी/एस/8230292/सी/एसएस एक्स/52/एम/31-32/19/780 और पी/एस/8230293/आर/एम एल/52/एम/31-32/19/780, दोनों दिनांक 23-9-74 की मूल सीमा शुल्क प्रयोजन प्रतियां एतद्द्वारा रद्द की जाती हैं।

[मि० सं० आई एंड एस/डी पी/780/70-71]

के० एम० आर० मेनन, उप-मुख्य नियंत्रक

MINISTRY OF COMMERCE

Office of the Joint Chief Controller of Imports and Exports

(Iron and Steel Division)

Madras, the 6th May, 1977

ORDER

S.O. 2306.—M/s. Hindustan Steel Ltd., Calcutta-1 was issued an import licence No. P/S/8230292/C/XX/52/M/31.32/19/780 and P/S/8230293/R/ML/52/M/31.32/19/780 both dt. 23-9-1974 for import of Tinplate Waste for Rs. 56,004 and Rs. 28,002 under General Currency Area and U.K. Credit for the period April, 70/March, 71 with letter of authority in favour of M/s. Kothapalli Zarda Factory, Karimnagar, A.P. The Letter of Authority holder have now applied for the issue of duplicates of the Customs Clearance Purposes copies of the Import Licences in question on the ground that the Customs Clearance Purposes copies of the above import licences have been lost or misplaced without having been registered with any Customs Authority and utilised at all. In support of their contention, the applicant has filed an affidavit.

I am satisfied that the original Customs Clearance Purposes Copies of the Import Licences No. P/S/8230292/C/XX/52/M/31.32/19/780 and P/S/8230293/R/ML/52/M/31.32/19/780 both dt. 23-9-1974 have been lost and direct that a duplicate Customs Clearance Purposes Copies of Import Licences should be issued to the applicant. The original Customs Clearance Purposes Copies of the Import Licences No. P/S/8230292/C/XX/52/M/31.32/19/780 and P/S/8230293/R/ML/52/M/31.32/19/780 both dt. 23-9-1974 are hereby cancelled.

[F. No. I&S/TP/780/70-71]

K. M. R. MENON, Dy. Chief Controller

मुख्य-नियंत्रक, आयात-निर्यात का कार्यालय, नई दिल्ली

नई दिल्ली, 30 जून, 1977

आदेश

कां.आ. 2307.—सर्वश्री फायर स्टोन टायर एण्ड रबर कम्पनी आफ इण्डिया (प्रा०) लि०, बम्बई को पश्चिमी जर्मनी से पूंजीगत माल का आयात करने के लिए 20 अरब की पश्चिम जर्मन साख के अन्तर्गत 1,09,19,491 रुपए (एक करोड़ नौ लाख उन्नीस हजार चार सौ इक्यान्वे रुपए मात्र) के लिए आयात लाइसेंस संख्या पी/सीजी/2068065/एस/जीएन/53/एच/39-40/सीजी-1, दिनांक, 27-11-1974 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रति खो गई अर्थात् अस्थानस्थ हो गई है। आगे यह भी बताया गया है कि मूल मुद्रा विनिमय नियंत्रण प्रति पार्टी के बैंकर द्वारा 1,09,19,491 रुपए के लिए साख-पत्र खोलने के लिए उपयोग में लाई गई है/पूष्ठांकित किया गया है। पार्टी ने लाइसेंस का 1,04,78,753 रुपए के लिए उपयोग किया है और लाइसेंस में बिना उपयोग किया हुआ 4,40,739 रुपए शेष है। मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रति साख-पत्र की अवधि बढ़ाने के लिए आवश्यक है और उनके बैंकर द्वारा आवश्यक पूष्ठांकन भी करना है।

2. अपने तर्क के समर्थन में लाइसेंसधारी ने नोटरी, महाराष्ट्र राज्य के सम्मुख विधिवत शपथ लेते हुए स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है। तन्नुसार, मैं संतुष्ट हूँ कि विषयाधीन लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रति खो गई है और अथवा अस्थानस्थ हो गई है। समय-समय पर यथा संशोधित आयात (नियंत्रण) आदेश 1955 की उप-धारा 9 (सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर सर्वश्री फायरस्टोन टायर एंड रबर कम्पनी आफ इण्डिया प्रा० लि०, बम्बई के नाम में जारी किए गए उक्त लाइसेंस संख्या पी/सीजी/2068065, दिनांक 27-11-1974 की मूल मुद्रा विनिमय नियंत्रण प्रति एतद्द्वारा रद्द की जाती है।

3. आयात लाइसेंस संख्या पी/सीजी/2068065, दिनांक 27-11-1974 की मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रति पार्टी को अलग से जारी की जा रही है।

[संख्या 30(23)/72-73/सीजी/1]

जी० एस० मेवाल, उप-मुख्य नियंत्रक

Office of the Chief Controller of Imports & Exports,
New Delhi

New Delhi, the 30th June, 1977

ORDER

S.O. 2307.—M/s. Firestone Tyre & Rubber Co. of India (P) Ltd., Bombay were granted import licence No. P/CG/2068065/S/GN/53/H/39-40/CG. I dated 27-11-1974 for Rs. 1,09,19,491 (DM 35,16,076) (Rupees one crore, nine lakhs, nineteen thousand four hundred and ninetyone only) under DM 20 Million West German Credit for capital goods for the import of capital goods from West Germany. They have applied for issue of duplicate exchange control copy of the said licence on the ground that the original exchange control copy of the licence has been lost and or misplaced. It has further been stated that the original exchange control copy has been utilised/endorsed by Party's bankers for establishing letter of credit for Rs. 1,09,19,491. The party have utilised the licence for Rs. 1,04,78,753 and the balance un-utilised value in the licence is Rs. 4,40,738. The duplicate exchange control copy is required for extending the letter of credit and for making necessary endorsement by their bankers.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Maharashtra State. I am, accordingly, satisfied that the original exchange control copy of the licence under reference has been lost and or misplaced. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order 1955 dated 7-12-1955, as amended from time to time the said original exchange control copy No. P/CG/2068065 dated

27-11-1974 issued to M/s. Firestone Tyre & Rubber Co. of Jhan Pvt. Ltd., Bombay is hereby cancelled.

3. A duplicate exchange control copy of import licence No. P/CG/2068065 dated 27-11-1974 is being issued to the party separately.

[No. 30(23)/72-73/CG/I]

G. S. GREWAL, Dy. Chief Controller

आदेश

नई दिल्ली, 30 जून, 1977

का०अ० 2308.—सर्वश्री नेशनल प्रोडक्ट्स, 135 कवल बायरसन्द्रा, बंगलूर-560006 ने यह बताया है कि मिठाई विनिर्माण के लिए अरबी गोंर का आयात करने के लिए 25,000 रुपए के लिए उनको जारी किए गए आयात लाइसेंस संख्या पी/डी/2422267/सी/एक्सएक्स/60/एच/39-40, दिनांक 25-9-1976 की सीमा शुल्क प्रयोजन प्रति बिना उपयोग में लाए ही अस्थानस्थ हो गई/खो गई है।

इस तर्क के समर्थन में सर्वश्री नेशनल प्रोडक्ट्स, बंगलूर ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी सन्तुष्ट है कि विपयाधीन मूल लाइसेंस (सीमा शुल्क प्रयोजन प्रति) अस्थानस्थ हो गई/खो गया है और निदेश देता है कि आयात लाइसेंस (सीमा शुल्क प्रयोजन प्रति) की अनुलिपि प्रति उनको जारी की जाए। मूल आयात लाइसेंस (सीमा शुल्क प्रयोजन प्रति) एतद् द्वारा रद्द की जाती है।

आयात लाइसेंस (सीमा शुल्क प्रयोजन प्रति) अलग से जारी किया जा रहा है।

[संख्या बी० एण्ड एफ/59(1)/74-75/आर एम-5]

एन० ए० कोहली, उप-मुख्य-नियंत्रक

ORDER

New Delhi, the 30th June, 1977

S.O. 2308.—It has been reported by M/s. National Products, 135, Kaval Byrasandra, Bangalore-560006 that the Customs Purposes copy of their import licence No. P/D/2422267/C/XX/60/H/39-40 dt. 25-9-1976 issued to them for Rs. 25,000 (Rupees twenty five thousand only) for the import of Gum Arabic for the manufacture of confectionery has been misplaced/lost unutilised.

In support of this contention M/s. National Products, Bangalore have given an Affidavit. The undersigned is satisfied that the original import licence (customs purposes copy) in question has been misplaced/lost and direct that a duplicate import licence (customs purposes copy) should be issued to them. The original import licence (customs purposes) is hereby cancelled.

An import licence (customs purposes copy) is being issued separately.

[No. B&F/59(1)/74-75/RM-5]

N. A. KOHLY, Dy. Chief Controller

उद्योग मंत्रालय

(औद्योगिक विकास विभाग)

नई दिल्ली, 30 जून, 1977

का०अ० 2309.—केन्द्रीय सरकार, पेटेंट अधिनियम, 1970 (1970 का 39) की धारा 159 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पेटेंट नियम, 1972 में कतिपय और संशोधन करना चाहती है। जैसा कि उक्त धारा की उपधारा (3) में अपेक्षित है, प्रस्तावित संशोधनों का निम्नलिखित प्रारूप उन सभी व्यक्तियों को जानकारी के लिए प्रकाशित किया जा रहा है जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से एक मास की अवधि के पश्चात् विचार किया जाएगा।

ऊपर विनिर्दिष्ट अवधि से पूर्व नियमों के उक्त प्रारूप की बाबत जो भी आप्रक्षेप या सुझाव किसी व्यक्ति से प्राप्त हों, केन्द्रीय सरकार उन पर विचार करेगी।

नियमों का प्रारूप

1. इन नियमों का नाम पेटेंट (संशोधन) नियम, 1977 है।
2. पेटेंट नियम, 1972 के नियम 9 में, उपनियम (1) में,—
(1) “अंग्रेजी भाषा में” शब्दों के स्थान पर “या तो हिन्दी में या अंग्रेजी भाषा में” शब्द रखे जाएंगे।
(2) “किसी हस्ताक्षर के सुवाच्य न होने पर” शब्दों से प्रारम्भ होने वाले और “बड़े अक्षरों में अंग्रेजी में उसके नाम का लिप्यन्तरण लिखा गया होगा” शब्दों के साथ समाप्त होने वाले भाग के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“किसी हस्ताक्षर के सुवाच्य न होने पर या जो हिन्दी या अंग्रेजी से भिन्न किसी लिपि में लिखा गया है, उसके साथ बड़े अक्षरों में या तो हिन्दी में या अंग्रेजी में उसके नाम का लिप्यन्तरण भी लिखा गया होगा”।

[फा सं० 18(32)/74/पी० एंड सी०]

बी० एन० माथुर, अवसर सचिव

MINISTRY OF INDUSTRY

(Department of Industrial Development)

New Delhi, the 30th June, 1977

S.O. 2309.—The following draft of certain rules further to amend the Patent Rules, 1972, which the Central Government proposes to make in exercise of the powers conferred by Section 159 of the Patents Act, 1970 (39 of 1970), is hereby published as required by sub-section (3) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration after a period of one month from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft rules before the period so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Patents (Amendment) Rules, 1977.

2. In rule 9 of the Patent Rules, 1972, in sub-rule (1),

(i) for the words “in the English language” the words “either in the Hindi or in the English language” shall be substituted;

(ii) for the portion beginning with the words “Any signature which is not legible” and ending with the words “name in English in block letters”, the following shall be substituted, namely:—

“Any signature which is not legible or which is written in a script other than Hindi or English shall be accompanied, by a transcription of the name either in Hindi or in English in block letters.”

[F. No. 18(32)/74/P&C]

B. N. MATHUR, Under Secy.

(भारी उद्योग विभाग)

नई दिल्ली, 6 जून, 1977

नई दिल्ली, 4 जुलाई, 1977

शुद्धि पत्र

कां०आ० 2310.—वस्त्रसूती मशीनों के निर्माण अथवा उत्पादनरत अनुसूचित उद्योगों की विकास परिषद् की स्थापना करने के बारे में भारत सरकार, उद्योग मंत्रालय के भारी उद्योग विभाग के आदेश दिनांक 19-7-76 जिसे भारत के राजपत्र के भाग 2 खण्ड 3 उपखण्ड (ii) में दिनांक 19-7-76 को प्रकाशित किया गया, में निम्नलिखित संशोधन किया जायेगा :—

7. श्री आई०के० केजरीवाल, अध्यक्ष,
इण्डियन जूट मिल एसोसिएशन,
रायल एक्सचेंज,
6, नेताजी सुभाष रोड,
कलकत्ता-700001

[सं० 2-52/76-एच०एम०(1)]

एस० कन्नन, उप सचिव

(Department of Heavy Industry)

New Delhi, the 4th June, 1977

CORRIGENDUM

S.O. 2310.—In the order of the Government of India, Ministry of Industry, Department of Heavy Industry dated 19-7-1976, establishing a Development Council for the scheduled industries engaged in the manufacture of production of Textile Machinery, published in the Gazette of India, Part-II, Section 3, Sub-Section (ii), dated the 19th July, 1976 the following amendment shall be made :—

7. Sh. I. K. Kejriwal, Chairman,
Indian Jute Mills Association,
Royal Exchange,
6, Netaji Subhas Road,
Calcutta-700001.

[No. 2052/76-H.M.(I)]
S. KANNAN, Dy. Secy.

कृषि और सिंचाई मंत्रालय

(कृषि विभाग)

नई दिल्ली, 4 जून, 1977

कां०आ० 2311.—वन्य प्राणि (संरक्षण) अधिनियम, 1972 की धारा 50 के अन्तर्गत वन्य प्राणी संरक्षण के सहायक निदेशक श्री के०एन० वैद्य को शक्तियों को प्रयोग करने के लिए इसके द्वारा प्राधिकृत किया जाता है।

[सं० जे० 13011/7/75-एफ०डी० (डब्ल्यू०एल०एफ०)]

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Agriculture)

New Delhi, the 4th June, 1977

S.O. 2311.—Shri K. N. Baidya, Assistant Director, Wild Life Preservation is hereby authorised to exercise powers under section 50 of the Wild Life (Protection) Act, 1972.

[No. J. 13011/7/75-FD(WLF)]

(खाद्य विभाग)

आदेश

नई दिल्ली, 21 जून, 1977

कां०आ० 2315.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 9 के उपनियम (2), नियम 12 के उपनियम (2) के खंड (ख) और नियम 24 के उपनियम (1) के अनुसरण में, भारत सरकार के भूतपूर्व खाद्य, कृषि और सामुदायिक विकास तथा

कां०आ० 2312.—श्री कृष्ण कुमार, निरीक्षक, वन्य-प्राणि, क्षेत्रीय कार्यालय नई दिल्ली को इसके द्वारा वन्य प्राणि (संरक्षण) अधिनियम, 1972 की धारा 50 के अन्तर्गत अधिनियम की उक्त धारा के उप-खण्ड (2) और (6) के अन्तर्गत प्रदत्त शक्तियों को छोड़कर अन्य शक्तियों के प्रयोग करने के लिये प्राधिकृत किया जाता है।

[सं० 2-14/77-एफ० आर० वाई० (डब्ल्यू०एल०एफ०)]

New Delhi, the 6th June, 1977

S.O. 2312.—Shri Krishan Kumar, Inspector, Wild Life Regional Office, New Delhi is hereby authorised to exercise powers under section 50 of the Wild Life (Protection) Act, 1972, except the powers provided under sub-sections (2) and (6) of the said section of the Act.

[No. 2-14/77-FRY(WIF)]

नई दिल्ली, 7 जून, 1977

कां० आ० 2313.—वन्य प्राणि (संरक्षण) अधिनियम, 1972 (1972 का 53) की धारा 47 के खंड (क) के उप-खंड (1) के अनुसार वन्य प्राणि संरक्षण के निदेशक उक्त धारा के प्रयोजनों के लिए वन्य प्राणि संरक्षण के सहायक निदेशक श्री के० एन० वैद्य को इसके द्वारा प्राधिकृत करती है।

[सं० जे० 13011/7/75-एफ० डी० (डब्ल्यू०एल०एफ०)]

New Delhi, the 7th June, 1977

S.O. 2313.—In pursuance of sub-clause (i) of clause (a) of section 47 of the Wild Life (Protection) Act, 1972 (53 of 1972), the Director of Wild Life Preservation hereby authorises Shri K. N. Baidya, Assistant Director of Wild Life Preservation for the purposes of the said section.

[No. J. 13011/7/75-FD(WLF)]

कां०आ० 2314.—वन्य प्राणि (संरक्षण) अधिनियम, 1972 (1972 का 53) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा श्री के० एन० वैद्य को वन्य-प्राणि संरक्षण के सहायक निदेशक के पद पर नियुक्त करती है।

[सं० जे० 13011/7/75-एफ० डी० (डब्ल्यू०एल०एफ०)]

एन० डी० जयाल, निदेशक, वन्य-प्राणि संरक्षण

S.O. 2314.—In exercise of the powers conferred by sub-section (1) of section 3 of the Wild Life (Protection) Act, 1972 (53 of 1972), the Central Government hereby appoints Shri K. N. Baidya as Assistant Director of Wild Life Preservation.

[NO. J. 13011/7/75-FD(WLF)]

N. D. JAYAL, Director, Wild Life Preservation.

सहाकारिता मंत्रालय (खाद्य विभाग) की अधिसूचना सं० सा०का०नि० 635, तारीख 12 जनवरी, 1971 में निम्नलिखित संशोधन करते हैं, अर्थात् :—
उक्त अधिसूचना की अनुसूची में,—

(1) “भाग-1 साधारण केन्द्रीय सेवा वर्ग 3”, में “उप-तकनीकी सलाहकार के कार्यालय और उनके अधीनस्थ एकक” शीर्षक और स्तम्भ 1 से लेकर स्तम्भ 5 तक में उससे संबंधित प्रविष्टियों के स्थान पर, क्रमशः निम्नलिखित शीर्षक और प्रविष्टियां रखी जाएंगी, अर्थात् :—

1	2	3	4	5
“खाद्य और पोषणिक बोर्ड के प्रादेशिक कार्यालय और उनके अधीनस्थ एकक”				
(1) वर्ग 3 के सभी पद जिनके वेतनमान का न्यूनतम (पुनरीक्षित) 425/- रु० और उससे अधिक है।	कार्यपालक निदेशक या उप सचिव, काडर प्राधिकारी।	कार्यपालक निदेशक या उप सचिव, काडर प्राधिकारी।	सभी	संयुक्त सचिव
(2) वर्ग 3 के अन्य सभी पद	उप तकनीकी सहायकार	उप तकनीकी सलाहकार	सभी	कार्यपालक निदेशक या उप सचिव, काडर प्राधिकारी”;

(2) “भाग 2, साधारण केन्द्रीय सेवा, वर्ग 4” में, “उप-तकनीकी सलाहकार के कार्यालय और उनके अधीनस्थ एकक” शीर्षक और स्तम्भ 1 से लेकर स्तम्भ 5 तक में उससे संबंधित प्रविष्टियों के स्थान पर, क्रमशः निम्नलिखित शीर्षक और प्रविष्टियां रखी जाएंगी, अर्थात् :—

1	2	3	4	5
“खाद्य और पोषणिक बोर्ड के प्रादेशिक कार्यालय और उनके अधीनस्थ एकक सभी पद				
	तकनीकी उप सलाहकार	उप तकनीकी सलाहकार	सभी	कार्यपालक निदेशक या उप सचिव, काडर प्राधिकारी”।

[सं० सी-11012/3/74-ए०वी०यू०]

एस० एल० कम्बोई, अवर सचिव

(Department of Food)

ORDER

New Delhi, the 21st June, 1977

S.O. 2315.—In pursuance of sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule(1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No. G.S.R. 635, dated the 12th January, 1971, namely :—

In the Schedule to the said notification,—

(i) In “PART I—GENERAL CENTRAL SERVICE, CLASS III”, for the heading “Offices of the Deputy Technical Adviser and Units thereunder” and the entries relating thereto in columns 1 to 5, the following heading and entries shall respectively be substituted, namely :—

1	2	3	4	5
“Regional Offices of the Food and Nutrition Board and units there under.				
(i) All Class III posts the minimum of the (revised) scale of pay of which is Rs. 425/- and above.	Executive Director or Deputy Secretary, Cadre Authority	Executive Director or Deputy Secretary, Cadre Authority	All	Joint Secretary.
(ii) Other Class III posts.	Deputy Technical Adviser.	Deputy Technical Adviser.	All	Executive Director or Deputy Secretary, Cadre Authority.”

(ii) in "PART II—GENERAL CENTRAL SERVICE, CLASS IV", for the heading "Offices of the Deputy Technical Adviser and Units thereunder" and the entries relating thereto in columns 1 to 5, the following heading and entries shall respectively substituted, namely :—

1	2	3	4	5
"Regional offices of the Food and Nutrition Board and units thereunder. All posts	Deputy Technical Adviser	Deputy Technical Adviser	All	Executive Director or Deputy Secretary, Cadre Authority".
[No. C-11012/3/74-AVU] S. L. KAMBOH, Under Secy.				

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 30 जून, 1977

कां०आ० 2316.—केन्द्रीय सरकार भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की अनुसूची में निम्नलिखित लोक संस्था का नाम जोड़ती है, अर्थात् :—

"डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) के अधीन स्थापित काण्डला डाक श्रम बोर्ड।"

[सं० एल०डी०आ०/77/76(i)]

MINISTRY OF SHIPPING & TRANSPORT

(Transport Wing)

New Delhi, the 30th June, 1977

S.O. 2316.—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the schedule to the said Act the name of the following public institution namely :—

"The Kandla Dock Labour Board, established under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948)."

[No. LDO/77/76-(i)]

कां०आ० 2317.—केन्द्रीय सरकार, भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की अनुसूची में निम्नलिखित लोक संस्था का नाम जोड़ती है, अर्थात् :—

"डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) के अधीन स्थापित कोचीन डाक श्रम बोर्ड।"

[सं० एल०डी०आ०/77/76(ii)]

वी० शंकरलिंगम, अवर सचिव

S.O. 2317.—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act the name of the following public institution, namely :—

"The Cochin Dock Labour Board, established under the Dock Workers (Regulation of Employment) Act, 1948 (19 of 1948)."

[No. LDO/77/76-(ii)]

V. SANKARALINGAM, Under Secy

नई दिल्ली, 2 जुलाई, 1977

(वाणिज्य पोत परिवहन)

कां०आ० 2318.—केन्द्रीय सरकार, वाणिज्य पोत परिवहन अधिनियम, 1958 (1958 का 44) की धारा 283 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि (1) सेचेलस और (2) जर्मनी प्रजातन्त्रात्मक गणराज्य देशों की सरकारों ने क्रमशः 1 अक्तूबर, 1976 और 11 नवम्बर, 1976 से सुरक्षा कन्वेंशन (अर्थात् लण्डन में 17 जून, 1960 को हस्ताक्षरित 'समुद्र पर जीवन सुरक्षा कन्वेंशन' स्वीकार कर लिया है और भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं० कां०आ० 04743, तारीख 26 नवम्बर, 1976 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, सारणी में मद सं० 94 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित मदें और प्रविष्टियां अन्तःस्थापित की जाएंगी, अर्थात् :—

1	2
"95. सेचेलस	1 अक्तूबर, 1976
96. जर्मनी प्रजातन्त्रात्मक गणराज्य	11 नवम्बर, 1976"

[सं० 11 एम टी ओ(26)/76 एम ए]

उमाशंकर कौशिक, अवर सचिव

New Delhi, the 2nd July, 1977

(Merchant Shipping)

S.O. 2318.—In exercise of the powers conferred by clause (a) of section 283 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby declares that the Governments of the countries of (1) Seychelles and (2) German Democratic Republic have accepted the Safety Convention (namely, the Convention for the Safety of Life at Sea signed in London on the 17th Day of June, 1960), with effect from the 1st October, 1976 and the 11th November, 1976 respectively, and makes the following amendments to the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 4743 dated the 26th November, 1976, namely :—

In the said notification in the Table, after item 94 and the entries relating thereto, the following items and entries shall be inserted, namely :—

1	2
"95. Seychels	1 October, 1976
96. German Democratic Republic	11 November, 1976"

[No. 11-MTO(26)/76-MA]

U. S. KAUSHIK, Under Secy.

पूति और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

(बन्दोबस्त पक्ष)

नई दिल्ली, 20 जून, 1977

कां०आ० 2319.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम 1954 (1954 का 44) की धारा 34 की उपधारा 2 द्वारा मुख्य बंदोबस्त आयुक्त को सौंपी गई शक्तियों का प्रयोग करते हुए वह पुनर्वास विभाग, नई दिल्ली में कार्य कर रहे उप मुख्य बंदोबस्त आयुक्त श्री एस० पी० सूद, को निम्नलिखित शक्तियां सौंपती हैं :—

- (1) उक्त अधिनियम की धारा 23 के अंतर्गत अमीलों की सुनवाई करने की शक्तियां ।
- (2) उक्त अधिनियम की धारा 24 के अंतर्गत पुनरीक्षण संबंधी मामलों की सुनवाई की शक्तियां ।

[संख्या ए० 36016(i)/75-प्रशासन (राजपत्रित)/सं० वि०]

MINISTRY OF SUPPLY AND REHABILITATION

(Department of Rehabilitation)

(Settlement Wing)

New Delhi, the 20th June, 1977

S.O. 2319.—In exercise of the powers conferred on the Chief Settlement Commissioner by Sub-Section 2 of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), She hereby delegates to Shri S. P. Sud, Dy. Chief Settlement Commissioner, Deptt. of Rehabilitation, New Delhi, the following powers :—

- (i) Power to hear appeals under Section 23 of the said Act; and
- (ii) Power to hear revisions under Section 24 of the said Act.

[No. A 36016 (1)/75-Admn/SW]

कां०आ० 2320.—विस्थापित व्यक्ति (दावा) अनुपूर्वक अधिनियम, 1954 (1954 का 12) की धारा 10 की उपधारा 2 द्वारा मुख्य बंदोबस्त आयुक्त को सौंपी गई शक्तियों का प्रयोग करते हुए वह उप मुख्य बंदोबस्त आयुक्त श्री एस० पी० सूद को मुख्य बंदोबस्त आयुक्त की निम्नलिखित शक्तियां सौंपती हैं :—

1. बंदोबस्त अधिकारी द्वारा निर्णीत मामलों से संबंधित किसी भी मामले के रिकार्ड को भंगाने तथा अधिनियम की धारा 4 की उपधारा (3) के उपबंध के अधीन आवेश पारित करने की शक्तियां ।
2. विस्थापित व्यक्ति (दावा) अधिनियम, 1950 (1950 का 44) के अंतर्गत निर्णीत मामलों के संबंध में उक्त अधिनियम की धारा 5 के अधीन पुनरीक्षण की विशेष शक्तियां ।

[संख्या ए० 36016(1)/75-प्रशासन (राजपत्रित)/सं० वि०]

कुसुम प्रसाद, मुख्य बंदोबस्त आयुक्त

S.O. 2320.—In exercise of the powers conferred on the Chief Settlement Commissioner by Sub-Section 2 of Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (XII of 1954), she hereby delegates to Shri S. P. Sud, Dy. Chief Settlement Commissioner, the following powers of the Chief Settlement Commissioner :—

1. Powers to call for the record of any case decided by the Settlement Officer and pass orders in the case under proviso to Sub-section (3) of Section 4 of the said Act.
2. Special powers of revision under Section 5 of the said Act in respect of cases decided upon the Displaced Persons (Claims) Act, 1950 (44 of 1950).

[No. A 36016(1)/75-AD(GZ)/SW]

KUSUM PRASAD, Chief Settlement Commissioner

नई दिल्ली, 25 जून, 1977

कां०आ० 2321.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस विभाग की अधिसूचना संख्या 1(4)/वि०से०/77-एस०एस०-2(3), दिनांक 20 मई, 1977 का अतिरामण करते हुए केन्द्रीय सरकार इसके द्वारा उत्तर प्रदेश राज्य में सुभावजा पूल की भूमियों और सम्पत्तियों के बारे में, उक्त अधिनियम के अधीन या उसके द्वारा बन्दोबस्त आयुक्त को सौंपे गये कार्यों को निष्पादित करने के लिए उत्तर प्रदेश सरकार के राजस्व बोर्ड की भूमि सुधार उपायुक्त को बंदोबस्त आयुक्त के रूप में नियुक्त करती है। यह उनके भूमि सुधार उपायुक्त के कार्यों के अलावा होगा।

[सं० 1(4)/विशेष सेल/77-एस०एस०-2(i)]

New Delhi, the 25th June, 1977

S.O. 2321.—In exercise of the powers conferred by Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) and in supercession of this Department's notification No. 1(4)/Spl. Cell/77-SS. II(iii) dated 20-5-1977 the Central Government hereby appoints the Deputy Land Reforms Commissioner, Board of Revenue, Government of U.P. as Settlement Commissioner for the purpose of performing, in addition to his own duties as Deputy Land Reforms Commissioner, the functions assigned to a Settlement Commissioner by or under the said Act, in respect of the lands and properties forming part of the Compensation Pool within the State of Uttar Pradesh).

[No. 1(4)/Spl. Cell/77-55. II(i)]

कां०आ० 2322.—निष्कांत सम्पत्ति प्रशासन अधिनियम 1950 (1950 का 31) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस विभाग की अधिसूचना संख्या 1(4)/वि०से०/77-एस०एस०-II(i) दिनांक 20 मई, 1977 का अतिरामण करते हुए केन्द्रीय सरकार इसके द्वारा उत्तर प्रदेश राज्य में स्थित निष्कांत सम्पत्तियों के बारे में उक्त अधिनियम के अधीन या उसके द्वारा अभिरक्षक को सौंपे गये कार्यों को निष्पादित करने के लिए उत्तर प्रदेश सरकार के राजस्व बोर्ड के भूमि सुधार उप निदेशक को निष्कांत सम्पत्ति के अपर अभिरक्षक के रूप में नियुक्त करती है।

[सं० 1(4)/वि०से०/77-एस०एस०-II(ii)]

दीना नाथ असीजा, संयुक्त निदेशक

S.O. 2322.—In exercise of the powers conferred by Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950), and in supercession of this Department's notification No. 1(4)/Spl. Cell/77-SS. II(i) dated the 20th May, 1977, the Central Government hereby appoints the Deputy Land Reforms Commissioner, Board of Revenue, Government of U.P. as Additional Custodian of Evacuee Property for the purpose of discharging the duties imposed on the Custodian by or under the said Act in respect of evacuee properties in the State of Uttar Pradesh.

[No. 1(4) Spl. Cell/77-SS. II(ii)]

D. N. ASIJA, Director

नागरिक पूर्ति और सहकारिता मंत्रालय

नई दिल्ली 2 जुलाई, 1977

कां०आ० 2323.—अग्रिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय खाद्य निगम, नयी दिल्ली द्वारा या उस संगठन द्वारा उस निमित्त सम्यक रूप से अधिकृत किसी व्यक्ति या अभिकरण द्वारा मृगफली के तेल के क्रय या विक्रय हेतु की गई अन्तरणीय विनिर्दिष्ट परिदान संविदाओं को सम्पूर्ण भारत में उक्त अधिनियम की धारा 15 के प्रवर्तन से छूट देती है।

[मिसिल सं० 10(5)-आई०टी०/76]

एस० एम० केलकर, अवर सचिव

MINISTRY OF CIVIL SUPPLIES & COOPERATION
New Delhi, the 2nd July, 1977

S.O. 2323.—In exercise of the powers conferred by Section 27 of Forward Contracts (Regulation) Act, 1952 (74 of 1952) the Central Government hereby exempts all non-transferable specific delivery contracts entered into by the Food Corporation of India, New Delhi, or by any person or agency duly authorised in that behalf by that organisation, for the purpose of sale of groundnut oil from the operation of Section 15 of the said Act, in the whole of India.

[F. No. 10(5)-X/76]

S. M. KELKAR, Under Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 30 जून, 1977

क्र.सं. 2324.—केन्द्रीय सरकार, रेल यात्री सीमाकर अधिनियम, 1956 (1956 का 69) की धारा 2 के खण्ड (ग) के अनुसरण में, इससे उपाबद्ध अनुसूची में विनिर्दिष्ट स्थानों को, उक्त अधिनियम के प्रयोजन के लिए "अधिसूचित स्थान" घोषित करती है।

2. यह अधिसूचना 1 अगस्त, 1977 को प्रवृत्त होगी।

अनुसूची

- (1) फैजाबाद जंक्शन
- (2) आचार्य नरेन्द्रदेव नगर
- (3) अयोध्या

क्र.सं. 2325.—केन्द्रीय सरकार, रेल यात्री सीमाकर अधिनियम, 1956 (1956 का 69) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए—

(क) इससे उपाबद्ध अनुसूची के स्तंभ 2 में विनिर्दिष्ट दरों को उन दरों के रूप में नियत करती है, जिनपर भारत सरकार के रेल मंत्रालय की अधिसूचना सं. एफ. (10)-1-76/5/2/1, तारीख 30-6-1977 द्वारा अनुसूचित स्थानों के रूप में घोषित और उक्त अनुसूची के स्तंभ 1 में विनिर्दिष्ट ऐसे स्थानों से या तक रेल द्वारा ले जाए जाने वाले सभी यात्रियों पर, प्रत्येक रेल-टिकट (चाहे एक ओर का हो या वापसी) की बाबत सीमाकर उद्गृहीत किया जाएगा; और

(ख) निदेश देती है कि पूर्वोक्त सीमाकर 1 अगस्त, 1977 से उद्गृहीत होगा।

2. यह अधिसूचना 1 अगस्त, 1977 को प्रवृत्त होगी।

अनुसूची

I			II							
क्रम सं०	अधिसूचित स्थानों के नाम	दर्जा	एक ओर के प्रत्येक टिकट पर सीमा कर की दरें							
			व्यस्क				3 से 12 वर्ष तक के बच्चे			
			थोड़ी दूरी के यात्रियों के लिए		लम्बी दूरी के यात्रियों के लिए		थोड़ी दूरी के यात्रियों के लिए		लम्बी दूरी के यात्रियों के लिए	
			66 कि० मी० से 242 कि० मी० तक		242 कि० मी० से आगे		66 कि० मी० से 242 कि० मी० तक		242 कि० मी० से आगे	
			रु०	पै०	रु०	पै०	रु०	पै०	रु०	पै०
(1)	फैजाबाद जंक्शन	वातानुकूलित दर्जा	0	75	1	00	0	40	0	50
(2)	आचार्य नरेन्द्र देवनगर	पहला दर्जा और वातानुकूलित कुर्सी	0	50	0	75	0	25	0	40
(3)	अयोध्या	कार दर्जा तथा टू								
(4)	कटड़ा	टियर वातानुकूलित शायिका दर्जा								
(5)	अयोध्या घाट (जब खुला हो)	दूसरा दर्जा	0	10	0	15	0	05	0	10

स्पष्टीकरण:—वापसी टिकट पर सीमाकर इसमें नियत दरों से दोगुना होगा।

[सं.एफ. (X)-76/5/2/II]

बी० मोहन्ती, सचिव

(4) कटड़ा

(5) अयोध्या घाट (जब खुला हो)।

[सं. एफ. (10)-1-76/5/2/1]

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 30th June, 1977

S.O. 2324.—In pursuance of clause (c) of Section 2 of the Terminal Tax on Railway Passengers Act, 1965 (69 of 1965), the Central Government hereby declares the places specified in the Schedule annexed hereto to be "notified places" for the purposes of the said Act.

2. This notification shall come into force on the 1st August, 1977.

SCHEDULE

- (1) FAIZABAD JUNCTION.
- (2) ACHARYA NARENDRANDEV NAGAR
- (3) AYODHYA
- (4) KATRA
- (5) AYODHYA GHAT (WHEN OPENED).

[No. F(X)I-76/5/2/1]

S.O. 2325.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Terminal Tax on Railway Passengers Act, 1956 (69 of 1956), the Central Government hereby:—

(a) fixes the rates as mentioned in column II of the Schedule annexed hereto as the rates, at which terminal tax shall be levied in respect of every railway ticket (whether single or return) on all passengers carried by railway from or to the notified places declared as such by the notification of the Government of India in the Ministry of Railways No. F(X)I-76/5/2/I, dated 30th June, 1977 and specified in column I of the said Schedule; and

(b) directs that the aforesaid terminal tax shall be leviable with effect from the 1st August, 1977.

2. This notification shall come into force on the 1st August, 1977.

SCHEDULE

Sl. No.	Name of Notified places	Class of accommodation	Rates of terminal tax per single ticket							
			Adults				Children between 3 and 12 years of age			
			Short distance passengers		Long distance passengers		Short distance passengers		Long distance passengers	
			66—242 Kms		beyond 242 Kms		66—242 Kms		beyond 242 Kms	
			Rs.	Ps.	Rs.	Ps.	Rs.	Ps.	Rs.	Ps.
(1) Faizabad Junction		A.C.C.	0	75	1	00	0	40	0	50
(2) Acharya Narendra Dev Nagar		I Class and A.C. Chair Car Class and two tier.	0	50	0	75	0	25	0	40
(3) Ayodhya		A.C. Sleeper								
(4) Katra		II Class.	0	10	0	15	0	05	0	10
(5) Ayodhya Ghat (When Opened)										

Explanation : The terminal tax on a return ticket shall be double the rates fixed herein.

[No. F(X)I-76/5/2/II]
B. MOHANTY, Secy.

दिल्ली विकास प्राधिकरण

नई दिल्ली, 7 जुलाई, 1977

का० आ० 2326.—अधिसूचना सं० पीए/वीसी/77/541 दिनांक 2-7-77 के क्रम में तथा उन्हें प्रदत्त अधिकारों का प्रयोग करते हुए अध्यक्ष, दिल्ली विकास प्राधिकरण श्री शिव चरण गुप्ता, सदस्य महानगर परिषद को दिल्ली विकास प्राधिकरण की आवास समिति का सदस्य नामित करते हैं।

2. उक्त अधिसूचना में मद सं० 6 के पैरा-2 में उल्लिखित “योजना सदस्य” के स्थान पर एडीशनल चीफ प्लानर, टी० सी० पी० ओ० पढ़ा जाये।

[संख्या पीए/वीसी/77/541]

पी० के० वी० सिंह, सचिव

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 7th July, 1977

S.O. 2326.—In continuation of Notification No. PA/VC/77/541 dated the 2nd July, 1977, and in exercise of the powers conferred on him, the Chairman, DDA, is pleased to nominate Shri Shiv Charan Gupta, Member Metropolitan Council, also as a Member of the Housing Committee of the Delhi Development Authority.

2. In said notification, at item 6 in para 2, “Additional Chief Planner, T.C.P.O.” be read instead of “Planning Member”.

[No. PA/VC/77/541]

P. K. B. SINGH, Secy.

श्रम मंत्रालय

नई दिल्ली, 27 मई, 1977

फ०आ० 2327.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स फिलिप्स टेक्स्टाइल्स सेंट्रल रोड सं० 7, का कोना 99/103 पेकी, उद्योग नगर, उधना, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना तीस सितम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019(485)/76-पी० एफ-2]

MINISTRY OF LABOUR

New Delhi, the 27th May, 1977

S.O. 2327.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Philips Textiles, Corner of Central Road No. 7, 99/103, Paikar, Udyog Nagar, Udhna, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of September, 1976.

[No. S. 35019(485)/76-PF-II]

का०आ० 2328.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फोन्टाना फैब्रिक्स सेन्ट्रल रोड, नं० 7 का कोना 99/103, पकी उद्योग नगर, उधना, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य भिषि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1962 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना तीस सितम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/(486)/76-पीएफ-2]

S.O. 2328.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Fontana Fabrics, Corner of the Central Road No. 7, 99/103, Paikie, Udyog Nagar, Udhna, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of September, 1976.

[No. S. 35019(486)/76-PF.II]

नई दिल्ली, 1 जुलाई, 1977

का०आ० 2329.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (क) के अनुसरण में श्री रवीन्द्र वर्मा, संसदीय कार्य और श्रम मंत्री को श्री के० बी० रघुनाथ रेड्डी के स्थान पर कर्मचारी राज्य बीमा निगम के अध्यक्ष के रूप में नाम निर्दिष्ट किया है ;

अतः, अब, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का०आ० 1517 तारीख 14 अप्रैल, 1976 में और आगे निम्नलिखित संशोधन करती है ;

अर्थात् :—

उक्त अधिसूचना में "अध्यक्ष" शीर्षक के नीचे क्रमांक 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी,

अर्थात् —

"श्री रवीन्द्र वर्मा,
संसदीय कार्य और श्रम मंत्री,
भारत सरकार।"

[सं० यू० 16012/5/77 एच० आई०]

New Delhi, the 1st July, 1977

S.O. 2329.—Whereas the Central Government has, in pursuance of clause (a) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Shri Ravindra

Varma, Minister of Parliamentary Affairs and Labour as the Chairman of the Employees' State Insurance Corporation, in place of Shri K. V. Raghunatha Reddy ;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 1517, dated the 14th April, 1976, namely :—

In the said notification, under the heading "Chairman", for the entry against serial number 1, the following entry shall be substituted, namely :—

"Shri Ravindra Varma,
Minister for Parliamentary Affairs and Labour,
Government of India."

[No. U-16012/5/77-HI]

नई दिल्ली, 5 जुलाई, 1977

का०आ० 2330.—प्रसूति प्रसुविधा अधिनियम, 1961 (1961 का 53) की धारा 14 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री एच० एच० कुरैशी, अपर कोयला खान कल्याण आयुक्त धनबाद को बिहार, पश्चिम बंगाल, उड़ीसा और असम राज्यों की कोयला खानों की बाबत उक्त अधिनियम के प्रयोजन के लिए निरीक्षक नियुक्त करती है।

[सं० एस-36025/2/77-एच० आई०]

एस० एस० सहस्रनामान, उप सचिव

New Delhi, the 5th July, 1977

S.O. 2330.—In exercise of the powers conferred by section 14 of the Maternity Benefit Act, 1961 (53 of 1961), the Central Government hereby appoints Shri H. H. Quraishy, Additional Coal Mines Welfare Commissioner, Dhanbad, to be an Inspector for the purpose of the said Act, in respect of Coal Mines in the States of Bihar, West Bengal, Orissa and Assam.

[No. S-36025/2/77-HI]

S. S. SAHASRANAMAN, Dy. Secy.

आदेश

नई दिल्ली, 30 मई, 1977

का० आ० 2331.—केन्द्रीय सरकार की राय है कि इससे उपावृद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में बैंक आफ वड़ीदा, पेडानन्दीपदु, गुन्तूर जिला के प्रबन्ध तन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) के साथ पठित धारा 7क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री के० पी० नारायण राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त केन्द्रीय सरकार औद्योगिक अधिकरण को न्यायनिर्णयन के लिये निर्देशित करती है।

अनुसूची

क्या बैंक आफ वड़ीदा के प्रबन्धतन्त्र की गुन्तूर जिले में बैंक की पेडानन्दीपदु शाखा के लिपिक, श्री टी० बोमु बाबू को 29-11-73 से

2-9-74 तक की अवधि के वेतन का भुगतान न करने और उन्हें 2-9-74 के बाद बैंक में काम करने की इजाजत न देने की कार्रवाई वैध और न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोप का हकदार है?

[सं० एल०-12012/2/77-डी० II-ए०]

ORDER

New Delhi, the 30th June, 1977

S.O. 2331.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bank of Baroda, Padanandipadu, Guntur District and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A read with clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri K. P. Naryana Rao as Presiding Officer with headquarters at Hyderabad and refers the said industrial dispute for adjudication to the said Central Government Industrial Tribunal.

SCHEDULE

Whether the action of the management of the Bank of Baroda in not paying any salary to Shri T. Bosu Babu, Clerk in the Padanandipadu Branch of the Bank in Guntur District for the period from 29-11-73 to 2-9-74 and in not allowing him to work in the Bank after 2-9-74 is legal and justified? If not to what relief is the workman entitled?

[No. L-12012/2/77-D.II.A]

आदेश

नई दिल्ली, 6 जून 1977

का० आ० 2332.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में स्टेट बैंक आफ इंडिया, अवानीगड्डाह, कृष्णा जिला के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) के साथ पठित धारा 7क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री के० पी० नारायण राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिये निर्देशित करती है।

अनुसूची

क्या स्टेट बैंक आफ इंडिया, अवानीगड्डाह, शाखा, कृष्णा जिला के प्रबन्धतन्त्र की बैंक की अवानीगड्डाह शाखा के कोषाध्यक्ष, श्री जी० भास्कर राव की 24-5-71 से सेवाएं समाप्त करने की कार्रवाई वैध और न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोप का हकदार है?

[फा० सं० एल०-12012/12/77-डी० II-ए०]

ORDER

New Delhi, the 6th June, 1977

S.O. 2332.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers

in relation to the management of the State Bank of India, Avanigaddah, Krishna District and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A read with clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal the Presiding Officer of which shall be Shri K. P. Narayana Rao with headquarters at Hyderabad and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the action of the management of the State Bank of India, Avanigadda Branch Krishna District in terminating the services of Shri G. Bhasker Rao, Cashier Avanigadda Branch of the Bank with effect from 24-5-71 is legal and justified? If not, to what relief is the workman entitled?

[F. No. L-12012/12/77-D.II.A]

आदेश

नई दिल्ली, 7 जून, 1977

का० आ० 2333.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में बैंक आफ इंडिया, अहमदाबाद के प्रबन्ध तन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारी के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) के साथ पठित धारा 7क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एम० यू० शाह होंगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिये निर्देशित करती है।

अनुसूची

क्या बैंक आफ इंडिया, दक्षिणी क्षेत्र, अहमदाबाद के प्रबन्धतन्त्र की बैंक की परसी शेरी शाखा के लिपिक, श्री एम० एम० सिद्धूरिया की 13-4-76 से सेवाएं समाप्त करने की कार्रवाई न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोप का हकदार है?

[सं० एल० 12012/202/76-डी० II-ए०]

आर० पी० नरुला, अवर सचिव

ORDER

New Delhi, the 7th June, 1977

S.O. 2333.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the Bank of Baroda, Ahmedabad and their workman in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Section 7A read with clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal,

the Presiding Officer of which shall be Shri M.U. Shah with headquarters at Ahmedabad and refer the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of the Bank of Baroda, Southern Region, Ahmedabad in terminating the services of Shri S. S. Sinduria, Clerk, Persi Sheri Branch of the Bank with effect from 13-4-76 is justified? If not, to what relief is the workman entitled?

[No. L-12012/202/76-D.II.A]

R. P. NARULA, Under Secy.

आदेश

नई दिल्ली, 15 जून, 1977

क्रा० आ० 2334.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में नेशनल इन्शुरेंस कम्पनी लिमिटेड मद्रास, के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधि-करण गठित करती है जिसके पीठासीन अधिकारी श्री के० सेलवारतनम होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधि-करण को न्यायनिर्णयन के लिये निर्देशित करती है।

अनुसूची

क्या नेशनल इन्शुरेंस कम्पनी लिमिटेड के दक्षिणी क्षेत्र के प्रबन्धतन्त्र द्वारा पदोन्नति के लिये कोई माप दण्ड निर्धारित किये बिना निम्नलिखित 10 सहायकों को नीचे दर्शायी गई शाखाओं या प्रभागीय कार्यालयों में वरिष्ठ सहायकों के रूप में स्थानापन्न आधार पर कार्य करने की अनुमति देना न्यायोचित है? यदि नहीं, तो सहायकों को वरिष्ठ सहायकों के पद पर स्थानापन्न पदोन्नति के अवसर देने के लिये किन सिद्धान्तों का पालन किया जाना चाहिये?

- | | |
|------------------------------|---------------------------------|
| 1. श्री जी० सिवामुब्रह्मण्यम | मद्रास प्रभागीय कार्यालय सं० I |
| 2. श्री ए० बी० डी० सोजा | मद्रास प्रभागीय कार्यालय सं० I |
| 3. श्री ई० एस० थ्यागाराजन | मद्रास प्रभागीय कार्यालय सं० I |
| 4. श्री एस० वेक्टरमन | मद्रास प्रभागीय कार्यालय सं० II |
| 5. श्री बी० सुदरराजन | बंगलौर शाखा कार्यालय |
| 6. श्री पी० बी० राव | हैदराबाद प्रभागीय कार्यालय |
| 7. श्री के० पीताम्बरम | बंगलौर प्रभागीय कार्यालय |
| 8. श्री एन० उन्नीकृष्णन | कोचीन प्रभागीय कार्यालय |
| 9. श्री आर० एम० परेरा | मंगलौर शाखा कार्यालय |
| 10. श्री एम० बी० मुचन्दी | हुवली शाखा कार्यालय |

[सं० एल०-17011/2/76-डी० IV (ए)]

नन्द लाल, डेस्क अधिकारी

ORDER

New Delhi, the 15th June, 1977

S.O. 2334.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of National Insurance Company

Limited, Madras and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. Selvaratnam shall be the Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the management of Southern Region of the National Insurance Company Limited are justified in allowing the undermentioned 10 Assistants to Officiate as Senior Assistants in the Branches or Divisional Offices indicated below, without laying down any criteria for promotion? If not, what are the principles that have to be followed for giving chances of officiating promotion to Assistants in the posts of Senior Assistants?

1. Shri G. Sivasubramaniam, Madras Divisional Office No. I.
2. Shri A. V. D'Souza, Madras Divisional Office No. I.
3. Shri E. S. Thiagarajan, Madras Divisional Office No. I.
4. Shri S. Venkataraman, Madras Divisional Office No. II.
5. Shri B. Soundararajan, Bangalore Branch Office.
6. Shri P. V. Rao, Hyderabad Divisional Office.
7. Shri K. Pitambaram, Bangalore Divisional Office.
8. Shri N. Unnikrishnan, Cochin Divisional Office.
9. Shri R. M. Pereira, Mangalore Branch Office.
10. Shri M. B. Muchandi, Hubli Branch Office.

[No. L-17011(2)/76-D.IV(A)]

NAND LAL, Desk Officer

नई दिल्ली, 4 जुलाई, 1977

क्रा० आ० 2335.—नेवेली लिग्नाइट कारपोरेशन लिमिटेड ने खान अधिनियम, 1952 (1952 का 35) की धारा 12 की उपधारा (1) के खंड (घ) के अधीन श्री बी० एस० डी० नायडू को, श्री एन० नीलकान्तन के स्थान पर, तमिलनाडु राज्य के लिये गठित खान बोर्ड के सदस्य के रूप में, नामनिर्देशित किया है;

अतः, अब, केन्द्रीय सरकार, खान अधिनियम, 1952 (1952 का 35) की धारा 12 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के भूतपूर्व श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० एस० ओ० 2730, तारीख 30 जून, 1971 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में "सदस्य" शीर्ष के नीचे क्रम सं० (3) के सामने, विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात्:—

"श्री बी० एस० डी० नायडू, मुख्य इंजीनियर (खान योजना), एच-5, लोअर बुले वार्ड रोड, ब्लॉक 24 नेवेली। [धारा 12(1) के खण्ड (घ) के अधीन लिग्नाइट कारपोरेशन लिमिटेड द्वारा नामनिर्दिष्ट]।"

[सं० बी०-22012/1/77-एम० I]

जे० सी० सक्सेना, अवर सचिव

New Delhi, the 4th July, 1977

S.O. 2335.—Whereas the Neyveli Lignite Corporation Limited has nominated under clause (d) of sub-section (1) of section 12 of the Mines Act, 1952 (35 of 1952), Shri B.S.D. Naidu in place of Shri N. Neelakantan as member of the Mining Board constituted for the State of Tamil Nadu;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 12 of the Mines Act, 1952 (35 of 1952); Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 2730 dated the 30th June, 1971, namely :—

In the said notification, under the heading "Members", against serial number (3), for the existing entry, the following entry shall be substituted, namely:—

"Shri B. S. D. Naidu, Chief Engineer (Mine Planning), H-5 Lower Boulevard Road, Block-24, Neyveli, (Nominated by the Neyveli Lignite Corporation Limited under clause (d) of section 12(1))."

[No. V-22012/1/77-MI]

J. C. SAXENA, Under Secy.

आदेश

नई दिल्ली, 18 जून, 1977

क्र० आ० 2336:—वैस्टर्न कोल फील्ड्स लिमिटेड की चान्दामेटा कोलियरी, पेंच क्षेत्र के प्रबन्धतन्त्र से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व संयुक्त खदान मजदूर संघ, डाक घर गढ़ी, बरास्ता जुन्नारदेव, जिला छिन्दवाड़ा (मध्य प्रदेश) करता है, एक औद्योगिक विवाद विद्यमान है;

और उक्त नियोजकों और उनके कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्ति के माध्यस्थता के लिये निर्दिष्ट करने का करार कर लिया है और उक्त माध्यस्थता करार की एक प्रति केन्द्रीय सरकार को भेजी गई है;

अतः अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 10क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थता करार को, प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन)

के बीच

पक्षकारों के नाम

नियोजकों का प्रतिनिधित्व करने वाले वैस्टर्न कोल फील्ड्स लि०, पेंच क्षेत्र, परासिया, जिला छिन्दवाड़ा (मध्य प्रदेश)।

कर्मचारों का प्रतिनिधित्व करने वाले संयुक्त खदान मजदूर संघ, डाक घर गढ़ी बरास्ता जुन्नारदेव, जिला छिन्दवाड़ा, (मध्य प्रदेश)

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री सुखदेव सिंह सरन, सब एरिया प्रबन्धक, वैस्टर्न कोल फील्ड्स लि०, ग्राम्बारा के माध्यस्थता के लिये निर्दिष्ट करने का करार किया गया है:

"क्या वैस्टर्न कोल फील्ड्स लि०, पेंच एरिया से सम्बद्ध प्रबन्धकों की श्रीरामुत्तिन सुपुल सूबा को 1-10-75 से बर्खास्त करने की कार्रवाई न्यायोचित थी, और यदि नहीं तो क्या उसे झूठी पर लिया जाना चाहिये।"

1. प्रबन्धकों का नाम और पता वैस्टर्न कोल फील्ड्स लि०, पेंच एरिया परासिया, जिला छिन्दवाड़ा (म० प्र०)।

2. कर्मचारों का प्रतिनिधित्व करने वाली यूनियन का नाम और पता संयुक्त खदान मजदूर संघ, डाकघर गढ़ी, बरास्ता जुन्नारदेव, जिला छिन्दवाड़ा (म० प्र०)
3. प्रभावित उपक्रम वैस्टर्न कोल फील्ड्स लि०, पेंच एरिया की चान्दामेटा कोलियरी।
4. संघ का नाम उपर्युक्त मद् संख्या 2 में उल्लिखित
5. उपक्रम में नियोजित कर्मचारों की कुल संख्या। लगभग 1 लाख
6. विवाद द्वारा प्रभावित या संभावित व्यक्त: प्रभावित होने वाले कर्मचारों की प्राक्कलित संख्या। एक

हम यह करार भी करते हैं कि मध्यस्थ का विनिश्चय हम पर आबद्ध कर होगा।

मध्यस्थ अपना पंचाट तीन मास की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाय, देगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थता के लिये निदेश स्वतः रह जायेगा और हम नये माध्यस्थता के लिये बातचीत करने को स्वतन्त्र होंगे।

पक्षकारों के हस्ताक्षर

1. नियोजकों का प्रतिनिधित्व करने वाले हस्त/- 27-5-1977 उप मुख्य खनन अभियन्ता चान्दामेटा ग्रुप
2. कर्मकार का प्रतिनिधित्व करने वाले।

साक्षी :

1. हस्त/—अपाठ्य
 2. हस्त/—अपाठ्य 31-5-77
- ह० पी० के० बनर्जी सचिव,
संयुक्तकोयला खदान मजदूर संघ,
डाकघर गढ़ी, जिला छिन्दवाड़ा
(म० प्र०)

[सं० एल०-23013/1/77-डी०-IV बी०]

ORDER

New Delhi, the 18th June, 1977

S.O. 2336.—Whereas an industrial dispute exists between the employers in relation to the management of Chandametta Colliery of Western Coalfields Limited, Pench Area and their workmen represented by Samyukta Khadan Mazdoor Sangh, P. O. Gurhi, Via Junnordeo, Distt. Chhindwara (Madhya Pradesh);

And whereas the said management and their workmen have by a written agreement in pursuance of the provisions of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer to the said dispute to arbitration of the person mentioned therein and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Name of the Parties

Representing employers : Western Coalfields Ltd., Pench Area, Parasias, Distt. Chhindwara (M. P.).

Representing workman : Samyukta Khadan Mazdoor Sangh, P. O. Gurhi, Via Junnordeo, Distt. Chhindwara (M. P.).

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri Sugdev Singh Saran, Sub-Area Manager, Western Coalfields Ltd., Ambara:

"Whether the action of the management in relation to Western Coalfields Ltd., Pench Area in dismissing Shri Ramuttin, S/o Suba with effect from 1-10-75 was justified, and if not, whether he should be taken on duty."

1. Name & Address of management Western Coalfields Ltd., Chandametta Colliery, Distt. Chhindwara (M. P.)
2. Name & Address of the Union representing the workman Samyukta Khadan Mazdoor Sangh, P. O. Garhi Via. Junnoideo, Distt. Chhindwara (M. P.)
3. Establishment involved in: Chandametta Colliery owned by Western Coalfields Ltd., Pench Area.
4. Name of the Union: Mentioned under Item No. 2 above
5. Total number of workers employed in the Undertaking: About 1 Lakh
6. Estimated number of workmen affected or likely to be affected by the dispute: One

We further agree that the decision of the Arbitrator shall be binding on us.

The Arbitrator shall make his Award within a period of three months or within such further time as extended by mutual agreement between us in writing. In case the Award is not made with the period above-mentioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the Parties

Sd/-
27-5-77

1. Representing employer

Dy. Chief Mining Engineer,
Chandametta Group.

2. Workman/representing workman

Witness:

1. Sd/- Illegible.
2. Sd/- Illegible, 31-5-77.

Sd/- P. K. BANERJEE, Secy.
Samyukta Koyla Khadan Mazdoor Sangh, Post
Gudhi, Distt. Chhindwara (M.P.).
[No. L-23013(1)/77-D-IV(B)]

New Delhi, the 21st June, 1977

S.O. 2337.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of Kharkharee Colliery of Messrs Bharat Coking Coal Limited, Post Office Kharkharee, District Dhanbad and their workmen, which was received by the Central Government on the 20th June, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 19 of 1977

(Ministry's Order No. L-20012/134/74-LR/II/DHIA, dated, the 5th April, 1975)

PARTIES :

Employers in relation to the management of Kharkharee Colliery of Messrs Bharat Coking Coal Limited, Post Office Kharkharee, District Dhanbad.

AND

Their workmen.

APPEARANCES :

For the Management—Shri S. S. Mukherjee, Advocate
For the Workmen—Shri J. D. Lal, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, the 16th June, 1977

AWARD

The Central Government, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act referred the following dispute to the Industrial Tribunal No. 2, Dhanbad, by their Order No. L-20012/134/74-LR/II/D.HIA, dated, the 5th April, 1975, namely :—

"Whether the management of Kharkharee Colliery of Messrs Bharat Coking Coal Limited, Post Office Kharkharee, District Dhanbad, was justified in asking the workmen mentioned in the Annexure hereto work as Miner/Loader? If not to what relief are the said workmen entitled and from what date ?

ANNEXURE

Sl. No.	Name of the workmen	Present work
1.	Sri Ghurbigan Ram	Night Guard
2.	Sri Jiu Mahato	Trammer
3.	Sri Ganesh Mahato	Machine Mazdoor
4.	Sri Kishun Mahato	Tramer
5.	Sri Ramprasad Mallah	—do—
6.	Sri Ramayan Mahato	—do—
7.	Sri Chikhuri Kumhar	—do—
8.	Sri Tribhuban Rajbhar	—do—
9.	Sri Lakhani Kumhar	—do—
10.	Sri Ramsaran Harijan	—do—
11.	Sri Sochu Bhagat	—do—
12.	Sri Swarath Harijan	—do—
13.	Sri Sotam Harijan	—do—
14.	Sri Dwarka Yadav	Tigar Khalasi
15.	Sri Jalil Mian	Night Guard
16.	Sri Samaru Kumhar	Line Mazdoor
17.	Sri Ramjanam Kumar	Tandel
18.	Sri Rambali Kumhar	—do—
19.	Sri Rajbali Kumhar	—do—
20.	Sri Ramayan Kumhar	—do—
21.	Sri Nakhru Kumhar	—do—
22.	Sri Rambadhan Kumar	—do—
23.	Sri Zafar Mian	—do—
24.	Sri Aman Sekh	—do—
25.	Sri Khalil Mian	—do—
26.	Sri Rasid Mian	Fitter Helper
27.	Sri Noor Alam Mian	Tandel
28.	Sri Taru Bauri	Prop Helper
29.	Sri Muslim Mian	Trammer
30.	Sri Noor Md.	Trammer
31.	Sri Habil Mian	Tandel
32.	Sri Haru Bauri	Tandel Supervisor
33.	Sri Mukhlal Rewani	Tandel
34.	Sri Sibhu Bauri	—do—
35.	Sri Jumrali Mian	Elec. Helper
36.	Sri Amin Mian	Trammer
37.	Sri Tribhuban Dubey	—do—
38.	Sri Butali Dusadh	—do—
39.	Sri Batai Dusadh	—do—
40.	Sri H. D. Sarkar	Lamp Helper
41.	Sri Basdeo Harijan	Hard Coke Fireman
42.	Sri Panbaby Mian	Hukman

43. Sri Arun Mahato	Hukman
44. Sri Gobind Singh	Oilman
45. Sri Kuber Harijan	Prop Helper
46. Sri Bhikhu Mahato	—do—
47. Sri Aklu Mallah	Night Guard
48. Sri Kailass Kurmi	—do—
49. Sri Jumrati	—do—
50. Sri Anil Gope	Hard Coke
51. Sri Meku Mandal	Night Guard"

2. The same was received by transfer from Tribunal No. 2 in this Tribunal on March 18, 1977, vide Government of India, Ministry of Labour, Order No. S-11025(i)/77-(1)-D. IV(B), dated, the 22nd February, 1977.

3. The dispute concerns 51 workmen. The case of the B.C.C.L. is that one out of these 51 namely, H. D. Sarkar whose name is specified at Serial No. 40 in the schedule to the reference) was not a permanent piece-rated miner/loader but a Coal Cutting Machine Helper who by change of duty was working as a Lamp-Helper and continued to remain on that post and was never reverted as a miner/loader. It is contended that the reference assumes that he was reverted as a miner/loader and since this is not a fact, there is no industrial dispute so far as he is concerned and the Tribunal has no jurisdiction to decide a non-existing dispute. The pleading of the Bihar Colliery Kamgar Union, on the other hand, is that H. D. Sarkar was also a permanent miner/loader and after his transfer to the time-rated job of Lamp/Helper, he was also reverted to his original post of a permanent miner/loader and that transfer is wholly unjustified. MW-1 Y. P. Malli has reposed that H.D. Sarkar continued to work as a Lamp-Helptr and was not reverted to any post of Miner/Loader. He was not cross-examined. WW-1 Hari Bauri has not stated anything to the contrary. H. D. Sarkar has also not entered the witness box to controvert the evidence of Y. P. Malli. There is thus no industrial dispute in respect of H. D. Sarkar, which may require any adjudication. It was argued by the learned counsel for the Union that there is diminution in his wages and that will furnish a ground for interference by the Tribunal. Chapter VIII Sec. A, Vol. I of the report of the Central Coal Wage Board deals with time-rated categories of workmen. Appendix V, Vol. II of the report, gives a list of time-rated workmen who fall in one or the other of the six categories of such workmen. A Coal Cutting Machine Helper is mentioned at Sl. No. 3 of category III. Paragraph 19 of Chapter VIII Section A gives the daily wage of each of the VI categories of workmen. The daily minimum wage of a category III workmen is Rs. 5.90 which rises to Rs. 7.40 with annual increment of 15 paise per day in a span of 10 years. There is no description of the post of a Lamp-Helper in Appendix V. The word "Lamp" is mentioned at Sl No. 15 of category I (Unskilled) and the words "Lamp cleaning" are mentioned at Sl No. 7 of category II (Semi-Skilled Lower). The daily minimum wage of a category I workmen is Rs. 5 which rises to Rs. 6 in 10 years and the daily minimum wage of category II workman is Rs. 5.35 which rises to Rs. 6.55 in 10 years. The above will show that H. D. Sarkar was a time-rated workman as a Coal Cutting Machine Helper and the job of a Lamp-Helper is also a time-rated job. The post of a Coal Cutting Machine Helper, being a category III post, is higher than the post of a Lamp-Helper which is either a Category I or Category II post with lower wage. However, it is admitted that the wages of H. D. Sarkar were not reduced when he was given the job of a Lamp-Helper and, therefore, I am of the view that there is no industrial dispute in so far as he is concerned and no relief can be granted to him except to safeguard his wages as a Category III workman.

4. With respect to the remaining 50, the case of the B. C. L. is that geological conditions in underground workings were very difficult inside the Khakharee Coal mine because of unstable roofing condition and this instability caused frequent shortage of working faces in the latter half of the year 1973. The condition in incline No. 29 become specially difficult compelling gradual reduction of working faces with the result that the incline had to be closed down completely on January 1, 1974. Due to the aforesaid unfavourable geological conditions, 126 juniormost miners/loaders were transferred to other collieries in the same sub-area to work as miners/loaders and these 50 who were comparatively senior miners/Loaders were assigned alternative jobs mentioned

against their names in the schedule to the reference in the same colliery. These transfer were made on purely temporary basis till such time as suitable mining conditions were restored whereafter it was the intention to put them back on their original jobs of permanent miners/loaders. However, their designations as miners/loaders were not changed and they continued to hold their substantive posts. It was ensured that if any of these 50 was given an inferior category of job carrying lower wages, he was allowed to continue to receive wages of his earlier superior post; and in case any one was given an alternative higher category job, he was given the higher wage of that category through he continued to hold his substantive post of a miner/loader in a lower category. The adverse conditions improved by the end of June, 1974 and sufficient number of working faces became available and consequently on July 2, 1974 these 50 workmen were reverted to their original jobs of miners/loaders as the necessity for their continued employment on their alternative jobs no longer existed. The reversions, according to the B.C.C.L., are justified and valid in law. The contention is that the transfers of these 50 from their permanent jobs of miners/loaders to different jobs were occasioned by the exigencies of the situation inasmuch as there was a surpluse on account of unfavourable geological conditions causing shortage of working faces and the re-transfers from their alternative jobs to their original jobs were due to the fact that mining operations had started and they were required to return to their duties as miners/loaders. The next contention is that such a power of transfer is part of normal managerial function, and unless the transfers are mala fide or due to victimisation or unfair labour practice, a Tribunal should not lightly interfere with these. The third contention is that the right to transfer is also conferred by the Standing Orders. The next contention is that 30 out of these 50 gladly returned to their duties and they are estopped from going back upon their voluntary return. The last contention is that the remaining 20 out of these 50 entered into an agreement with the management on November 4, 1974 and on the basis of that agreement, 14 resumed their jobs as miners/loaders and 3 as Pro Mazdoors in the colliery itself and 3 agreed to their transfer to the Maheshpur colliery at Fireman; and in view of the voluntary acceptance of jobs by 30 and in view of the agreement in respect of 20, it has been contended that there was no dispute left on the date of reference which could be referred to this Tribunal for adjudication and, therefore, this Tribunal has no jurisdiction to decide the matters specified in the schedule.

5. The case of the Union is that these 50 were piece-rated miners/loaders working in Pit No. 2 but were transferred to time-rated jobs mentioned against their name in the schedule; which transfers, were made without any pre-condition or stipulation that they were liable to reversion to their original jobs, and, therefore, the B.C.C.L. had no power to re-transfer them to their original jobs. It is further contended that these 50 had not become surplus because of any geological conditions but because the management had employed contractors and the contractors had appointed their own miners/loaders, rendering them surplus. It is then contended that they could not have been reverted because they had worked on their alternative jobs for more than year and had become permanent in terms of the Standing Orders. It has also been contended that they could not have been reverted because the standing orders require giving of notice before transferring or re-transferring and since no such notice was given, the reversions by way of transfers were invalid. It has further been contended that their right to occupy the alternative jobs had become a condition of their service and this could not have been changed without due compliance with the provisions of law contained in section 9A of the Industrial Disputes Act. It has then been contended that the principles of natural justice were violated because they were not afforded an opportunity to show cause against their reversions. Lastly, it has been contended that the reversions involve reduced wages and that also furnishes a ground why they could not have been reverted without an opportunity to show cause.

6. There seems to be no force in the contention of the management that 30 out of 50 who had actually joined their reversions. Social justice does not recognise the law of estoppel. Besides, acceptance of the order of reversions will not amount to submission to it. Non-acceptance would have meant deprivation of wages so long as the dispute was not

settled, and the workman would be justified in keeping himself employed and at the same time raising an industrial dispute challenging his reversion.

7. Likewise, there is no substance in the contention that the remaining 20 out of these 50 are bound by the agreement and consequently the reference itself is bad because it was made after a settlement had been entered into and was still in force. The settlement is Ext. M-1 dated November 4, 1974. It is signed by S. M. Kole, Sub-Area Manager on behalf of the management and by R. N. Singh, a representative of the Union. It was proved by I.L. Kumar, the manager of the colliery who has further stated that R. N. Singh was the Vice President of the Bihar Colliery Kamgar Union. Undoubtedly, the settlement is proved but the question is whether it is a settlement in the eye of the law. Section 2(p) of the Industrial Disputes Act defines a settlement. "Settlement" means a settlement arrived at in the course of conciliation proceedings and includes a written agreement between the employer and workmen arrived at otherwise than in the course of conciliation proceedings where such agreement has been signed by the parties thereto in such manner as may be prescribed and a copy thereof has been sent to an officer authorised in this behalf by the appropriate government and the conciliation officer. Rule 58 of the Industrial Disputes (Central) Rules prescribes the manner. Rule 58(1) says that a settlement arrived at in the course of conciliation proceedings or otherwise, shall be in Form H. The settlement Ext. M-1 is not in that Form. Rule 58(2) states that the settlement shall be signed by—(a) in the case of an employer, by the employer himself, or by his authorised agent, or when the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of the corporation (b) in the case of the workman, by any officer of a trade union of the workmen or by 5 representatives of the workmen duly authorised in this behalf at a meeting of the workmen held for the purpose. The explanation to sub-rule (2) shows that the Vice President is an officer. That being so, Rule 58(2) was complied with as the agreement is signed by the authorised representatives of the management and workmen. Rule 58(4) provides that where a settlement is arrived at between an employer and his workmen otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof to the Central Government, the Chief Labour Commissioner (C), New Delhi and the Regional Labour Commissioner (C) and to the Assistant Labour Commissioner (C) concerned. Section 2(p) requires it to be given to the conciliation officer also. MW-2, I. L. Kumar does not know if the agreement was sent to any of these authorities. The law thus requires that the settlement has to be in compliance of the statutory provisions, and there was no such compliance. An agreement by acquiescence is not a settlement and cannot, therefore, bind the parties to such an agreement. A settlement will not be effective unless the requirements of rule 58 are complied with. See *Workmen of Delhi Cloth and General Mills Vs. Management of Delhi Cloth and General Mills*, 7, S.C.L.J.—626. The agreement will, therefore, not bind the 20 workmen on whose behalf it was entered into.

8. It is not disputed that the 50 miners/loaders were permanent piece-rated miners/loaders. Nor it is disputed that they were transferred from piece-rated jobs to time-rated jobs. Those whose names are at sl. nos. 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 29, 30, 36, 37, 38 and 39 (17 in all) were transferred as Tyndals; one at sl. no. 32 was appointed as Tyndal Supervisor; 6 at sl. nos. 1, 15, 47, 48, 49 and 51 were given alternate jobs of Night Guards; one at sl. no. 3 was appointed as Machine Mazdoor; one at sl. no. 14 was appointed as Timber Khalasi; one at sl. no. 16 was appointed as Line Mazdoor; one at sl. no. 26 as Fitter Helper; 3 at sl. nos. 28, 45 and 46 as Prop Mazdoors; one at sl. no. 35 as Electric Helper; 2 at sl. nos. 41 and 50 as Hard Coke Fireman; 2 at sl. nos. 42 and 43 as Hukmen; and one at sl. no. 44 as Oilman.

9. The question is whether the B.C.C.L. had the power to transfer these 50 from their permanent piece-rated jobs of miners/loaders to various different jobs aforesaid of time-raters and to re-transfer them subsequently from various time-rated jobs to their original piece-rated jobs. Ordinarily speaking, the power to transfer (which includes the power to re-transfer) is incidental to employment and the power is implicit in the exercise of managerial function. See *Barci-*

lly Electric Supply Company Limited Vs. Sirajuddin, 1969 (1) L.L.J.-556 and *Syndicate Bank Limited Vs. Its workmen*, 1 (1) L.L.J.-440. Ext. M-2 is the standing order. Standing order No. 16 provides that all workmen are liable to be transferred in the exigencies of work from one department to another or from one station to another or from one coal mine to another under the same ownership provided that by reason of such transfers the wages and other conditions of service of the workmen are not altered to their disadvantages and provided further that reasonable notice is given of such transfers. The workmen shall be paid the actual transport charges plus 50 per cent thereof to meet incidental charges. That being so, the standing orders also confer a power on the management to transfer a workman from time to time from one job to another in the exigencies of work.

10. The next question is whether the exigencies of work demanded the aforesaid transfers and re-transfers. MW-1, Y. P. Malli, the manager of the colliery, has deposed that there were 3 inclines nos. 26/27, 29 and 39 and 2 pits nos. 1 and 2 in the colliery. These 50 workmen were either working in incline nos. 29 or in pit no. 2. WW-1, Hari Bauri has not denied the above fact. Y. P. Malli has further deposed that during the 1973 monsoon season, some inclines were flooded and got sub-merged and besides coal seams in incline no. 29 were reaching the stage of exhaustion. On account of the above factors, working faces in inclines and pits were reduced, rendering the man-power strength of miners/loaders surplus to requirements. In September, 1973 whereas approximately 40 miners/loaders were working in a single shift, their number gradually reduced and incline no. 29 had to be closed permanently on January 1, 1974. He has further stated that when miners/loaders became surplus to requirements because of the reduced no. of working faces, he had no option but to utilise the services of the surplus hands on alternative jobs. It is in these circumstances, that these 50 were given alternative time-rated jobs in the same colliery while others were transferred to different collieries within the same sub-area and under the same management. The junior-most were transferred to other collieries while these 50 who were comparatively senior, were retained in the same colliery. Similarly, the re-transfer to their original posts were made when suitable number of working faces again became available by improvement in geological conditions and by re-starting of inclines. The case of the workmen, on the other hand, is that their transfers and re-transfers were not occasioned by any unfavourable geological conditions but because the management employed Ghyasuddin and Surat Singh as contractors and these contractors employed their own miners/loaders, which employment rendered them surplus. Y. P. Malli, MW-1 denied this fact and stated that the two contractors were engaged purely for Civil Engineering jobs and for restarting the inclines and it was wrong to say that the e-transfers were made to make room for the miners/loaders employed by the contractors. Hari Bauri, WW-1 asserted that the re-transfers were made to accommodate the contractor's miners/loaders. He further stated that this was done in a mala fide manner because they were members of a Trade Union which was not favoured by the management. Y. P. Malli denied that the reversions were made due to unfair labour practice or in any spirit of victimisation. Y. P. Malli was not cross-examined about the flooded condition of the incline or about the exhaustion of coal seams. Inundation of inclines in underground mining operations, is not a rare phenomenon. When mining conditions become difficult and lesser working faces are available, it is but natural that permanent workers will become surplus. The management will, in such an event be faced with two propositions; either to retrench the workmen which would render them unemployed or to assign alternative duties to them. The management chose the lesser evil and it cannot be said that this was done with any ulterior or oblique motive. The contractors were engaged for purely Civil work and the employment of labour by them will not affect the miners/loaders. Besides, no industry would like to pay higher wages to its workman by employing them on higher jobs in preference to their lower jobs or in asking them to work on lower jobs and still draw higher wages. An industry will do such a thing only in special circumstances and for valid reasons; and such circumstances have been described above. It was observed in *Canara Banking Corporation Limited Vs. Vittal* 1963 (II) L.L.J.-354 that a management is in the best position to distribute its man-power. It was further observed that a Tribunal should ordinarily accept submissions made by a management regarding reasons for such distribution. On the whole, therefore,

I am of the view that the exigencies of the situation in the mine demanded the transfers and re-transfers, and these were not made on account of any malafides or unfair labour practice or victimisation.

11. The next contention of the learned counsel for the workmen is that the transfers and re-transfers were made in violation of the two provisos of Standing Order No. 16 and, therefore, they are bad. Standing Order No. 16, as has been seen above, says that the transfers can be made provided reasonable notice is given and provided that by reason of such transfer, the wages of the workmen are not altered to their dis-advantage. I am of the view that this part of the standing order has no application to the instant case. Transfers, as used in the standing order, must be understood in the sense of permanent transfers and not temporary transfer in a reason of distress. In the instant case, the transfers were purely temporary because the place or places where these 50 were working were not available for working any more and were not likely to be available till such time as mining conditions were restored. These transfers were thus purely for a small period of time in the same colliery. The workmen were allowed to hold their substantive posts. Their designations were not changed. They were only assigned different duties. If they were drawing a higher wage and were given a lower category job, their wages were not reduced and they were sent back to their original jobs with the same wages. In respect of those who were given higher jobs, they were compensated by payment of higher wages and when they were sent back to their original permanent jobs, they were again given the requisite wages of these permanent jobs. Standing Order No. 16 does not cover or visualise a temporary assignment for a temporary period. The transfers were not made from one station to another or from one coal mine to another requiring a notice or payment of incidental charges. I, therefore, hold that the workmen are not entitled to take shelter behind Standing Order No. 16.

12. The next contention of the learned counsel for the workmen is that by re-transfers, a condition of their service was changed and, therefore, due compliance should have been made with Section 9A of the Industrial Disputes Act. A mere change in the designation of an employee without affecting his service conditions could not be considered as alteration of service conditions. The power to transfer has been given by the Standing Order itself and thus transfer itself is a condition of service and exercise of that power will not amount to a change in conditions of service.

13. The last contention of the learned counsel for the workmen is that by working for more than one year on the alternative jobs, these 50 workmen had become permanent incumbents on those jobs and, therefore, they could not have been transferred to their original jobs without their consent. According to the Standing Order No. 3(b), a "permanent" workmen is one who is appointed for an unlimited period or who has satisfactorily put in 3 months continuous service in a permanent post as a probationer. The appointment of these 50 was for a limited period and they were not appointed as probationers in a permanent post and, therefore, they did not become permanent.

14. My award is that the management of Kharkharee Colliery was justified in asking these workmen to work as miners/loaders and consequently they are not entitled to any relief.

K. B. SRIVASTAVA, Presiding Officer.
[No. L-2012(134)/74-LR. II/DIII(A)]

New Delhi, the 30th June, 1977

S.O. 2338.—Whereas the award of the Central Government Industrial Tribunal, Calcutta in the dispute between the employers in relation to the management of Saltore Colliery, District Purulia of Messrs Burrakur Coal Company Limited and their workmen in respect of the matters specified in the Schedule to the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. 1/36/70-LR.II dated the 7th August, 1970, referred to the said Industrial Tribunal for adjudication by the notification aforesaid was given on the 20th September, 1972; And whereas the publication of the said award restrained by an order of the Calcutta High Court in Civil Rule No. 2966/70 till the disposal of the appeal relating to the said notification by the Hon'ble High Court at Calcutta:

And whereas the Central Government has now been informed that the said appeal was dismissed by the High Court by its Order dated the 16th June, 1976;

Now, therefore, in pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 36 of 1970

PARTIES :

Employers in relation to the management of Saltore Colliery, Post Office Saltore, District Purulia of Messrs Burrakur Coal Company Limited.

AND

Their Workmen

APPEARANCES :

On behalf of Employers—Sri S. B. Sanyal, Advocate with Sri Monoj K. Mukherjee, Advocate.

On behalf of Workmen—Sri D. L. Sen Gupta, Advocate with Sri Anil Das Choudhury, Advocate for Colliery Mazdoor Union, and Sri Satyen Banerjee, Advocate for Colliery Mazdoor Congress (HMS).

STATE : West Bengal

INDUSTRY : Coal Mine

AWARD

By Order No. 1/36/70-LR.II, dated 7th August, 1970, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following dispute existing between the employers in relation to the management of Saltore Colliery, Post Office Saltore, District Purulia of Messrs Burrakur Coal Company Ltd., and their workmen, to this Tribunal, for adjudication, namely :—

"Whether the management of Saltore Colliery, Post Office Saltore, District Purulia of Messrs Burrakur Coal Company Limited was justified in offering retrenchment compensation as per proviso to subsection (1) of Section 25FFF of the Industrial Disputes Act, 1947 to the workmen affected by the closure of Saltore Colliery with effect from the 5th June, 1970 ? If not, to what relief are the workmen concerned entitled ?"

2. On 18-8-1970 this tribunal received the reference in question and issued notice to parties. The Colliery Mazdoor Union on 9-9-1970 applied for extension of time to file its statement of case and was allowed time upto 16-7-1970. On 15-9-1970 an application was received from the management praying for extension of time to file statement of its case. Time was extended upto 28-9-1970. On 22-9-1970 a written statement of its case was filed by the Colliery Mazdoor Union. 30-9-1970 was the date fixed for fixing a date of hearing of the Reference. On 5-10-1970 an application was filed by the management along a letter from an Advocate to the effect that Hon'ble High Court at Calcutta had stayed further proceedings in the reference before the tribunal pending disposal of a rule said to have been issued by the High Court. The tribunal stayed further proceedings in the reference pending further orders from the Hon'ble High Court. The records of this tribunal was called by the Hon'ble High Court at Calcutta in Civil Rule 3187(m)/70. On 17-2-1972 this tribunal received back the original document from the Hon'ble High Court at Calcutta. That rule was issued at the instance of the employers in relation to the management of the colliery in question and was summarily rejected by the Hon'ble High Court. An appeal was taken against the order passed by the learned Judge in the said Civil Rule. The tribunal fixed 10-3-1972 for the parties to appear in the reference and to state before this tribunal the date that will be suitable for them for fixing a date of hearing of the reference finally. The appellate bench of the High Court directed that the reference should be heard within one month from the date of receipt of the order. The tribunal received back the record, which had in the meantime been called for by the appellate court, direct from the Appellate Court on 4-3-1972. The direction of the appellate bench to complete the hearing of the reference by

the first week of May, 1972 was found by the parties to be inconvenient for them for being ready for hearing of the reference. The docket of the tribunal in March and April, 1972 was also over-crowded with cases fixed earlier for hearing. So the learned Advocates appearing for the union undertook to move the appellate bench for extension of time for hearing of the reference. The reference matter was fixed for hearing on 17th of April, 1972. On 30-3-1972 a written statement of the workmen represented by the Colliery Mazdoor Congress (HMS) was received by the tribunal and was placed on record. On 1-4-1972 the records of the tribunal were again called for by the Appellate Bench of the Calcutta High Court. The record was received on 11-7-1972. Their Lordships Hon'ble Mr. Justice B. C. Mitra and Mr. Justice S. K. Mukherjee directed by their order that the hearing of the reference must be completed by 27th August. On 11-7-1972 parties were directed to appear by 22nd July, 1972 so that a date could be fixed for early hearing of the reference before 27th August 1972. On 24-7-1972 the management applied for extension of time to file written statement since it had not filed the written statement earlier though it was directed to file the written statement by 28-9-1970. The reasons for not filing the written statement on that date by the management were disclosed in the application being that the management went before the Hon'ble High Court in the Civil Rule against the order of the reference. The management was allowed 3 days' time to file the written statement subject to its copy being forwarded to the unions before filing the same in the tribunal. Workmen represented by the Colliery Mazdoor Union filed a list of documents to be relied on subject to the risk of the union regarding citation of witnesses as no summons had been prayed for. On 26-7-1972 the management appeared and filed its written statement of the case through its learned Advocate Mr. Monoj Kumar Mukherjee which was accepted. On 27-7-1972 the management submitted a list of document. On 29-7-1972 by a joint application the workmen prayed that the tribunal may issue summons on the Director General, Mines Safety, Dhanbad for production of a letter as mentioned in the petition. Summons were issued. On 2-8-1972 the management appeared through its learned Advocate and Colliery Mazdoor Congress (HMS) through its learned Advocate respectively. The learned Advocates of the Union submitted before the tribunal that time should be given to the unions for filing their respective rejoinder against the written statement of its case filed by the management on 26-7-1972. The learned Advocates submitted that the time fixed for taking steps in this matter had been restricted by the tribunal due to the order of the Hon'ble High Court that the tribunal should finish its proceedings and render an award which should not be published within 27th of August, 1972. The learned Advocates, therefore, felt it difficult to take steps so quickly in the matter since they required at least some time for deliberations in making up of the rejoinders. The tribunal fixed 9th August, 1972 for filing the union's rejoinder to the written statement filed by the management. On 9-8-1972 the management appeared through its learned Advocate and Sri Provat Goswami for the Colliery Mazdoor Union. Nobody appeared on behalf of the Colliery Mazdoor Congress. Sri Provat Goswami filed the rejoinder to the written statement of the management on behalf of the Colliery Mazdoor Union. A rejoinder had also been received from Colliery Mazdoor Congress on 9-8-1972 in reply to the written statement of the management. Both the rejoinders were placed in record. It was submitted by Mr. Mukherjee that the Hon'ble High Court at Calcutta was pleased to extend the time limit for hearing of the reference upto 30th September, 1972. Accordingly the reference was fixed for final hearing on 7-9-1972 with a direction to inform the Colliery Mazdoor Congress about the date of hearing. On 7-9-1972 the management appeared through its learned Advocate Sri S. B. Sanyal, associated with Mr. M. K. Mukherjee, Advocate, Sri D. L. Sen Gupta, Associate associated with Sri Anil Das Choudhury, Advocate appeared for the Colliery Mazdoor Union and Sri S. N. Banerjee, Advocate, appeared for Colliery Mazdoor Congress (HMS). Documents were exhibited on both the sides, and as the learned Advocates agreed to the dispensation of the formal proof of such documents, they were marked Exhibits. Mr. Sanyal appearing for the management raised a preliminary point about the jurisdiction of this tribunal to entertain and to adjudicate upon this reference as constituted and submitted that this preliminary point should be first determined before deciding the merit of the reference itself. The learned Advocates appearing for both the unions did not object to Mr. Sanyal's submission. As the jurisdiction

of the tribunal to entertain and adjudicate upon the reference as constituted was raised, the tribunal found it expedient to hear the learned Advocate of the management and the unions over that issue first.

3. Mr. Sanyal advanced his argument upto 2 P.M. of the day. The remaining portion of the day was taken by Mr. D.L. Sen Gupta the learned Advocate representing the Colliery Mazdoor Union in reply to Mr. Sanyal's argument. At 4.30 P.M. of 7-9-1972 the tribunal rose for the day fixing 8-9-1972 for Mr. Sen Gupta to resume his argument that was unfinished. On 8-9-1972 Mr. Sanyal appearing for the management filed an application objecting to the acceptance of the rejoinder filed by the Colliery Mazdoor Congress (HMS). The copy of the rejoinder filed by the colliery Mazdoor Congress on 9-8-1972 had not been served on the management earlier before 2 P.M. of 7-9-1972 when Mr. Sanyal finished his argument on the question of jurisdiction. On the question of acceptance of the rejoinder filed by the Colliery Mazdoor Congress (HMS) Mr. Sanyal's objection and reply thereto by Mr. D. L. Sen Gupta and Mr. S. Banerjee for the Colliery Mazdoor Union and the Colliery Mazdoor Congress (HMS) respectively were heard. The tribunal after hearing the learned Advocates passed an order verbally rejecting the rejoinder filed by the Colliery Mazdoor Congress (HMS) observing that the reasons for such rejection would follow in time. The rejoinder filed by the Colliery Mazdoor Union in compliance with Rule 10B(2) of the Industrial Disputes (Central) Rules was not objected to its acceptance by the management and was accepted. On 11-9-1972 reasons for rejecting the rejoinder filed by the Colliery Mazdoor Congress (HMS) had been recorded in the order sheet elaborately. On 8-9-1972 Mr. Sen Gupta for the Colliery Mazdoor Union completed his argument so also Mr. Banerjee for the Colliery Mazdoor Congress (HMS) in reply to Mr. Sanyal's argument relating to the jurisdiction of this tribunal to entertain and adjudicate upon the reference as constituted. Neither party adduced any oral evidence. Upon the reference as constituted, the pleadings, I mean the statement of case filed by the Colliery Mazdoor Union, Colliery Mazdoor Congress (HMS) and the management and rejoinder by Colliery Mazdoor Union and upon the documents exhibited only in relation to the question of jurisdiction of this tribunal to entertain and adjudicate upon the reference as constituted, the learned Advocate of the management, and of both the unions proceeded to argue and to reply to the argument of the management respectively, and the hearing of the reference on preliminary point was completed on 8-9-1972.

4. As directed by their Lordships Hon'ble Mr. Justice B. C. Mitra and Hon'ble Mr. Justice S. K. Mukherjee of the Calcutta High Court, this tribunal after finishing the hearing of the reference is required to reneer an award but shall not publish it until the disposal of the appeal, arising out of Civil Rule No. 3187(m)/70, pending before their Lordships against the Original Order No. 2966/70 against which the employer took the appeal, being C.O. 4737(w) of 1970.

5. The Colliery Mazdoor Union in its statement of case filed on 22-9-1970 amongst other things stated in paragraph 7 that the Annexure A to the written statement will reveal on a close analysis that the Mines Department charged the management of the Colliery for illegal operation namely (1) High percentage of coal extraction in the stall area of this seam in the past, (2) recent robbing and splitting of stall ribs, directed for (a) "Large arrears in advance stabilisation" as the whole area was under heavy weight in consequence of the aforesaid illegal robbing of coal, (b) Stop production in the resections named therein till the aforesaid steps were not taken and (c) to have a time scheduled programme of work in this connection. In paragraph 8 of the statement, it is stated that the management having created a situation of their own choice as selected in the letter as above, marked Annexure A, on receipt of the same by a Notice dated 2-6-1970 initially laid off about 800 workmen. Copy of the said notice is enclosed and marked Annexure B and B1. In paragraph 9 of the said written statement, it is stated that as against that large lay off the union sent a telegram to the Labour Minister Central on 4-6-1970 followed by a confirmatory letter of the said date—Copy marked Annexure C. The facts contained in the said letter are all correct and shall be relied upon and only to avoid repetition the same are not being reproduced over again. In paragraph 10 of the written statement, it is stated that the management of the Colliery without conforming to the conditions of work as detailed in Annexure A, on false and malafide plea declared alleged closure with effect from 5-6-1970, by a notice dated 4-6-70 which was served on the Union at 11.30 p.m. only. Copy marked Annexure D. The plea taken in the said notice

was of no substance and the things could be set right as advised by the Department of Mine. The company illegally offered maximum 3 months' wages only as retrenchment compensation under Section 25FFF by this notice. In paragraph 11 of the written statement, it is stated that the workmen of the company were naturally very much aggrieved and agitated at the sudden change of attitude in declaring 'lay off' with an object of complying with the requirements of law for mining, having illegally robbed coal from prohibited areas, and on declaring 'closure' without doing anything on the third day, without assigning any reason worth consideration. In paragraph 12, it is stated that the union, however, kept the workmen under control and by a letter dated 7-6-70 to the Superintendent of the Colliery, copy marked Annexure E(?) (incomplete). The facts stated therein are all correct and shall be relied upon. In paragraph 13, it is stated that the management of the Colliery was acting with a design and was not responsive to the situation, the union by a letter dated 7-6-70 to R. L. C., Central, copy marked Annexure F, sought for the intervention stating facts which were correct. In paragraph 14 it is stated that conciliation proceedings were held on 16-6-70 in which parties were present. But as no settlement was possible to the adamant attitude of the management, this tribunal was appointed to adjudicate the issue. The Union, therefore, prayed that the tribunal should answer the issue against the management of the colliery holding the closure to be unjustified, mala fide and in any case not for reasons beyond control on the facts of the case and award to all workmen on roll on 4-6-70 the relief of reinstatement with full back wages, alternatively full wages till the award becomes effective as the retrenchment was illegal in absence of compliance of Section 25F of the I.D. Act as well as one month's notice pay thereafter and also 15 days wage for each year of service, six months or more being deemed to be a year as provided in Section 25F of the I.D. Act. Lastly, the union prays for any other or further relief as may be deemed fit and proper.

6. In its written statement filed on 29-3-1972 the Colliery Mazdoor Congress (HMS) representing the workmen made almost the same statement of facts as those that are appearing in the written statement of the other union, the relevant portions of which I have already quoted. In paragraph 10 of the written statement of the Colliery Mazdoor Congress (HMS) it is stated that the management instead of acting as per advice of the Director of Mines Safety as content in his letter dated 29-5-70 resulted (?) (should be resorted) to another unfair practice by pretending to declare a closure with effect from 5th June, 1970 allegedly on account of "unavoidable circumstances beyond the control of the management" and offered only compensation under Section 25FFF of the Industrial Disputes Act to the maximum extent of 3 months. In paragraph 14 of the written statement, the Colliery Mazdoor Congress (HMS) states that the Union by a letter dated 5-6-70 addressed to M/s. Burrakur Coal Co. Ltd. protested against the said closure as mala fide and instance of victimisation, and further protested against the allegation that the closure was no account of unavoidable circumstances beyond the control of the management as alleged in the notice of closure. The Union claimed that the workers were entitled to 15 days' wages for every year of service and notice pay. In paragraph 15 of the written statement, the Colliery Mazdoor Congress (HMS) states that as the management did not pay any heed to the letter of the union dated 5-6-70 the dispute was referred to the Assistant Labour Commissioner (Central) Asansol for conciliation. The conciliation effort of the said Officer failed due to the illegal, unjustified and mala fide attitude of the management and ultimately the matter has been referred to for adjudication. The Colliery Mazdoor Congress (HMS) prays that the tribunal may hold that the closure of the colliery by the management is not on account of unavoidable circumstances beyond the control of the employer and that the management of the colliery was not justified in offering retrenchment (1) of Section 25FFF of the Industrial Disputes Act said closure with effect from 5th June, 1970 and may be further pleased to direct the said management to grant full retrenchment compensation as provided in Section 25F of the said Act as being just, fair and legitimate and grant such further relief or reliefs as may be deemed fit and proper by the learned Tribunal. I have quoted the relevant paragraphs from the written statement of Colliery Mazdoor Union and Colliery Mazdoor Congress (HMS) verbatim and there appears in several paragraphs thus quoted in both the unions' written statement of case certain typographical errors.

7. The management in its written statement of case filed on 26th of July 1972, i.e., long after both the unions had filed

their respective written statement of case before this tribunal stated in paragraph 2 of the written statement that the reference as constituted is incompetent and without jurisdiction in view of the following facts :

- (a) The Saltore Colliery was closed down on account of unavoidable circumstances beyond the control of the management, inasmuch as any further mining operation in the said colliery was hazardous and fraught with grave and dangerous consequences, on and from 5th June, 1970, by a notice issued on the 4th June, 1970. The petitioner company states that the Director General of Mines Safety had noticed that further mining operation in this Saltore Colliery is hazardous and fraught with grave consequences.
- (b) Immediately thereafter, the workmen of Saltore were informed individually by notice dated 4th June, 1970 that the Saltore Colliery operation would be closed as any further operation in the said Colliery is hazardous and fraught with dangerous consequences. By the aforesaid notice dated June 4, 1970, the services of all the workmen were terminated with effect from 1st shift of 5th June, 1970 and each workman was requested individually to collect all his legal dues including one month's pay in lieu of notice and compensation as per proviso to section 25FFF of the Industrial Disputes Act on any day from the 5th June 1970. The company states further that all the workmen working in Saltore Colliery prior to the closure, had already received their full legal dues.
- (c) The company states further that the Regional Labour Commissioner (C) Asansol and others were duly informed by the petitioner company by Memo dated 4th June, 1970 of the closure of the Saltore Colliery and the consequent termination of the services of the employees of the said Colliery and further that the workmen were informed individually of closing down of the colliery with a request to them to collect their legal dues.
- (d) Thereafter a dispute was raised by the Respondents before the Conciliatory machinery challenging the closure to be mala fide and/or not for unavoidable circumstances beyond the control of the management.

In paragraph 6 of the written statement the management states as follows :

"That the petitioner states—Central Government has acted without jurisdiction in making the instant reference. It is submitted 'Industry' as defined under the Industrial Disputes Act means "a live industry" and the object of the legislation is to maintain industrial peace and production and this can only be achieved in an existing industry and, therefore, any dispute arising out of closure will fall outside the purview of section 10 of the Industrial Disputes Act."

In paragraph 7 of the written statement of the management it is stated :

"That the aforesaid preliminary point which goes to the root of the jurisdiction may be decided before taking up the case on merits inasmuch as the resultant award will be void."

8. The reference as constituted in the Order dated 7-8-70 reads as follows :

"Whether the management of Saltore Colliery, Post Office Saltore, District Purulia of Messrs Burrakur Coal Company Limited was justified in offering retrenchment compensation as per proviso to sub-section (1) of Section 25FFF of the Industrial Disputes Act, 1947 to the workmen affected by the closure of Saltore Colliery with effect from the 5th June 1970 ? If not, to what relief are the workmen concerned entitled ?"

Now, Mr. Sanyal, the learned Advocate appearing for the management while arguing on the jurisdiction of this tribunal to entertain and adjudicate upon the reference as constituted first submitted that the terms of the reference in the language in which those are couched in the order of reference on analysis would show that the Saltore Colliery was in fact and in

law closed with effect from 5th June, 1970. The management of the colliery offered retrenchment compensation as per proviso to Sub-section (1) of Section 25FFF of the Industrial Disputes Act to the workmen affected by the closure of the Saltore Colliery with effect from 5th June, 1970. If the management's offer of compensation under proviso to Sub-section (1) of Section 25FFF of I.D. Act, 1947 to workmen affected by closure of Saltore Colliery with effect from 5th June, 1970 was not justified, what relief are the workmen concerned entitled to? Mr. Sanyal pointed out referring to the constitution of the dispute under reference that there could be no question as to the closure of the colliery concerned on 5th June, 1970. Consequently upon the closure of the colliery with effect from 5th June, 1970 the management offered to the workmen concerned affected by the closure with effect from 5th June, 1970 compensation under Section 25FFF sub-section (1) and proviso thereto. If the offer of such compensation is not justified, the colliery, having had been closed in fact and in law with effect from 5th June, 1970, it was closed, if not in terms of the proviso to sub-section (1) of Section 25FFF of the I.D. Act but under Sub-section (1) of that section. The section 25FFF consequent upon a closure of an undertaking creates a right in favour of the workmen. The right gives rise to a benefit which is computable in money value. A closure may be for any reason under Section 25FFF(1), or may be under its proviso i.e., where the undertaking is closed on account of unavoidable circumstances beyond the control of the employer. Both under Sub-section (1) and under proviso to Sub-section (1) of Section 25FFF a right to the benefit of compensation in favour of the workmen has been created when benefit is computable to money value. The right to the benefit of compensation under Section 25FFF(1) and proviso thereto originates out of a closure that has been effected both in fact and in law. This closure may be for "any reason" as sub-section (1) to Section 25FFF lays down or on account of unavoidable circumstances beyond the control of the employer as under the proviso but still the right to the benefit of compensation does not arise till there has been a closure in fact and in law of an undertaking. After the undertaking had been closed, the industry in question ceased to exist and there remained no longer either the employer or the employee in a industry which was dead consequent upon its closure in fact and in law. The right to the benefit of compensation under Section 25FFF(1) and the proviso thereto created in favour of the erstwhile workmen against the erstwhile employer of a closed industry consequent upon the closure of the industry flows out of the closure, but not before the closure. If an industry was closed in fact and in law it ceased to exist. The demand relating to the right of the erstwhile workmen to the benefit of compensation, following the closure of an undertaking that may be made either under Section 25FFF sub-section (1) or under proviso to Sub-section (1) would not relate to an industry since following the closure the place of employment was closed so also the business of the employer, and the employment of workmen ceased to exist as well as the relationship of employer and workmen. The dispute as to whether the workmen affected by closure acquired the right to the benefit of compensation either under Sub-section (1) of Section 25FFF or under the proviso to that sub-section would not relate to an industry i.e., business in an undertaking of the employer and the employment or non-employment of the workmen in an industry following the closure of an undertaking i.e., the industry i.e., when the business in the undertaking of the employer and the undertaking itself cease to exist so also the employment of the workmen in the undertaking. With the closure of an undertaking when the industry ceases to exist and with it the employer and the employee, consequent upon such closure, the erstwhile workmen affected by the closure would not be considered as retrenched within the meaning of the expression retrenchment, as appearing in Section 2(oo) of the Industrial Disputes Act. Retrenchment, in the definition of workmen in Section 2(s), read with that expression in Section 2(oo) of the Industrial Disputes Act covers a case where the industry is a going concern and there is the subsisting relationship of the employer and the workmen in the said running industry when the employer in such an industry caused retrenchment of the employees or the workmen which retrenchment should be considered to be one, as defined in Section 2(oo) of the Industrial Disputes Act. But when there has been a "closure" in fact and in law which caused cessation of the industry and the relationship of the employer and the workmen in regard to such industry, there can be no retrenchment within the meaning of Section 2(oo) read with Section 2(s) of the Industrial Disputes Act although, with the closure there is however retrenchment of workmen en bloc as commonly understood, but still closure,

as retrenchment has been defined in Section 2(oo) of the I.D. Act is not such "retrenchment" as that expression occurs in the definition of workman in Section 2(s) of the I.D. Act. Section 25FFF sub-section (1) uses the expression "as if", and brings out the legal distinction between "retrenchment" defined by Section 2(oo) and the termination of service of the workmen en bloc consequent upon a closure. The expression in Section 25FFF sub-section (1) "shall be entitled to notice and compensation in accordance with the provisions of Section 25 as if the workman had been retrenched", provides a basis for calculating the amount of compensation payable to the workmen and does not provide for the measure of compensation. Section 25FFF sub-section (1) for the limited purpose has referred to Section 25F with the expression "as if the workman had been retrenched". Mr. Sanyal, therefore, submitted that the reference as constituted clearly calls upon the tribunal to proceed with the footing that there had been the closure of the colliery on and from 5th June, 1970, and that upon such "closure" the workmen under Section 25FFF acquired a right to the benefit of compensation. The closure may be for "any reason" or it may be on account of unavoidable circumstance beyond the control of the employer. The management closed the colliery in fact and in law with effect from 5th June, 1970 and offered by the notice of closure on each workman compensation under proviso to Sub-section (1) of Section 25FFF. The workmen after 5-6-70 raised a dispute against the offer of such compensation through both the unions. The Colliery Mazdoor Union by its letter dated 7-6-70 addressed to the Colliery Superintendent made a demand of the management alleging the closure as mala-fide and refusing to accept the compensation as offered by the management. The Colliery Mazdoor Congress (HMS) by its letter dated 5-6-70 received by the management on 8-6-70 at least after 5-6-70 and between 6-6-70 and 8-6-70 raised the dispute before the management protesting against the closure as mala-fide and refusing to accept the compensation offered by the management to the workmen concerned. The dispute was thereafter taken up for conciliation at the instance of both the unions representing the workmen of the colliery concerned. There was the failure report. On receipt of the failure report the Central Government made the reference in the terms appearing therein. The subject of conciliation, as the failure report shows, which is attached with the order of reference sent to this tribunal, appears as follows :

"1. D. between the management of Saltore Colliery of M/s. Burrakur Coal Co. Ltd. and their workmen represented by Colliery Mazdoor Union (ITUC), Asansol and Colliery Mazdoor Congress (HMS), Asansol over alleged illegal and mala-fide retrenchment of the workers of Saltore Colliery."

There are three paragraphs in the failure report which read as follows :

"The Colliery Mazdoor Congress (HMS), Asansol and Colliery Mazdoor Union (INTUC), Asansol raised an industrial dispute under their letter Nos. CMC/MS/77/70; dated 9-6-70 and A-4/71-73, dated 7-6-70 (copies enclosed) respectively over the issues mentioned above.

2. The dispute was taken up in discussion by me in this office on 16-6-70 when both the parties attended. After a length and prolonged discussion I held conciliation proceedings on the very date. As the parties were adamant in their stand no settlement could be brought about. A copy of the minutes of discussions recorded during the conciliation proceedings is enclosed.

3. On my suggestions the representatives of the aforesaid unions were agreed to refer this dispute for voluntary arbitration under I. D. Act or Code of Discipline in Industry but the representative of the management was not willing to do so as according to them there was no merit in the case."

Along with the failure report there is the letter dated 9th June, 1970 from Sri M. N. Singh, Assistant Secretary, Colliery Mazdoor Congress (HMS) addressed to the Assistant Labour Commissioner, Central, Asansol, subject being "wrongful closure of Saltore Colliery, P. O. Saltore, Dist. Purulia with effect from 5-6-70". In the first paragraph of the letter it is stated that the management of Saltore Colliery by a notice dated 4-6-70 have closed down the mine with effect from 5-6-70. In this connection Sri Singh addressed a letter being No. CMC/MNS/67/70, dated 5-6-70 to the

Superintendent (Raniganj) Bankola Colliery with a copy to the Assistant Labour Commissioner, Central. It is stated in that letter that as a result of this closure more than 1100 workmen became permanently unemployed. Along with the failure report there is a copy of another letter dated 7th June, 1970 from the General Secretary of the Colliery Mazdoor Union (ITUC) addressed to the RLC(C), Asansol on the subject 'Closure of Saltore Colliery with effect from 5-6-70 and consequent termination of services of approximately 1,000 employees'. The first paragraph of the letter says that the management of Saltore Colliery vide their notice dated 4-6-70 totally closed the mine with effect from 5-6-70 by the same notice they terminated the services of approximately 1,000 workmen and offered them retrenchment compensation under Section 25FFF of the I. D. Act. A copy of the minutes of the conciliation proceeding was also forwarded along with the failure report to this tribunal. For the management the contention was that the closure of the colliery was effected on account of unavoidable circumstances beyond the control of the management. For the Colliery Mazdoor Union it was contended before the Conciliation Officer that the plea of the management that the closure was for unavoidable circumstances beyond the control of the management was not a whit true. If the management reopened the mine or in case they stuck to the decision of the closure they should pay full compensation as per Section 25F of the Industrial Disputes Act, 1947. Sri Rudra, General Secretary, Colliery Mazdoor Congress (HMS) contended before the Conciliation Officer that the management without following the instructions of the Mines Department had purposely closed down the mine to deprive the workers of their legitimate dues. The management should pay retrenchment compensation as per Section 25F of the Industrial Disputes Act in case they do not reopen the mine. The management should comply with the instructions of the Mines department to re-open the colliery as quickly as possible and pay full wages to the workmen sitting idle. On these materials the Central Government formed the opinion under Section 10(1) of the Industrial Disputes Act as to the existence of an industrial dispute and referred the dispute to this tribunal under Section 10(1)(d) of the Industrial Disputes Act. The Schedule to the reference lays down the constitution, the scope and the content of the demand, relating to the dispute under reference, made by the two unions respectively before the A.L.C., who having failed to conciliate the demand relating to the dispute, reported such failure to the Central Government, that made the reference in the terms as in the Schedule already quoted.

9. I have looked into the failure report and the statement of demand made by the two unions before the A.L.C. (C), which came to this tribunal along with the order of reference only to determine the scope and content of the demand relating to the dispute referred to for adjudication by the tribunal. The demand of the unions was on the footing of a closure for payment of compensation under Section 25F of the Industrial Disputes Act. Mr. Sanyal referred to the pleadings of both the unions, I mean the statement of case filed by both the unions and to the statement of case filed by the management in regard only to the jurisdictional fact as to whether there had been a closure in fact and in law with effect from the first shift of 5-6-70. The closure was notified to be effective from the first shift of 5-6-70. On 4th June, 1970, the closure was neither declared nor was made effective. The notice of closure though dated 4th June, 1970 was to be effective on and from 1st shift of 5-6-70. The Colliery Mazdoor Congress (HMS) by its letter, Ext. M1, upon which Mr. Sanyal relied, dated 5-6-70 raised a demand disputing the offer of compensation by the management to the workmen affected by the closure on and from the first shift of 5-6-70 under Section 25FFF. This letter, ext. M1, dated 5-6-1970 sent as per registered post to the Superintendent of the colliery concerned, if received, according to Mr. Banerjee appearing for the Colliery Mazdoor Congress, on 6-6-70 by the Superintendent of Colliery, raised the demand of reopening the mine and payment of full wages to the workmen at the same time refusing to accept the offer of compensation by the management to the workmen concerned under Section 25FFF Subsection (1) proviso thereto of the Industrial Disputes Act. The Colliery Mazdoor Congress in its written statement, paragraph 14, specifically stated that by a letter dated 5-6-70 which is Ext. M1, the union protested against the said closure and the letter if Mr. Banerjee's contention is correct which Mr. Sanyal did not accept, was received by the Superintendent of the colliery concerned on 6-6-70. The Colliery Mazdoor Union in para-

graph 12 of its written statement stated that on 7-6-70 it addressed a letter to the Superintendent of colliery concerned and the copy of the letter marked Annexure E containing true facts stated therein have been attached to the written statement. Annexure E is Ext. W6. Subject is notice dated 4-6-70 of closure of Saltore Colliery and consequent termination of services of the employers of the said colliery. In paragraph 3 Ext. W 6 it refers to the lay off notice in regard to 700 workmen given by the colliery on 2-6-70. In paragraph 4 Ext. W6 it is stated, "it is strange that the earlier decision dated 2-6-70 was reversed within 48 hours and on 4-6-70 the notice of closure under reference was issued. It is further clear that whatever may be the reasons for such sudden change of decision the closure itself has nothing to do with unavoidable circumstances beyond the control of the management inasmuch as any further mining operation in the said colliery hazardous and fraught with grave and dangerous consequences as has been stated in the notice of closure". In the next paragraph it is stated, "From facts and circumstances as stated above that it is evident that the closure of the colliery and consequent termination of services of 1000 persons approximately were avoidable". In the last but one paragraph of the letter it is stated, ".....we request you to please revise your decision and to reopen the colliery", and in the last paragraph it is stated, "In case you stick to your decision we may make it clear that all the workmen whose services have been terminated shall have to be paid retrenchment compensation according to the provision of Section 25F of the I. D. Act". So, both the unions made the demand of the management vide Ext. M1 and W6 after the closure, disputing the management's offer of closure compensation under Section 25FFF sub-section (1) proviso thereto to the workmen, following the closure, as offered by the management by closure notice effective on and from the first shift of 5-6-70 as well as demanding compensation under Section 25F of the Industrial Disputes Act. Both the unions, however, demanded reopening of the colliery which was closed with effect from first shift of 5-6-70.

10. Now, from the statement of case filed by both the unions and by the management and from the two letters Ext. M1 and W6 there can be no doubt or dispute that with effect from first shift of 5-6-70 the workmen of the colliery concerned were affected by the closure of the colliery by the management of the colliery concerned and that after the closure the two unions made the demand on the management. Both the unions refused to accept the offer of the management on behalf of the workmen represented by each of the union to accept compensation offered by the management consequent upon closure of the colliery concerned, under Section 25FFF(1) proviso thereto, and made demand for compensation under Section 25F or in other words not under proviso to Section 25FFF sub-section (1) but under Section 25F of the Industrial Disputes Act. In addition to the said demand both the unions demanded of the management for reopening of the colliery that had been affected by closure with effect from first shift of 5-6-70. So, the Central Government while considering the materials before it that means the failure report, the demand letters filed before the Conciliation Officer by both the unions which I have already discussed, framed the issue covering the demand of the workmen represented by both the unions relating to the dispute referred to for adjudication by this tribunal under Section 10(1)(d) of the Industrial Disputes Act. Examining the language used in the issue framed on the demand of the unions relating to the dispute referred to for adjudication by this tribunal by the Central Government. Mr. Sanyal rightly pointed out that the expression 'workmen affected by the closure of the Saltore Colliery with effect from 5th June, 1970 read with reference to the context of the words preceding to that expression in the issue appearing in the order of reference, closure in fact and in law with effect from first shift of 5th June, 1970 of the colliery concerned could hardly be controverted. Referring to Ext. M1 and W6 and the written statements filed by both the unions and by the management the relevant portion of which I have discussed. Mr. Sanval rightly pointed out that the demand of the unions relating to the dispute that has been referred to for adjudication by this tribunal by the Central Government had been raised by the unions after the closure of the colliery in fact and in law not only to the management but also to A.L.C.(C), Asansol. His submission is correct. His submission is fully borne out by the materials on record which I have already discussed.

11. Mr. D. L. Sen Gupta, learned Advocate appearing for the Colliery Mazdoor Union while replying to Mr. Sanyal's

argument clearly admitted that there was closure in fact and in law of the colliery concerned with effect from first shift of 5-6-70. Mr. Banerjee appearing for the Colliery Mazdoor Congress (HMS) while replying to Mr. Sanyal's argument contrary to paragraph 14 of the written statement of the union concerned submitted that the dispute meaning the dispute under reference was raised before the management on 4-6-70. This submission of Mr. Banerjee is directly in conflict with the admission made by Mr. Sen Gupta who very fairly admitted as an astute Advocate that closure of the colliery in fact and in law had been effective from the first shift of 5-6-70. In paragraph 14 of the union's written statement to which I have already referred the Colliery Mazdoor Congress (HMS) clearly admits that the closure had been effective on and from 5-6-70 in view of the notice of the management wherein it is stated that it was to be effective from first shift of 5-6-70.

11. Therefore, I hold that in fact and in law the Saltore colliery was affected by closure on and from the first shift of 5-6-1970. In the schedule to the reference relating to the issue referred to for adjudication by this tribunal there is the expression "workmen affected by the closure of Saltore colliery with effect from 5th June, 1970". So, Mr. Sanyal's argument that in fact and in law the colliery concerned was closed by the notice which is admitted by both the unions with effect from 1st shift of 5-6-1970 cannot be controverted and I hold accordingly.

12. In view of Ex's M 1 and W 6, the materials upon which the Central Government formed opinion while referring the dispute under reference for adjudication to this tribunal, and of the statement of case, filed by both the unions and the management already discussed, the demand relating to the dispute under reference had been raised by both the unions representing the workmen before the management as well as before the A.L.C. (C), Asansol after the workmen of the colliery concerned were affected by the closure of the colliery that had been effective on and from the first shift of 5-6-1970. Mr. Sanyal's argument that the demand relating to the dispute under reference of the management, and of the Government by both the unions had been made after the workmen of the colliery concerned had been affected by the closure of the colliery was also admitted to be correct by Mr. Sen Gupta, the learned Advocate appearing for the Colliery Mazdoor Union. He referred to a telegram, Annexure C and a confirmatory letter Annexure C1 to the written statement of the union dated 4-6-1970 addressed to the Minister of Labour, Government of India, New Delhi. The statement Annexure C reads as "management Saltore Colliery, Purulia, West Bengal declared lay off from 2nd 800 workmen affected ultimate intention closure prey intervention letter follows". The letter Annexure C1 addressed to the Minister of Labour, Employment and Rehabilitation, New Delhi, dated 4-6-1970 is in confirmation of the telegram dated 4th June, 1970. Annexure C. It is clear from the contents of the letter that on 4-6-1970 there was only lay off but no closure. So, on 4-6-1970 no dispute relating to closure could have been raised by the Colliery Mazdoor Union either to the management or to the Minister, when there had been no closure in fact and in law of the colliery on 4-6-1970, when Mr. Sen Gupta very frankly admitted that the workmen of the colliery were in fact and in law affected by the closure with effect from first shift of 5-6-1970. Mr. Banerjee's submission, as I have already pointed out, that the demand relating to the dispute under reference was raised on 4-6-1970 before the management was contradictory to the written statement of the Colliery Mazdoor Congress, paragraph 14 and Ext. M1 the Union's letter as well as the written statement of the Colliery Mazdoor Union and its letter Ext. W6 and annexure C and C1.

13. Therefore, I hold that the demand relating to the dispute under reference had been raised by both the unions before the management and the Government after the colliery concerned had been in fact and in law affected by closure with effect from first shift of 5-6-1970 as was rightly contended by Mr. Sanyal on behalf of the management.

14. Mr. Sanyal then drew my attention to a decision of His Lordships Hon'ble Mr. Justice B. C. Mitra of the Calcutta High Court in the case of Jewell Filter Company Ltd., and State of West Bengal and others, reported in 1969 II LLJ p. 221 and to the decision of their Lordships of the Supreme Court in the case of Pipraich Sugar Mills, Ltd. and Pipraich Sugar Mills' Mazdoor Union, reported in 1957 I LLJ p. 235

and submitted that in view of the decision of the Supreme Court and the Calcutta High Court the reference containing the issue received for adjudication by this tribunal under Section 10(1)(d) of the Industrial Disputes Act was ultravires the jurisdiction of the Central Government to refer it for adjudication by the Tribunal and that the reference as constituted could hardly be entertained and adjudicated upon by this tribunal. As I have found that there had been in fact and in law the closure of the colliery which was effected from the first shift of 5-6-1970, the two decisions relied on by Mr. Sanyal clinch on the issue as to the competency in law of the Central Government to refer the dispute for adjudication and the jurisdiction of this tribunal to entertain and to adjudicate upon the issue referred to by the Central Government. The dispute referred to for adjudication by this tribunal as constituted is not an industrial dispute since the colliery concerned had in fact and in law been affected by closure with effect from 5-6-1970 and the demand relating to the dispute under reference had been made by both the unions representing the workmen affected by the closure before the management and the Government after the closure had in fact and in law been effective from 1st shift of 5-6-1970. What as the demand of the union? The unions refused the offer of the management regarding payment of compensation to the workmen affected by the closure under Section 25FFF(1) and proviso thereto and demanded payment of compensation under Sec. 25F of the Industrial Disputes Act. Alternatively it demanded opening of the colliery and reinstatement of the workmen with full wages. Such demand was made consistently before the management and the A.L.C. (C), i.e. the Government by both the unions representing the workmen after the workmen of the colliery had been affected by the closure. When there is closure of an undertaking which is in fact and in law admitted, and is also found by a tribunal, as in this case, no dispute arising out of such closure and following such closure can be an "industrial dispute" in regard to such an industry, not existing at a time when the demand relating to and arising out of the closure is made by the unions on behalf of the workmen affected by the closure of the management as well as of the Government. Industry is defined in Section 2(j) of the Industrial Disputes Act. It means, any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen. An undertaking (which is the colliery concerned) of employer includes in such undertaking the employment of workmen in the undertaking concerned. Industrial dispute as defined by Section 2(k) of the Industrial Disputes Act, 1947 means any dispute or difference between employers and employees, or between employers and workmen, or between workmen and workmen, which is connected with the employment or nonemployment or the terms of employment or with the conditions of labour, of any person. Lay-off is defined in Section 2(kkk) and lock-out in Section 2(1) of the I.D. Act. Lay-off means, the failure, refusal or inability of an employer on account of shortage of coal, power or raw materials or the accumulation of stocks or the breakdown of machinery or for any other reason to give employment to a workman whose name is borne on the muster rolls of his industrial establishment and who has not been retrenched. Lockout means, the closing of a place of employment, or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him. When there is closure in fact and in law effective from a certain date, there is no industry within the meaning of section 2(j) of the Industrial Disputes Act following such closure. There is then neither the undertaking of the employer nor the calling of the employer nor the employment of workmen. If there is neither the employer nor the employee nor the undertaking in fact and in law, any dispute resulting from such closure in fact and in law of such undertaking fails to satisfy the ingredients of industrial dispute existing or apprehended between the employer and the workmen relating to their employment or non-employment or the terms of employment or the condition of employment. When there is no employer, no undertaking and the workmen in existence following the closure of an undertaking in fact and in law, there can be no industrial dispute. But the lay-off, as defined in Section 2(kkk) of the Industrial Disputes Act clearly shows that here is employer and the industry but the employer fails, refuses or is unable for certain reason as enumerated there in the definition to give employment to a workman whose name is borne on the muster roll of his industrial establishment and who has not been retrenched. Lockout means the closing of the place of employment or suspension of work or the refusal by an employer to continue to employ any number of

persons employed by him. In lockout the place of employment may be closed, but not the business itself. There may be suspension of work and the closing of the place of employment, but not closing of the business of an undertaking. There may be refusal by an employer to continue to employ any number of person employed by him, when the place of employment is closed but the business in the undertaking is going on. So, in a lockout there is employer existing as well as the business in the undertaking. Retrenchment as defined in Section 2(oo) of the Industrial Disputes Act means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include voluntary retirement of the workman or retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf or termination of the service of a workman on the ground of continued ill-health. Here again there is the industry existing as well as the employer but retrenchment of a workman under certain conditions has taken place. So, in lay off, "lock-out" and "retrenchment" the employer does not efface itself from the undertaking which remains as a going business. In case of a lock-out there may be closing of a place of employment but not closing of the business of an undertaking. In retrenchment, there may be termination of service of all workmen or some of the workmen but there still is the industry existing and the employer as well, but in closure which in fact and in law admitted and is found by a tribunal or a Labour Court, there is no industry existing consequent upon the closure. There means the employer has effaced himself by closing the place of the employment in the undertaking as well as the business in the undertaking wherefor the workmen employed in the undertaking or the industry have, as popularly known, been retrenched en-bloc. But retrenchment as defined in Section 2(oo) of the Industrial Disputes Act, consequent upon the closure of an undertaking in fact and in law, has a different legal connotation. In the case of *Anakapalla Cooperative Agricultural and Industrial Society and its workmen and others* reported in 1962 II LLJ, p. 621 Sc., their Lordships of the Supreme Court pointed out that in Section 25FF there is the expression "as if" with its subtle legal significance. In Section 25FFF(1) there is also the expression "as if". The expression "as if" in Section 25FF is preceded by the following words: "shall be entitled to notice and compensation in accordance with the provisions of Section 25F, as if (and followed by the words)" the workman had been retrenched". Similarly, in Section 25FFF the expression "as if" is preceded by the words "shall be entitled to notice and compensation in accordance with the provisions of Section 25 as if (and followed by the words)" the workman had been retrenched". In interpreting legal significance of this 'as if' in Section 25FF their Lordships at page 629 of the report right hand column observes, "The words 'as if' bring out the legal distinction between retrenchment defined by S. 2(oo) as it was interpreted by this Court and termination of services consequent upon transfer with which it deals. In other words, the section provides that though termination of services on transfer may not be retrenchment, the workmen concerned are entitled to compensation as if the said termination was retrenchment. This provision has been made for the purpose of calculating the amount of compensation payable to such workman rather than provide for the measure of compensation over again, S. 25FF makes a reference to S. 25F for that limited purpose, and therefore, in all cases to which S. 25FF applies, the only claim which the employees of the transferred concern can legitimately make is a claim for compensation against their employers. No claim can be made against the transferee of the said concern". I most respectfully adopt and follow the aforesaid observations of their Lordships while considering 'as if' in relation to Sec. 2(oo) and Section 25F as occurring in Section 25FFF sub-section (1) of the Industrial Disputes Act. Transferee, as laid down in Section 25FF, under certain condition, is not an employer of the workman of the transferor. So, when there has been in fact and in law a valid transfer and such transfer does not fall within the provisions of clauses a, b and c of the proviso of that Section, the workman in the concerned transferred is entitled to "transfer compensation" "as if" as retrenchment compensation under Section 25FF against the transferor by fiction of law. In case of a closure, following their Lordships' observations as quoted above, which has been in fact and in law effective on and from 5-6-1970 found by the tribunal in this case, the expression 'as if' in relation to Section 25F of the I.D. Act as occurring in Sub-section (1) of Section 25FFF of the Act, by fiction of law clothes the erstwhile workmen with

the right to the benefit of closure compensation computable as retrenchment compensation as in Sec. 25F against the erstwhile employer arising out of the closure in fact and in law of the erstwhile undertaking, available to the erstwhile workmen, in the circumstances as enumerated either under Section 25FFF(1) or under the proviso thereto, even though, consequent upon such closure, the industry itself had ceased to exist, i.e. undertaking itself, and with it the employer and the employees. In the case of retrenchment, as defined under Section 2(oo) of the I.D. Act so also of lay-off and lock-out the employer does not cease to exist not also the industry. But in a closure which in fact and in law has been found to be effective from a particular date i.e. 5-6-1970 as in this case there is no existing industry nor the employer and the employee, although for the limited purpose of creating a right to the benefit of compensation available to the erstwhile workmen and the corresponding liability of the erstwhile employer to pay such compensation, following the closure has been created by Section 25FF. It is pertinent to note that Section 25FFF(1) refers to closure of an undertaking for any reason whatsoever while the proviso to Sub-section (1) of Section 25FFF relates to closure of an undertaking on account of unavoidable circumstances beyond the control of the employer. So, the right to the benefit of compensation consequent upon the closure in fact and in law of an undertaking has been created in case of a closure for any reason" computable under Section 25F of the Industrial Disputes Act and as laid down in Sub-section (1) of Section 25FFF, while the proviso to Sub-section (1) of Section 25FFF lays down, in case an undertaking is closed on account of an unavoidable circumstances beyond the control of the employer, how the compensation is to be computed and to be paid to the workman. So, when a closure in fact and in law of an undertaking is found by a tribunal in an adjudication proceedings over an issue referred to it for adjudication, the tribunal cannot entertain and adjudicate upon any demand of the workmen claiming that their right to the benefit of compensation available to them consequent upon the closure should be computed by the tribunal, not under proviso to sub-section (1) of Section 25FFF, but under Sub-section (1) of Section 25FFF, since such a demand, if at all raises a dispute between the employer and the workmen cannot be construed as an "industrial dispute" within the meaning of Section 2(k) of the Industrial Disputes Act. The present reference, as constituted, and as found by this tribunal, a part from the admission made by Mr. D. L. Sen Gupta representing Colliery Mazdoor Union at the time of his reply to the argument of Mr. Sanyal, calls upon this tribunal to decide whether the workmen of the colliery concerned affected by the closure with effect from 5th June, 1970 is entitled to closure compensation, and if so whether the management's offer of closure compensation under the proviso to Sub-section (1) of Section 25FFF of the Act was justified. The terms of reference as constituted, therefore, apart from the pleadings of the parties, evidence, and the admission of Mr. D. L. Sen Gupta, leave no room for contending that the offer of compensation by the management to the workmen affected by the closure of the colliery concerned with effect from 5-6-70 under the proviso to Section (1) of Section 25FFF was refused by the workmen and the workmen demanded of the management and the Government closure Compensation not under proviso but under Sub-section (1) of Section 25FFF. The indisputable fact is that the colliery concerned was closed in fact and in law with effect from first shift of 5-6-70. So soon as the colliery was closed in fact and in law Section 25FFF began to operate and as I have already observed, the section creates in favour of the erstwhile workmen and against the erstwhile employer a right to the benefit and the corresponding liability to pay the benefit i.e. closure compensation following the closure whether for any reason or for unavoidable circumstance beyond the control of the employer. So, if the closure in fact and in law had been effected, the right to the benefit of closure compensation in favour of erstwhile workmen and the corresponding liability to pay such compensation of the erstwhile employer is computable to money value in the manner prescribed either under Sub-section (1) of Section 25FFF or under the proviso thereto depending upon the reason of the closure i.e. for any reason whatsoever or for unavoidable circumstances beyond the control of the employer. Therefore, the terms of the reference relating to the demand of the workmen raising the dispute referred to for adjudication by this tribunal by the Central Government clearly falls within the mischief of law as laid down by the decision of the Supreme Court as well as of the Calcutta High Court making the reference of the alleged dispute

couched in the language as appearing in the terms of the reference incompetent in law disentitling the tribunal to entertain the same for adjudication since the right and the corresponding liability, as under Section 25FFF(1) or under the proviso thereto, in the erstwhile workmen and in the erstwhile employer, do not originate when the industry is alive and there is the existing relationship of the employer and employee but only after the industry had ceased to exist (the undertaking as the colliery is) so also the relationship of the employer and the employee. Therefore, the issue referred to for adjudication is only as to the justification of the employer's offer of closure compensation to the workmen affected by the closure with effect from 5-6-70 under proviso to Sub-section (1) of Section 25FFF and that is the only question that has been referred to for adjudication by this tribunal on the footing of closure in fact and law effective on and from 5-6-70 against the colliery workmen. Now, if the tribunal could have entertained such a reference and could have decided that there was no justification in the management's offering closure compensation to the workmen effected by the closure with effect from 5-6-70, it might have directed compensation to be awarded not under the proviso to Sub-section (1) of Section 25FFF but under Sub-section (1) of Section 25FFF computing the right to the benefit of such compensation to money value following the method prescribed by Section 25F of the Industrial Disputes Act. But this very dispute as to whether the management is justified or not in offering the closure compensation to the workmen affected by the closure with effect from 5-6-70 under proviso to Sub-section (1) of Section 25FFF is not between employer and the workmen having such existing relation with reference to an existing industry after 5-6-70 but it relates between an erstwhile employer and erstwhile workmen affected by the closure of the industry. By fiction of law, as I have already observed, the statute has created a limited right and a limited liability in favour of the erstwhile workmen and against the erstwhile employer in relation to a dead industry in specific terms and conditions as laid down under Section 25FFF of the Industrial Disputes Act. Therefore, Mr. Sanyal's contention that the reference as constituted cannot be entertained by this tribunal nor can it be adjudicated upon gets conclusive support from the two decisions, one of the Supreme Court and another of High Court at Calcutta to which Mr. Sanyal drew my attention. In page 225 of 1969 II LLJ His Lordship Mr. Justice Mitra observes, "It is now well-settled that if there is a closure of an undertaking there can be no industrial dispute on any matter connected with the business and undertaking closed. It is also well-settled that the Industrial Disputes Act, 1947, applied to an existing industry and not a dead industry." In this case as also in Jewell Filter Co.'s case, although the unions challenged the closure as malafide, Mr. D. L. Sen Gupta the learned Advocate in all fairness admitted before me while replying to Mr. Sanyal's argument that in the present case there had been in fact and in law closure of the colliery concerned with effect from 5-6-70 and that the demand relating to the dispute had been raised by the union represented by Mr. Sen Gupta before the management for the first time on 7-6-70 and thereafter before the A.L.C.(C). But Mr. Sen Gupta contends in reply to Mr. Sanyal's argument that the reference under Section 10(1)(d) in the terms in which it came before the tribunal for adjudication was competent in law and the tribunal had jurisdiction to entertain and adjudicate upon the reference. He further submitted that if the tribunal held that the offer of the management of the closure compensation under proviso to Sub-section (1) of Section 25FFF was not justified, the tribunal was well entitled to award such compensation under Sub-section (1) of Section 25FFF. As I have already pointed out quoting the observation of His Lordship Hon'ble Mr. Justice B. C. Mitra that the question referred to for adjudication in the present case cannot be entertained by this tribunal nor can it be adjudicated by the tribunal, Mr. Sanyal while arguing over the illegality of the reference and the lack of jurisdiction in the tribunal to entertain the reference, drew my attention to a decision of their Lordships of the Patna High Court in the case of Hind Shippers (Private) Ltd. and another and Central Government Industrial Tribunal, Dhanbad, reported in 1968 I LLJ p. 365. In that case the Central Government made a reference like this: "Whether the closure of the Jogta Colliery by Jogta Coal Company, Ltd., with effect from 4 August, 1963, was on account of unavoidable circumstances beyond the control of the employers? If not, to what relief are the workmen entitled?" The Dhanbad Central Government Tribunal to which the reference was sent for adjudication held that the

closure of Jogta colliery was not on account of unavoidable circumstances beyond the control of the employer as alleged by them. Therefore the proviso to Section 25FFF(1) of the Act did not apply to the instant case but Section 25F applied and as such the concerned workmen were entitled to full retrenchment compensation under Section 25F of the Act. At page 367 of the Report their Lordships of the Patna High Court observed, "The closure as a fact has never been in dispute. Indeed, the reference proceeds on the assumption that there has been a closure already. The right to compensation as a result of closure may be a statutory right but it is manifest that the right arises and accrues to the workmen because of the closure". At page 368 of the report after discussing the effect of the decision of the Supreme Court in Pipraich Sugar Mills Ltd., vs Pipraich Sugar Mills Mazdoor Union (1967 I LLJ 235), the Tea District Labour Association, Calcutta v Ex. Employees of Tea District Labour Association and another (1960 I LLJ 802) and Sita Ram Sah vs State of Bihar (1960 I LLJ 637), their Lordships of the Patna High Court observe, "It was pointed out that after the closure of the business there was no industry in existence and accordingly a notification made subsequent to the closure, as in the instant case, by the appropriate Government under S. 10 of the Act was illegal and must be quashed". These decisions, in my opinion, conclude the matter in favour of the petitioners. The reference has been made in regard to compensation payable as a result of the closure and is based on a notification after the closure. It follows, applying the principle laid down in the decisions referred to above, that the reference itself was beyond the competence of the Central Government. The resultant award must, therefore, be held as void and the contentions raised on behalf of the respondents must fail. The fact that the claim of the workmen concerned to a certain quantum of compensation was disputed by the management may have given rise to a dispute, but such a dispute, in my opinion, is precisely a matter which has to be investigated by the specified labour court under the provisions of Sub-section (2) of Sec. 33C of the Act and it does not lie in the competence of the appropriate Government to forge an additional remedy in such cases by making a reference under any of the Sub-clauses of S.10 of the Act." I have already pointed out earlier in this award the legal incompetence of the Central Government to refer the present dispute which is not an industrial dispute for adjudication by this tribunal under Section 10(1)(d) of the Industrial Disputes Act. Analysing the provisions of Sections 2(o), 2(j), 2(k), 2(l) and Section 25FFF, Section 25F, I also respectfully agree with the principle laid down in the decision of the Patna High Court. I find that the reference as constituted in the Patna case raised the same question as that raised in the reference under consideration in this proceeding. In the Patna case there was the offer of compensation by the management to the workmen affected by the closure with effect from 5th August, 1963 and that the quantum of compensation offered was under proviso to Sub-section (1) of Section 25FFF. In the present case also the workmen affected by the closure of the colliery with effect from 5-6-70 was offered compensation under proviso to Sub-section (1) of Section 25FFF i.e. closure under circumstances beyond the control of the employer. In the Patna case the offer of the management was refused by the Union as in the present case. So the Central Government referred the dispute as to the quantum of compensation available to the workmen before the Industrial Tribunal at Dhanbad under Sec. 10(1)(d) of the Industrial Disputes Act. In that context their Lordships held that the reference was incompetent and the award was without jurisdiction. So, the present case is in all fours with the case decided by the Patna High Court. So, I respectfully accept the principles laid down in the Patna case and apply the same in the present case, so also the principles laid down in the Calcutta case, which I also apply in the present case.

15. Mr. Sen Gupta admitting that there had been the closure in fact and in law of the colliery concerned with effect from 5th June, 1970 contended that the reference as constituted was valid and that if the tribunal found that the compensation offered by the employer to the workmen under proviso to Sub-section (1) of Section 25FFF was not justified, the tribunal within the scope and content of the reference as constituted had jurisdiction to award compensation under sub-section (1) of Section 25FFF holding that the management's offer of compensation under proviso to Sub-section (1) of Sec. 25FFF was not justified. To work out the proposition Mr. Sen Gupta at one time in course of his reply faintly hinted that the tribunal was to decide whether

the closure was bonafide or malafide or whether for unavoidable reasons beyond the control of the management. But looking into Sub-section (1) of Section 25FFF of the Industrial Disputes Act where there is expression 'any reason whatsoever' in relation to the closure Mr. Sen Gupta did not press his point but frankly admitted that there has been closure in fact and in law and contended that the closure was not under unavoidable circumstances beyond the control of the management and that the reference calling upon the tribunal to adjudicate whether the workmen were entitled to compensation under Sub-section (1) of Section 25FFF or under the proviso thereto was within the legal competence of the Central Government to make a reference to this tribunal which had jurisdiction to entertain and adjudicate upon such reference. To support his contention that even though there had been in fact and in law a closure and the demand relating to the dispute in the reference was raised after the workmen had been affected by the closure, the reference as constituted was within the competency of the Central Government to refer it under Section 10(1)(d) of the Act to this Tribunal and of the tribunal to entertain and adjudicate upon the reference. Mr. Sen Gupta relied on several decisions and read the observations of the Courts from here and there of the relevant reports. Before I consider all those decisions, it would be profitable to note that in *Kalinga Tubes Ltd. vs Workmen*, reported in 1969 1 LLJ 557, Sc., the expression "any reason" under Section 25FFF(1) of the I. D. Act has been elucidated and explained by their Lordships. In that case there was a dispute continuing between the employer and employees over bonus. On 1st October 1967 about 150 workmen assembled at 2 P.M. at the gate of the administrative building of Kalinga Tubes Ltd., in which about 40 to 47 members of the staff were present. They were not allowed to leave the building till 5 A.M. next day. On 2nd October, 1967 on account of Gandhi Jayanti the factory remained closed. The management issued notice declaring a closure of the factory. It was the common ground that until the date of hearing of the appeal by their Lordships before the Supreme Court the factory remained closed. The management offered to pay wages for one month in lieu of notice and reduced the compensation under the proviso to Sub-section (1) of Section 25FFF of the I.D. Act. It was not disputed that out of 922 workmen 613 accepted the compensation under aforesaid provisions. The remaining workmen however neither agreed nor accepted any compensation. The reference under the Act was made on 3rd November, 1967 by the Government of Orissa primarily for adjudication whether the appellant had declared a lockout by means of the notice dated 3 October 1967 or whether it was a closure. So the reference in that case was not on the accepted situation that there had been in fact and in law a closure. The reference was whether there was a lock-out or a closure. It was found by their Lordships that the closure due to 'Gherao' of the factory was not due to unavoidable circumstances beyond the control of the management and the quick action of the management in closing the factory both in fact and in law was justified for any reason whatsoever and compensation would be payable under Sub-section (1) of Section 25FFF but not under its proviso. So, in Kalinga Tube's case the reference did not stand on the footing as in the present case now before me that the workmen of the colliery concerned had in fact and in law been affected by the closure. Whether the closure was malafide or bonafide a term which has been loosely used is immaterial. At page 563 of the report their Lordships observed, "The essence of the matter, therefore, is the factum of closure by whatever reasons motivated". Then referring to the case of *Express Newspapers Ltd.*, their Lordships observed, "that in a case of closure the employer does not merely close down the place of business but he closes the business itself and so the closure indicates the final and irrevocable termination of the business itself". This is the exact position in this case under reference as the constitution of the terms of the reference stands as well as the pleadings of the parties, the demand notices Ext. M1 and W6 relating to the dispute raised by the unions after the closure. So, the question before the tribunal in the case of Kalinga Tubes was not on the footing of closure in fact and in law but on the footing whether the management's action by issuing notice dated 3 October, 1967 was in fact

a lock-out or a closure. Such a reference is undoubtedly competent in law under Section 10(1)(d) of the I.D. Act. If the Supreme Court found that it was a lock-out, it would not have held as observed in page 567 of the report, "we are not satisfied that the closure of the undertaking was due to unavoidable circumstances beyond the control of the appellant. Thus compensation would be payable as if the undertaking was closed down 'for any reason whatsoever' within S. 25FFF(1) of the Act". So, gherao and the consequent closure in fact and in law of a factory fell within the expression "for any reasons whatsoever" under Sub-section (1) of Section 25FFF but not under the proviso thereto. There was no lockout as the undertaking was in fact and law closed. The question referred to for adjudication before the tribunal was whether there was lockout by notice dated 3 October, 1967 or a closure in fact. The tribunal held that it was a lockout not a closure. The Supreme Court held that it was a closure but not under proviso to Sub-section (1) of Section 25FFF but under Sub-section (1) of Section 25FFF. Therefore, the reference did not stand in Kalinga Tube case on the footing of closure, i.e. whether for any reason whatsoever or under unavoidable circumstances beyond the control but it stood on uncertain footing whether it was lockout or a closure. So, the reference was competent. If it was held by the Supreme Court that it was a lockout then the employer and the employee relationship would have been existing so also the industry and Section 25FFF would have no manner of application. Finding that it was a closure for any reason whatsoever under Section 25FFF the appeal was allowed or in other words the reference was rejected. It is a case which points out that if a reference stands only on the footing that there had been a closure in fact and in law the industrial tribunal would lose jurisdiction to determine the erstwhile workmen's right to the benefit of compensation, granted under Section 25FFF to the workmen and the liability of the erstwhile employer to pay the compensation under Section 25FFF(1) or else the Supreme Court would not have allowed the appeal finding that there was no lockout by the notice dated 3 October, 1967 but a closure in fact and in law. That decision also establishes that the motives behind the closure cannot be determined by the Tribunal.

16. Mr. Sen Gupta then relied on the case of *Blackwoods India Ltd. and First Labour Court, West Bengal and Others*, reported in 1961 II LLJ p. 552 and some observations, at pages 554 and 555. In that case the order of reference at page 553 reads as follows : Is the discharge of the service of mechanics, employed by the Blackwoods India Ltd., in 'Underwood Typewriter and O.E. Service Station' at 2, Mangoe Lane, Calcutta, by their notice, dated 3 May, 1957, justified? To what relief are they entitled? There was corrigendum regarding the date of the notice instead of where it was stated 3rd May, 1957 it should be read as 8th May, 1957. Clearly this was a case of a discharge. It is not a case of a closure in fact and in law. At page 554 His Lordships Hon'ble Mr. Justice P. N. Mookerjee observes, "That there was an industrial dispute on the question of the termination of the services of the employees is admitted. Clearly, therefore, that dispute could be referred for adjudication to the industrial tribunal". Certainly the dispute related to the discharge not to the closure of the undertaking in fact and in law. Therefore the observation of His Lordship here and there in the judgment read by Mr. Sen Gupta has no manner of application to the fact of the present case where the dispute under reference under the terms appearing in the order of reference does not relate to the discharge of workman but to the closure of the undertaking in fact and in law. The next case relied upon by Mr. Sen Gupta is *Navashakti Publishing Company Ltd. and State of Bihar and others*, reported in 1964 II LLJ p. 1968. In that case the order of reference reads as follows : Where as 36 workmen named in the schedule annexed hereto are entitled to receive from their employer, namely the Navashakti Publishing Company, Ltd., Patna, the benefit of retrenchment compensation as provided under S. 25F of the Industrial Disputes Act, 1947, which are capable of being computed in terms of money; and whereas it is necessary to determine the amount at which such benefits should be computed and recovered from the said employer. Now, therefore, in exercise of the powers conferred by Sub-section (2) of Section 33 of the said Act the Governor of Bihar is pleased to specify the labour court at Patna constituted by the State Government under S. 7 of the said Act as the labour court for determining the amount in money value to which each such workmen is entitled". So, in the writ petition the employer took this ground : That section 33C(2) of the Industrial Disputes Act had no manner of application and the remedy of the workmen was to apply

to the State Government for a reference of an industrial dispute to an Industrial Tribunal under Section 10 of the I.D. Act. Their Lordships observed at page 199 of the report, "In our opinion, the claim of the workmen who were retrenched by the petitioner in this case will fall within the ambit of S. 33C(2) of the Industrial Disputes Act. There is no reason why the aggrieved workmen who had suffered retrenchment should not make individual claim for compensation according to the procedure prescribed in S. 33C(2) of the Industrial Disputes Act. There is also another remedy open to the workmen concerned, namely, that they may apply to the Government for a reference under S. 10 of the Industrial Disputes Act to the appropriate tribunal. But the fact that there is an alternative remedy open to the aggrieved workmen to move the Government under S. 10 of the Industrial Disputes Act cannot take away the right of presenting their claim under S. 33C of the Industrial Disputes Act to such labour court as has been designated in that behalf by the appropriate Government". Mr. Sen Gupta, therefore, relied on that part of the observation of their Lordships beginning from the words "there is also another remedy ending with the words appropriate tribunal". It is true that if there has been in fact a retrenchment as defined by Section 2(oo) following the procedure prescribed by Section 25F the retrenched workmen are entitled to both remedies individually and collectively. But the main question is "retrenchment" as defined in Section 2(oo) of the Industrial Disputes Act where, as I have already observed, the employer exists so also industry. I have pointed out referring to the decision of 1962 II LLJ p. 61 that retrenchment under Section 2(oo) and a closure under Section 25FFF entailing retrenchment en bloc of the entire army of workmen are two different and distinct legal concepts and the word "as if" in Section 25FFF or as a matter of that in Section 25FFF(1) even used for limited purpose as explained by their Lordships of the Supreme Court, a retrenchment as popularly known consequent upon the closure of an undertaking in fact and in law is not such a retrenchment as defined in Section 2(oo) read with Section 25F of the Act. So, the observation of their Lordships of the Patna High Court relied on by Mr. Sen Gupta has no bearing in relation to the case before me where the reference as it stands as well as on the pleadings is to the effect that the workmen en bloc had been affected by closure for unavoidable circumstances beyond the control of the management with effect from 5-6-1970. So, the observation relied upon by Mr. Sen Gupta has no manner of application to the facts of the present case. The next case relied upon by Mr. Sen Gupta is Hathisingh Manufacturing Company Ltd. and others vs. Union of India and others, reported in 1960 II LLJ p. 1, and observations at pages 10 and 11. In that case their Lordships of the Supreme Court heard three writ petitions. The first petition related to a closure on 27th April, 1957. The second petition related to a closure of a mine with effect from 10th February, 1957. The first petition was the closure of a manufacturing cotton textile, second petition was the closure of a running coal mine and the third petition was the closure of a Spinning & Weaving factory, on 24th April, 1957. By their petitions the three petitioners impugned the constitutional validity of Section 25FFF(1) of the Industrial Disputes Act which requires them to pay compensation of closure of their undertakings which was due to circumstances beyond their control. In that context only their Lordships made certain observations here and there and ultimately their Lordships held at page 12 of the report, "the impugned S. 25FFF(1) including the proviso and the explanation thereto are not unconstitutional as infringing the freedom guaranteed by Art. 19(1)(g) of the Constitution or infringing Arts. 14 or 20 of the Constitution. On that view, the petitions fail and are dismissed with costs". That decision has no relevance to the question that has been referred to by the Central Government for adjudication before this tribunal. So the observation here and there in that decision by their Lordships with respect do not guide me in arriving at my decision on the limited question, referred to for adjudication by this tribunal on the footing that the demand relating to the dispute had been raised, following a closure of the undertaking effective from 5th June, 1970. Mr. Sen Gupta then relied on a decision of their Lordships of the Supreme Court in the case of Ramakrishna Ramnath and the Presiding Officer, Labour Court, Nagpur and another, reported in 1970 II LLJ p. 306. That case arose in this way. The appellant firm was carrying on manufacturing and sale of beedies but closed down the business by issuing a notice to the effect to their employees that on the ground that the notification issued by the State Government under the Minimum Wages Act, had made the working of the factories a financial impossibility. After sometime the

Government withdrew its notification and the appellant started running the factories by taking back all the employees who were working under them at the time of closure. One of such workmen (a woman) who had put in 12 years of service claimed retrenchment compensation and notice pay by filing a petition under S. 33C(2) of the I.D. Act. The Labour Court while disposing of the petition along with similar such petitions computed the benefit of compensation as provided for under the proviso to sub-section (1) of S. 25FFF of the I.D. Act and the notice pay. The appellant employer contended before the Supreme Court that the Labour Court had no jurisdiction to compute the claim as the dispute was of such a nature that it would fall under Section 10 of the I.D. Act and that the issue raised was fundamental one not limited to mere computation of a benefit in respect of a right envisaged by S. 33C(2) that there was not closure of business but only a lockout of temporary stoppage to which S. 25FFF would not apply and that it was obligatory on the part of the workman, before she could prove that she was entitled to compensation, to show that she had worked for 240 days in each year of service for which the claim was made. Now, their Lordships rejecting all the contentions held that by reading Section 33C(2) with Section 7 and by reading Section 25B and S. 25FFF with Section 33C(2) it was clear that the jurisdiction of the Labour Court is not confined to the disputes specified in the Second Schedule but it has also to perform other functions assigned to it. If there is a closure of a business within the meaning of S. 25FFF a workman who has been in continuous service for not less than one year in that undertaking immediately before the closure becomes entitled to notice and compensation in accordance with the provisions of S. 25F, as if he or she had been retrenched. Section 25F specifies the measure of compensation. Under Section 33C(2) the Labour Court has to determine the benefit due to a worker which is capable of being computed in terms of money, if Section 25FFF is applicable to the facts of the case. After distinguishing the case of U.P. Electrical Co., Ltd., reported in 1969 II LLJ 728, Section and following the decision in East India Coal Company Ltd. (by Chief Mining Engineer) Barare Colliery, Dhanbad and Rameswar and others, reported in 1968 I LLJ, p. 6 their Lordships observed in Ramakrishna Ramnath's case that the examination of the claim under Section 33C(2) may have to be preceded by an enquiry into the existence of the right of the workman to receive the benefit and a mere denial of the fact of the retrenchment would not be enough to take the matter out of the jurisdiction of the Labour Court. So, their Lordships held in Ramnath's case that the Labour Court had jurisdiction to make a preliminary enquiry where there was a closure of the business on the basis of notice of closure issued by the appellant. In that case there was the notice of closure. There the closure was to be effective so long as the notification under the Minimum Wages Act would continue in force. The notification was withdrawn so also the closure. The workman applied under Section 33C(2) for right to the benefit of retrenchment compensation as well as its computation under the said Act. The main contention of the appellant Ramnath was that there had been no closure of the business to attract Sec. 25FFF of the Act and that the dispute could not be referred to a Labour Court. Of the issues settled before the Labour Court their Lordships took up Issue No. (1), (2), (6) and (7) and held that the compensation was available to the applicants under Section 25FFF and pay in lieu of notice. Before their Lordships Ramnath contended that the dispute which was referred to the Labour Court fell within the jurisdiction of the Industrial Tribunal. The jurisdiction under Section 33C(2) was a limited one and could not cover a dispute of the nature and that the instant case could only be made under Section 10 of the Act. Their Lordships held referring to Kalinga Tube case, already mentioned, that real question in that case was whether the explanation to S. 25FFF was applicable to the facts of the case and the Supreme Court came to the conclusion in Kalinga Tube case that it was not possible to hold that the closure of the undertaking was due unavoidable circumstances beyond the control of the appellant and as such the appellant was liable to pay compensation under the principal part of Sub-section (1) of Section 25FFF. But there, as I have already observed, the question raised was not on the footing that there had been a closure in fact and in law but question referred to was whether there was a lockout or a closure. Finding that there was a closure for any reasons whatsoever the finding of the Tribunal in Kalinga Tube case that it was a lockout, was set aside and the reference was rejected. Allowing the appeal, their Lordships held that the closure be it under Section 25FFF(1) or under the proviso to Sub-section (1) of Section 25FFF, the industrial tribunal has no jurisdiction to

compute the right to benefit available to the erstwhile workmen against the erstwhile employer of a closed industry computable to money value. As regards the closure notice at paragraph 16 page 313 of the report (ibid), in Ramnath's case their Lordships observed, "In our opinion, the express terms of the notice preclude such contention. Nobody could say on the 1st July, 1958 that the Government would think fit to withdraw the notification and the first paragraph of the notice shows that under the general power of the employer to close down the business the appellant was informing all concerned that it was proceeding to do so as from 1st July, 1958. The Labour Court had jurisdiction to make a preliminary enquiry as to whether there had been a closure of the business and the text of the notice made the determination of the question quite a simple affair". In Ramnath's case closure was not disputed by the employer while workmen stood upon closure. The finding of the Labour Court that there was a closure was challenged as perverse by the employer Ramnath and it was contended by Ramnath that there was only a stoppage of work within the meaning of Standing Order No. 11 or a lockout. Their Lordships observed at page 313 para 17, "By the notice the employer gave the employees to understand that the factory would not function because the Government notification had made the running of it a financial impossibility". Their Lordships held that there was closure in fact and in law in Ramnath's case and that contention of the appellant Ramnath that the Labour Court had no jurisdiction to determine the question raised by the workman for computation of the benefit of compensation under Section 25FFF(1) of the I.D. Act was untenable and that the question was not within the exclusive jurisdiction of the Industrial Tribunal. On the other hand, their Lordships emphasised upon the principle in Ramnath's case that was laid down in the decision of the Supreme Court in the case of East India Coal Company, etc., reported in 1968 I LLJ p. 6. So, all those decisions upon which Mr. Sen Gupta attempted to rely to substantiate his contention that the dispute referred to for adjudication by the Central Government under Section 10(1)(d) of the I.D. Act to this tribunal was competent in law and could be entertained and adjudicated upon by the tribunal do not support Mr. Gupta's contention. Mr. Sen Gupta contended that the right under Section 25FFF of the I.D. Act to the benefit of closure compensation whether computable under Sub-section (1) or under the proviso to Sub-section (1) of Section 25FFF had not been determined and that so long as such right was not determined, Section 33C(2) of the Act was not attracted. Hence Mr. Sen Gupta submitted that it was only the Industrial Tribunal on a reference as the present one was to determine whether the workman affected by the closure had acquired the right to the benefit of closure compensation and if so, whether under sub-section (1) of Section 25FFF or under proviso to sub-section (1) of the said section by an award, that after that award was rendered in favour of the workmen holding that the right to the benefit of compensation had been acquired by the workmen if not under proviso, but under Sub-section (1) of Section 25FFF of the I.D. Act, then only the question of computation of the money value of such right would arise entitling the workmen to approach individually the Labour Court under Section 33C(2) of the Act. He further submitted that the collective right under Section 25FFF and individual right under section 33C(2) read with Sec. 25FFF of I.D. Act would always remain alive, mutually exclusive of each other. In support of his contention Mr. Sen Gupta relied on the case of Ravikrishna Weaving Mills (Private) Ltd. and State of Kerala on others, reported in 1959 II LLJ p. 760. The reference in that case arose out of closure and termination of service of all workmen as and from 3rd June 1958. The terms of reference were, "Whether or not the proposed retrenchment of the entire workers of the Ravikrishna Weaving Mills (Private) Ltd., Azhikode, with effect from 3 June, 1958 is justifiable; in either case, to what relief are the workers entitled". The tribunal passed an award on 19th November, 1958. It held that there was no break in the service of the workmen and that the management was bound to pay retrenchment compensation at the rate of 15 days' wages for every year of service together with one month's notice pay. The appellant petitioner that means the Mill challenged the jurisdiction of the tribunal as being illegal and ultravires. The petitioner further contended that it was not a case of retrenchment of workmen but a complete closure of business and as such no compensation was payable to the workmen. The last contention was that the State Government had no power to make a reference because the industry was already a dead one. Now, there the reference was, whether or not the proposed retrenchment of the entire workers with effect from 3 June, 1958 was

justified. Reference was made on 19th May, 1958 to the Industrial Tribunal. The retrenchment notice was of the date 6 May, 1958. It was to take effect on 3rd June, 1958. So the dispute was relating to the justification of the proposed retrenchment, when, however, no retrenchment had taken effect, was referred to for adjudication by the Industrial Tribunal. After the reference, the retrenchment took effect from 3 June, 1958. All the workmen were thus retrenched. The management contended that it was a closure. The union contended that it was not a closure. The tribunal held that there was no break in the service of the workmen and the management was bound to pay retrenchment compensation to the workmen at the rate of 15 days' wage for every year of service together with one month's notice pay. That award was clearly on the footing that it was a retrenchment under Section 2(oo) read with Section 25F, in other words, the industry was not dead. Now, the contention of the employer was that the industry was dead with effect from June 3, 1958. At page 767 his Lordships observed, "In the case before me, the subject-matter of the dispute arose when the notice under Ex. M-36 was issued. The reference by the Government also has been made in this case even before the termination of the services of the workmen actually took effect under the notice, Ex. M-36." That means the notice was issued on 6th May, 1958 where it was proposed that the services of all workmen will be terminated with effect from 8th June, 1958. Before the termination of service of the workmen of the undertaking the Government made the reference. The notice does not say that the industry was closed. Therefore, on the principles established in Pipriach Sugar Mills' case already mentioned, the reference in Ravikrishna Weaving Mills was held quite competent in law and the tribunal had jurisdiction to entertain and adjudicate upon the reference. His Lordships at page 768 observed that the management definitely took the stand in its counter-statement before the tribunal that the workmen are entitled to retrenchment compensation. The notice, Ex. M-36, is also on the basis that there is a "retrenchment" under S. 25F of the Act. It is not open to the management to go behind the stand taken by it in the notice Ex. M-36, and also in its counter-statement before the tribunal. In this view, the order of the tribunal awarding retrenchment compensation is one passed within its jurisdiction. This is the clear finding of His Lordship. In other words, the retrenchment was found to be one, as defined in Sec. 2(oo) of the I.D. Act read with Sec. 25F of the Act and it was not a closure in fact and in law of the Weaving Mill in question. The notice Ex. M-36 in the reported case was not covered by the explanation to Sec. 25FFF. So, the undertaking was not closed down for financial difficulties or accumulation of undisposed stock or expiry of the period of lease granted to it. It was not closed for unavoidable circumstances beyond the control of the employer. So his Lordships concluded that the award passed either on the basis of the retrenchment compensation or compensation for closure of business is perfectly legal and valid. Now, retrenchment compensation is payable when there is retrenchment as defined under Sec. 2(oo) read with S. 25F. Closure compensation is payable under Section 25FFF(1) when the closure is for any reasons whatsoever. But this closure must be of the business and the place of employment in the business i.e. industry i.e. in fact and in law. In the decision in Ravikrishna's case his Lordships held that it was closure due to retrenchment under Sec. 25F of the Act meaning thereby the retrenchment as defined in Sec. 2(oo) but not a closure in fact and in law as under Sec. 25FFF and as such it was retrenchment "as if" under Sec. 25F as mentioned in Sec. 25FFF(1) of the I.D. Act. So, this decision has no bearing on the question referred to for adjudication by this tribunal by the Central Government. The last decision upon which Mr. Sen Gupta relied is reported in 1963 II LLJ p. 47 in the case of Bijoy Cotton Mills Ltd., and others and Rashtriya Mill Mazdoor Sangh, Bejoynagar and others. Here the reference was in this term, "Whether the workers of the weaving department whose services were terminated on 30 April 1958 and 11 May 1958 should be reinstated with full compensation? (2) Whether the workers whose services were on 24th June 1958 should be reinstated with full compensation? (3) Whether all the permanent workers on 24 June 1957 should be paid compensation on account of lockout from 24 June 1957 to the date of reinstatement? (4) Whether Jawara, son of Onkar, should be reinstated and paid his compensation?". On questions 1 and 2 the tribunal held that the workers could not claim to be reinstated because the mill was closed. The tribunal finally held that the workers were entitled neither to reinstatement nor to any compensation consequent upon reinstatement, on points 1 and 2. On point 3, the tribunal

held that the closure of the mill by the management on 24th June, 1958 to 3rd March was not lay off and the workers were entitled to get compensation under Sec. 25FFF which had been made applicable from 28th November 1958. In Bijay Cotton Mills case at page 49 of the report their Lordships observed, "Thus, the dispute between the workers and the management of the mill arose on the date when it was functioning. Subsequently it might have been closed, but the requirement of law is that the dispute must arise at the time when the industry is functioning. It is not the requirement of law that at the time when the reference is made under S. 10 of the Act that the industry should be functioning". That observation does not affect the reference in the present case. The dispute under reference in the present case arose after the workmen concerned in the colliery had already been affected by the closure of the colliery with effect from 5-6-70 and that the closure had been effected in fact and in law with effect from 5-6-70. So, it is immaterial in this case as to when the question referred to for adjudication by this tribunal, was notified. The demand relating to the dispute as referred to in the schedule of the reference had not been nor could not have been made by the unions representing the workmen before the undertaking, I mean the colliery, had been closed in fact and in law. Hence this decision in Bajoy Cotton Mills has no bearing on the question now raised before me in the issue referred to for adjudication by the Central Government by this tribunal. So, none of the decision upon which Mr. Sen Gupta relied, as I have discussed, has any bearing on the precise question now before me for adjudication.

17. Mr. Banerjee in reply to Mr. Sanyal's argument submitted that there was the closure on 5-6-70 of the colliery but no notice of the closure as such was in the record. To this Mr. Sanyal drew my attention to letter Ext. M-1 dated 5-6-70 addressed by the Union Colliery Mazdoor Congress (HMS) to the Superintendent of the colliery. Hence Mr. Banerjee's contention had no legs to stand upon. Then Mr. Banerjee submitted that the right to closure compensation under Section 25FFF arose between 4-6-70 and 5-6-70 after the issuance of the notice and before the actual closure of the colliery on and from the first shift of 5-6-70 Mr. Sanyal drew Mr. Banerjee's attention to Ext. M-1 and to the written statement of the union. So, Mr. Banerjee's contention does not stand to factual and legal scrutiny. Mr. Banerjee submitted that the industry was alive prior to the first shift of 5-6-70. This is against the contention raised in the written statement of the union as well as in Ext. M-1. Mr. Banerjee submitted explaining Ramnath's case that collective dispute raised as in the present case was independent of Sec. 33C(2) of the Industrial Disputes Act. I need not decide whether the workmen are entitled to the benefit under Sec. 33C(2) of the I. D. Act. My scope for adjudication is whether the reference as constituted is competent in law and confers jurisdiction under the Industrial Disputes Act to this tribunal to entertain and to adjudicate upon the reference and nothing more. Mr. Banerjee relying on 1970 I LLJ p. 348. Tatanagar Foundry Company, Ltd. and Their workmen, tried to support his contention that the reference in the present case was competent in law and that this tribunal had jurisdiction to entertain and adjudicate upon the reference. The matter referred to before the tribunal in the above case was whether the closure of the Tatanagar Foundry Company Ltd., Jamshedpur, is justified. If not, to what relief and compensation the workmen are entitled. The tribunal held that it was not a closure but a lockout in the disguise of a closure and directed reinstatement of the workmen with full wages for the period they had been out of employment. In the Tatanagar Foundry case their Lordships emphasised the distinction between closure and a lockout. Their Lordships at page 350 of the report observed, "Taking into account the entire set of circumstances and facts in the present case, we are of opinion that there has been in fact a closure of the Jamshedpur business and the finding of the tribunal that there was a lockout is defective in law and must be set aside". Their Lordships held that although in fact there was the closure but not lockout the compensation available to the workmen was under Sec. 25FFF(1) but not under the proviso. This decision would clearly show that the reference was not on the footing that the workmen employed in the Tatanagar Foundry Co. were affected by the closure in fact and in law from a particular date. In the case now before me there had been a closure in fact and in law, effective from 5-6-70.

18. It is needless now to repeat the scope and content of the reference in this case which I have already quoted and analysed earlier in this award. In Tatanagar Foundry case

the dispute was whether the workmen of the Tatanagar Foundry were affected by closure in fact or not, but the demand relating to the dispute under reference in Tatanagar Foundry case did not stand on the footing that the workmen there, as in the present case, had been affected by closure with effect from a particular date. Two alternatives were before the tribunal, whether it was a closure or a lockout. Tribunal held that it was a lockout in the disguise of a closure. Their Lordships held that it was a closure and observed that compensation was available under S. 25 FFF(1). This decision does not lay down that the dispute under reference as the one before me which stands definitely on the accepted position of closure of an undertaking in fact and in law can be lawfully referred to an industrial tribunal by the Central Government under Sec. 10(1)(d) of the I. D. Act. In Tatanagar Foundry case the order of reference clearly shows that the dispute was whether the closure was justified. The reference did not stand on the footing that the workmen of the factory had been affected by closure effective from a particular date. The decision in Tatanagar Foundry case is to be read with reference to scope and content of the dispute as appearing in the order of reference. This Industrial Tribunal acquires jurisdiction to entertain and adjudicate upon the issue as appearing in the order of reference referred to it for adjudication by the Central Government. As the demand relating to the dispute under reference in this case did not relate to a going industry, and did not make not an industrial dispute, as defined by Industrial Disputes Act already discussed, it may be a dispute, lent is not, however, an industrial dispute within the definition as in Section 2(k) of the I. D. Act. In fact and in law, as issue under the reference now before me stands constituted, the workmen of the colliery concerned were affected by closure with effect from the first shift of 5-6-70. Following such closure, and accepting it in fact and in law so such the demand relating to the dispute as appearing in the issue under the reference was raised by both the Unions before the management and thereafter before the A.L.C.(C), Asansol. The precise issue referred to by the Central Government for adjudication is whether the management is justified in offering compensation to the workmen, affected by the closure of the colliery with effect from 5-6-70 under proviso to Sub-section (1) of Section 25FFF of the I. D. Act, if not, what relief is the workmen concerned are entitled. Evidently the terms of the issue under the reference stand on the footing that before the demand relating to the dispute was raised by the unions, the workmen of the colliery concerned had already been affected by closure of the undertaking in fact and in law effective from 5-6-70. I have also found upon analysing the materials on the record that with effect from 5-6-70 the workmen had been affected by the closure of the colliery in fact and in law and that the unions lodged the demand relating to the dispute under the reference after the colliery concerned had in fact and law been closed. Therefore, the reference as made, is ultra vires the jurisdiction of the Central Government under Sec. 10(1)(d) of the Industrial Disputes Act as the dispute under the reference does not relate to an "industrial dispute" as under Sec. 2(k) of the Act, and cannot, therefore, be entertained and adjudicated upon by this tribunal.

In the result, the reference is rejected.

19. I have been restrained by their Lordships of the Calcutta High Court in Civil Rule No. 3187(m)/70 not to publish the award till the disposal of the appeal. I record my award only. Let it be kept in a 'CONFIDENTIAL COVER IN THE CONFIDENTIAL ALMIRAH' with the date on which it is recorded. After the disposal of the appeal by the Hon'ble High Court at Calcutta, the tribunal will, as directed by their Lordships of the High Court, send the award to the Central Government for publication under Section 17 of the Industrial Disputes Act. Hon'able High Court is being informed about the compliance of its direction.

This is my award.

S. N. BAGCHI, Presiding Officer.

Dated : September 20, 1972.

[No. L-19014(1)/77-D. IV/B]

JAGDISH PRASAD, Desk Officer.

New Delhi, the 29th June, 1977

S.O. 2339.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the management of Messrs A. J. Chanchani, Contractors, Bokaro Colliery of Central Coalfields Limited, Post Office Bermo, District Giridih and their workmen, which was received by the Central Government on the 22nd June, 1977.

**CENTRAL GOVT. INDUSTRIAL-CUM-LABOUR COURT
NO. 3, DHANBAD**

Reference No. 2 of 1977

(Old No. C. G. I. T. No. 2 is Ref 30 of 1976)

PARTIES :

Employers in relation to the management of M/s. A. J. Chanchani, Contractors, Bokaro Colliery of Central Coalfields Ltd., P.O. Bermo, Dist. Giridih.

AND

Their workmen represented by Akhil Bharteyia Shoshit Mazdoor Sangh.

APPEARANCES :

For Employers—None.

For Workmen—Chief Secretary of the Union.

INDUSTRY : Coal.

STATE : Bihar.

Dated, Dhanbad, the 14th June, 1977

AWARD

This is a reference U/S 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under Order No. L-20012/104/76/DIIA dated the 9th June, 1976. The schedule of reference is extracted below :—

SCHEDULE

“Whether the action of the management of M/s. A. J. Chanchani, Contractors Bokaro Colliery of Central Coalfields Ltd., P. O. Bermo, Dist. Giridih in stopping from work Shri Bhuneshwar Baitha and 27 other workmen (listed in Annexure A) with effect from 2-3-1974 is justified ? If not to what relief are the said workmen entitled ?”

2. 28 workmen are involved who were working under M/s. A. J. Chanchani, Contractors, Bokaro Colliery of Central Coalfields Limited and it appears that they have been stopped from work with effect from 2-3-1974.

3. From the record it appears that there was a conciliation proceeding before the A.L.C.(C) Hazaribagh when an industrial dispute was raised by the Chief Secretary, Akhil Bharteyia Shoshit Mazdoor Sangh. The conciliation proceeding, however, failed and then a failure report dated 18th/19th April 1976 was submitted to the Secretary to the Govt. of India and thereafter the present reference was made.

4. Case on behalf of the workmen is that they had been working under M/s. A. J. Chanchani for more than 12 years in various types of jobs and when demanded raise in their wages the Contractor stopped them from work with effect from 2-3-74 without giving them any notice or compensation. The jobs on which they were employed were of permanent nature and the Contractor had engaged more than 250 workers and after their services had been terminated appointments had been made in their place. The contract work is still continuing and all sorts of miscellaneous jobs are being carried on. The action of the Contractor is an unfair labour practice and there can be no justification for stopping them from work. It is accordingly submitted that relief should be granted to them.

5. The Contractors have never appeared and even on the date of hearing none was present on their behalf. The matter proceeded ex parte.

6. On behalf of the workmen 4 witnesses have been examined of whom three are the concerned workmen and WW-4 is the Chief Secretary of the Akhil Bharteyia Shoshit Mazdoor Sangh. Three payment slips Exts. W-1 to W-1/2 have been produced to show that the contract work of the

Contractors is still continuing. Out of it Ext. W-1 is of March 1974, Ext. W-1/1 is of August 1975 and Ext. W-1/2 is of February 1976.

7. Then I find that a document which incorporates the terms and conditions of miscellaneous works applicable to the Contractors in 1974 and 1975 has been produced by the Deputy Chief Mechanical Engineer, Bokaro, at the instance of the workmen.

8. From the above it appears that the Contractors are required to do brick work according to the specification given and have also to do cement concrete flooring. Then they are required to do erection of heavy rails, cleaning and closing of drivage galleries in quarries, underground or in river pump sump, clearing of swear of pumping of staple pits, sinking staple pits in quarries, packing tram line, driving galleries 5'x5' in coal, cutting in coal for making drains in quarries including blasting of explosives, pulling of empty derailed tubs, shifting stone and mud, repairing Cane Basket, bending-creaking and binding iron rods for reinforcement, unloading iron materials/cement from wagons and transportation to Store/Godown at specified sites, transportation of country tiles from Kiln stock to Store Yard or specified work site, transportation of cement and other materials from Store to Workshop, installation of 5" to 6" diameter pipes in shafts, carting, roiling and spreading of boilers ash from the Colliery ash heaps to place of works within the Colliery area, cutting in coal for making foundation for haulage Engine rope, drain etc., formation of embankment and unloading cement/lime from wagons at store etc. It means that the nature of job assigned to the Contractor is of permanent nature and it is not correct to say that they are temporary in nature and come to an end within a particular period. That supports the contention of the workmen that the contract is of a permanent character and the Contractor has to engage labour to do the jobs included in the contract.

9. The three concerned workmen have stated that they had worked with the Contractor for a considerable period and it was only when they made a demand for raise of their wages that they were stopped from work. They have stated that the contract work is still continuing. They further say that no notice was given to them when they were stopped from work.

10. They are supported by MW-1 the Chief Secretary of the Akhil Bharteyia Shoshit Mazdoor Sangh. He says that the work of the Contractor extends to both civil and miscellaneous jobs in the open-cast mine and is still continuing. He says further that the concerned workmen made a demand for increase of wages and thereafter they were stopped from work. They had placed demand before the Contractor but that was refused. Thereafter there was conciliation proceeding but the Contractor did not appear. Then the A.L.C. submitted failure report. His evidence further is that at the relevant time about 250 persons were employed and in place of these concerned workmen new workers have been employed.

11. Ext. W-1 to W-1/2 supports the case of the workmen that the contract work is still going on and was continuing when they were stopped from work on 2-3-74.

12. Materials on record are thus enough for a conclusion that the Contractor had absolutely no justification to terminate the services of the concerned workmen and the contract work is still continuing and they could not have been stopped from work without compliance with Section 25F of the Industrial Disputes Act, 1947, they having worked continuously for more than 12 years. There is no material on record to show that notice in the prescribed manner was served on the appropriate Government by the employer regarding retrenchment and that the workmen have been paid retrenchment compensation and have been given one month's notice is writing indicating the reasons for retrenchment and that the period of the notice had expired.

13. Therefore, as the position stands, I find that the Employer, Contractor M/s. A. J. Chanchani were not justified in stopping the 28 concerned workmen from work with effect from 2-3-1974 and this stoppage is unjustified and illegal. They are entitled to reinstatement, continuity of service with back wages.

This is my award.

ANNEXURE A

List of 28 workmen as per Union letter No. ABSMS/7/76 dated 15-1-76.

Sl. No. Name of the workmen

1. Bhuneshwar Baitha
2. Fuleshwar Baitha.
3. Mitan Mahato.
4. Ritu Mahato.
5. Nemchand Mahato.
6. Churaman Mahato.
7. Harisaw.
8. Hira Mahato.
9. Prasadi Mahato.
10. Gopi Singh.
11. Kanhai Singh.
12. Rami Bhaitha..
13. Mañ Singh.
14. Chanda Ghatwarin.
15. Jhumri Mahato.
16. Parbati Ganjuin.
17. Champa Ghasin.
18. Puran Singh.
19. Panama Ghatwarin.
20. Dwarika Ram.
21. Sushila Kamin.
22. Sanichani K.
23. Jasoda Ghatwain.
24. Asha Rewani.
25. Rajendra Rewani.
26. Shanti Ghatwarin.
27. Ravinder Rewani.
28. Babu Lall.

S. R. SINHA, Presiding Officer.

[No. L-20012/104/76-D. III. A]

S.O. 2340.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the management of East Basseriya Colliery, Post Office Bansjora, District Dhanbad and their workmen, which was received by the Central Government on the 22nd June, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 42 of 1977

(Ministry's Order No. L-2012/129/74/LR/II/D. IIIA, Dt. 23-7-75)

PARTIES : Employers in relation to the management of East Basseriya Colliery, Post Office Bansjora, District Dhanbad.

AND

Their Workmen.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen.—Shri J. D. Lall, Secretary, Bihar Colliery Kamgar Union Dhanbad.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated the 18th June, 1977.

AWARD

The Central Government, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the

Industrial Disputes Act referred the following dispute to the Central Government Industrial Tribunal No. 2, Dhanbad on July 23, 1975 by its Order No. L-2012/129/74/LR/II/D. IIIA, namely :—

"Whether the action of the management of East Basseriya Colliery of Messrs Bharat Coking Coal Limited, Post Office Bansjora, District Dhanbad, in stopping Shrimati Badami Devi, Oil Supply Mazdoor, from work from 25th June, 1974 is justified? If not, to what relief is the said workman entitled?"

2. The same was received by transfer from Tribunal No. 2 in this Tribunal on March 22, 1977 on the basis of Government of India, Ministry of Labour, Order No. S-11025(1)/77-(i)-D. iv(B) dated the 22nd February, 1977.

3. The case of the workman Smt. Badami Devi is that she was appointed as an Oil Supply Mazdoor in the East Basseriya Colliery before the management of the colliery was taken over by the Central Government on January 31, 1973; that she continued to work on that post as a permanent workman even after the date of taking over of the management; that a dispute arose about her designation and nature of work and the Manager of the colliery referred that dispute on November 24, 1973 to the Sub-Area Manager; that the Sub-Area Manager decided that dispute on February 20, 1974 and directed the Manager to allow her to work as Oil Supply Mazdoor; that in obedience, to the Sub-Area Manager's direction, the Manager allowed her to work as Oil Supply Mazdoor on regular basis and she continued to work as such till June 24, 1974; that the Manager, however, stopped her from working with effect from June 25, 1974 without assigning any cause by his order dated June 25, 1974; that she and the Union, to which she belongs, thereupon represented her case to management but no reply was ever sent to that representation; that the action of the management in stopping her from work is illegal and smacks of unfair labour practice; that the management was bound to treat her as a permanent workman under Section 14(1) of the Coking Coal Mines (Nationalisation) Act, 1973; that the management has also violated the Standing Orders and the principles of natural justice in stopping her from work and in not affording her an opportunity to show cause against her stoppage, and hence she is entitled to reinstatement with effect from June 25, 1974 with continuity of service and full back wages and other monetary benefits.

4. Her claim has been resisted by the B.C.C.L. on the ground that she was not a permanent workman but a Badli workman who worked at times as a Shale-Picker and at other times as an Oil Supply Mazdoor against permanent vacancies; that she worked as a Badli Oil Supply Mazdoor during the period January 13, 1973 to March 17, 1973 for a period of 24 days only and thereafter had to remain idle as no suitable Badli job was available to accommodate her; that she was again employed as an Oil Supply Kamin from December 3, 1973 and worked intermittently as such till June 24, 1974; that she had again to remain idle from June 25 as no work was available; that it is false to allege, that she was stopped from work because as a matter of fact there was no work available for her; that because she was a Badli workman she could never qualify for membership of the Coal Mines Provident Fund Scheme; that she never became a permanent workman by continuous service and no notice to terminate her service were required under the Standing Orders; and hence she is not entitled to any relief.

5. The management has examined Subramaniam Nityanand Sastry as MW-1. He was the Manager of the Colliery from June 6, 1973 to April 25, 1977. His deposition is that Badami was a Badli workman and not a permanent workman and that she worked for a few days only as a Badli or substitute for one Ram Pal in December 1973 and not earlier than that. It is difficult to accept his evidence as he does not appear to have any personal knowledge in the matter. He admitted that the colliery maintains one register for Badli workmen and another for permanent workmen. He further admitted that he does not know if the name of Badami is entered in the Badli register. He states that her name is not entered in the permanent register. None of these two registers has been filed by the management. In my view, these registers are very vital documents which could have cleared the matter one way or the other. No explanation has been offered also for the non-production of these two registers. His evidence that she was appointed as Badli in place of Ram Pal in December 1973 is also not worthy of acceptance. A Badli can be appointed when a permanent workman is not present

on duty, say on account of sickness or authorised leave etc. The witness admitted that the attendance register and the leave register will show whether a permanent workman was absent and whether a Badli workman worked for him but these registers have also not been produced. A public under taking like the B.C.C.L., should realise that when a dispute arises between it and its workmen and that dispute can be easily solved by reference to its records, those records, unless fully explained, must be produced and the matter should not be left for decision merely on oral evidence which cannot be of such a reliable nature as documentary evidence. Here, the dispute is whether Badami was a Badli or a permanent workman and whether she was assigned duties as a substitute for an absentee workman or not. These disputes, according to the witness himself, could have been resolved by looking into the records of the B.C.C.L. and when those records are not produced, it became difficult to accept oral evidence about the real contents of those records. WW-1 Badami has deposed that she is a workman from before take over as an Oil Supply Mazdoor and was never a Badli workman. She denied the suggestion that she was ever employed as a Badli workman. WW-2 Ram Pal has stated that Badami never worked as a Badli for him. The mere fact that the witness was not summoned through the Tribunal and was brought by Badami herself, will not weaken his evidence. It was suggested to him that he is annoyed with the B.C.C.L. because he had applied for extension in his service which was refused and because his son had applied for appointment and that was also refused, but the witness stated that he never applied for any extension and that his son was in service from long before the present dispute arose. I do not see any reason to disbelieve him.

6. It appears that a dispute arose as to the designation and permanent status of Badami and she made a representation in this respect on April 10, 1973 to the Sub-Area Manager. That representation was forwarded by the Colliery Manager to the Sub-Area Manager on November 24, 1973. The Sub-Area Manager decided that dispute and wrote Ext. W-1 to the Colliery Manager on February 20, 1974 informing him that Badami had worked as Oil Supply Mazdoor till February, 1973 and, therefore, she may be allowed to work in the same capacity, i.e., as Oil Supply Mazdoor provided her name was on the roll at the time of take over, i.e., on January 31, 1973. It is obvious that her name was in the roll as Ext. W-1 itself mentions that she had worked as Oil Supply Mazdoor till February, 1973. Ext. W-2 shows that the Colliery Manager allowed her to work as Oil Supply Mazdoor with effect from March 14, 1974 and she continued to work as such till June 24, 1974 when she was admittedly stopped from work. Ext. M-1 is extract from the Bonus Register which shows her as Oil Supply Mazdoor in December 1973. Ext. M-2 is also extract from the Bonus Register which shows her as Shale-picker. Ext. M-3 is the Bonus Register for 1974 which shows her as Oil Supply Mazdoor (Badli Mazdoor). Ext. W-3 is the Bonus Card issued to her in 1974 which shows her as Oil Supply Mazdoor and does not mention that she was Badli Mazdoor. Ext. M-1 is Register E. The entries for the week ending December 15, 1973, January 26, 1974 February 2, 1974 and February 9, 1974 show her as Oil Supply Mazdoor and not as Badli Mazdoor and her number in Register B is 1240. It is only the entry for the week ending January 19, 1974 which shows her as Badli. I do not see how the word Badli could be entered when the previous and subsequent entries did not mention this designation. Ext. W-1 and W-2 also do not show that she was appointed as a Badli. In the circumstances, in the absence of important documents which are in the custody of B.C.C.L. and which have not been produced without any justifiable cause, I prefer to place reliance upon Badami and Ram Pal. I am, therefore, of the view that Badami was not a Badli workman but an Oil Supply Mazdoor from before the date of take over.

7. My award is that the action of the management of East Baseriya Colliery in stopping Smt. Badami Devi from work from 25-6-1974 is not justified. She is entitled to reinstatement from that date and to full back wages with continuity of service, after defunction of such wages as may have been paid to her for intermittent work between June 25, 1974 and the date of her reinstatement.

K. B. SRIVASTAVA, Presiding Officer.

[No. L-20012/129/74/LRII/D.IIA]

S.O. 2341.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the management of Khas Joyrampur Colliery of Messrs Bharat Coking Coal Limited, Post Office Jeenagora, District Dhanbad and their workmen, which was received by the Central Government on the 22nd June, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 3), DHANBAD

Reference No. 12 of 1976

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947

PARTIES :

- Employers in relation to the management of Khas Joyrampur Colliery of Messrs. Bharat Coking Coal Limited, Post Office Khas Jeenagora (Dhanbad);

AND

Their Workmen.

APPEARANCES :

On behalf of the Employers : Shri T. P. Choudhury, Advocate.

On behalf of the Workmen : Shri B. Lal, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 13th June, 1977

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, in which the justifiability or otherwise of the action of the management of Khas Joyrampur Colliery of M/s. Bharat Coking Coal Limited regarding stoppage of work of the two Truck/Tractor Loaders with effect from 1st July, 1975 is in question. The reference is by the Government of India, Ministry of Labour under Order No. L-20012/163/75-D. IIA, dated, the 27th January, 1976. The schedule is extracted below :—

SCHEDULE

"Whether the action of the management of Khas Joyrampur Colliery of M/s. Bharat Coking Coal Limited, Post Office Jeenagora, District Dhanbad is justified in stopping S/Shri Bhim Saw and Senonath Sao, Truck/Tractor Loaders from work with effect from 1st July, 1975? If not, to what relief the workmen concerned are entitled?"

2. From the record it appears that an industrial dispute was raised by the Vice-President, Koyla Ispat Mazdoor Panchayat before the Assistant Labour Commissioner (C), Dhanbad II and conciliation proceeding started. As no settlement could be reached, a failure report dated 12th August, 1975, was submitted and then the above reference was made.

3. On behalf of the workmen a written statement has been filed in which it has been said that the two concerned workmen were appointed in the colliery on 4-3-72 and since then they have been regularly working on the jobs or other jobs as directed by the management. No prior notice or information was given to them or the Union when they were stopped from work with effect from 1st July, 1975.

4. It is further said that the plea of the management that two concerned workmen were out of casual pool and had, therefore, no right to continue in the job is against the Standing Orders in which there is no provision for employing any casual worker. Besides, the jobs on which they were employed is not of casual nature. The colliery has trucks and tractor which regularly ply in transport of coal to the siding and 300 Hard Coke Bhattas running at this colliery.

5. Their case is that although they had qualified for annual leave the same had been denied to them and had also been denied sick leave against the recommendation of the Coal Wage Board or National Coal Wage Agreement.

6. It is further contended that the trucks and tractor are still plying in the colliery regularly on all days of the week and month and having put their attendance regularly in every month and year they have become permanent workmen and

are entitled to receive all the benefits that a permanent workman enjoys.

7. Prayer is to hold the action of the management illegal and malicious and to reinstate them in their jobs with full back wages.

8. Management's case on the other hand is that wagon allotment is extremely erratic and as a result all operations in the collieries that are directly dependent on the allotment of wagons are also similarly erratic. So far as this colliery is concerned the allotment had been nil on several consecutive days and sometimes there were days on which five times of the average allotment had been placed. It was only to meet such a situation that the management in accordance with general practice followed in the coal industry used to maintain a nucleus of permanent wagon and truck/tractor loaders and to engage casual workers in required number according to the daily availability of the jobs suitable for them. All such casual workers are kept in the casual list and their jobs being essentially of casual nature they cannot acquire any right for permanent employment, irrespective of the number of years and attendance in the casual jobs.

9. It is their case that the concerned workmen were employed as casual wagon and trucks/tractor loaders on 4-3-72 and remained in the same position till 30-6-1975. They could not be provided with employment with effect from 1-7-1975 as suitable jobs were not available for them. There was absolutely no mala fide on the part of the management.

10. It is accordingly submitted that the action of the management is justified and the concerned workmen are entitled to no relief.

11. In support of their respective cases two witnesses have been examined on behalf of the management and they are MW-1 Shri G. V. Dhurde, Manager, Jeenagora Colliery who was working at Joyrampur colliery as Manager from June 1973 to April 1976 and MW-2 Shri Ramkripal Roy, Personnel Officer, at West Moodidih Colliery who was Welfare Officer and Personnel Officer of Khas Joyrampur colliery from July 1973 to 12th February, 1977.

12. One of the concerned workmen Shri Bhim Sao has examined himself in support of the case and Ext. W-1 and Ext. W-1/1 the lists showing their attendances in 1973, 1974 and 1975 have been produced at their instance by the management.

13. Section 25C makes a mention of casual workman. Whereas in the explanation it defines a "badli workman" does not speak about casual workman. Regarding badli workman it is said that he shall cease to be regarded as such for the purpose of this section if he has completed one year of continuous service in the establishment. But it does not speak about the right of the casual workman when he has completed one year of continuous service in the establishment. I may mention that Section 25C deals with the right of laid off workman for compensation.

14. Certified Standing Orders or Model Standing Orders are not on record. Therefore, it is not possible to say whether there is any provision therein for the employment of casual workman. But ordinarily no Standing Orders speak about the casual workman and generally it mentions permanent, temporary and badli workman only.

15. It would thus appear that the status of casual workman has not yet been defined even if he works continuously in the particular job under the establishment for a period of one year.

16. Cases have, however, cropped up in which question has been raised if a casual workman is a workman as defined in Section 2(s) of the Industrial Disputes Act, 1947. But beyond that none of the cases which I have come across speaks about his status, on the contrary what I find is that in the case of the management of Crompton Engineering (Madras) Pvt. Ltd., petitioner vs. Presiding Officer and other respondents, reported in 1975 Lab. I. C. 1006, it has been decided that a worker who was employed for a specific period or a specific work and whose employment automatically came to an end on the expiry of the period or conclusion of the work is not entitled to reinstatement notwithstanding the fact that he was so employed on more than one such occasions and worked in that manner for a long period.

17. There is, however, a case of the Pilot Pen Co. (India) Pvt. Ltd. and the Presiding Officer, Additional Labour Court

Madras and another, in which six workmen who were in continuous service for one year were ordered to be reinstated and it was held that termination of services was unjustified as requirement of Section 25F dealing with the retrenchment were not complied with. This case is reported in Vol. I 1971—L.L.J. 241.

18. From the two cases referred to above the principles of law which are to be followed concerning casual workman are that, if he has put in continuous service for a period for not less than one year in an establishment then the procedure laid down in Section 25F of the Industrial Disputes Act, 1947, has to be followed before his retrenchment and if such a workman is employed for a specific job and for specific period then on completion of that job and the expiry of that period he will cease to be in employment and can have no right of reinstatement. Let us now examine the case of these two concerned workmen in the light of the principles above mentioned.

19. MW-1 has stated that there are three types of wagon loaders in the Joyrampur colliery and they are permanent, listed and unlisted. He says further that there is a nucleus of 25 permanent wagon loaders and there are 130 listed and 120 unlisted casual wagon loaders. According to him for the departmental trucks and tractor there is a pool of 24 listed and unlisted wagon loaders. He says further that out of 24 only 8 to 10 get the job in rotation.

20. His evidence is that in 1975 placement of wagon was inadequate and sometimes it became difficult to provide even the permanent wagon loader with regular job. There were lots of agitation and it was decided to stop work to unlisted casual wagon loaders. In pursuance thereof 110 to 115 unlisted loaders including these two workmen were stopped from work with effect from 1-7-1975. He has stated that in 1975 photograph of listed and permanent wagon loader was taken and photograph of unlisted wagon loaders was not taken. Photograph was taken in issue identity cards and as the two concerned workmen were not in the man power list of the colliery being unlisted casual wagon loaders their photograph for identity cards was not taken. According to him they were not entered in Form B Register.

21. Identical is the evidence of MW-2. He says that when 24 casual listed wagon loaders were not available, for trucks and tractor loading some of the unlisted casual wagon loaders were employed. According to him the two concerned workmen were employed in trucks and tractor loading only and all those who were listed used to get job almost everyday.

22. From the evidence of the two witnesses we get that under instructions two types of casual loaders have been existence in the colliery and some of them have been treated as listed and some unlisted. Those listed have been photographed and identity cards have been issued while with the unlisted this has not been done. Neither MW-1 nor MW-2 has said as to what was the basis for having two lists, one of listed casuals and the other of unlisted casuals. Although MW-1 says that they are not noted in Form B Register, in Ext. W-1 which relates to Bhim Sao there is a note that his number in Form B Register is 403 and similarly in Ext. W1/1 which is with respect to Seonath Sao it is mentioned that in Form B Register his number is 420. Therefore, it is not correct to say that their names are not noted in Form B Register. It is a matter of common knowledge that man power list is prepared on the basis of Form B Register and when MW-1 says that they are not there in the man power list he is certainly not correct. In the written statement of the management in paragraph 9 it is said that the two concerned workmen were employed as casual wagon, trucks/tractor loaders but MW-2 says that they were employed only for trucks/tractor loading.

23. Thus as the position stands, it is clear that on the materials on record these two concerned workmen have been arbitrarily kept in the list of unlisted casual wagon loaders which is purely the creation of the management of the colliery without any sanction of any Mine Rules and Regulations or any provisions of the Standing Orders. It is further clear that although they were there in the Form B Register arbitrarily they were left out in the man power list and that though employed in wagon, trucks and tractor loading arbitrarily it is said that they were employed merely on truck/tractor loading and were given jobs only when some of the 24 listed casual loaders were absent. There is nothing on record to support the statement of MW-1 and MW-2 on the above points.

24. The Coal Wage Board has placed wagon loaders truck loader and unloader in Group III among the piece rated

workers (page 70 of Vol. I of the Report). For a wagon of 22 tonnes 5 loaders are required to load in 8 hours. It means that one wagon loader would load 4.4 tones in an eight hours shift. The Wage Board has fixed the basic wage of the wagon loaders on that basis and had given dearness allowance and variable dearness allowance and interim wage increase as well as bonus. It is, therefore, necessary to see the position of placement of wagon in 1975 when the two concerned workmen were stopped from work.

25. It is in evidence that the colliery has two trucks and one tractor. MW-1 has admitted that there is no document to show the condition of wagon placement and the condition of trucks and tractor loading in 1974 and 1975 MW-2 has stated that there is record to show when the trucks and tractor plied but that has not been produced. He is not in a position to say if both the trucks were there or not.

26. In the absence of any paper to show the placement of wagon in 1975 and the position of transport by trucks and tractor in that year there is absolutely no material for a conclusion that supply of wagon was inadequate and transport by trucks and tractor had decreased and therefore the two concerned workmen were stopped from work. If the supply of wagons had actually decreased certainly transport by trucks and tractor must have increased giving employment to these two workmen besides others.

27. We get from the evidence of MW-2 that about 100 tonnes of soft coke is manufactured in the colliery and those employed in wagon loading are engaged in manufacturing soft coke also. It means that besides the loading of wagons, trucks and tractor there is another job on which the loaders can be employed and if about 100 tonnes of soft coke are manufactured certainly quite a number of loaders would be required for that job.

28. MW-1 says that job of loader is not of a permanent nature which is certainly incorrect. So long there is production in a colliery loading work will continue and it is not possible to believe that this is a job of temporary nature.

29. It is thus clear that there is no material on the basis of which it can be said that in 1975 placement of wagon was inadequate and loading by trucks and tractor had decreased. It is not also possible to accept the management's contention that loading work is of temporary nature. It means that these two concerned workmen were employed on a permanent nature of job and there being nothing to show that actually there was decrease in supply of wagons and transport by trucks and tractor there can be absolutely no justification for the management to stop them from work on a ground which is most arbitrary that they are among 115 unlisted casuals. Besides, as I have said earlier they could have been employed also on manufacturing of soft coke. That being the position, the principle enunciated in 1975 Lab. I.C. 1006 is not applicable to these two concerned workmen. It is the common case of the parties that they were appointed on 4-3-72 and continued to work till 30-6-75 which means that they had worked under the management of the colliery for more than a year. It was, therefore, necessary to follow the procedure laid down in Section 25F of the Industrial Disputes Act, 1947, which certainly has not been done. On the basis of the decision reported in 1971—Vol. I—L.L.J. 241, having worked for more than one year they have acquired a right to get employment in the colliery and the management having failed to comply with the provision of Section 25F their retrenchment or stoppage from work is illegal and they are liable to be reinstated.

30. Ext. W-1 and Ext. W-1/1 are the yearwise attendance of Shri Bhim Sao and Shri Seonath Sao respectively. They show the number of days they were employed in the loading job. But nonetheless they have been on the roll of the colliery continuously from the date of their appointment till the date when they were stopped from work. Therefore, notwithstanding the fact that they were not getting work everyday it cannot be said that they were not on the roll of the colliery for more than a year to entitle them to continue in the job and being reinstated.

31. On the materials available on record and on the authorities referred to above I am of opinion that the management of Khas Joyrampur Colliery of Messrs Bharat Coking Coal Limited is not justified in stopping Shri Bhim Sao and Seonath Sao, Trucks/Tractor Loaders from work with effect from 1-7-1975. They are entitled to reinstatement. But in view

of the fact that they cannot get employment for all the 30 days of the month it is not possible to order for their back wage. Therefore, I order for their reinstatement but without back wages.

This is my award.

S. R. SINHA, Presiding Officer.

[No. L-20012/163/75-D. III A]

New Delhi, the 2nd July, 1977

S.O. 2342.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the management of Damoda Colliery of Messrs Bharat Coking Coal Limited, Post Office Karmatand, District Dhanbad and their workmen, which was received by the Central Government on the 30th June, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 12 of 1976

(Ministry's Order No. L-20012/146/76-DIIIA, dated, the 27th October, 1976)

PARTIES:

Employers in relation to the management of Damoda Colliery of Messrs Bharat Coking Coal Limited, Post Office Karmatand (Via-Mohuda), District Dhanbad

AND

Their workmen.

APPEARANCES:

For the Employer—Shri G. Prasad, Advocate.

For the Workmen—Shri Shankar Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar

INDUSTRY : Coal.

Dhanbad, the 27th June, 1977

AWARD

The Central Government, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act has referred the following dispute for adjudication to this Tribunal, namely :—

"Whether the action of the management of Damoda Colliery of Messrs Bharat Coking Coal Limited, Post Office Karmatand, Via-Mohuda, District Dhanbad (Bihar), in refusing to allow Sarvashri Asinwa Bhuia and Ramu Bhuia to work as Trammers is justified? If not, to what relief are the said workmen entitled and from which date?"

2. The case of the two workmen is that they were permanent Miners in the Damoda Colliery but were appointed as permanent Trammers early in the year, 1972; that, in case, they were not appointed as permanent Trammers in 1972, they still became permanent Trammers by their continuously working as such for over three years; that from March, 1973 they were not given jobs as Trammers; that their Union then raised an industrial dispute with the management of Damoda Colliery but no redress was given to them; that thereupon they took up the matter with the Assistant Labour Commissioner (C) but that also resulted in failure; and that the action of the management in not giving them jobs as permanent Trammer is illegal, mala fide and betrays an act of unfair labour practice; and hence they are entitled to re-appointment as permanent trammers and they are further entitled to the difference of wages which they would have earned but for the refusal on the part of the management to employ them as trammers.

3. The case of the management is that these two workmen were holding substantive posts of miners and not of trammers; that, on account of a fight between the rival trade unions in

the colliery in 1973, some trammers were arrested and some ran away from the colliery, and because of their absenteeism, coupled with the usual leave and sick vacancies of trammers, a shortage was felt and these two workmen and several others were appointed as trammers to fill the shortage on a purely temporary basis; that the vacancies were temporary as no permanent vacancies in the posts of permanent trammers were available merely because of absenteeism; that when the arrested and other absentee trammers returned to the colliery, there was no shortage of permanent trammers and the temporary trammers were reverted to their substantive posts of miners from January, 1975; that both piece-rated miners and trammers are in group IV and there is no diminution in wages whether one holds one post or the other; that these two trammers refused to join their substantive posts as miners when asked to do so on the return of the permanent trammers and hence they are not entitled either to appointment as trammers or to payment of any wages. The management has lastly contended that the union had not raised any industrial dispute with the management and had instead raised it with the A.L.C. and, therefore, the reference is incompetent in the absence of an industrial dispute and the Tribunal has no jurisdiction to decide any such dispute.

4. There is no substance in the legal contention raised by the management. WW-1 Kishori Lal Rai is the Unit Secretary of the Rashtriya Colliery Mazdoor Sangh, Damoda Colliery Unit. He deposed that G. D. Pandey, the authorised representative of the Rashtriya Colliery Mazdoor Sangh, raised the industrial dispute with the Area General Manager and also with the Colliery Manager by his letter Ext. W-1 dated January 3, 1976. Ext. W-1 shows that he had made a demand for giving job of trammers to these two workmen from March, 1975. Ext. W-1 further shows that it was sent to the Area General Manager and a copy was endorsed to the Manager, Damoda Colliery. The cross-examination of WW-1 Kishori Lal Rai was wholly ineffective. MW-1 Raj Kishore Khandai, the manager of the colliery, has stated that he came to know of the dispute after the conciliation proceedings had started, and not earlier than that, implying thereby that no such industrial dispute had been raised with the management. In cross-examination, he had to admit that he has no knowledge if the union had sent any demand letter to the Area General Manager. He was then asked about the copy of demand letter that had been sent to him and to this, his reply was that he had no recollection if such a copy was received by him; and in case he had received one, he must have sent it to the Area General Manager because all papers concerning an industrial dispute have to be submitted by a colliery manager to his Area General Manager. The original that was sent to the Area General Manager was summoned by the union but the management failed to file it. It does not behove a public undertaking to raise an untenable or false plea. It also does not give any credit to such an undertaking to fail to produce a document summoned from it. I have no reason, therefore, to discard the evidence given by MW-1 and, particularly so when he is supported by documentary evidence. I hold that the Rashtriya Colliery Mazdoor Sangh did raise an industrial dispute with the management and the reference is competent and the Tribunal has the jurisdiction to decide that dispute.

5. On merits of the case, we have the oral testimony of MW-1 Raj Kishore Khandai and the two workmen have neither examined themselves nor any one else on their behalf to rebut the testimony of Raj Kishore Khandai. His evidence shows that these two workmen were permanent miners and this fact must, therefore, be accepted. His evidence then shows that there were 53 permanent piece-rated trammers in the North Damoda Unit of the colliery. A fight took place between the two rival unions, in June '73; and in that connection, some trammers were arrested and some fled away from the colliery because of anticipated arrest. It is in these circumstances that permanent miners were appointed as temporary trammers in place of the absentees. These two workmen were also appointed as temporary trammers from their substantive posts of miners. There is no cross-examination on this aspect and this fact is also, therefore, amply established. It is apparent, therefore, that these two workmen and several others were appointed only as temporary trammers during the absence of permanent trammers on ordinary or sick leave or in the absence of those who had been arrested or who had run away from the colliery fearing arrest. I am certain that these two were not appointed as permanent trammers and their appointments

as piece-rated trammers were in vacancies of the aforesaid trammers, on a purely temporary basis.

6. Raj Kishore Khandai has further deposed that as and when the permanent piece-rated trammers returned to their duties, the substitutes were reverted to their original substantive posts and consequently these two workmen were also reverted but they refused to join and are sitting idle ever since March, 1975. This statement of his also remains uncontroverted.

7. The learned counsel for these two workmen has argued that these two workmen became permanent trammers under order No. 3 of the Model Standing Orders which applies to the Damoda Colliery. Order No. 3 classifies workmen into 6 categories:—Permanent, Probationers, Badlis or Substitutes; Temporary; Apprentices and Casual. Order No. 3(a) defines a temporary workman and says that a "temporary" workman is a workman who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period. The period within which it is likely to be finished should also be specified but it may be extended from time to time, if necessary. These two were obviously temporary trammers because they were appointed for work which was of an essentially temporary nature namely, for so long as the absentee trammers did not resume their duties. Standing Order No. 3(b) says that a "permanent" workman is one who is appointed for an unlimited period or who has satisfactorily put in 3 months continuous service in a permanent post as a probationer and, therefore, even if they had worked for as long as 21 months, they would not become permanent trammers because no post of a permanent trammer was permanently vacant and, indeed, the vacancy was either a leave vacancy or a sick vacancy or a absentee vacancy. It is obvious that the absentee trammers were likely to come back and resume their duties and if they came back, even the temporary vacancy will lapse. It cannot be denied that they had a lien on their permanent posts which could not be ignored. Again, these two workmen would not become permanent under the first part of the definition. The first part mentions that a permanent workman is one who is appointed for an unlimited period. The appointment of these two was for limited periods because the vacancies had arisen on account of the arrest of the permanent trammers or on account of the escape of the permanent trammers in dread of apprehended arrest etc. Their appointments were for limited periods and were to continue only so long as the permanent trammers did not turn up for duties. Their case will also not be covered by the second part of the definition because they were not appointed as probationers in permanent posts. I, therefore, held that these two workmen did not become permanent trammers and remained throughout as temporary trammers.

8. The next contention of the learned counsel for these two workmen is that appointment of a workman from one post to another amounts to a transfer and likewise re-appointment on his original substantive post also amounts to a transfer, and if such a transfer is not in compliance with the provisions of Standing Order No. 16, the transfer will become bad and, therefore, even though the first transfer may be ignored the re-transfer may be quashed. Standing Order No. 16 says that a workman may be transferred due to exigencies of work from one department to another or from one station to another or from one coal mine to another under the same ownership provided that the pay, grade, continuity and other conditions of service of the workmen are not adversely affected by such transfer and provided also that if a workman is transferred from one job to another that job should be of similar nature and such as he is capable of doing and provided further that (i) reasonable notice is given of such transfer and (ii) reasonable joining time is allowed in case of transfers from one station to another. The workman concerned shall be paid the actual transport charges plus 50% thereof to meet incidental charges. Transfer is a managerial function and a Tribunal should not lightly interfere with orders of transfer issued by a management in the exigencies of work. The management is in the best position to distribute its man-power on various jobs, and even if all the materials are available before the Tribunal, the managements' discretion should not ordinarily be substituted by an order of the Tribunal, except in special cases on prima facie proof of mala fides or unfair labour practice. Standing Order No. 16 clearly confers such a power. The management transferred these two workmen from the department of miners to the department of trammers. Trammers and miners are both piece-rated workers.

Both of them are Group IV workmen and the wages of both are the same. The transfers did not involve any monetary loss. There is no break in service. Both the jobs are connected with Mining operations and the two workmen were capable of working as trammers instead of as miners. The provisions of reasonable notice and joining time do not govern the transfer from one department to another in the same mine but transfers from one station to another or from one coal mine to another. Obviously transport and incidental charges can become relevant only in case of a transfer from one station to another or from one mine to another. Reasonable joining time is also related to such a transfer. Reasonable notice is required in such a transfer and not in an inter-departmental transfer where one can switch over from one job to another. I am of the view, therefore, that there was no breach of Standing Order No. 16.

9. These two workmen were given their original jobs but they have refused to join and are sitting idle because of their own choice and, therefore, they will not be entitled to any wages for the period subsequent to the service of the order requiring them to join as miners.

10. My award is that the action of the management of Damoda Colliery in refusing to allow Ashinwa Bhuia and Ramu Bhuia to work at trammers is justified and they are not entitled to any relief.

K. B. SRIVASTAVA, Presiding Officer.

[No. 20012/146/76-D.III(A)]

S. H. S. IYER, Desk Officer.

S.O. 2343.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relations to the management of Silica Sand Mines of Messrs Bansal Brothers, Mine Owners, Johari Bazar, Jaipur and their workmen, which was received by the Central Government on the 20th June, 77.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, JABALPUR (M.P.)**

Sase Ref. No. CGIT/LC(R)(65)/1975

PARTIES :

Employers in relation to the management of M/s. Silica Sand Mines of Messrs Bansal Brothers, Mine Owners, Johari Bazar, Jaipur (Rajasthan) and their workmen represented by Shri M. P. Sharma, President, Pathar Khan Mazdoor Sangh, Kota (Raj.).

APPEARANCES :

For Workmen—Shri M. P. Sharma.

For Management—Shri Shobhagya Mal.

INDUSTRY : Silica Sand Mines. **DISTRICT :** Jaipur (Rajasthan)

Dated : May 31, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-29011/113/75/DIII/B, dated 5th December, 1975 seeking adjudication of the following dispute :—

“Whether the demand of the workmen employed in Alanpur Silica Sand Mine of Messrs Bansal Brothers, Mine Owners, Johari Bazar, Jaipur (Rajasthan) for payment of profit sharing bonus at the rate of 20 per cent for the accounting years 1971-72, 1972-73 and 1973-74 is justified? If not, to what quantum of bonus are the workmen entitled for each accounting year?”

After the pleadings were filed by the parties and issues were settled they took several adjournments to settle the dispute. When they did not come to a settlement a date for evidence of parties was fixed. Now the parties came to terms and sent a Memorandum of Settlement dated 25-5-1977 by post duly signed by both the parties. The management has agreed to pay bonus to all the workmen of Silica Sand Mines, Alanpur, District Sawaimadhopur for the year 1973-74 at the rate of 8.33 per cent within one month from the date of this settlement. Management has also agreed to inform the dates of payment of bonus to the Pather Khan Mazdoor Sangh. It is also agreed between the parties that the Tribunal be requested to give its award in terms of the settlement.

The reference is answered in terms of the settlement which shall form part of the Award. Parties will bear their own costs.

S. N. JOHARI, Presiding Officer.

[No. L-29011/113/75-D. III. B]

V. VELAYUDHAN, Under Secy.

New Delhi, the 16th July, 1977.

SO. 2344.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relations to the management of Star Construction and Transport Company, Sankari and India Cements Ltd., Sankari and their workmen, which was received by the Central Government on the 20-6-77.

BEFORE THIRU T. N. SINGARAVELU, B. A., B. L.,

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,

MADRAS

(Constituted by the Central Government)

Saturday, the 28th day of May, 1977.

Industrial Dispute No. 18 of 1977

(In the matter of the dispute for adjudication under Section 10 (1) (d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Star Construction and Transport Co., and India Cements Limited, Sankari.)

BETWEEN

The workmen, represented by the Secretary, India Cements National Workers' Union Karumapurathanoor, Mothiayanoor, P.O. Sankari Taluk, Salem District.

AND

1. The General Manager, Star Construction and Transport Company, Sankari West, Salem District.

2. The General Manager, India Cements Limited, Sankari West, P. O. Salem District.

REFERENCE

Order No. L-19011/24/76-D.III-B, dated Nil, of the Ministry of Labour, Government of India.

This dispute coming on this day for final disposal upon perusing the reference and all other material papers on record and upon hearing of Thiru T. K. Seshadri, Advocate for Management No. 1 and of Thiruvallargal M. R. Narayanaswami and S. Jayaraman, Advocates for Management No. 2 and the workmen being absent, and the affidavit stating that there is no such Union, called the India Cements National Workers' Union having been filed and accepting the same, this Tribunal made the following.

AWARD

This is a reference made by the Government of India in its Order No. L-29011/24/76-D. III-B of the Ministry of Labour in respect of an Industrial Dispute between the Managements of Star Construction and Transport Company, Sankari and India Cements Limited, Sankari and their workmen.

2. The Schedule to the reference reads as follows :

Whether the management of M/s. Star Construction and Transport Co., Sankari and India Cements Ltd., Sankari, are justified.

(a) In changing the grade of Balasters from 'D' to 'G' by taking the date of reaching the maximum in the earlier grade as existing in 1973 instead of 1976, thereby discriminating the cases of certain employees who have reached the maximum during the period 1973 to 1976;

(b) In not confirming the last six workmen out of the 98 workmen mentioned in the Notice Board of the Company for confirmation?

If not, to what relief are the affected workmen entitled?

3. This reference was taken up by this Tribunal and notices were sent to the Union as well as the Managements. The Managements were served and entered appearance, but the

Union was absent. Notice of this reference taken to the Union was returned unserved with an endorsement that there no such Union in the address given in the reference. However, as a matter of indulgence, the Tribunal ordered fresh notice to the Union directing the Management to furnish the correct address of the Union, if any. The second Management is said to be an unnecessary party to this reference. Therefore, summons were issued to the Union both directly and through Management No. 1. The Union was again absent. It was also not served and the Management No. 1 has filed an affidavit before this Tribunal today stating that there is no such Union called India Cements National Workers Union. In view of the return on postal endorsement stating that there is no such Union at all in the place and in view of the affidavit filed by the Management that there is no Union by that name, the reference cannot be proceeded with. The position therefore is that there is no Union by that name in this industry and therefore the reference itself is not maintainable. It must also be stated that nobody else has filed any claim so far on behalf of any of the worker with reference to the matter mentioned in the Schedule. The result is there is no claim before the Tribunal and consequently there is no dispute. An Award is passed that the reference has become infructuous. No costs.

Dated, this 28th day of May, 1977.

T. N. SINGARAVELU, Presiding Officer

[No. 29011/24/76-D.III.B.]

C. R. NIM, Under Secy.



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 32]
No. 32]

नई दिल्ली, शनिवार, अगस्त 6, 1977/श्रावण 15, 1899
NEW DELHI, SATURDAY, AUGUST 6, 1977/SRAVANA 15, 1899

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)

केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

**Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)**

ELECTION COMMISSION OF INDIA

New Delhi, the 22nd July, 1977

S.O. 2436.—In pursuance of section 106 of the Representation of the People Act, 1951, the Election Commission hereby publishes the order dated 5 July, 1977 of the High Court of Madhya Pradesh, Jabalpur, in Election Petition No. 2 of 1977.

HIGH COURT OF MADHYA PRADESH, JABALPUR

Election Petition No. 2 of 1977

Mahadeo Prasad Mishra

Vs.

Shri Morarji Desai and others

ORDER

The petitioner by this petitioner has sought declaration that the election of Shri Sharad Yadav (respondent No. 2) from Jabalpur Parliamentary Constituency is valid.

2. The result of the election was declared on 21-3-1977. The petitioner filed the present petition on 21-4-1977 and at the time of the presentation of the petition he admittedly did not deposit the security amount for the costs of the petition as required by section 117 of the Representation of People Act, 1951 (hereinafter called as "the Act"). The petitioner has filed an application praying that he may be permitted to prosecute the election petition as a pauper, that

is to say, without being required to deposit the amount of Rs. 2,000 as security for the costs. When the petition came up for admission on 1-7-1977, the petitioner orally pressed before me the same prayer which he had made in the aforesaid application and stated categorically that he was unable to deposit the specified amount. I need not go in the circumstances leading to non-deposit of the security amount. A bare reading of the wording of section 117 of the Act makes it very clear that the deposit of Rs. 2,000 as security for the costs of the petition at the time of presenting an election petition is a mandatory condition. It may also be mentioned that the rules framed by the High Court also provide that :

"Every Election Petition shall be accompanied by a receipt signed by the Cashier of the Court that an amount of Rs. 2,000 has been deposited as security for the costs of the petition."

Thus, it cannot in any manner be doubted that no power had been conferred upon the Court either to condone the non-compliance or even to reduce the security amount. I am supported in my view point by unreported decisions of this Court in Charanlal Sahu v. Shyamacharan Shukla and others (Election Petition No. 50 of 1972, decided on 5-9-1972); Charanlal Sahu v. Kanhaiyalal (Election Petition No. 51 of 1972, decided on 5-9-1972) and Charanlal Sahu v. Nandkishore Bhatt and others (Election Petition No. 49 of 1972, decided on 22-9-1972). In the last case (Election Petition No. 49 of 1972), the petitioner went up to the Supreme Court and that Court in Civil Appeal No. 2411 of 1972, decided on 1-8-1973, upheld the decision of this Court on the point. The relevant passage reads as under :

".....The High Court rejected all these contentions holding that it was mandatory for the petitioner when filing an election petition to deposit the amount of

Rs. 2,000 under s. 117 of the Act and there is no provision under which a discretion was conferred on the High Court to reduce the amount of security deposit as prayed for by him. The High Court referred to sub-s. (2) of s. 117 under which the High Court has been empowered to call upon the petitioner to give such further security for costs as it may direct, which clearly indicates that while there is a provision empowering the High Court to call upon the petitioner to give such further security for costs, there is no provision similarly empowering it to absolve the petitioner from making any security deposit or to reduce the amount required to be deposited under the Act. We think the High Court was right in holding that it is not competent to reduce the amount of security deposit or to dispense with it."

Thus, the point stands finally concluded by the aforesaid decision of the Supreme Court. I therefore, hold that this Court has no power to allow prosecution of the present petition without the deposit of the security amount and consequently the application filed by the petitioner for that purpose has to be rejected.

3. As this election petition does not comply with the provisions of section 117 of the Act it is, therefore, liable to be dismissed under section 86 of the Act and is accordingly dismissed. In the circumstances, there will be no order as to costs.

Sd/-

R. K. TANKHA, Judge
5-7-77

[No. 82/MP—HP/Q/77]
V. NAGASUBRAMANIAN, Secy.

विधि, न्याय और कम्पनी कार्य मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली, 23 जुलाई, 1977

का.आ. 2437.—एकाधिकार एवं निर्वन्धकारी व्यापार प्रथा अधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा मैसर्स ब्ल्यूमाउन्ट सेरेमिक्स लिमिटेड के पंजीकरण (पंजीकरण प्रमाणपत्र संख्या 281/70) के निरस्तीकरण की कथित अधिनियम के अन्तर्गत अधिसूचित करती है।

[सं. 2/29/76-एम. 2]

सी० खुशालदास, उप सचिव

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 23rd July, 1977

S.O. 2437.—In pursuance of sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969, (54 of 1969), the Central Government hereby notifies the cancellation of the Registration of M/s. Bluemount Ceramics Ltd. under the said Act (Certificate of Registration No. 281/70).

[No. 2/29/76-MII]

C. KHUSHALDAS, Dy. Secy.

वित्त मंत्रालय

(राजस्व और बैंकिंग विभाग)

(राजस्व पक्ष)

नई दिल्ली, 7 जून, 1977

आयकर

का.आ. 2438.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने नीचे वर्णित संख्या को आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के प्रयोजनों के लिए निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:—

- (i) यह कि डेक्कन शुगर इंस्टीट्यूट, पुणे "अन्य प्राकृतिक और अनुप्रयुक्त विज्ञानों" के क्षेत्र में वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त व्यय की गई राशियों का लेखा पृथक से रखेगा।
- (ii) उक्त संस्थान प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की एक वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल, तक ऐसे प्रारूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किए जाएं।

संस्था

डेक्कन शुगर इंस्टीट्यूट, पुणे

यह अधिसूचना 1 अप्रैल, 1977 से तीन वर्ष के लिए प्रभावी रहेगी।

[सं. 1812 (फा. सं. 203/35/77-आई टी ए II)]

जे० पी० शर्मा, उप सचिव

MINISTRY OF FINANCE

(Department of Revenue and Banking)

(Revenue Wing)

New Delhi, the 7th June, 1977

INCOME TAX

S.O. 2438.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, the Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, subject to the following conditions:—

- (i) that the Deccan Sugar Institute, Pune will maintain a separate account of the sums received/spent by it for scientific research in the field of "other natural and applied sciences."
- (ii) That the said Institute will furnish the annual return of its Scientific Research Activities to the prescribed authority by 30th April each year for every financial year in such forms as may be laid down and intimated to them for this purpose.

INSTITUTION

DECCAN SUGAR INSTITUTE, PUNE,

This notification is effective for a period of three years from 1st April, 1977.

[No. 1812 (F. No. 203/35/77-ITA. II)]

J. P. SHARMA, Dy. Secy.

नई दिल्ली, 1 जुलाई, 1977

आय-कर संस्थापन

कां०आ० 2439.—समय-समय पर यथा संशोधित, अपीलीय न्यायाधिकरण नियम, 1946 के नियम 2 के उप-नियम (ii) के खण्ड (ख) के अनुसरण में, केन्द्रीय सरकार एतद्वारा श्री ए० एन० मिश्रा, निरीक्षी सहायक आय कर आयुक्त, कटक की किसी भी ऐसे आयकर प्राधिकारी की ओर से उपस्थित होने, वकालत करने तथा कार्य करने के लिये 22-4-1977 से वरिष्ठ प्राधिकृत प्रतिनिधि, आयकर अपीलीय न्यायाधिकरण, कटक के रूप में नियुक्त करती है जो आयकर अपीलीय न्यायाधिकरण के समक्ष किसी कार्यवाही में पक्षकार है।

[अधिसूचना सं० 8/का०सं० ए० 22012/51/76-प्रशा०-6]

ए० सी० चौधरी, अवर सचिव

New Delhi, the 1st July, 1977

Income-tax Establishment

S.O. 2439.—In pursuance of clause (b) of sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, as amended from time to time, the Government of India hereby appoint Shri A. N. Misra, Inspecting Assistant Commissioner of Income-tax, Cuttack, as Senior Authorised Representative, Income-tax Appellate Tribunal, Cuttack, with effect from 22-4-1977, to appear, plead and act for any Income-tax Authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

[Notification No. 8/F. No. A. 22012/51/76-Ad. VI]

A. C. CHOWDHARY, Under Secy.

(आयकर विभाग)

पुणे, 8 जुलाई, 1977

कां०आ० 2440.—चूंकि केन्द्र सरकार का विचार है कि यह लोकहित की दृष्टि से आवश्यक एवं समीचीन है कि ऐसे निर्धारितियों के नाम एवं उनसे सम्बद्ध अन्य विवरण प्रकाशित कर दिये जाएं जिनके मामलों में 1 अप्रैल, 1976 से 31 मार्च, 1977 की अवधि के दौरान रु० एक लाख से अधिक की आयकर संबंधी मांग बढ़े खाते डाली गई हैं।

अतएव आयकर अधिनियम 1961 (1961 का 43) की धारा 287 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश दिया जाता है कि ऐसे निर्धारितियों के नाम एवं अन्य विवरण प्रकाशित किये जाएं। निम्नलिखित सूची में ये नाम एतद्वारा प्रकाशित किये जा रहे हैं :—
उन निर्धारितियों की सूची जिनके मामले में वित्तीय वर्ष 1976-77 में रु० 1 लाख से अधिक की राशि बढ़े खाते डाली गयी थी। (आयकर अधिनियम 1961 की धारा 287 के उपबन्धों के अधीन प्रकाशित)

क्र० निर्धारितियों का हैसियत निर्धारण-वर्ष बढ़े खाते बढ़े खाते डालने/सं० नाम व पता डाली मात्रा घटाने के गयी संक्षिप्त कारण राशि

1	2	3	4	5	6
1.	श्री अब्दुल रजाक अहमद सहिब कोकणी नासिक।	व्यक्ति	1958-59 1959-60 1960-61 1964-65	2,99,387	वकाया राशि की तुलना में ज्ञात और उपलब्ध आस्तियों का मूल्य कम है। रु० 299387 को राशि वसूल न हो सकने वाली

1 2 3 4 5 6

राशि मान कर बढ़े खाते डाल दी गई है।

टिप्पणी :—किसी व्यक्ति से प्राप्त कर राशि बढ़े खाते डाल दी गयी है इस कथन का आशय मात यह है कि आयकर विभाग की राय में, प्रकाशन की तिथि तक उपरोक्त राशि निर्धारितियों की ज्ञात परिसंपत्तियों से वसूल नहीं की जा सकती थी। इस कथन के प्रकाशन का अर्थ यह नहीं है कि यह राशि कानूनी तौर पर वसूल नहीं की जा सकती अथवा निर्धारितियों को इस राशि की अदायगी के दायित्व से मुक्त कर दिया गया है।

[सं० प्रकाशन/ब० खा०/77-78 (वसूली) पूना-II]

पी० एस० भास्करण, आयकर आयुक्त

(Income-Tax Department)

Pune, the 8th July, 1977

S.O. 2440.—Whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to publish the names and other particulars relating to assesses in whose cases Income-tax demands over Rs. 1 lakh have been written off during the period from 1st April, 1976 to 31st March, 1977.

And now, therefore, in exercise of the powers conferred by section 287 of the Income-Tax Act (43 of 1961) Central Government direct that the names and other particulars of the assessee's aforesaid be published. The same are hereby published as per the list below :

List of the assessee's in whose case amount over Rs. one lakh were written off in the Financial Year 1976-77 (Published under the provisions of Section 287 of the Income-tax Act, 1961)

Sl. No.	Name & address of the assessee	Status	Assessment year	Amount written off (Rs.)	Brief reasons for write off/scaling down.
1	2	3	4	5	6
1.	Shri Abdul Razak Ahmed Saheb Kokani of Nasik.	Individual	1958-59 1959-60 1960-61 1964-65	2,99,387	The value of the available and known assets are less than the arrears outstanding. The demand to the tune of Rs. 2,99,387 are considered irrecoverable and hence written off.

NOTE.—The statement that the tax due from a person has been written off only means that, in the opinion of the Income-tax Department, it cannot on the date of publication, be realised from the known assets of the assessee. The publication does not imply that the amount is irrecoverable in law or that the assessee is discharged from the liability to pay the amount in question.

[No. Pub./WO/77-78/REC/Pune-II]

P.S. BHASKARAN, Commissioner of Income-tax.

(बैंकिंग पक्ष)

नई दिल्ली, 13 जुलाई, 1977

का०आ० 2441.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध 1 मार्च, 1977 से 28 फरवरी, 1978 तक की अवधि के लिए रत्नागिरी अर्बन को-ऑपरेटिव बैंक लिमिटेड रत्नागिरी पर लागू नहीं होंगे।

[सं० एफ० 8/3/77-ए० सी०]

वी० एन० बहादुर, उप सचिव

(Banking Wing)

New Delhi, the 13th July, 1977

S.O. 2441.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to the Ratnagiri Urban Co-operative Bank Ltd., Ratnagiri for the period from 1 March, 1977 to 28 February, 1978.

[No. F. 8/3/77-AC]

V. N. BAHADUR, Dy. Secy.

(आर्थिक कार्य विभाग)

नई दिल्ली, 22 जुलाई, 1977

का० आ० 2442.—पूँजी निर्गम (नियंत्रण) अधिनियम, 1947 (1947 का 29) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग की अधिसूचना का०आ० संख्या 2560, दिनांक 10 जुलाई, 1976 का अधिक्रमण करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित प्रकार से पूँजी निर्गम नियंत्रण विषयक सलाहकार समिति का पुनर्गठन करती है :—

- | | |
|---------------------------------------|---------|
| 1. श्री जेम्स एस० राज | अध्यक्ष |
| 2. डा० सुब्रमण्यन् स्वामी, संसद सदस्य | सदस्य |
| 3. श्री पी०वी० गांधी | सदस्य |
| 4. श्री एम०एच० मोदी | सदस्य |
| 5. श्री बी० सी० रन्देरिया | सदस्य |

2. इस सलाहकार समिति का कार्यकाल इस अधिसूचना की तारीख से दो वर्ष का होगा।

[सं० एफ० 16(1)-सी० सी० आई०/74]

ए० वी० गणेशन, संयुक्त सचिव

(Department of Economic Affairs)

New Delhi, the 22nd July, 1977

S.O. 2442.—In exercise of the powers conferred by Section 11 of the Capital Issues (Control) Act, 1947, (29 of 1947) and in supersession of the Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs S.O. No. 2560, dated the 10th July, 1976, the Central Government hereby reconstitutes the Advisory Committee on Capital Issues Control as under :—

- | | |
|--------------------------------|-----------|
| 1. Shri James S. Raj | Chairman. |
| 2. Dr. Subramaniam Swamy, M.P. | Member. |

- | | |
|-----------------------|---------|
| 3. Shri P.V. Gandhi | Member. |
| 4. Shri M.H. Mody | Member. |
| 5. Shri B.C. Randeria | Member. |

2. The Advisory Committee shall have a tenure of two years with effect from the date of this Notification.

[No.F.16(1)CCI/77]

A.V. GANESAN, Joint Secy.

नई दिल्ली, 30 जुलाई, 1977

बीमा

का०आ० 2443.—केन्द्रीय सरकार, साधारण बीमा कारबार (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का 57) की धारा 16 की उपधारा (1) के खण्ड (छ) और उपधारा (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, विविध बीमा (पर्यवेक्षी, लिपिकीय और अधीनस्थ कर्मचारिवृन्द के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण और पुनरीक्षण) स्कीम, 1974 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. (1) इस स्कीम का नाम साधारण बीमा (पर्यवेक्षी, लिपिकीय और अधीनस्थ कर्मचारिवृन्द के वेतनमानों और सेवा का अन्य शर्तों का सुव्यवस्थीकरण और पुनरीक्षण) संशोधन स्कीम, 1977 है।

(2) यह राजपत्र में अपने प्रकाशन की तारीख को प्रवृत्त होगी।

2. साधारण बीमा (पर्यवेक्षी, लिपिकीय और अधीनस्थ कर्मचारिवृन्द के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण और पुनरीक्षण) स्कीम, 1974 में,—

(i) पैरा 10 में,—

(क) उप पैरा (5) में, निम्नलिखित परन्तुक जोड़ा जाएगा, अर्थात्:—

“परन्तु यदि कोई कर्मचारी पांच बड़े रोगों, अर्थात् कैंसर, कुष्ठ रोग, श्वस रोग, पोलियो (मस्तिष्क स्तंभ रोग) और मानसिक रोगों में से किसी से भी पीड़ित है तो उसे छह मास से अनधिक की अवधि के लिए आधे वेतन पर विशेष बीमारी छुट्टी उस दशा में दी जा सकती है जब उसके खाते में उसे अनुज्ञेय कोई भी बीमारी की छुट्टी बाकी न रह गई हो।”

(ख) उप पैरा (11) को उसके खण्ड (क) के रूप में पुनः अक्षरित किया जाएगा और इस प्रकार पुनः अक्षरित खण्ड (क) के पश्चात् निम्नलिखित खण्ड अन्तःस्थापित किया जाएगा, अर्थात्:—

“(ख) जो कर्मचारी बीमारी की छुट्टी पर हो वह छुट्टी का वेतन, जो आध्यात्मिक वेतन, विशेष वेतन और वैयक्तिक वेतन के योग का आधार होगा, लेगा। इसके अतिरिक्त वह कर्मचारी महुंगाई भत्ता, गृह भाटक भत्ता, नगर प्रतिकर भत्ता और पहाड़ी स्थान भत्ता (जहां कहीं अनुज्ञेय हो) ऐसे आध्यात्मिक वेतन, विशेष वेतन और वैयक्तिक वेतन के योग के आधे के अनुपात में लेगा। आधे वेतन पर बीमारी की छुट्टी की कोई भी अवधि, कर्मचारी के विकल्प पर, पूरे वेतन की बीमारी की छुट्टी में सपरिवर्तित की जा सकती है और ऐसी दशा में ऐसी छुट्टी की दूनी अवधि कर्मचारी के आधे वेतन की छुट्टी के खाते में नामे डाल दी जाएगी।”

(ii) प्रथम अनुसूची में, पैरा 7 में, “काठमांडू” शब्द के स्थान पर “गंगटोक” शब्द रखा जाएगा।

(iii) दूसरी अनुसूची में, शीर्षक “ब. विराम भत्ता” के नीचे खण्ड (ड) में “कर्तव्य पर मुख्यालयों में प्रथम तीस दिनों की अनुपस्थिति” शब्दों के स्थान पर “एक स्टेशन पर प्रथम 30 दिन की अनुपस्थिति” शब्द रखे जाएंगे।

[फा० सं० 65(2) वी० III 1/7/76]

New Delhi, the 30th July, 1977

INSURANCE

S.O. 2443.—In exercise of the powers conferred by clause (g) of sub-section (1) and sub-section (6) of Section 16 of the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972), the Central Government hereby makes the following scheme further to amend the General Insurance (Rationalisation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Scheme, 1974, namely:—

1. (1) This Scheme may be called the General Insurance (Rationalisation and Revision of Pay Scales and Other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Amendment Scheme, 1977.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the General Insurance (Rationalisation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Scheme, 1974,—

(i) In paragraph 10,—

(a) to sub paragraph (5), the following proviso shall be added, namely:—

“Provided further that if an employee is suffering from any of the five major diseases of Cancer, Leprosy, T. B., Poliomyelitis and Mental diseases, he may be allowed Special Sick Leave on Half pay for a period not exceeding 6 months if he has to his credit no sick leave admissible to him.”

(b) Sub-paragraph (11) shall be relettered as clause (a) thereof and after clause (a) as so relettered, the following clause shall be inserted, namely:—

“(b) An employee on sick leave shall draw leave salary equal to half the aggregate of basic pay, special pay and personal pay. In addition, such employee shall also draw dearness allowance, house rent allowance, city compensatory allowance (and hill station allowance (wherever admissible) appropriate to half the aggregate of such basic pay, special pay and personal pay. Any period of sick leave on half pay may be converted into sick leave on full pay at the option of the employee and in such cases twice the amount of such leave shall be debited against the half pay leave account of the employee”.

ii) In the First Schedule in paragraph VII. for the word “Kathmandu”, the word “Gangtok” shall be substituted;

iii) in the Second Schedule, under the heading “B. Halting Allowance”, in clause (e), for the words “of absence from headquarters on duty”, the words “at any one station” shall be substituted.

[F. No. 65(2)Ins.III/17/76]

का० प्रा० 2244—केन्द्रीय सरकार, साधारण बीमा कारबार (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का 57) की धारा 16 की उपधारा (1) के खंड (घ) और उपधारा (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, साधारण बीमा (विकास कर्मचारिवृन्द के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण) स्कीम, 1976 का, जो भारत सरकार के वित्त मंत्रालय (आर्थिक कार्य विभाग) की अधिसूचना संख्या का० प्रा० 327 (अ), तारीख 29 अप्रैल, 1976 के साथ प्रकाशित हुई थी, और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. (1) इस स्कीम का नाम साधारण बीमा (विकास कर्मचारिवृन्द के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण) संशोधन स्कीम, 1977 है।

(2) यह राजपत्र में अपने प्रकाशन की तारीख को प्रवृत्त होगी।

2. साधारण बीमा (विकास कर्मचारिवृन्द के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण) स्कीम, 1976 के पैरा 20 में “किसी कंपनी का अध्यक्ष और प्रबन्धक निदेशक” शब्दों के पश्चात् “या अध्यक्ष और प्रबन्धक निदेशक द्वारा इस निमित्त प्राधिकृत कोई अधिकारी” शब्द अन्तःस्थापित किए जाएंगे।

[फा० सं० 65(2) बी०-III-7/77]

S.O. 2444.—In exercise of the powers conferred by clause (g) of sub-section (1) and sub-section (6) of Section 16 of the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972), the Central Government hereby makes the following Scheme to amend the General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Development Staff) Scheme, 1976, published with the notification of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. S.O. 327(E) dated the 29th April, 1976, namely:—

1. (1) This Scheme may be called the General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Development Staff) Amendment Scheme, 1977.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the General Insurance (Rationalisation of pay Scales and other conditions of Service of Development Staff) Scheme, 1976, in paragraph 20, after the words “Chairman-cum-Managing Director of a Company”, the words “or any other officer authorised in this behalf by the Chairman-cum-Managing Director” shall be inserted.

[F. No. 65(2)/Ins.III/7/77]

का० प्रा० 2245.—केन्द्रीय सरकार, साधारण बीमा कारबार (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का 57) की धारा 16 की उपधारा (1) के खण्ड (घ) और उपधारा (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, साधारण बीमा (अधिकारियों के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण) स्कीम, 1975 का, जो भारत सरकार के वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना संख्या का० प्रा० 521 (अ), तारीख 17 सितम्बर, 1975 के साथ प्रकाशित हुई थी, और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. (1) इस स्कीम का नाम साधारण बीमा (अधिकारियों के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण) संशोधन स्कीम, 1977 है।

(2) यह राजपत्र में अपने प्रकाशन की तारीख को प्रवृत्त होगी।

2. साधारण बीमा (अधिकारियों के वेतनमानों और सेवा की अन्य शर्तों का सुव्यवस्थीकरण) स्कीम, 1975 में,—

(i) पैरा 3 के खण्ड (ड) में “पहाड़ी आस्थान भत्ता” शब्दों का लोप किया जाएगा;

(ii) पैरा 12 में “कंपनी का अध्यक्ष एवं प्रबन्धक” शब्दों के पश्चात् “या अध्यक्ष एवं प्रबन्धक निदेशक द्वारा इस निमित्त प्राधिकृत कोई अन्य अधिकारी” शब्द अन्तःस्थापित किए जाएंगे।

(iii) पैरा 14 में, “केन्द्रीय सरकार के विनिश्चय के लिए निर्दिष्ट की जाएगी और उस पर केन्द्रीय सरकार का निश्चय संबंधित व्यक्ति पर बाध्यकारी होगा” शब्दों के स्थान पर “केन्द्रीय सरकार को उसके विनिश्चय के लिए निर्दिष्ट की जाएगी” शब्द रखे जाएंगे।

[फा० सं० 65(2)/बीमा-III/7/77]

आर० डी० खानवाकर, अवर सचिव

S.O. 2445.—In exercise of the powers conferred by Clause (g) of sub-section (1) and sub-section (6) of Section 16 of the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972), the Central Government hereby makes the following

Scheme further to amend the General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Officers) Scheme, 1975, published with the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. S.O. 521 (E), dated, the 17th September, 1975, namely :—

1. (1) This Scheme may be called the General Insurance (Rationalisation of pay Scales and Other Conditions of Service of Officers) Amendment Scheme, 1977.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Officers) Scheme, 1975 :—

- (i) in paragraph 3, in clause (m), the words "hill station allowance" shall be omitted ;
- (ii) in paragraph 12, after the words "Chairman-cum-Managing Director of a Company", the words "or any other officer authorised in this behalf by the Chairman-cum-Managing Director" shall be inserted ;
- (iii) in paragraph 14, for the words "the Central Government for decision and the decision of the Central Government thereon shall be binding on the person concerned", the words "the Central Government for its decision" shall be substituted.

[F. No. 65(2)/Ins.III/7/77]

R. D. KHANWALKAR, Under Secy.

(बैंकिंग प्रभाग)

नई दिल्ली, 22 जुलाई, 1977

कां.ग्रा. 2246.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1924 का 2) की धारा 8 की उपधारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को 22 जुलाई, 1977 से भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड के निदेशकों के रूप में नामित करती है :—

1. श्री जहांगीर पटेल,
अध्यक्ष,
पाट वोल्क लिमिटेड,
बैलाड एस्टेट, बंबई।
2. एयर चीफ मार्शल, पी.सी.लाल (रिटायर्ड)
फार्मर चीफ आफ दी एयर स्टाफ,
नयी दिल्ली।
3. श्री एस.एल. किरलोस्कर,
अध्यक्ष एवं प्रबन्ध निदेशक,
किरलोस्कर आयल इंजिंस लिमिटेड,
पूना।

[सं. एक. 7/2/77-बी.ओ.-I-(1)]

(Banking Division)

New Delhi, the 22nd July, 1977

S.O. 2446.—In exercise of the powers conferred by clause (c) of sub-section (1) of Section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates the following persons to be the Directors of the Central Board of the Reserve Bank of India, with effect from 22nd July, 1977.

1. Shri Jehangir Patel, Chairman,
Pat Volk Ltd.,
Ballard Estate, Bombay.
2. Air Chief Marshal P. C. Lal (Retd.),
Former Chief of the Air Staff,
New Delhi.
3. Shri S. L. Kirloskar,
Chairman and Managing Director,
Kirloskar Oil Engines Ltd.,
Poona.

[No. F. 7/2/77-BO. I-(1)]

कां.ग्रा. 2247.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उपधारा (7) के साथ पठित उपधारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा निम्नलिखित व्यक्तियों को 22 जुलाई, 1977 से भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड के निदेशकों के रूप में नामित करती है :—

1. श्री एम.पी. चितले,
द्वारा एम.पी. चितले एण्ड कम्पनी,
चाटर्ड एकाउंटेंट्स पोर्ट, बम्बई।
2. डा. डी.पी. सिंह,
उपकुलपति,
राजेन्द्र एग्रीकल्चरल यूनीवर्सिटी
बी.वी.सी. कैम्पस,
पटना, बिहार।
3. डा. बी. कुरियन,
महाप्रबन्धक,
कैरा जिला सहकारी दुग्ध उत्पादक संघ लिमिटेड,
आनंद, गुजरात।

[सं. एक. 7/2/77-बी.ओ.-I-(2)]

S.O. 2447.—In exercise of the powers conferred by clause (c) of sub-section (1) read with sub-section (7) of Section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby renominates the following persons to be the Directors of the Central Board of the Reserve Bank of India, with effect from 22nd July, 1977 :—

1. Shri M. P. Chitale,
C/o. M. P. Chitale & Company,
Chartered Accountants,
Fort, Bombay.
2. Dr. D. P. Singh,
Vice-Chancellor,
Rajendra Agricultural University,
B. V. C. Campus,
Patna, Bihar.
3. Dr. V. Kurien,
General Manager,
Kaira District Co-operative
Milk Producers Union Ltd.,
Anand, Gujarat.

[No. F. 7/2/77-BO. I-(2)]

कां.ग्रा. 2248.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उपधारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा ग्रामीण विद्युतीकरण निगम लि. (रूरल इलक्ट्रिफिकेशन कारपोरेशन लि.) के अध्यक्ष श्री बी. वेंकटप्पया को डा. के. कानूनगो के स्थान पर 22 जुलाई, 1977 से भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड में निदेशक के रूप में नामित करती है।

[सं. एक. 7/2/77-बी.ओ.-I-(3)]

S.O. 2448.—In exercise of the powers conferred by clause (c) of sub-section (1) of Section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates Shri B. Venkatappiah, Chairman, Rural Electrification Corporation Ltd., New Delhi to be the Director of the Central Board of the Reserve Bank of India, with effect from 22nd July, 1977, vice Dr. K. Kanungo.

[No. F. 7/2/77-BO. I-(3)]

कां० प्रा० 2449.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को 22 जुलाई, 1977 से भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड में निदेशकों के रूप में नामित करती है, अर्थात् :—

- | | |
|--|---|
| 1. प्रो० एम०एल० दातेवाला,
अध्यक्ष,
बी इंडियन सोसायटी ऑफ
एग्रीकल्चरल इकोनोमिक्स,
46-48, एसप्लनेड मैन्सन्स,
महात्मा गांधी रोड, बम्बई। | पश्चिमी क्षेत्र के लिए
स्थानीय बोर्ड से |
| 2. श्री एम०वी० अरुणाचलम,
प्रबंध निदेशक, ट्यूब इन्वेस्टमेंट्स
आफ इंडिया लिमिटेड, टीआम हाउस,
11/12, नार्थबीच रोड,
मद्रास। | दक्षिणी क्षेत्र के लिये
श्री सी० रामकृष्ण के
स्थान पर स्थानीय
बोर्ड से |

[सं० एक० 7/2/77-बी०ओ० I (4)]

S.O. 2449.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates, with effect from the 22nd July, 1977, the following persons to be Directors of the Central Board of the Reserve Bank of India, namely—

- | | |
|---|---|
| 1. Prof. M. L. Dantwala,
Chairman,
The Indian Society of Agricultural
Economics, 46-48, Esplanade Mansions,
Mahatma Gandhi Road,
Bombay. | From the Local
Board for the
Western Area. |
| 2. Shri M. V. Arunachalam,
Managing Director,
Tube Investments of India Ltd.,
Tiam House,
11/12, North Beach Road,
Madras. | From the Local
Board for the
Southern Area.
Vice Shri
C. Ramakrishna. |

[No. F. 7/2/77-BO. I-(4)]

कां० प्रा० 2450.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उपधारा (7) के साथ पठित उप-धारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को 22 जुलाई, 1977 से भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड के निदेशकों के रूप में नामित करती है :—

- | | |
|---|---|
| 1. श्री ए० एन० हक्सर,
अध्यक्ष,
इंडियन टोबैको कम्पनी लिमिटेड,
चौरंधी, कलकत्ता। | पूर्वी क्षेत्र के लिए
स्थानीय बोर्ड से |
| 2. डा० भरत राम,
अध्यक्ष और प्रबंध निदेशक,
दिल्ली क्लाय एण्ड जनरल मिल्स कंपनी
लिमिटेड,
25, सरदार पटेल रोड,
नई दिल्ली। | उत्तरी क्षेत्र के लिए
स्थानीय बोर्ड से |

[सं० एक० 7/2/77-बी०ओ० I (5)]

S.O. 2450.—In exercise of the powers conferred by clause (b) of sub-section (1) read with sub-section (7) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby renominates the following persons to be the Directors of the Central Board of the Reserve Bank of India, with effect from 22nd July, 1977 :—

- | | |
|---|--|
| 1. Shri A. N. Haksar,
Chairman,
India Tobacco Company Ltd.,
Chowringhee,
Calcutta. | From the Local Board
for the Eastern Area. |
| 2. Dr. Bharat Ram,
Chairman & Managing Director,
Delhi Cloth and General Mills
Company Ltd.,
25, Sardar Patel Road,
New Delhi. | From the Local Board
for the Northern Area. |

[No. F. 7/2/77-BO. I-(5)]

कां० प्रा० 2451.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा इण्डियन सोसायटी ऑफ एग्रीकल्चरल इकोनोमिक्स, बम्बई के अध्यक्ष प्रो० एम०एल० दातेवाला को श्री एम०एस० पदमानाभन् के स्थान पर 22 जुलाई, 1977 से भारतीय रिजर्व बैंक के स्थानीय बोर्ड के सदस्य के रूप में नामित करती है।

[सं० एक० 7/2/77-बी०ओ० (6)]

S.O. 2451.—In exercise of the powers conferred by sub-section (1) of section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Prof. M. L. Dantwala, Chairman, the Indian Society of Agricultural Economics, Bombay to be member of the Local Board of the Reserve Bank of India for the Western Area, with effect from 22nd July, 1977, vice Shri M. S. Padmanabhan.

[No. F. 7/2/77-BO. I-(6)]

कां० प्रा० 2452.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को 22 जुलाई, 1977 से दक्षिणी क्षेत्र के लिए भारतीय रिजर्व बैंक के स्थानीय बोर्ड में सदस्यों के रूप में नामित करती है :

- | | |
|--|--------------------------------------|
| 1. श्री सी० श्रीकृष्ण,
पार्टनर,
मैसर्स शास्त्री एण्ड साहा,
चार्टर्ड एकाउंटेंट्स,
हैदराबाद। | श्री सी० रामकृष्ण के
स्थान पर |
| 2. श्री एन०एस० भट,
अध्यक्ष,
तमिलनाडु क्रोमेड्स एण्ड केमिकल्स लि०,
मद्रास। | श्री एम०के० रामचन्द्र
के स्थान पर |

[सं० एक० 7/2/77-बी०ओ० I (7)]

S.O. 2452.—In exercise of the powers conferred by sub-section (1) of section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints the following persons to be the members of the Local Board of the Reserve Bank of India for the Southern Area, with effect from 22nd July, 1977 :—

- | | |
|---|--------------------------|
| 1. Shri C. Sri Krishna,
Partner,
M/s. Shastri & Saha,
Chartered Accountants,
Hyderabad. | Vice Shri C. Ramakrishna |
|---|--------------------------|

2. Shri N. S. Bhatt, Vice Shri M. K. Ramachandra.
Chairman,
Tamil Nadu Chromates
and Chemicals Ltd.,
Madras.

[No. F. 7/2/77-BO. I-(7)]

क्रा०क्रा० 2453.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उपधारा (3) के साथ पठित उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा नीचे दी गयी सारणी के कालम 2 में निर्दिष्ट व्यक्तियों को 22 जुलाई, 1977 के कालम 1 में उनके नामों के सामने निर्दिष्ट क्षेत्रों के लिये स्थानीय बोर्डों के सदस्यों के रूप में नामित करती है :—

सारणी

क्षेत्र	सदस्यों के नाम
1	2
1. पश्चिमी क्षेत्र :	<p>1. श्री के० सी० मैत्रा, अध्यक्ष, गेस्ट कीन विलियम्स लिमिटेड, बम्बई।</p> <p>2. श्री चार्ल्स एम० कौरिया, आर्किटेक्ट, 249, दादाभाई नौरोजी रोड, बम्बई।</p>
2. पूर्वी क्षेत्र :	<p>1. श्री ए० एन० हक्सर, अध्यक्ष, इंडिया टोबैको क० लिमिटेड, 37, चौरंगी, कलकत्ता।</p> <p>2. डा० सदासिव मिश्र, प्रोफेसर आफ इकोनामिक्स, रैविनशा कॉलेज, कटक।</p> <p>3. श्री जी० साहा, चार्टर्ड एकाउन्टेन्ट, मार्फत एम०/एस० राय एण्ड राय चार्टर्ड एकाउन्टेन्ट्स, 6, चर्च लेन, कलकत्ता।</p> <p>4. श्री जी० सी० फुकान, ग्रान्तेरी चेयरमैन, असम फाइनेंशियल कॉर्पोरेशन, हाथीगढ़, गौहाटी 'असम'</p>
3. उत्तरी क्षेत्र :	<p>1. डा० भरत राम, अध्यक्ष और प्रबन्ध निदेशक, दिल्ली क्लाय एण्ड जनरल मिल्स कंपनी लिमिटेड, 25, सरदार पटेल रोड, नई दिल्ली।</p> <p>2. श्री के० एन० सप्रू, अध्यक्ष, नेशनल स्माल इंडस्ट्रीज, कारपोरेशन लिमिटेड, ओखला इंडस्ट्रियल एस्टेट, नई दिल्ली।</p> <p>3. श्री प्रेम पंडी, अध्यक्ष, केडबरी फ़ाई प्राइवेट लिमिटेड नई दिल्ली।</p>

1	2
4. दक्षिणी क्षेत्र :	<p>4. डा० राम मोहन लाल, चार्टर्ड अकाउन्टेन्ट, 1, कन्टोनमेंट रोड, केनर बाग सफ़ैर, लखनऊ (उत्तर प्रदेश)</p> <p>1. श्री एम० वी० ग्रहणाचलम, प्रबन्ध निदेशक, द्यूब इन्वेस्टमेंट्स आफ इंडिया लिमिटेड, टियम हाउस, 11/12, नार्थ बीच रोड, मद्रास।</p> <p>2. श्री सी० आर० रामास्वामी, अध्यक्ष और प्रबन्ध निदेशक, दी इंडियन स्टील रोलिंग मिल्स, 2/3 कस्तूरि रंगा, आयातनगर रोड, मद्रास।</p>

[सं० एक० 7/2/77-बी०क्रा० 1-(8)]

बलदेव सिंह, सयुक्त सचिव

S.O.2453.—In exercise of the powers conferred by sub-section (1) read with sub-section (3) of section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby reappoints with effect from 22nd July, 1977, the persons specified in Column 2 of the table hereto annexed to be members of the Local Boards for the areas specified in Column 1, thereof against their respective names :—

TABLE

Area	Names of members
1	2
1. The Western Area	<p>1. Shri. K.C. Maitra, Chairman, Guest Keen Willaims L td., Bombay.</p> <p>2. Shri Charles M. Correa, Architect, 249, Dadabhai Naroji Rd., Bombay.</p>
2. The Eastern Area	<p>1. Shri A.N. Haksar, Chairman, India Tobacco Co. Ltd., 37 Chowrignhee, Calcutta.</p> <p>2. Dr. Sadasiv Misra, Professor of Economics, Ravenshaw College, Cuttack.</p> <p>3. Shri G. Saha, Chartered Accountant, C/o M/s. Ray and Ray, Chartered Accountants, 6, Church Lane, Calcutta.</p> <p>4. Shri G.C. Phukan, Honorary Chairman, Assam Financial Corporation, Hatigarh, Gauhati(Assam).</p>

1

2

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 31st March, 1977

(INCOME-TAX)

3. The Northern Area

1. Dr. Bharat Ram,
Chairman and Managing
Director Delhi Cloth &
General Mills Company
Ltd.,
25, Sardar Patel Road,
New Delhi.
2. Shri K.N. Saptu,
Chairman,
National Small Industries
Corporation Ltd.,
Okhla Industrial Estate,
New Delhi.
3. Shri Prem Pandhi,
Chairman,
Cadbury Fry (P) Ltd.,
New Delhi.

4. The Southern Area

4. Dr. Rama Mohan Lal,
Chartered Accountant,
1, Cantonment Road,
Kaiser Bagh Circus,
Lucknow (U.P.)
1. Shri M.V. Arunachalam,
Managing Director,
Tube Investments of India
Ltd. Tiam House,
11/12, North Beach Road,
Madras.
2. Shri C.R. Ramaswamy,
Chairman & Managing
Director,
The Indian Steel Rolling
Mills 2/3 Kasthuriranga,
Iyengar Road, Madras.

[No. F. 7(2)/77-BO I(8)]
BALDEV SINGH, Jt. Secty.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 31 मार्च, 1977

(आय-कर)

कां.प्रा. 2454.—केन्द्रीय प्रत्यक्ष-कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, समय-समय पर यथासंशोधित अपनी अधिसूचना सं. 679/फा.सं. 187/2/74-आई.टी. (ए-1) तारीख 20-7-74 से उपाबद्ध अनुसूची में निम्नलिखित संशोधन करती है,

1. अनुसूची में क्रम सं. 18 के सामने स्तम्भ 3 के नीचे प्रविष्टि सं. 13 का लोप किया जाएगा और विद्यमान प्रविष्टि सं. 14 और 15 को क्रमशः सं. 13 और 14 के रूप में पुनः संख्याकित किया जायगा।

2. अनुसूची के क्रम सं. 18 के सामने स्तम्भ 3 के नीचे प्रविष्टि 5 में आने वाले "(विशेष वार्ड को छोड़कर)" कोष्ठकों और शब्दों का लोप किया जायगा।

यह अधिसूचना 1-4-1977 से प्रवृत्त होगी।

[सं. 1700/फा.सं. 191/24/76-आई.टी. (ए-1)]

S.O. 2454.—In exercise of the powers conferred by sub-section (i) of section 121 of the Income-tax Act, 1961 (43 of 1961) the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its notification No. 679/F. No. 187/2/74-IT(AI) dated 20-7-1974, as amended from time to time:—

1. The existing entry No. 13 under Col. 3 against S. No. 18 of the schedule shall be deleted and the existing entries No. 14 and 15 renumbered as No. 13 and 14 respectively.

2. The words and bracket '(excluding Special ward)' appearing in entry No. 5 under col. 3 against S. No. 18A of the Schedule shall be deleted.

This notification shall come into force with effect from 1-4-1977.

[No. 1700/F. No. 191/24/76-IT(AI)]

नई दिल्ली, 15 अप्रैल, 1977

(आय-कर)

कां.प्रा. 2455.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 की धारा 121 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश करता है कि समय-समय पर यथा संशोधित उसकी अधिसूचना सं. 679 (फा.सं. 187/2/74 आई.टी. (ए-1)), तारीख 20-7-74 से उपाबद्ध अनुसूची में क्रम सं. 18 के सामने स्तम्भ 3 के नीचे प्रविष्टि 14 के पश्चात् निम्नलिखित जोड़ा जायगा:—

15. सोलन सर्किल।

यह अधिसूचना 18-4-77 से प्रवृत्त होगी।

[सं. 1728/फा.सं. 191/24/76-आई.टी. (ए-1)]

New Delhi, the 15th April, 1977

(INCOME-TAX)

S.O. 2455.—In exercise of the powers conferred by sub-section (i) of section 121 of the Income-tax Act, 1961, the Central Board of Direct Taxes hereby directs that the following shall be added after entry No. 14 under Column 3, against Sl. No. 18 of schedule appended to its notification No. 679(F. No. 187/2/74-IT(AI) dated 20-7-1974, as amended from time to time.

15. Solan Circle.

This notification shall come into force with effect from 18-4-77.

[No. 1728 F. No. 191/24/76-IA(AI)]

शुद्धि पत्र

नई दिल्ली, 25 अप्रैल, 1977

कां.प्रा. 2456.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपनी अधिसूचना सं. 1700 (फा.सं. 191/24/76-आई.टी. (ए-1)), तारीख 31-3-77 में निम्नलिखित संशोधन करता है:

"यह अधिसूचना 1-4-1977 से प्रवृत्त" होगी के स्थान पर,

"यह अधिसूचना 18-4-77 से प्रवृत्त होगी" पढ़ें।

[सं. 1737/फा.सं. 191/24/76-आई.टी. (ए-1)]

एम० शास्त्री, अधीक्षक सचिव

CORRIGENDUM

New Delhi, the 25th April, 1977

S.O. 2456.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961) the Central Board of Direct Taxes hereby makes the following amendment to its notification No. 1700 F. No. 191/24/76-IT(AI) dated 31-3-77 :—

For

'This notification shall come into force with effect from 1-4-77.

Read.

'This notification shall come into force with effect from 18-4-77.

[No. 1737 F. No. 191/24/76-IT(AI)]

M. SHASTRI, Under Secy.

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 30 जुलाई, 1977

का० आ० 2457:—निर्यात (क्वालिटी नियंत्रण और निरीक्षण, अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है कि विद्युत् मोटर तथा उत्पादक निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन हों;

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे विनिर्दिष्ट प्रस्ताव बनाए हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) द्वारा अपेक्षित के अनुसार निर्यात निरीक्षण परिषद् को भेज दिया है;

अतः अब उक्त उप-नियम के अनुसरण में केन्द्रीय सरकार उससे सम्भाव्यतः प्रभावित होने वाले उन सभी लोगों की जानकारी के लिए जिनके उनसे प्रभावित होने की सम्भावना है उक्त प्रस्तावों को प्रकाशित करती है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में कोई आक्षेप या सुझाव देने की वांछा करने वाला कोई व्यक्ति उसे इस आदेश के राजपत्र में प्रकाशन की तारीख से पतालीस दिनों के भीतर निर्यात निरीक्षण परिषद् बिल्डिंग ट्रेड सेंटर, (आठवीं मंजिल) 14/1-बी, एजरा स्ट्रीट कलकत्ता-700001 को भेज सकता है।

प्रस्ताव

- (1) अधिसूचित करना कि विद्युत् मोटर तथा उत्पादक निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन होंगे;
- (2) इस आदेश के उपावन्ध-1 में दिए गए विद्युत् मोटर तथा उत्पादक के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1976 के प्रावधान के अनुसार निरीक्षण के प्रकार को

क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो कि निर्यात से पूर्व ऐसी विद्युत् मोटर तथा उत्पादक पर लागू होगा;

- (3) भारतीय या अन्य राष्ट्रीय मानकों को, सिकरिजों या मानकों, मान्य संस्था मानकों या किसी भी देश के मंत्रालय या सरकारी विभाग या जन उपयोगी सेवाओं द्वारा अनुमोदित मान को विद्युत् मोटर तथा उत्पादक के लिए मानक विनिर्देश के रूप में मान्यता देना;
- (4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे विद्युत् मोटर तथा उत्पादक के निर्यात को तब तक प्रतिषिद्ध करना जब तक कि उसके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अन्तर्गत केन्द्रीय सरकार द्वारा स्थापित अधिकरणों में से किसी एक द्वारा दिया गया इस आदेश का प्रमाण पत्र न हो कि विद्युत् मोटर तथा उत्पादक क्वालिटी नियंत्रण और निरीक्षण संबंधी शर्तों को पूरा करते हैं तथा निर्यात-योग्य हैं।

3. इस आदेश की कोई भी बात भावी क़ेताओं को विद्युत् मोटर तथा उत्पादक के नमूनों के भू, वायु या समुद्र मार्ग से निर्यात पर लागू नहीं होगी।

4. इस आदेश में "विद्युत् मोटर" से वह मशीन अभिप्रेत है जो विद्युत् ऊर्जा को मशीनी शक्ति में बदलती है तथा "उत्पादक" (जेनरेटर) से वह मशीन अभिप्रेत है जो मशीन की शक्ति को विद्युत् ऊर्जा में बदल सकती है।

उपावन्ध-I

निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 के अन्तर्गत बनाए जाने के लिए प्रस्तावित नियमों का प्रारूप।

1. संक्षिप्त नाम तथा प्रारम्भ:—(1) इन नियमों का नाम विद्युत् मोटर तथा उत्पादक (जेनरेटर) निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 है।

(2) ये नियम प्रवृत्त होंगे।

2. परिभाषा:—इन नियमों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो:—

(क) 'अधिनियम' से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है।

(ख) 'अधिकरण' से अधिनियम की धारा 7 के अन्तर्गत मुम्बई कलकत्ता, कोचीन, दिल्ली तथा मद्रास में स्थापित अधिकरणों में से कोई एक अभिप्रेत है।

(ग) 'विद्युत् मोटर' से वह मशीन अभिप्रेत है जो कि विद्युत् ऊर्जा को मशीनी शक्ति में बदलती है और 'उत्पादक (जेनरेटर)' से वह मशीन अभिप्रेत है जो मशीनी शक्ति को विद्युत् ऊर्जा में बदलती है।

3. क्वालिटी नियंत्रण:—(1) निर्यात के लिए आयायित विद्युत मोटर तथा उत्पादक की क्वालिटी इससे उपबन्धित अनुसूची 1 में दिए गए नियंत्रण की परखों के साथ विनिर्माण के विभिन्न स्तरों पर निम्नलिखित नियंत्रणों का प्रयोग करके सुनिश्चित की जाएगी।

(i) खरीदी गई सामग्री तथा घटक नियंत्रण

(क) प्रयोग की जाने वाली सामग्री या घटकों की विशेषताओं को समाविष्ट करते हुए विनिर्माता द्वारा क्रय विनिर्देश बनाए जाएंगे तथा उसके पास आने वाले लाटों की अनुरूपता सुनिश्चित करने के लिए निरीक्षण या परख के पर्याप्त साधन होंगे।

(ख) स्वीकृत परेपणों साथ या तो क्रय विनिर्देशों की अपेक्षाओं की पुष्टि करते हुए प्रदाय-कर्ता का परख या निरीक्षण प्रमाण-पत्र होगा, जिस दशा में विनिर्माता द्वारा उक्त परीक्षा या निरीक्षण की शुद्धता सत्यापित करने के लिए विशिष्ट प्रदाय-कर्ता की कालिक जांच (अर्थात् साल में हर तीन मास में एक बार उसी प्रदाय-कर्ता के उसी माल की) की जाएगी या क्रय की गई सामग्री या घटकों की या तो कारखाने की प्रयोगशाला में या किसी अन्य प्रयोगशाला में या परख सदन में नियमित रूप से निरीक्षण या जांच की जाएगी।

(ग) किए जाने वाले निरीक्षण या परख के लिए नमूने का लेना लेखबद्ध अन्वेषण पर आधारित होगा।

(घ) निरीक्षण या परख किए जाने के पश्चात् स्वीकृत तथा अस्वीकृत माल या घटकों के पृथक्करण के लिए तथा अस्वीकृत माल या घटकों के निपटान के लिए व्यवस्थित पद्धतियां अपनाई जाएंगी।

(ङ) उपरोक्त नियंत्रणों के संबंध में विनिर्माता द्वारा पर्याप्त अभिलेख नियमित तथा व्यवस्थित रूप से रखे जाएंगे।

(ii) प्रक्रिया नियंत्रण:

(क) विनिर्माण की विभिन्न प्रक्रियाओं के लिए विनिर्माता द्वारा विस्तृत प्रक्रिया विनिर्देश बनाए जाएंगे।

(ख) प्रक्रिया विनिर्देश से अधिकथित प्रक्रियाओं के नियंत्रण के लिए उपस्कर एवं नियंत्रण सुविधाएं पर्याप्त होंगी।

(ग) विनिर्माण की प्रक्रिया के दौरान प्रयुक्त नियंत्रणों की सत्यता की सम्भावना को सुनिश्चित करने के लिए विनिर्माता द्वारा पर्याप्त अभिलेख रखे जाएंगे।

(iii) उत्पाद नियंत्रण:

(क) विनिर्माता के पास अधिनियम की धारा 6 के अन्तर्गत मान्य विनिर्देशों के अनुसार उत्पाद की परख करने के लिए या तो स्वयं की पर्याप्त परख विद्यमान होंगी।

(ख) परख के लिए नमूना लेना (जहां कहीं भी अपेक्षित हो) लेखबद्ध अन्वेषण पर आधारित होगा।

(ग) किए गए परीक्षणों के संबंध में विनिर्माता द्वारा पर्याप्त अभिलेख नियमित तथा व्यवस्थित रूप से रखे जाएंगे।

(iv) परिरक्षण नियंत्रण:

(क) उत्पाद को मौसम के प्रतिकूल प्रभावों से सुरक्षित रखने के लिए विनिर्माता द्वारा विस्तृत विनिर्देश बनाए जाएंगे।

(ख) भंडारीकरण और अभिवहन दोनों के दौरान उत्पाद अच्छी तरह से परिरक्षित किया जाएगा।

(v) मौसम संबंधी नियंत्रण:

उत्पाद और निरीक्षण में प्रयुक्त मापकों और उपकरणों की कालिक जांच या अंशशोधन किया जाएगा तथा अभिलेख विनिर्माता द्वारा वृत्तकांड के रूप में रखे जाएंगे।

(vi) पैकिंग नियंत्रण:

विनिर्माता निर्यात किए जाने वाले पैकेजों के लिए विस्तृत विनिर्देश बनाएगा और उनका कठोरता से पालन करेगा।

4. निरीक्षण का आधार—विद्युत् मोटर तथा उत्पादकों का निरीक्षण निम्नलिखित रीति में इस दृष्टि से किया जाएगा कि वह अधिनियम की धारा 6 के अन्तर्गत केन्द्रीय सरकार द्वारा मान्य विनिर्देशों के अनुरूप है:

(क) यह सुनिश्चित करके कि विनिर्माण की प्रक्रिया के दौरान नियम 3 में विनिर्दिष्ट के अनुसार क्वालिटी नियंत्रण अभ्यासों का प्रयोग किया गया है,

या

(ख) इससे उपबन्धित अनुसूची में दिए गए परेपण में से लिए गए नमूनों के निरीक्षण और परीक्षण के परिणामों के आधार पर,

या

(ग) उक्त दोनों रीति से।

5. निरीक्षण की प्रक्रिया—(1) निर्यात-कर्ता अधिकरणों में से किसी एक को लिखित रूप में सूचना देगा तथा ऐसी सूचना के साथ एक घोषणा-पत्र भी देगा कि विद्युत् मोटर तथा उत्पादकों को परेपण नियम 3 के अन्तर्गत निश्चित नियंत्रणों के अनुसार क्वालिटी नियंत्रण परिमाणों का प्रयोग करके विनिर्मित किए गए हैं या किए जा रहे हैं तथा परेपण इस प्रयोजन के लिए मान्य विनिर्देशों की अपेक्षाओं के अनुरूप है। निर्यात-कर्ता उसी समय ऐसी सूचना की एक प्रति परिषद् के पास ही के कार्यालय को देगा। परिषद् के कार्यालयों के पते निम्न हैं:—

मुख्य कार्यालय

निर्यात निरीक्षण परिषद्
ब्लड ट्रेड सेंटर (आठवीं मंजिल),
14/1-बी, एजरा स्ट्रीट
कलकत्ता-700001.

क्षेत्रीय कार्यालय

(1) निर्यात निरीक्षण परिषद्,
अमन चैम्बर्स (पांचवीं मंजिल),
113, महापि कर्वे रोड,
बम्बई-400004.

(2) निर्यात निरीक्षण परिषद्,
मनोहर विल्डिंग,
महात्मा गांधी, रोड,
एनाकुलम,
कोचीन-682011.

(3) निर्यात निरीक्षण परिषद्,
6 पी/सैक्टर 16 ए,
मथुरा रोड,
फरीदाबाद-121002(हरियाणा)

(2) निर्यात-कर्ता अभिकरण को परेपण पर लगाया जाने वाला पहचान चिन्ह भी देगा।

(3) उप-नियम (1) के अन्तर्गत प्रत्येक सूचना तथा घोषणा अभिकरण के कार्यालय में निर्यात कर्ता के परिसर से या विनिर्माता के परिसर से परेपण के भेजे जाने से कम से कम सात दिन पहले पहुंचेगी।

(4) उप-नियम (1) तथा (3) के अन्तर्गत सूचना तथा घोषणा प्राप्त होने पर अभिकरण :

(क) निर्यात-कर्ता की दशा में, यदि वह स्वयं विनिर्माता है तो, अपना यह समाधान कर लेने पर कि उसने इस पर लागू मानक विनिर्देशों के अनुसार उत्पाद का विनिर्माण करने के लिए विनिर्माण की प्रक्रिया के दौरान नियम 3 में दिए गए पर्याप्त क्वालिटी नियंत्रणों तथा इस संबंध में परिषद् द्वारा जारी किए गए निर्देशों, यदि कोई हों, का प्रयोग किया गया है तो वह सात दिनों के भीतर यह घोषणा करते हुए प्रमाण-पत्र दे देगा कि विद्युत मोटर तथा उत्पादकों का परेपण निर्यात-योग्य है।

(ख) निर्यात-कर्ता की दशा में, यदि वह स्वयं विनिर्माता नहीं है तो, अपना यह समाधान कर लेने पर कि इस पर लागू मानक विनिर्देशों के अनुसार उत्पाद का विनिर्माण करने के लिए, विनिर्माण की प्रक्रिया के दौरान नियम 3 में दिए गए पर्याप्त क्वालिटी नियंत्रणों तथा इस संबंध में परिषद् द्वारा जारी किए गए निर्देशों, यदि कोई हों का प्रयोग किया गया है तो वह सात दिनों के भीतर यह घोषणा करते हुए प्रमाण-पत्र दे देगा कि विद्युत मोटर तथा उत्पादकों का परेपण निर्यात-योग्य है।

(ग) अन्य दशाओं में, परेपण में से लिए गए नमूनों की संबंधित विशेषताओं के संदर्भ में किए गए परीक्षणों के आधार पर अपना यह समाधान कर लेने पर कि परेपण नियम 4 के अन्तर्गत दिए गए मानक विनिर्देशों तथा इस संबंध में निर्यात निरीक्षण परिषद् द्वारा समय-समय पर

जारी किए गए निर्देशों, यदि कोई हों, के अनुरूप है तो वह निरीक्षण करने के सात दिनों के भीतर यह घोषणा करते हुए प्रमाण-पत्र दे देगा कि विद्युत मोटर तथा उत्पादकों का परेपण निर्यात-योग्य है :

परन्तु जहां अभिकरण का इस प्रकार का समाधान नहीं होता है वहां पर उक्त सात दिनों की अवधि के भीतर ऐसा प्रमाण-पत्र देने से इन्कार कर देगा तथा ऐसे इन्कार की सूचना कारणों सहित निर्यात-कर्ता को देगा।

(घ) निरीक्षण की समाप्ति के पश्चात् अभिकरण तुरन्त ही पैकेजों को परेपण में यह सुनिश्चित करने के लिए इस ढंग से सील करेगा कि सील किए हुए माल के साथ छेड़-छाड़ न की जा सके। परेपण की अस्वीकृति की दशा में यदि निर्यात-कर्ता चाहता है परेपण अभिकरण द्वारा सील बंद नहीं किया जाएगा। ऐसी दशाओं में निर्यात-कर्ता अस्वीकृति के विरुद्ध अपील नहीं करेगा।

6. निरीक्षण का स्थान :—इस नियमों के योजन के लिए विद्युत मोटर तथा उत्पादकों का निरीक्षण :—

(क) विनिर्माता के परिसर पर, या

(ख) उस परिसर पर किया जाएगा जहां निर्यात-कर्ता द्वारा निरीक्षण के लिए विद्युत मोटर तथा उत्पादक प्रस्तुत किए गए हैं परन्तु यह तब जब वहां पर्याप्त सुविधाएं विद्यमान हों।

7. निरीक्षण फीस :—नियम 4 के अन्तर्गत प्रत्येक परेपण के लिए पोत पर्यन्त निशुल्क मूल्य के प्रत्येक सौ रुपये पर 50 पैसे की दर से निरीक्षण फीस निर्यात-कर्ता द्वारा अभिकरण को दी जाएगी। यह फीस कम से कम एक सौ रुपये होगी।

8. अपील :—(1) नियम 5 के उप-नियम (4) के अन्तर्गत प्रमाण-पत्र देने के इन्कार से व्यथित कोई व्यक्ति, उसके द्वारा ऐसे इन्कार की सूचना प्राप्त होने के दस दिनों के भीतर इस प्रयोजन के लिए केन्द्रीय सरकार द्वारा नियुक्त कम से कम तीन और अधिक से अधिक सात व्यक्ति विशेषज्ञों के पैनल को अपील कर सकेगा।

(2) विशेषज्ञों के पैनल की कुल सदस्यता के कम से कम दो-तिहाई गैर-सरकारी सदस्य होंगे।

(3) पैनल की गणपूर्ति तीन की होगी।

(4) अपील उसके प्राप्त होने के 15 दिनों के भीतर निपटा दी जाएगी।

अनुसूची 1
नियंत्रण की परखें
(नियम 3 देखिये)

क्रम सं०	निरीक्षण/परख की विशेषताएं	अपेक्षा	नमूना आकार	लॉट आकार
1	2	3	4	5
1.	खरीदी गई सामग्री तथा घटक			
	(क) चाक्षुण निरीक्षण (फिनिश तथा कार्य कौशल सहित)	उस प्रयोजन के लिये मान्य मानक विनि- देशों के अनुसार	प्रत्येक	—
	(ख) सह्यता सहित विभाएं			
	(1) क्रांतिक	—यथोक्त—	प्रत्येक	—
	(2) अन्य	—यथोक्त—	अभिलेखित अन्वेषण के आधार पर निश्चित किया जाएगा	प्रत्येक लॉट
	(ग) घटकों के लिए विद्युत परखें	—यथोक्त—	—यथोक्त—	—यथोक्त—
	(घ) कोई अन्य अपेक्षा	—यथोक्त—	—यथोक्त—	—यथोक्त—
2.	विद्युत मोटर तथा उत्पादक			
	(i) दैनिक परख			
	(क) सह्यता रोधन परख (उच्च बोल्टता परख से पहले)	उस प्रयोजन के लिए	प्रत्येक	—
	(ख) उच्च बोल्टता परख	मान्य मानक विनि- देशों के अनुसार	प्रत्येक	—
		—यथोक्त—		
	(ग) बोल्टता तथा तीनों फेजों में मोटर की शून्य भार चालूता तथा धारा का पठन	—यथोक्त—	—यथोक्त—	—
	(घ) केवल पिंजरी मोटर के लिए उपयुक्त बोल्टता पर ताला बंद रोटर परख	—यथोक्त—	—यथोक्त—	—
	(ङ) खुला परिपथ बोल्टता अनुपात (केवल फिसलने वाली मोटर के लिए)	—यथोक्त—	—यथोक्त—	—
	(ii) प्रकार परखें			
	(क) फिसलने वाली मोटर पर स्टार्टर प्रतिरोधन का तथा रोटर प्रतिरोध का माप	उस प्रयोजन के लिए मान्य मानक विनिदेशों के अनुसार	अभिलेखित अन्वेषण के आधार पर निश्चित किया गया	—
	(ख) बोल्टता, धारा, शक्ति बल तथा फिसलन पर सम्पूर्ण भार पठन	—यथोक्त—	—यथोक्त—	—
	(ग) ताप वृद्धि	—यथोक्त—	—यथोक्त—	—
	(घ) अस्थायी अति भार परख	—यथोक्त—	—यथोक्त—	—
3.	तुल्यकाली मोटर तथा उत्पादक			
	(i) दैनिक परखें			
	(क) प्रतिरोधित का माप	उस प्रयोजन के लिए मान्य मानक विनि- देशों के अनुसार	प्रत्येक	—
	(ख) विद्युत-रोधी प्रतिरोधी परख	—यथोक्त—	—यथोक्त—	—
	(ग) फेज अनुक्रम परख	—यथोक्त—	—यथोक्त—	—
	(घ) नियमन परख (केवल उत्पादकों के लिए)	—यथोक्त—	—यथोक्त—	—
	(ङ) खुले परिपथ विशेषता का माप (केवल उत्पादकों के लिए)	—यथोक्त—	—यथोक्त—	—
	(च) लघु परिपथ विशेषता का परिमाण (केवल उत्पादकों के लिए)	—यथोक्त—	—यथोक्त—	—
	(छ) उच्च बोल्टता परख	—यथोक्त—	—यथोक्त—	—
	(ज) 1000 कि० वाट से अधिक की मशीनों के लिए सहनीय धारा का परिमाण	—यथोक्त—	—यथोक्त—	—
	(झ) वन्द परिपथ कूलिंग के लिए प्रशीतकों पर दान परख	—यथोक्त—	—यथोक्त—	—
	(ii) प्रकार परखें			
	(क) पोटियर प्रतिघात तथा क्षरण प्रतिघात के परिमाण (केवल उत्पादकों के लिए)	उस प्रयोजन के लिए मान्य मानक विनि- देशों के अनुसार	अभिलेखित अन्वेषण के आधार पर निश्चित किया जाएगा	—

1	2	3	4	5
(ख) कार्य क्षमता परख	उस प्रयोजन के लिए	अभिलेखित अन्वेषण के	—	
	मान्य मानक विनि- देशों के अनुसार	आधार पर निश्चित किया जाएगा		
(ग) ताप वृद्धि परख	—यथोक्त—	—यथोक्त—	—	
(घ) अस्थायी अतिभार परख	—यथोक्त—	—यथोक्त—	—	
(ङ) अधिक गति परख	—यथोक्त—	—यथोक्त—	—	
(च) प्रारम्भिक धारा तथा टार्क परख (तुल्यकाली मोटर के लिए)	—यथोक्त—	—यथोक्त—	—	
(छ) शिरानालाभ से वोल्टता तरंग के विचलन का दृढीकरण	—यथोक्त—	—यथोक्त—	—	
(ज) लघुपथ सहायता परख तथा एक समान समय तथा प्रतिघात का परिमाण (1000 कि० वाट से अधिक वाले जनितों के लिए)	—यथोक्त—	—यथोक्त—	—	
4. दिष्ट धारा मोटर तथा जनित				
दैनिकों परखों				
(क) प्रतिरोधकों के परिमाण	उस प्रयोजन के लिए	प्रत्येक	—	
	मान्य मानक विनि- देशों के अनुसार			
(ख) विद्युत-रोधी प्रतिरोध के परिमाण	—यथोक्त—	—यथोक्त—	—	
(ग) घूर्णन की दशा निश्चित करने की परख	—यथोक्त—	—यथोक्त—	—	
(घ) नियमन परख	—यथोक्त—	—यथोक्त—	—	
(ङ) परिपथ विशेषता का परिमाण	—यथोक्त—	—यथोक्त—	—	
(च) उच्च वोल्टता परख	—यथोक्त—	—यथोक्त—	—	
(छ) द्विपरिवर्तन परख	—यथोक्त—	—यथोक्त—	—	
प्रकार परखें				
(क) ताप वृद्धि परख	उस प्रयोजन के लिए	अभिलेखित अन्वेषण के	—	
	मान्य मानक विनि- देशों के अनुसार	आधार पर निश्चित किया जाएगा		
(ख) कार्य क्षमता परख	—यथोक्त—	—यथोक्त—	—	
(ग) 100 कि० वाट तक उत्पादन वाली मशीनों के लिए भार विशेषता का परिमाण	—यथोक्त—	—यथोक्त—	—	
(घ) अस्थायी अति भार परख	—यथोक्त—	—यथोक्त—	—	
(ङ) दिष्ट धारा मोटरों के लिए प्रारम्भिक टार्क परख	—यथोक्त—	—यथोक्त—	—	
(च) दिष्ट धारा उत्तेजकों के लिए नाममात्र की उत्तेजक प्रतिक्रिया	—यथोक्त—	—यथोक्त—	—	

परिपणानुसार निरीक्षण की दशा में
अनुरूपता की कसौटी तथा नमूना लेखा

सारणी—I

क्रम सं० विशेषताएं	लॉट आकार	परख किए जाने वाले नमूनों की संख्या
1. सभी विभीष्य तथा वाक्षुष जांच	एक ही प्रकार तथा दर के मोटर तथा जनित	नमूना सारणी II के अनुसार
2. दैनिक परख	यथोक्त	प्रत्येक
3. प्रकार परख	यथोक्त	1

सारणी—II

क्रम सं० एक ही प्रकार तथा दर वाले मोटर तथा उत्पादकों की संख्या	परख किए जाने वाले नमूनों की सं०	अनुमोदित दोनों की संख्या
1	2	3
1. 8 तक	2	शून्य
2. 9 से 15	3	शून्य
3. 16 से 25	4	शून्य
4. 26 से 40	5	शून्य
5. 41 से 65	7	शून्य
6. 66 से 100	10	शून्य
7. 101 से 200	15	शून्य
8. 201 से 300	20	शून्य
9. 301 से 500	30	शून्य
10. 501 से 800	40	शून्य
11. 801 से तथा अधिक	55	शून्य

[सं० 6(36)/76-नि०नि० तथा नि० उ०]

के० बी० वालसुब्रह्मणियम्, उप निदेशक

MINISTRY OF COMMERCE

ORDER

New Delhi, the 24th July, 1977

S.O. 2457.—Whereas the Central Government is of opinion that, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary and expedient so to do for the development of export trade of India that Electric Motors and Generators shall be subject to quality control and inspection prior to export;

And, whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule II of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objection or suggestion with respect to the said proposals may forward the same, within fortyfive days of the date of publication of this Order in the Official Gazette, to the Export Inspection Council, World Trade Centre (7th Floor), 14/1B, Ezra Street, Calcutta-700001.

PROPOSALS

- (1) To notify that Electric Motors and Generators shall be subject to quality control and inspection prior to export;
- (2) To specify the type of inspection in accordance with the draft Export of Electric Motors and Generators (Quality Control and Inspection) Rules, 1976 set out in Annexure-I to this Order as the type of quality control and inspection which would be applied to such Electric Motors and Generators prior to export;
- (3) To recognise Indian or any other National standards, IEC recommendations standards, Recognised association standards; or a standard approved by a Ministry or a Government Department or Public utility of any country as the standard specification for Electric Motors and Generators;
- (4) To prohibit the export in the course of international trade of any such Electric Motors and Generators unless the same are accompanied by a certificate issued by any one of the agencies established by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), to the effect that the Electric Motors and Generators satisfy the conditions relating to quality control and inspection and are exportworthy.

3. Nothing in this Order shall apply to the export by land, sea or air of bona fide samples of Electric Motors and Generators to prospective buyers.

4. In this Order "Electric Motors" shall mean a machine which is capable of converting Electrical Energy into Mechanical Power and "Generators" shall mean a machine capable of converting Mechanical Power to Electrical Energy.

ANNEXURE I

Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963

1. Short title and commencement.—(1) These rules may be called the Export of Electric Motors and Generators (Quality Control and Inspection) Rules, 1977.

(2) They shall come into force.....

2. Definition.—In these rules, unless the context otherwise requires—

- (a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).
- (b) "Agency" means any one of the agencies established at Bombay, Calcutta, Cochin, Delhi and Madras under section 7 of the Act.
- (c) "Electric Motors" shall mean a machine which is capable of converting Electrical Energy into Mechanical Power and "Generators" shall mean a machine capable of converting Mechanical Power to Electrical Energy.

3. Quality Control.—(1) The quality of the Electric Motors and Generators intended for export shall be ensured by effecting the following controls, at different stages of manufacture together with the tests of control as given in Schedule I annexed hereto namely :—

(i) Bought-out materials and components control :

- (a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of materials or components to be used and shall have adequate means of inspection or testing to ensure conformity of the incoming lots.
- (b) The accepted consignments shall be either accompanied by a supplier's test or inspection certificate corroborating the requirements of the purchase specification, in which case occasional checks (that is to say once in each quarter of the year for the same supplier of the same material) shall be conducted by the manufacturer for a particular supplier to verify the correctness of the aforesaid test on inspection certificates, or the purchased materials or components shall be regularly inspected or tested either in a laboratory in the factory or in some other laboratory or test house.
- (c) The sampling for inspection or test to be carried out shall be based on a recorded investigation.
- (d) After the inspection or test is carried out, systematic methods shall be adopted in segregating the accepted and rejected materials or components and in disposal of rejected materials or components.
- (e) Adequate records in respect of the above mentioned controls shall be regularly and systematically maintained by the manufacturer.

(ii) Process Control :

- (a) Detailed process specifications shall be laid down by the manufacturer for different process of manufacture.
- (b) Equipments, instrumentation and facilities shall be adequate to control the process as laid down in the process specification.
- (c) Adequate records shall be maintained by the manufacture to ensure the possibility of verifying the controls exercised during the process of manufacture.

(iii) Product control :

- (a) The manufacturer shall either have his own adequate testing facilities or shall have access to such testing facilities existing elsewhere to test the product as per the specification recognised under section 6 of the Act.
- (b) Sampling (wherever required) for testing shall be based on a recorded investigation.
- (c) Adequate records in respect of tests carried out shall be regularly and systematically maintained, by the manufacturer.

(iv) Preservation control :

- (a) A detailed specification shall be laid down by the manufacturer to safeguard the product from adverse effects of weather condition.
- (b) The product shall be well preserved both during storage and transit.

(v) Meteorological control :

Gauges and instruments used in the production and inspection shall be periodically checked or calibrated and records shall be maintained in the form of history cards by the manufacturer.

(vi) Packing control :

The manufacturer shall lay down a detailed packing specification for export packages and would strictly adhere to the same.

4. Basis of Inspection—Inspection of Electric Motors and Generators intended for export shall be carried out with a view to seeing that the same conform to the specifications recognised by the Central Government under section 6 of the Act.

either

- (a) by ensuring that during the process of manufacture the quality control drills as specified in rule 3 have been exercised

or

- (b) on the basis of results of inspection and testing of samples drawn from the consignment as given in Schedule II annexed hereby.

or

- (c) by both

5. Procedure of Inspection—(1) The exporter shall give intimation in writing to any one of the agencies and submit along with such intimation a declaration that the consignment of Electric Motors and Generators have been or are being manufactured by exercising quality control measures as per controls referred to under rule 3 and that the consignment conforms to the requirement of the specifications recognised for the purpose. The exporter at the same time shall endorse a copy of such intimation to the nearest office of the Council. The addresses of the Council offices are as under :

Head Office :

Export Inspection Council,
World Trade Centre (7th Floor),
14/1B, Ezra Street,
Calcutta-700001.

Regional Office :

- (i) Export Inspection Council,
Aman Chambers (4th Floor),
113, M. Karve Road,
Bombay-400004.

- (ii) Export Inspection Council,
Manohar Buildings,
Mahatma Gandhi Road,
Ernakulam,
Cochin-682011.

- (iii) Export Inspection Council,
6P/Sector 16A,
Mathura Road;
Faridabad-121002 (Haryana)

(2) The exporter shall also furnish to the Agency the identification marks applied on the consignment.

(3) Every intimation and declaration under sub-rule (1) shall reach the office of the agency not less than seven days prior to the despatch of the consignment from the manufacturer's premises or exporter's premises.

(4) On receipt of the intimation and declaration under sub-rules (1) and (3), the Agency :

(a) In case of an exporter who himself is the manufacturer, on satisfying itself that during the process of manufacture he had exercised adequate quality control as provided under rule 3 and the instructions, if any, issued by the Council in this regard to manufacture the product according to the standard specifications applicable to it shall within seven days issue a certificate declaring the consignment of Electric Motors and Generators as exportworthy.

(b) In case of an exporter who is not himself the manufacturer on satisfying itself that during the process of manufacture the manufacturer had exercised adequate quality control as provided under rule 3 and the instructions, if any, issued by the Council in this regard, to manufacture the product according to the standard specification applicable to it, after carrying out the inspection of consignment shall within seven days of carrying out inspection issue a certificate declaring the consignment of Electric Motors and Generators as exportworthy.

(c) In other cases on satisfying itself on the basis of tests carried out in respect of the relevant characteristics of the samples taken from the consignment, as provided for under rule 4 and the instruction, if any, issued by the Export Inspection Council in this regard that the consignment conforms to the standard specification recognised, shall within seven days of carrying out the inspection issue a certificate declaring the consignment of Electric Motors and Generators as Exportworthy :

Provided that where the agency is not so satisfied, it shall within the said period of seven days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

(d) After completion of inspection the agency shall immediately seal the packages to the consignment in a manner so as to ensure that the sealed goods cannot be tampered with. In case of rejection of the consignment, if the exporter so desire the consignment may not be sealed by the agency. In such cases, however, the exporter shall not be entitled to prefer an appeal against the rejection.

6. Place of Inspection—Inspection of Electric Motors and Generators for the purpose of these rules shall be carried out :

- (a) at the premises of the manufacturer

or

- (b) at the premises at which the Electric Motors and Generators are offered for inspection by the exporter provided adequate facilities for the purpose exist therein.

7. Inspection fee—A fee at the rate of fifty paise for every hundred rupees of F.O.B. value subject to a minimum of rupees one hundred for each such consignment shall be paid by the exporter to the Agency as inspection fee under rule 4.

8. Appeal—(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule 4 of rule 5, may, within ten days of the receipt of the communication of such refusal prefer an appeal to a Panel of Experts consisting of not less than three but not more than seven persons appointed for the purpose by the Central Government.

(2) At least two-thirds of the total membership of the Panel of Experts shall consist of non-officials.

(3) The quorum for the panel shall be three.

(4) The appeal shall be disposed of within 15 days of its receipt.

SCHEDULE I
(See rule 3)
The Tests of Control

Sl. No.	Particulars of inspection/test	Requirement	Sample size	Lot size
1	2	3	4	5
1.	Bought out materials and components			
(a)	Visual inspection (including workmanship and finish)	As per standard specification recognised for the purpose	Each	—
(b)	Dimensions with tolerances			
(1)	Critical	-do-	Each	—
(2)	Others	-do-	To be fixed on the basis of recorded investigation	Each lot
(c)	Electrical tests for components	-do-	-do-	-do-
(d)	Any other requirements	-do-	-do-	-do-
2.	Induction Motors and Generators			
(i)	Routine tests			
(a)	Insulation resistance test (before high voltage test)	-do-	Each	—
(b)	High voltage test	As per standard specification recognised for the purpose	Each	—
(c)	No load running of motor and reading of current in the three phases and voltage	-do-	-do-	—
(d)	Locked rotor test at suitable voltage for squirrel cage motors only	-do-	-do-	—
(e)	Reduced voltage running up test at no load to check the ability of motor to run up to full speed on no load in each direction of rotation with 1/3 of rated line voltage applied to motor	-do-	-do-	—
(f)	Open circuit voltage ratio (for slip ring motors only)	-do-	-do-	—
(ii)	Type tests			
(a)	Measurement of stator resistance and rotor resistance on slipring motors	-do-	To be fixed on the basis of recorded investigation	—
(b)	Full load reading of voltage, current power input and slip	As per standard specification recognised for the purpose	To be fixed on the basis of recorded investigation	—
(c)	Temperature rise	-do-	-do-	—
(d)	Momentary overload test	-do-	-do-	—
3.	Synchronous Motor and Generators			
(i)	Routine tests			
(a)	Measurement of resistance	As per standard specification recognised for the purpose	Each	—
(b)	Insulation Resistance test	-do-	-do-	—
(c)	Phase sequence test	-do-	-do-	—
(d)	Regulation test (for Generator only)	-do-	-do-	—
(e)	Measurement of open circuit characteristic (for Generator only)	-do-	-do-	—
(f)	Measurement of short circuit characteristic (for Generators only)	-do-	-do-	—
(g)	High voltage test	-do-	-do-	—
(h)	Measurement of bearing current for machines above 1000 K.W.	-do-	-do-	—
(j)	Pressure test on coolers for closed circuit cooling	-do-	-do-	—
(ii)	Type tests			
(a)	Measurement of leakage reactance and potier reactance (for Generators only)	As per standard specification recognised for the purpose	To be fixed on the basis of recorded investigation	—
(b)	Efficiency tests	-do-	-do-	—
(c)	Temperature rise test	-do-	-do-	—
(d)	Momentary overload test	-do-	-do-	—
(e)	Over speed test	-do-	-do-	—
(f)	Starting current and torque test (for synchronous motors)	-do-	-do-	—
(g)	Determination of deviation of voltage waves from sinusoidal (for Generators only)	-do-	-do-	—
(h)	Short circuit withstand test and measurement of reactances and time constants (for Generators above 1000 KW only)	-do-	-do-	—

1	2	3	4	5
4. D.C. Motors and Generators				
Routine tests				
(a) Measurement of resistances	As per standard specification recognised for the purpose	Each	—	
(b) Measurement of Insulation resistance	-do-	-do-	—	
(c) Test to determine the direction of rotation	-do-	-do-	—	
(d) Regulation test (for Generators only)	-do-	-do-	—	
(e) Measurement of open circuit characteristic	-do-	-do-	—	
(f) High voltage test	-do-	-do-	—	
(g) Commutation test	-do-	-do-	—	
Type tests				
(a) Temperature rise test	As per standard specification recognised for the purpose	To be fixed on the basis of recorded investigation	—	
(b) Efficiency test	-do-	-do-	—	
(c) Measurement of load characteristic for machines having outputs upto 100 KW	-do-	-do-	—	
(d) Momentary overload test	-do-	-do-	—	
(e) Starting torque test for D.C. Motors	-do-	-do-	—	
(f) Nominal exciter response for D.C. exciters	-do-	-do-	—	

SCHEDULE II

(See rule 4)

Sampling and criteria of conformity in case of consignmentwise inspection

TABLE I

Sl. No.	Characteristics	Lot size	No. of samples to be tested
1.	All dimensional and visual check	Motors and Generators of one type and rating	As per the Sampling Table II
2.	Routine test	-do-	Each
3.	Type test	-do-	1

TABLE II

Sl. No.	No. of Motors and Generators of one type and rating	No. of samples to be tested	No. of permissible defective
1.	Upto 8	2	Nil
2.	9 to 15	3	Nil
3.	16 to 25	4	Nil
4.	26 to 40	5	Nil
5.	41 to 65	7	Nil
6.	66 to 100	10	Nil
7.	101 to 200	15	Nil
8.	201 to 300	20	Nil
9.	301 to 500	30	Nil
10.	501 to 800	40	Nil
11.	801 and above	55	Nil

[No. 6(36)/76-EI & EP]

K.V. BALASUBRAMANIAM, Dy. Director

उप-मुख्य नियंत्रक, आयात-निर्यात, हैदराबाद

हैदराबाद, 16 जून, 1977

रद्द करने का आदेश

का० आ० 2458.—सर्वश्री राजा इण्डस्ट्रियल प्रोडक्ट्स, 5-101, कोदरपाका पोस्ट, सिरसिल्ला ताल्लुक, जिला करीम नगर, आन्ध्र प्रदेश, को 6,000 रुपए (छः हजार रुपए मात्र) मूल्य के निर्यात लाइसेंस संख्या पी०/एस/1824800/सी/एक्स एक्स/62/डब्ल्यू/43-44, दिनांक 4-1-77 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि पूर्णतः उपयोग में लाकर मूल प्रति अस्थानस्थ हो गई/खो गई है।

2. अपने तर्क के समर्थन में आवेदक ने आयात व्यापार नियंत्रण नियम एवं प्रक्रिया पुस्तिका 1977-78 के परिशिष्ट 8 के साथ पढ़े जाने वाले अनुच्छेद 320 में यथा अपेक्षित स्टाम्प पेपर पर एक शपथपत्र दाखिल किया है। मैं संतुष्ट हूँ कि मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति अस्थानस्थ हो गई/खो गई है।

3. आद्यतन यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की धारा 9(सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैं लाइसेंस सं० पी०/एस/1824800/सी/एक्स एक्स/62/डब्ल्यू/43-44 दिनांक 4-1-1977 की मुद्रा विनियम नियंत्रण प्रयोजन प्रति को रद्द करने का आदेश देता हूँ।

4. आयात व्यापार नियंत्रण नियम एवं प्रक्रिया पुस्तिका 1977-78 के अनुच्छेद 320 के अनुसार उपर्युक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रयोजन की अनुलिपि प्रति जारी करने के लिए आवेदन के मामले पर अब विचार किया जायगा।

[संख्या आर-4/एस एस आई/एन एस/ए एम-77/हैद/2637]

आर० सी०एस० मेनन, उप-मुख्य नियंत्रक

OFFICE OF THE DY. CHIEF CONTROLLER OF IMPORTS & EXPORTS, HYDERABAD

Hyderabad, the 16th June, 1977

CANCELLATION ORDER

S.O. 2458.—M/s. Raja Industrial Products, 5-101, Kodur-paka Post, Sirsilla Taluk, Karimnagar District, A.P. was granted Import Licence No. P/S/1824800/C/XX/62/W/43-44 dated 4-1-77 for Rs. 6,000 (Rupees Six thousand only). They have now applied for issue of Duplicate copy of Exchange Control Purposes Copy of the above licence on the ground that the original copy has been misplaced/lost without having been utilised at all.

2. The applicant has filed an affidavit on stamped paper in support of their contention as required under Para 320 read with Appendix-8 of Import Trade Control Hand Book of Rules & Procedure, 1977-78. I am satisfied that original Exchange Control Purposes copy has been misplaced/lost.

3. In exercise of the powers conferred on me under Clause 9 (cc) of Import (Control) Order, 1955 dated 7-12-1955 as amended upto date. I order the cancellation of Exchange Control Purposes copy of the Licence No. P/S/1824800/C/XX/62/W/43-44 dated 4-1-1977.

4. The applicant's case will now be considered for issue of the duplicate Exchange Control Purposes copy of the above licence in accordance with Para 320 of Import Trade Control Hand Book of Rules & Procedure, 1977-78.

[F. No. R-4/SSI/NS/AM. 77/Hyd./2637]

R. C. S. MENON, Dy. Chief Controller

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय, नई दिल्ली

नई दिल्ली, 13 जुलाई, 1977

रद्द करने का आदेश

का०आ० 2459.—सर्वश्री सीमा गिजी आफ इण्डिया लि०, बम्बई को सामान्य मुद्रा क्षेत्र से औषधि एवं भेषज का विनिर्माण करने के लिए फालतू पुर्जों के आयात के लिए 60,200 रुपए का आयात लाइसेंस संख्या पी०/ड०/1418327, दिनांक 6-5-76 प्रदान किया गया था। उन्होंने लाइसेंस की अनुलिपि सीमा शुल्क प्रयोजन प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति खो गई है। आगे यह भी बताया गया है कि उक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत कराए बिना और दिल्कुल उपयोग किए बिना ही खो गई है।

अपने तर्क के समर्थन में, आवेदक ने एक शपथपत्र दाखिल किया है। अधोस्ताक्षरी संतुष्ट है कि लाइसेंस संख्या पी०/डी०/1418327, दिनांक 6-5-76 की मूल सीमाशुल्क प्रयोजन प्रति खो गई है और निदेश देता है कि उक्त उपर्युक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति जारी की जानी चाहिए। लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति रद्द की जाती है।

[संख्या सी एच/सी-4 (8)/ए एम-76/आर एम-3/446]

एन०ए० कोहली, उप मुख्य नियंत्रक

OFFICE OF THE CHIEF CONTROLLER OF IMPORTS & EXPORTS, NEW DELHI

New Delhi, the 13th July, 1977

CANCELLATION ORDER

S.O. 2459.—M/s. Ciba Geigy of India Ltd. Bombay were granted Licence No. PD/1418327 dt. 6-5-76 for import of spare parts, for manufacture of Drugs & Pharmaceuticals for Rs. 60200 from GCA. They have requested for issue of the duplicate Customs purposes copy of the Licence on the ground that the original customs purposes copy of the licence has been lost. It has further been stated that the customs purposes copy of the licence in question was lost without having been registered with any customs authority and utilised at all.

In support of their contention, the applicant has filed an affidavit. The undersigned is satisfied that the original customs purposes copy of Licence No. P/D/1418327, dated 6-5-76 has been lost and directs that duplicate customs purposes copy of the said licence should be issued to them. The original customs purposes copy of the licence is cancelled.

[No. CH/C-4(8)/AM76/RM-3/446]

N. A. KOHLI, Dy. Chief Controller

जागरूक पूर्ति तथा सहकारिता मंत्रालय

भारतीय मानक संस्था


नई दिल्ली, 13 जुलाई, 1977

क्र० आ० 2460.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) नियम, 1955 के नियम 4 के उपविनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि संस्था ने एक मानक चिन्ह निर्धारित किया है जिसकी डिजाइन, शाब्दिक विवरण तथा भारतीय मानक के शीर्षक सहित अनुसूची में दी गई है।

भारतीय मानक संस्था (प्रमाणन चिन्ह) अधिनियम 1952 और उसके अधीन बने नियमों के निमित्त यह मानक चिन्ह 1977-03-01 से लागू होगा।

अनुसूची

क्रम संख्या	मानक चिन्ह की डिजाइन	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी भारतीय मानक की पदसंख्या और शीर्षक	मानक की डिजाइन का शाब्दिक विवरण
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(1)	(2)	(3)	(4)	(5)
1.		बहुप्रयोजी शुष्क बैटरियाँ	IS : 8144-1976 बहुप्रयोजी शुष्क बैटरियों की विशिष्टि।	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी गई है।

[सं० सी एम डी/13 : 9]

MINISTRY OF CIVIL SUPPLIES AND COOPERATION
INDIAN STANDARDS INSTITUTION


New Delhi, the 13th July, 1977

S.O. 2460.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby, notifies that the Standard Mark design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1977.03.01.

SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
(1)	(2)	(3)	(4)	(5)

1.		Multipurpose dry batteries.	IS : 8144-1976 Specification for multipurpose dry batteries.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.
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[No. CMD/13 : 9]

क्र० आ० 2461.—भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि बहुप्रयोजी शुष्क बैटरियों की प्रति इकाई प्रमाणन चिन्ह लगाने की फ्रीस अनुसूची में दिए गए व्यौरों के अनुसार निर्धारित की गई है और यह फ्रीस 1977-03-01 से लागू होगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फ्रीस
(1)	(2)	(3)	(4)	(5)
1.	बहुप्रयोजी शुष्क बैटरियाँ	IS : 8144-1976 बहुप्रयोजी शुष्क बैटरियों की विशिष्टि।	1000 बैटरियाँ	(1) पहली 20000 इकाईयों के लिए 18 पैसे प्रति इकाई, और (2) 20001 वीं और उससे ऊपर की इकाईयों के लिए 10 पैसे प्रति इकाई।

[संख्या सी एम डी/13 : 10]

S.O. 2461.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby notifies that the marking fee per unit for multipurpose dry batteries details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1977-03-01.

SCHEDULE

Sl. No.	The Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1.	Multipurpose dry batteries	IS : 8144-1976 Specification for multipurpose dry batteries.	1000 Batteries	(i) 18 Paise per unit for the first 20,000 units and (ii) 10 paise per unit for the 20 001st unit and above.




[No. CMD/13 :10]

नई दिल्ली, 20 जुलाई, 1977

का० आ० 2462.—भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 4 के उपविनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि संस्था ने कुछ मानक चिन्ह निर्धारित किए हैं जिनकी डिजाइन शाब्दिक विवरण तथा भारतीय मानकों के शीर्षक सहित नीचे अनुसूची में निर्धारित की गई हैं।

भारतीय मानक संस्था (प्रमाणन चिन्ह) अधिनियम 1952 और उसके अधीन बने नियमों के निमित्त ये मानक चिन्ह प्रत्येक के आगे दी गई तिथियों से लागू होंगी।

अनुसूची

क्रम संख्या	मानक चिन्ह की डिजाइन	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी भारतीय मानक की पदसंख्या और शीर्षक	मानक की डिजाइन का शाब्दिक विवरण	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.		अंतर्दाही इंजनों के प्रवेश तथा निकास वाल्व।	IS : 810-1974 अंतर्दाही इंजनों के प्रवेश तथा निकास वाल्वों की विशिष्टि (पहला पुनरीक्षण)।	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी गई है।	1977-04-16
2.		सैकरिन, खाद्य ग्रेड।	IS : 6385-1971 सैकरिन खाद्य ग्रेड की विशिष्टि।	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI शब्द होते हैं स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी गई है।	1977-04-01
3.		मिथाइल ब्रोमाइड गैस के लिए वेल्डकृत अल्प कार्बन इस्पात के सिलेण्डर।	IS : 7682-1975 मिथाइल ब्रोमाइड गैस के लिए वेल्डकृत अल्प कार्बन इस्पात के सिलेण्डरों की विशिष्टि।	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI शब्द होते हैं स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी गई है।	1977-03-01




[सं० सी एम जी/13 : 9]

New Delhi, the 20th July, 1977

S.O. 2462.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark(s) design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each.

SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark	Date of effect.
(1)	(2)	(3)	(4)	(5)	(6)
1.		Inlet and exhaust valves for internal combustion engines.	IS : 810—1974 Specification for inlet and exhaust valves for internal combustion engines (first revision).	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1977-04-16
2.		Saccharin, food grade	IS : 6385—1971 Specification for saccharin, food grade.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1977-04-01
3.		Welded low carbon steel gas cylinders for methyl bromide gas.	IS : 7682—1975 Specification for welded low carbon steel gas cylinders for methyl bromide gas.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1977-03-01

[No. CMD/13: 9]

का०आ० 2463.—भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1973-12-15 में एस० ओ० 3472 दिनांक 1973-11-30 में प्रकाशित तत्कालीन औद्योगिक विकास, विज्ञान एवं प्रौद्योगिकी मंत्रालय (भारतीय मानक संस्था) अधिसूचना का आंशिक रूप से संशोधन करते हुए अधिसूचित किया जाता है कि अमोनिया परिरक्षित प्राकृतिक रबड़ के गाढ़े लैटेक्स से सम्बन्धित मानक चिन्ह लगाने की प्रति इकाई फ्रीस में परिवर्तन किया गया है। यह परिवर्तित फ्रीस जिसके ध्वारे नीचे अनुसूची में दिए गए हैं, 1977-04-01 से लागू होगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फ्रीस
(1)	(2)	(3)	(4)	(5)
	अमोनिया परिरक्षित प्राकृतिक रबड़ का गाढ़ा लैटेक्स।	IS : 5430—1969 अमोनिया परिरक्षित प्राकृतिक रबड़ के गाढ़े लैटेक्स की विनिष्ट	एक टन (डी आर सी के आधार पर)	(1) पहली 500 इकाइयों के लिए रु० 15.00 प्रति इकाई; (2) 501वीं से 1500 इकाइयों के लिए रु० 8.00 प्रति इकाई; और (3) 1501वीं और उससे ऊपर की इकाइयों के लिए रु० 5.00 प्रति इकाई।

[संख्या सी एम डी/13: 10]

S.O. 2463.—In partial modification of the then Ministry of Industrial Development, Science and Technology (Indian Standards Institution) notification number S.O. 3472 dated 1973-11-30, published in the Gazette of India, Part-II Section-3 Sub-section (ii) dated 1973-12-15, the Indian Standards Institution hereby, notifies that the marking fee per unit for ammonia preserved concentrated natural rubber latex, has been revised. The revised rate of marking fee, details of which are given in the following Schedule, shall come into force with effect from 1977.04.01.

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard.	Unit	Marking Fee per Unit
1	2	3	4	5
1.	Ammonia preserved concentrated natural rubber latex.	IS : 5430-1969 Specification for ammonia preserved concentrated natural rubber latex.	One Tonne (DRC basis)	(i) Rs. 15.00 per unit for the first 500 units; (ii) Rs. 8.00 per unit for the 501st to 1500 units; and (iii) Rs. 5.00 per unit for the 1501st unit and above.

[No. CMD/13 : 10]

कां० आ० 2464—भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि विभिन्न वस्तुओं के प्रति इकाई मुहर लगाने की फीस अनुसूची में दिए गए व्यौरों के अनुसार निर्धारित की गई हैं और ये फीस प्रत्येक के आने दी गई तिथियों से लागू होंगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी मानक की पदसंख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.	अंतर्दाहि इंजनों के लिए प्रवेश तथा निकास वाल्व	IS : 810-1974 अंतर्दाहि इंजनों के लिए प्रवेश तथा निकास वाल्वों की विशिष्टि।	1000 मंद	रु० 2.00	1977-04-16
2.	सैकरिन, खाद्य ग्रेड	IS : 6385-1971 सैकरिन, खाद्य ग्रेड की विशिष्टि।	एक कि०ग्रा०	20 पैसे	1977-04-01
3.	मिथाइल ब्रोमाइड गैस के लिए वेल्ड-कृत अल्प-कार्बन इस्पात के सिलेण्डर	IS : 7682-1975 मिथाइल ब्रोमाइड गैस के लिए वेल्डकृत अल्प कार्बन इस्पात के सिलेण्डरों की विशिष्टि।	एक सिलेण्डर	रु० 5.00	1977-03-01

[संख्या सी एम डी/13 : 10]

वाई० एस० वेंकटेश्वरन्, उप-महानिदेशक

S.O. 2464.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee(s) per unit for various products, details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each:

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of effect
(1)	(2)	(3)	(4)	(5)	(6)
1.	Inlet and exhaust valves for internal combustion engines.	IS : 810-1974 Specification for inlet and exhaust valves for internal combustion engines.	1000 Pieces	Rs. 2.00	1977-04-16
2.	Saccharin, food grade.	IS : 6385-1971 Specification for saccharin, food grade.	One Kg.	20 Paise	1977-04-01
3.	Welded low carbon steel gas cylinders for methyl bromide gas.	IS : 7682-1975 Specification for welded low carbon steel gas cylinders for methyl bromide gas.	One Cylinder	Rs. 5.00	1977-03-01

[No. CMD/13 :10]

Y. S. VENKATESWARAN, Dy. Director Gen.

नई दिल्ली, 14 जुलाई, 1977

का० आ० 2465—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 3 के उपविनियम (4) के अधीन प्राप्त अधिकारों के अनुसार IS : 1925-1974 के उपबंधों में कुछ संशोधन जिसके व्यौर नीचे अनुसूची में दिए हैं, मानक चिन्ह के उपयोग के लिए गति लाने के लिए परीक्षात्मक रूप में किए गए हैं। इन संशोधनों से भारतीय मानक के अधीन आने वाली सामान की गुणता पर कोई प्रभाव नहीं पड़ेगा। यह अधिसूचना तुरन्त लागू होगी।

अनुसूची

क्रम संख्या	भारतीय मानक की संख्या और शीर्षक जिसके उपबंधों में संशोधन किया गया है।	भारतीय मानक के उपबंधों के लिए किए गए संशोधनों का विवरण
(1)	(2)	(3)

1. IS : 1925-1974 बीड़ियों की विशिष्टि (दूसरा पुनरीक्षण) (पृष्ठ 4, खण्ड 2.3)—वर्तमान खण्ड के स्थान पर निम्नलिखित जोड़ लीजिए:
 "2.3 बीड़ी का पत्ता—बीड़ियां बनाने में लिपटाई के लिए तेन्दु (*Diospyrus* sp.) या अष्टि (*Bauhinia* sp.) के पत्तों का इस्तेमाल होगा। और ये पत्ते मुसाम होंगे। इनकी पहचान परिशिष्ट A में बताई गई पद्धति के अनुसार की जाएगी। परिशिष्ट B में बताई गई पद्धति के अनुसार परीक्षण करने पर लिपटाई पत्तों का तेल बीड़ियों के तेल के 60 प्रतिशत से अधिक नहीं होगा।"

[संख्या सी एम डी/13 : 4]

ए० के० गुप्ता, महानिदेशक

New Delhi, the 14th July, 1977

S.O. 2464.—In exercise of the powers conferred on me under sub-regulation (4) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulation, 1955, as amended from time to time, modifications to the provisions of IS : 1925-1974, details of which are mentioned in the Schedule given hereafter, have tentatively been made with a view to expediting the use of the Standard Mark, without in any way affecting the quality of goods covered by the relevant standard. This notification shall come into force with immediate effect.

SCHEDULE

Sl. No. and Title of Indian Standard the Provisions of which No. have been modified.	Particulars of the Modifications made to the provisions
1	2
1. IS : 1925-1974 Specification for BIDIS (Second revision)	(Page 4, Clause 2.3).—Substitute the following for the existing clause : “2.3 Bidi wrapper.—The wrapper leaves used in the manufacture of BIDIS shall be TENDU (<i>Diospyrus</i> sp.) or the ASHTRI (<i>Bauhinia</i> sp.) leaves and shall be tender. These shall be identified as given in Appendix A. The wrapper leaves shall not exceed 60 per cent by mass of the Bidis, when tested according to the method prescribed in Appendix B.”

[No. CMD/13 :4]

A. K. GUPTA, Director-General

नई दिल्ली, 19 जुलाई, 1977

कां. आं. 2466.—केन्द्रीय सरकार, अग्रिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन वनस्पति मैनुफैक्चरर्स एसोसिएशन ऑफ इंडिया बम्बई द्वारा मान्यता के नवीकरण के लिये किये गये आवेदन पर वायदा बाजार आयोग के परामर्श से विचार करके और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोकहित में भी होगा, एतद्वारा उक्त अधिनियम की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एसोसिएशन को मंगफली के तेल की अग्रिम संविदाओं के बारे में, 10 अगस्त, 1977 से 9 अगस्त, 1977 (जिसमें ये दोनों दिन भी सम्मिलित हैं) की एक वर्ष की अतिरिक्त कलावधि के लिये मान्यता प्रदान करती है।

3. एतद्वारा प्रदत्त मान्यता इस शर्त के अध्याधीन है कि उक्त एसोसिएशन ऐसे निदेशों का अनुपालन करेगा जो वायदा बाजार आयोग द्वारा समय-समय पर दिये जायें।

[मिसिल संख्या 12(7)-आई० टी०/77]

New Delhi, the 19th July, 1977

S.O. 2466.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Vanaspati Manufacturers' Association of India, Bombay, and being satisfied that it would be in the interest of the trade, and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Association for a further period of one year from the 10th August, 1977 to the 9th August, 1978 (both days inclusive) in respect of forward contracts in groundnut oil.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may, from time to time, be given by the Forward Markets Commission.

[F. No. 12(7)-IT/77]

कां. आं. 2467.—केन्द्रीय सरकार, अग्रिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन विजय व्यापार चेम्बर लिमिटेड के, मुजफ्फर नगर द्वारा मान्यता के नवीकरण के लिये किये गये आवेदन पर वायदा बाजार आयोग के परामर्श से विचार करके और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोकहित में भी होगा, एतद्वारा उक्त अधिनियम की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त चेम्बर को गुड़ की अग्रिम संविदाओं के बारे में, 10 अगस्त, 1977 से 9 अगस्त, 1978

(जिसमें ये दोनों दिन भी सम्मिलित हैं) की एक वर्ष की अतिरिक्त कलावधि के लिये मान्यता प्रदान करती है।

2. एतद्वारा प्रदत्त मान्यता इस शर्त के अध्याधीन है कि उक्त चेम्बर ऐसे निदेशों का अनुपालन करेगा जो वायदा बाजार आयोग द्वारा समय-समय पर दिये जायें।

[मिसिल संख्या 12(8)-आई० टी०/77]

एस० एम० केलकर, अवर सचिव

S.O. 2467.—The Central Government, in consultation with the Forward Markets Commission, having considered the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Vijai Beopar Chamber Limited, Muzaffarnagar, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Chamber for a further period of one year, from the 10th August, 1977, upto the 9th August, 1978 (both days inclusive) in respect of forward contracts in gur.

2. The recognition hereby granted is subject to the condition that the said Chamber shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[F. No. 12(8)-IT/77]

S. M. KELKAR, Under Secy.

विदेश मंत्रालय

नई दिल्ली, 25 जून, 1977

कां. आं. 2468.—उत्प्रवास अधिनियम 1922 (1922 का सातवां) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, इसके द्वारा, श्री पी० एन० नायर को 17-9-1976 के पूर्वार्द्ध से मंडपम कैम्प में उत्प्रवास संरक्षक के रूप में नियुक्त करती है।

[संख्या सी० पी० ई० ओ०/7/77]

जी० जगन्नाथन्, अवर सचिव

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 25th June, 1977

S.O. 2468.—In exercise of the powers conferred by section 3 of the Emigration Act, 1922 (VII of 1922) the Central Government hereby appoints Shri P. N. Nair, Protector of Emigrants, Mandapam Camp with effect from the forenoon of 17-9-1976.

[No. CPEO/7/77]

G. JAGANATHAN, Under Secy.

पेट्रोलियम मंत्रालय

नई दिल्ली, 8 जुलाई, 1977

MINISTRY OF PETROLEUM

New Delhi, the 8th July, 1977

का० ग्रा० 2469.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० ग्रा० सं० 4286, तारीख 17-9-1975 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों की विछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट देनी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय भारतीय तेल निगम लि० में सभी संघकों से मुक्त रूप में, इस घोषण के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप नं० एन० के० 76 से एन० के० 77 से जी०जी०एस०-कम-सी० टी० एफ० कादी को जी० जी० एस० कादी से जी० जी० एस० सौभासन वाली ट्रंक लाइन को जोड़ने तक पाइपलाइन विछाने के लिये भूमि का अर्जन करना।

राज्य : गुजरात जिला : मेहसाना तालुका : मेहसाना तथा कादी

गांव सर्वेक्षण सं० हे० ए०आर० सेन्टि-ई० यर

गांव : मेहमदपुरा जिला : मेहसाना तालुका : मेहसाना

354	0	13	50
351	0	12	00

गांव : चलासन जिला : मेहसाना तालुका : कादी

161	0	12	00
162	0	04	00
187	0	07	00
188/1	0	01	00
191/पी	0	03	00
192/पी	0	03	00
192/पी	0	03	00
195	0	09	50
कार्ट ट्रैक	0	05	00

[सं० 12016/12/75-एल०एण्ड एल०]

59 GI/77-4

S.O. 2469.—Whereas by a notification of the Govt. of India in the Ministry of Petroleum, S.O. No. 4286 dated 17-9-75 under sub-section (1) of section 3 of the Petroleum and Mineral Pipe lines (Acquisition of Right of user in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to the notification for the purpose of Laying pipeline ;

And further whereas the Central Government has after consideration (1) of section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government after considering the said report, decided to acquire the Right of User in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

For laying Pipeline from Well No. NK-76 to NK-77 to GGS-Cum-CTF, Kadi connecting with Trunk Line from GGS, Kadi to GGS, Sobhasan.

State : Gujarat District : Mehsana Taluka : Mehsana & Kadi

Villages	Survey No.	Hectare	Are	Centiare
Village: Mehmadvura, District : Mehsana Taluka : Mehsana				
	354	0	13	50
	351	0	12	00
Village : Chalasana, District : Mehsana, Taluka : Kadi				
	161	0	12	00
	162	0	04	00
	187	0	07	00
	188/1	0	01	00
	191/P	0	03	00
	192/P	0	03	00
	192/P	0	03	00
	195	0	09	50
	Cart-track	0	05	00

[No.12016/12/75-L&L]

शुद्धि-पत्र

नई दिल्ली, 11 जुलाई, 1977

का० ग्रा० 2470.—पेट्रोलियम, मंत्रालय नई दिल्ली द्वारा प्रकाशित अधिसूचना जो भारत सरकार के दिनांक 25-12-76 के राजपत्र के भाग-II खण्ड-3 और उपखण्ड (ii) में पृष्ठ संख्या 4522 पर का० ग्रा० संख्या 4816 के रूप में मुद्रित अधिसूचना की अनुसूची में प्रस्तावना के रूप में प्रकाशित विषय के स्थान पर निम्नलिखित मूलपाठ पड़े।

“यतः, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात में संलाया पोर्ट से उत्तर प्रदेश में मथुरा तक पेट्रोलियम के परिवहन के लिये पाइप लाइन इंडियन आयल कारपोरेशन द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद् कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिये आक्षेप सक्षम अधिकारी, इंडियन आयल कारपोरेशन लि० सलाया कोयाली मथुरा पाइपलाइन प्रायोजना, मोरवी हाऊस जामनगर हाऊस, राजकोट को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगी।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुतवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।”

[सं० 12020/9/76-प्रोडक्शन]

CORRIGENDUM.

New Delhi, the 11th July, 1977

S.O. 2470.—Please read the following text instead of the text printed as preamble to the schedule in the notification printed as S.O. 4816 on Page No. 4522 of Gazette of India dated 25-12-76 Part II section 3 sub-section (ii) published by Ministry of Petroleum, New Delhi.

“Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Salaya Port in Gujarat to Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited.

And whereas it appears that for the Purpose of laying such Pipelines it is necessary to acquire the Right of User in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declare its intention to acquire the right of user therein;

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyali/Mathura Pipeline Project, “Morvi House” Jamnagar Road, Rajkot.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.”

[No. 12020/9/76-Prod]

का० आ० 2471:—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 4737, तारीख 18-12-76 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय भारतीय तेल निगम लि० में सभी संघकों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

तालुका	चनासमा	जिला मेहसाना	राज्य	गुजरात
तक				
गांव	सर्वेक्षण संख्या	हे०	ए०	वर्ग मीटर
1	2	3	4	5
रनतेज	275	0	09	03
	274	0	22	95
	273	0	35	82
	323/2	0	02	83
	323/1	0	13	91
	324	0	15	84
	340/4	0	15	47
	340/1	0	19	96
	340/2	0	01	48
	340/3	0	13	26
	341	0	02	66
	338	0	54	00
	344	0	12	06
	345	0	33	32
	361	0	14	35
	247/3	0	13	50
	247/2	0	03	60
	247/4	0	18	16
	252	0	56	70
	241	0	26	07
	161	0	08	87
	160	0	08	04
	148	0	14	20
	159	0	01	3
	152/2	0	07	12
	152/1	0	00	20
	151	0	00	37
	56	0	72	62
	55	0	14	11

1	2	3	4	5	1	2	3	4	5
रूपपुरा	314	0	06	93	असजोल (जारी)	139	0	01	75
करनपुरा	313	0	06	37		142	0	25	29
	311	0	22	86		143	0	05	06
	310	0	13	57		145	0	15	18
	309	0	17	64		144	0	09	72
	332	0	30	42		168	0	15	18
	335	0	25	56		169	0	00	60
	343	0	32	04		167	0	00	75
	344	0	11	90		170	0	09	11
	615	0	15	81		164	0	30	35
	614	0	14	11	बानपुर	32	0	16	19
	613	0	02	05		29	0	49	57
	611	0	16	65		26	0	11	13
	612	0	12	92		25	0	83	03
	603	0	25	56		24	0	20	23
	604	0	16	28		23	0	12	14
	600	0	12	42	कणसागर	173/60	0	14	16
	115	0	11	57		173/61	0	24	28
	585	0	20	39		173/92	0	14	16
	21	0	14	75		173/93	0	06	07
	22	0	22	86		173/99	0	28	33
	20	0	00	35		173/101	0	25	29
	24	0	21	79		173/103	0	23	27
	23	0	00	18		173/105	0	24	28
	25	0	00	20		173/106	0	16	19
	26/2	0	17	43		173/107	0	21	25
	28	0	00	25		173/109	0	37	43
	54	0	14	65		173/112	0	26	30
	53/4	0	14	14	जेतपुर	89	0	08	09
	46/1	0	05	45		88	0	19	22
	47	0	11	62		88/2	0	25	29
	48	0	16	17		87/बी	0	61	71
	36/1	0	22	78		87/12	0	18	21
असजोल	325	0	09	01		87/13	0	18	21
	333	0	20	6		87/4	0	22	26
	328	0	25	10		87/3	0	13	15
	329	0	08	71	खेला	502	0	14	16
	306/1	0	07	08		501	0	25	29
	306/2	0	09	62		505	0	04	55
	306/3	0	11	05		500	0	15	40
	305	0	14	16		499	0	05	06
	262	0	24	28		497	0	06	57
	91/2	0	01	01		498	0	14	16
	91/3	0	10	62		495	0	19	22
	91/1	0	02	52		483	0	02	51
	93/2	0	09	11		442	0	01	01
	93/3	0	08	60		441	0	06	07
	95	0	07	58		435	0	08	09
	96	0	01	52		436	0	04	05
	97	0	03	55		439	0	07	08
	92	0	09	11		438	0	19	22
	48	0	00	10					
	140	0	24	28					

1	2	3	4	5	1	2	3	4	5
रनेला (जारी)	407	0	11	63	सुंसार (जारी)	864/2	0	00	40
	404	0	01	01		863	0	05	48
	408	0	19	22		870/1	0	03	04
	349	0	17	20		871/2	0	08	09
	350	0	18	21		872/2	0	16	38
	348	0	03	54		855	0	13	40
	311	0	17	20		854	0	01	28
	310	0	20	23		853	0	13	20
	303	0	27	32		878/2	0	03	18
	302	0	05	06		878/1	0	05	75
	301	0	11	13		843	0	22	50
	297	0	07	08		844	0	02	96
	298	0	17	46		844/1	0	01	28
	225	0	14	94		838	0	15	40
	227	0	08	90		837/1	0	19	20
	229/2	0	10	80		796	0	13	65
	229/1	0	09	54		797	0	00	75
	248/2	0	10	98		798/2	0	15	50
	248/1	0	18	00		798/1	0	06	24
कनोडा	824	0	00	96		800	0	22	90
	825	0	21	54		803		08	80
	826	0	15	30		802	0	01	15
	819	0	14	09		567/1	0	04	60
	817	0	19	00		567/2	0	09	60
	844	0	13	98		568	0	07	50
	843	0	11	88		569	0	14	90
	845	0	00	10		570	0	19	08
	846	0	18	00		540	0	09	36
	852	0	14	76		544	0	23	40
	851	0	11	88		543	0	16	20
	850	0	18	02	धीनोज	2816	0	18	54
	849	0	00	16		2819	0	01	95
	980	0	05	80		2827	0	38	32
	983	0	23	42		2823	0	01	28
	984	0	01	54		2826	0	14	24
	987	0	18	80		2837	0	11	04
	1003	0	09	36		2838	0	25	76
	1002	0	12	78		2839	0	13	76
	1000	0	09	36		576	0	10	12
	998	0	05	32		577	0	10	50
	999	0	01	30		574	0	15	18
	128	0	25	84		566	0	10	15
	1073	0	01	88		568	0	35	41
	1183	0	16	20		573	0	10	12
	1130	0	26	46		934	0	00	05
	1133	0	11	88		935	0	32	35
	1136	0	06	84		936	0	05	65
	1138/1	0	17	64		924	0	16	19
	1152	0	32	96		925	0	00	50
सुंसार	914	0	18	00		923	0	11	13
	866	0	09	72		922	0	00	76
	865	0	10	32		921	0	09	11
	864/3	0	15	40		920	0	02	02
						902	0	17	20

1	2	3	4	5	1	2	3	4	5
धीनो (जारी)	900	0	03	04	दानोदरादा (जारी)	647	0	09	16
	899	0	12	14		646	0	01	64
	898	0	10	12		648/3	0	03	50
	897	0	00	10		648/1	0	07	80
	801	0	01	51		649	0	01	32
	800	0	22	26		650/1	0	12	00
	799	0	01	51		650/2	0	04	00
	798	0	08	09		651	0	10	64
	796	0	08	60		652/1	0	06	00
	793	0	11	63	मुल्थानिया	13/1	0	05	00
	720	0	23	27		13/2	0	06	50
	717	0	05	06		12/1	0	09	00
	714	0	16	19		20	0	00	64
	724	0	01	01		22	0	00	80
	713/1	0	00	10		21	0	13	00
	713	0	16	19		34	0	07	50
	712/1	0	02	02		23	0	01	32
	712	0	03	04		33	0	12	00
दानोदरादा	100	0	00	30		30	0	01	80
	709	0	03	84		32	0	07	50
	101	0	16	32		31	0	08	50
	80	0	00	64		48	0	15	50
	81	0	08	80		50	0	04	50
	82	0	11	36		51/1	0	01	00
	83/4	0	00	32		55	0	03	50
	95	0	05	44		56	0	05	80
	94	0	11	68		59/1	0	03	50
	91/2	0	06	07		59/2	0	02	80
	91/1	0	08	12		61	0	05	56
	22	0	12	40		60	0	04	05
	20	0	05	06		64	0	13	15
	19/1	0	02	53		65	0	10	12
	19/2	0	02	47		66	0	03	04
	18	0	04	80		98	0	06	07
	299/1	0	11	34		99	0	02	02
	300	0	00	32		100	0	08	09
	302	0	15	00		101	0	24	28
	303	0	07	00		104	0	01	51
	304/2	0	00	10		102	0	00	12
	304/1	0	01	50		103	0	12	14
	305/1	0	00	32		108	0	05	06
	305/2	0	04	80	लनाबा	321	0	00	16
	305/3	0	03	32		321/1	0	00	20
	307	0	08	00	पालासर	820	0	16	19
	149	0	07	50		821	0	01	26
	596	0	03	50		822	0	12	14
	593	0	00	40		832	0	06	07
	595	0	10	50		831	0	05	06
	637	0	04	60		830	0	12	14
	636	0	21	00		839	0	03	04
	635	0	01	50		840	0	12	14
	642/1	0	17	80		849	0	08	9
	642/2	0	00	10		850	0	07	08
	643/1	0	06	64					
	643/2	0	03	32					

1	2	3	4	5
पालासर (जारी)	852	0	05	07
	853	0	09	11
	855	0	04	55
	110	0	19	22
	9	0	10	12
	16/2	0	03	04
	8/1	0	05	06
	8/2	0	01	51
	17/2	0	07	08
	25	0	08	09
	24	0	12	14
	23	0	07	08
	20/3	0	06	07
	20/2	0	03	04
	22/2	0	01	01
	21	0	18	21
सेलावी	224	0	08	09
	223	0	17	20
	241	0	00	10
	242	0	05	06
	222	0	21	25
	215	0	10-2	12
	214	0	14	16
	213	0	13	15
	135	0	11	13
	136	0	10	62
	134	0	06	07
	133	0	00	05
	138	0	16	19
	107	0	15	18
	109	0	09	60
	105	0	01	50
	104	0	10	12
	110	0	02	02
	93	0	12	14
	94		05	06

[सं० 12020/S/76-प्रोडक्शन]

टी० पी० सुब्रह्मनियन, ग्रवर सचिव

S.O. 2471.—Whereas by a notification of the Govt. of India in the Ministry of Petroleum and Chemicals (Department of Petroleum) S.O. No. 4737 dated 18-12-76 under sub-section (1) of section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its Intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines ;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government ;

And further whereas the Central Government has after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification ;

Now therefore in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines ;

And further in exercise of the power conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Taluka : Chanasma District : Mehsana State : Gujarat.

Village	Survey No.	Extent		
		H.	A.	Sq. M
1	2	3	4	5
Rantej	275	0	09	03
	274	0	22	95
	273	0	35	82
	323/2	0	02	83
	323/1	0	13	91
	324	0	15	84
	340/4	0	15	47
	340/1	0	19	96
	340/2	0	01	48
	340/3	0	13	26
	341	0	02	66
	338	0	54	00
	344	0	12	06
	345	0	33	32
	361	0	14	35
	247/3	0	13	50
	247/2	0	03	60
	247/4	0	18	16
	252	0	56	70
	241	0	26	07
	161	0	08	87
	160	0	08	04
	158	0	14	20
	159	0	01	30
	152/2	0	07	12
	152/1	0	00	20
	151	0	00	37
	56	0	72	62
	55	0	14	11
Ruppura	314	0	06	93
Karanpura	313	0	06	37
	311	0	22	86
	310	0	13	57
	309	0	17	64
	332	0	30	42
	335	0	25	56
	343	0	32	04
	344	0	11	90
	615	0	15	81

1	2	3	4	5	1	2	3	4	5
Puppura	614	0	14	11	Karansagar (Contd.)	173/92	0	14	16
Karansagar (Contd.)	613	0	02	05		173/93	0	06	07
	611	0	16	65		173/99	0	28	33
	612	0	12	92		173/101	0	25	29
	603	0	25	56		173/103	0	23	27
	604	0	16	28		173/105	0	24	28
	600	0	12	42		173/106	0	16	19
	15	0	11	57		173/107	0	21	25
	585	0	20	39		173/109	0	37	43
	21	0	14	75		173/112	0	26	30
	22	0	22	86					
	20	0	00	35	Jetpur	89	0	08	09
	24	0	21	79		88	0	19	22
	23	0	00	18		88/2	0	25	29
	25	0	00	20		87/B	0	61	71
	26/2	0	17	43		87/12	0	18	21
	28	0	00	25		87/13	0	18	21
	54	0	14	65		87/4	0	22	26
	53/4	0	14	14		87/3	0	13	15
	46/1	0	05	45					
	47	0	11	62	Ranala	502	0	14	16
	48	0	16	17		501	0	25	29
	36/1	0	22	78		505	0	04	55
Asjol	325	0	09	01		500	0	15	40
	333	0	20	06		499	0	05	06
	328	0	25	10		497	0	06	57
	329	0	08	71		498	0	14	16
	306/1	0	07	08		495	0	19	22
	306/2	0	09	62		483	0	02	51
	306/3	0	11	05		442	0	01	01
	305	0	14	16		441	0	06	07
	262	0	24	28		435	0	08	09
	91/2	0	01	01		436	0	04	05
	91/3	0	10	62		439	0	07	08
	91/1	0	02	52		438	0	19	22
	93/2	0	09	11		407	0	11	63
	93/3	0	08	60		404	0	01	01
	95	0	07	58		408	0	19	22
	96	0	01	52		349	0	17	20
	97	0	03	55		350	0	18	21
	92	0	09	11		348	0	03	54
	48	0	00	10		311	0	17	20
	140	0	24	28		310	0	20	23
	139	0	01	75		303	0	27	32
	142	0	25	29		302	0	05	06
	143	0	05	06		301	0	11	13
	145	0	15	18		297	0	07	08
	144	0	09	72		298	0	17	46
	168	0	15	18		225	0	14	94
	169	0	00	60		227	0	09	90
	167	0	00	75		229/2	0	10	80
	170	0	09	11		229/1	0	09	54
	164	0	30	35		248/2	0	10	98
						248/1	0	18	00
Vanpur	32	0	16	19	Kanoda	824	0	00	96
	29	0	49	57		825	0	21	54
	26	0	11	13		826	0	15	30
	25	0	83	03		819	0	14	94
	24	0	20	23		817	0	19	00
	23	0	12	14		844	0	13	98
Karansagar	173/60	0	14	16		843	0	11	88
	173/61	0	24	28					

1	2	3	4	5	1	2	3	4	5
Kanoda (Contd.)	845	0	00	10	Dhinoj (Contd.)	2823	0	01	28
	846	0	18	00		2826	0	14	24
	852	0	14	76		2837	0	11	04
	851	0	11	88		2838	0	25	76
	850	0	18	02		2839	0	13	76
	849	0	00	16		576	0	10	12
	980	0	05	80		577	0	00	50
	983	0	23	42		574	0	15	18
	984	0	01	54		566	0	00	15
	987	0	18	80		568	0	35	41
	1003	0	09	36		573	0	10	12
	1002	0	12	78		934	0	00	05
	1000	0	09	36		935	0	32	35
	998	0	05	32		936	0	05	65
	999	0	01	30		924	0	16	19
	128	0	25	84		925	0	00	50
	1073	0	01	88		923	0	11	13
	1183	0	16	20		922	0	00	76
	1130	0	26	46		921	0	09	11
	1133	0	11	88		920	0	02	02
	1136	0	06	84		902	0	17	20
	1138/1	0	17	64		900	0	03	04
	1152	0	32	96		899	0	12	14
Sunsar	914	0	18	00		898	0	10	12
	866	0	09	72		897	0	00	10
	865	0	10	32		801	0	01	51
	864/3	0	15	40		800	0	22	26
	864/2	0	00	40		799	0	01	51
	863	0	05	48		798	0	08	09
	870/1	0	03	04		796	0	08	60
	871/2	0	08	09		793	0	11	63
	872/2	0	16	38		720	0	23	27
	855	0	13	40		717	0	05	06
	854	0	01	28		714	0	16	19
	853	0	13	20		724	0	01	01
	878/2	0	03	18		713/1	0	00	10
	878/1	0	05	75		713	0	16	19
	843	0	22	50		712/1	0	02	02
	844	0	02	96		712	0	03	04
	844/1	0	01	28	Danodarada	100	0	00	30
	838	0	15	40		709	0	03	84
	837/1	0	19	20		101	0	16	32
	796	0	13	65		80	0	00	64
	797	0	00	75		81	0	08	80
	798/2	0	15	50		82	0	11	36
	798/1	0	06	24		83/4	0	00	32
	800	0	22	90		95	0	05	44
	803	0	08	80		94	0	11	68
	802	0	01	15		91/2	0	06	07
	567/1	0	04	60		91/1	0	08	12
	567/2	0	09	60		22	0	12	40
	568	0	07	50		20	0	05	06
	569	0	14	90		19/1	0	02	53
	570	0	19	08		19/2	0	02	47
	540	0	09	36		18	0	04	80
	544	0	23	40		299/1	0	11	34
	543	0	16	20		300	0	00	32
Dhinoj	2816	0	18	54		302	0	15	00
	2819	0	01	95		303	0	07	00
	2827	0	38	32		304/2	0	00	10
						304/1	0	01	50
						305/1	0	00	32
						305/2	0	04	80
						305/3	0	03	32
						307	0	08	00

1	2	3	4	5	1	2	3	4	5
Danodarada (Contd.)	149	0	07	50		849	0	08	09
	596	0	03	50		850	0	07	08
	593	0	00	40		852	0	06	07
	595	0	10	50		853	0	09	11
	637	0	04	80		855	0	04	55
	636	0	21	00		10	0	19	22
	635	0	01	50		9	0	10	12
	642/1	0	17	80		16/2	0	03	04
	642/2	0	00	10		8/1	0	05	06
	643/1	0	06	64		8/2	0	01	51
	643/2	0	03	32		17/2	0	07	08
	647	0	09	16		25	0	08	09
	646	0	01	64		24	0	12	14
	648/3	0	03	30		23	0	07	08
	648/1	0	07	80		20/3	0	06	07
	649	0	01	32		20/2	0	03	04
	650/1	0	12	00		22/2	0	01	01
	650/2	0	04	00		21	0	18	21
	651	0	10		Selavi	224	0	08	09
	652/1	0	06	00		223	0	17	20
						241	0	00	10
Multhania	13/1	0	05	00		242	0	05	06
	13/2	0	06	50		222	0	21	25
	12/1	0	09	00		215	0	10-2	12
	20	0	00	64		214	0	14	16
	22	0	00	80		213	0	13	15
	21	0	13	00		135	0	11	13
	34	0	07	50		136	0	10	62
	23	0	01	32		134	0	06	07
	33	0	12	00		133	0	00	05
	30	0	01	80		138	0	16	19
	32	0	07	50		107	0	15	18
	31	0	08	50		109	0	09	60
	48	0	15	50		105	0	01	50
	50	0	04	50		104	0	10	12
	51/1	0	01	00		110	0	02	02
	55	0	03	50		93	0	12	14
	56	0	05	80		94	0	05	06
	59/1	0	03	50					
	59/2	0	02	80					
	61	0	05	56					
	60	0	04	05					
	64	0	13	15					
	65	0	10	12					
	66	0	03	04					
	98	0	06	07					
	99	0	02	02					
	100	0	08	09					
	101	0	24	28					
	104	0	01	51					
	102	0	00	12					
	103	0	12	14					
	108	0	05	06					
Lanava	321	0	00	16					
	321/1	0	00	20					
Palasar	820	0	16	19					
	821	0	01	26					
	822	0	12	14					
	832	0	06	07					
	831	0	05	06					
	830	0	12	14					
	839	0	03	04					
	840	0	12	14					

[No. 12020/8/76-Prod.]

T. P. SUBRAHMANYAN, Under Secy.

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 12 जुलाई, 1977

का० आ० 2472.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की वेदखली) अधिनियम, 1971 (1971 का 40वां) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा ऊर्जा मंत्रालय (कोयला विभाग) की तारीख 11 जुलाई, 1975 की अधिसूचना संख्या का० आ० 349 (ई) को अधिक्रान्त करते हुए केन्द्रीय सरकार एतद्वारा, नीचे की सारणी के स्तम्भ 1 में उल्लिखित अधिकारियों को जो सरकार के राजपत्रित अधिकारियों के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है जो अपनी अधिकारिता की सीमाओं के भीतर, उक्त सारणी के स्तम्भ (2) में उल्लिखित सरकारी स्थानों की भावत, उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेंगे।

सारणी	
अधिकारी का पदनाम	सरकारी स्थान की कोटिंग
(1)	(2)
1. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—कैम्पटी रेलवे स्टेशन कैम्पटी, जिला—नागपुर, (महाराष्ट्र)।	(1) इन्दर, (2) कैम्पटी, (3) गोंडेगांव कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके अधीन स्थान।
2. उप-एरिया प्रबंधक वेस्टर्न कोलफील्ड्स लि०, डाकघर—खापड़ खेड़ा, रेलवे स्टेशन—खापड़ खेड़ा जिला—नागपुर, (महाराष्ट्र)।	(1) सिलेघरा, (2) पिपला, (3) वालनी (काहूत) और (4) पाटन स्योंगी कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० के अथवा उसके नियंत्रण के अधीन अन्य स्थान।
3. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—उमरेर, परियोजना, रेलवे स्टेशन—उमरेर, जिला—नागपुर, (महाराष्ट्र)।	(1) उमरेर ओपनकास्ट और (2) उमरेर भूमिगत कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
4. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—पाठाखेरा, रेलवे स्टेशन—धोरा डोगरी, जिला—वैतुल, (मध्य प्रदेश)।	(1) पाठाखेरा, (2) पाठाखेरा विस्तार, (3) सतपुड़ा और (4) सोभापुर कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
5. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—शिवाजी नगर, तालुका—बरोरा, जिला—चन्द्रपुर, (महाराष्ट्र)।	(1) रजूर, (2) न्यू मजरी भूमिगत और (3) न्यू मजरी ओपनकास्ट कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
6. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—मानिकपुर, जिला—चन्द्रपुर, (महाराष्ट्र)।	धूसर कोयला खान के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
7. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—बल्लरपुर, जिला—चन्द्रपुर, (महाराष्ट्र)।	(1) चांदा रेतवारी, (2) महाकाली, (3) हिन्दुस्तान लालपेट और (4) दुर्गापुर कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
8. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—बल्लरपुर जिला—चन्द्रपुर, (महाराष्ट्र)।	(1) बल्लरपुर और (2) रस्ती कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
9. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—कोरबा कोलियरी, रेलवे स्टेशन—	(1) कोरबा 1 और 2, (2) कोरबा 3 और 4 और (3) राजगमेर कोयला खानों के सभी स्थान

(1)	(2)
कोरबा, जिला—विलासपुर, (मध्य प्रदेश)।	तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
10. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—मानिकपुर कोलियरी, रेलवे स्टेशन—कोरबा, जिला—विलासपुर, (मध्य प्रदेश)।	(1) मानिकपुर और (2) मानिकपुर विस्तार कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
11. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—वांकी मोगरा, जिला—विलासपुर, (मध्य प्रदेश)।	(1) वांकी, (2) सुरकाचार और (3) कुस्मुडा कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
12. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, हिगिर रामपुर कोलियरी, डाकघर—ब्रजराजनगर, रेलवे स्टेशन—ब्रजराजनगर, जिला—संभलपुर, (उड़ीसा)।	(1) इव पिट्स, (2) हिगिर रामपुर, (3) ओरियन्ट और (4) लाजकुरा कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
13. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—धनपुरी, रेलवे स्टेशन—ग्रमलाई, जिला—शहडोल, (मध्य प्रदेश)।	(1) बुरहर 1, (2) बुरहर नं० 3 कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
14. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—ग्रमलाई, रेलवे स्टेशन—ग्रमलाई, जिला—शहडोल, (मध्य प्रदेश)।	(1) ग्रमलाई, (2) एस०सी० रंगटा और (3) चर्चई कोयला खानों के सभी स्थान और वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
15. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—जमना कोलियरी, रेलवे स्टेशन—कोटमा, जिला—शहडोल (मध्य प्रदेश)।	(1) कोटमा, (2) भाद्रा, (3) जमुना भूमिगत और (4) जमुना खुली कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
16. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—नौरोजाबाद कोलियरी, रेलवे स्टेशन—नौरोजाबाद, जिला—शहडोल, (मध्य प्रदेश)।	(1) नौरोजाबाद, (2) बीर सिंहपुर और (3) उमरिया कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
17. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—कोरिया कोलियरी, रेलवे स्टेशन—चिरीमिरी, जिला—सरगुजा, (मध्य प्रदेश)।	(1) कोरिया और (2) पश्चिमी चिरीमिरी कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।
18. उप-एरिया प्रबंधक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—सोनावनी कोलियरी, जिला—सरगुजा, (मध्य प्रदेश)।	(1) दुमनहील और (2) उत्तरी चिरीमिरी कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।

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19. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, कुरासिया कोलियरी, डाकघर—चिरीमीरी, जिला—सरगुजा, (मध्य प्रदेश)।	(1) कुरासिया, (2) सानावनी और (3) चिरीमीरी कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।	डाकघर—हुसरिया, जिला—छिदवाड़ा, (मध्य प्रदेश)।	कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।						
20. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—हलदीवाड़ी, जिला—सरगुजा, (मध्य प्रदेश)।	न्यू चिरीमीरी पोतरी हिल कोयला खान के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।	29. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, अम्बारा उप-एरिया, डाकघर—पालाचौरी, जुन्नरदेव, जिला—छिदवाड़ा, (मध्य प्रदेश)।	(1) मोहन, (2) अम्बारा और (3) सुकरी कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।						
21. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—विश्रामपुर कोलियरी, रेलवे स्टेशन—विश्रामपुर, जिला—सरगुजा, (मध्य प्रदेश)।	(1) विश्रामपुर ओपन कास्ट (2), विश्रामपुर भूमिगत, (3) जयनगर और (4) कुमदा कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।	30. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०; चांदामेटा उप-एरिया, डाकघर—परासिया, जिला—छिदवाड़ा, (मध्य प्रदेश)।	(1) चांदामेटा, (2) पूर्वी डोंगर चिकली, (3) भमोरी और (4) जाटा छपा कोयला खानों के सभी स्थान और वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।						
22. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—चुरचा कोलियरी, रेलवे स्टेशन—वैकुण्ठपुर रोड, जिला—सरगुजा, (मध्य प्रदेश)।	(1) चुरचा और (2) कटकोना कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।	31. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, एकलहरा उप-एरिया, डाकघर—इकलहरा, जिला—छिदवाड़ा, (मध्य प्रदेश)।	(1) बड़कुई, (2) इकलहरा और (3) उत्तरी चांदामेटा कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।						
23. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, भटगांव, डाकघर—विश्रामपुर, कोलियरी, जिला—सरगुजा, (मध्य प्रदेश)।	भटगांव कोयला खान के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।	32. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, न्यूटन ग्रुप उप-एरिया, डाकघर—परासिया, जिला—छिदवाड़ा, (मध्य प्रदेश)।	(1) न्यूटन चिकली 'ए' और (2) न्यूटन चिकली 'बी' कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।						
24. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—वेस्ट झगराखण्ड, कोलियरी, जिला—सरगुजा (मध्य प्रदेश)।	(1) पश्चिमी झगराखण्ड, (2) रामनगर, (3) राज नगर, (4) रामनगर कोयला खान और (5) झीमर कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।	33. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, रावनवारा ग्रुप उप-एरिया, डाकघर रावनवारा, जिला—छिदवाड़ा, (मध्य प्रदेश)।	(1) रावनवारा और (2) रावनवारा खास कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।						
25. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, डाकघर—दक्षिणी झगराखण्ड कोलियरी, जिला—सरगुजा, (मध्य प्रदेश)।	(1) दक्षिणी झगराखण्ड, (2) उत्तरी झगराखण्ड और (3) पश्चिमी झगराखण्ड ("बी" सीम) कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।	[सं० 11025/1/75-सी०ए०एफ०/पी०आई० आर०-1]							
<p style="text-align: center;">MINISTRY OF ENERGY (Department of Coal) New Delhi, the 12th July, 1977</p> <p>S.O. 2472.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in supersession of the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 349(E), dated the 11th July, 1975 the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being officers equivalent to the rank of gazetted officers of Government to be estate officers for the purposes of the said Act and the said officers shall exercise the powers conferred and perform the duties imposed on estate officers by or under the said Act, within the local limits of their respective jurisdictions in respect of the public premises specified in column (2) of the said Table.</p>									
<p style="text-align: center;">TABLE</p> <table> <tr> <th>Designation of the Officer</th><th>Categories of public premises</th></tr> <tr> <th>(1)</th><th>(2)</th></tr> <tr> <td>1. Sub Area Manager, Western Coalfields Limited, Post Office Kamptee, Railway</td><td>All premises of (1) Inder, (2) Kamptee and (3) Gondgaon coal mines and other</td></tr> </table>	Designation of the Officer	Categories of public premises	(1)	(2)	1. Sub Area Manager, Western Coalfields Limited, Post Office Kamptee, Railway	All premises of (1) Inder, (2) Kamptee and (3) Gondgaon coal mines and other			
Designation of the Officer	Categories of public premises								
(1)	(2)								
1. Sub Area Manager, Western Coalfields Limited, Post Office Kamptee, Railway	All premises of (1) Inder, (2) Kamptee and (3) Gondgaon coal mines and other								
26. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, विजुरी कोलियरी, डाकघर—विजुरी, जिला—शहडोल, (मध्य प्रदेश)।	(1) विजुरी और (2) न्यू राजनगर कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।								
27. उप-एरिया प्रबन्धक, वेस्टर्न कोलफील्ड्स लि०, दामुआ कोलियरी, डाकघर—धोरावारी खुर्द, जिला—छिदवाड़ा (मध्य प्रदेश)।	(1) दामुआ (2) नन्दन परियोजना और (3) राखीकोल कोयला खानों के सभी स्थान तथा वेस्टर्न कोलफील्ड्स लि० नागपुर के अथवा उसके नियंत्रण में अन्य स्थान।								
28. उप-एरिया प्रबन्धक, डाटला उप-एरिया, वेस्टर्न कोलफील्ड्स लि०,	(1) धोरावारी (2) डाटला वेस्ट और (3) चिकलमऊ परियोजना								

(1)	(2)	(1)	(2)
Station Kamptee, District Nagpur, (Maharashtra).	premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	12. Sub Area Manager, Western Coalfields Limited, Hingir Rampur Colliery, Post Office Brijrajnagar, Railway Station Brijrajnagar, District Sambalpur (Orissa).	All premises of (1) Ib pits, (2) Hingir Rampur, (3) Orient and (4) Lajkura coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.
2. Sub Area Manager, Western Coalfields Limited, Post Office Khapedkheda, Railway Station Khapedkheda, District Nagpur, (Maharashtra).	All premises of (1) Silewara, (2) Pipla, (3) Wolni (Kanhana) and (4) Patansaongi coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	13. Sub Area Manager, Western Coalfields Limited, Post Office Dhanpuri, Railway Station Amlai, District Shahdol, (Madhya Pradesh).	All premises of (1) Burhar I and (2) Burhar No. III coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
3. Sub Area Manager, Western Coalfields Limited, Post Office Umrer, Project, Railway Station Umrer, District Nagpur, (Maharashtra).	All premises of (1) Umrer open-cast and (2) Umrer underground coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	14. Sub Area Manager, Western Coalfields Limited, Post Office Amlai, Railway Station Amlai, District Shahdol, (Madhya Pradesh).	All premises of (1) Amlai, (2) S. C. Rungta and (3) Chachai coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
4. Sub Area Manager, Western Coalfields Limited, Post Office Pathakhhera, Railway Station Ghora Dongri, District Betul, (Madhya Pradesh).	All premises of (1) Pathakhhera, (2) Pathakhhera Extension, (3) Satpura and (4) Shobhapur coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	15. Sub Area Manager, Western Coalfields Limited, Post Office Jamuna Colliery, Railway Station Kotma, District Shahdol, (Madhya Pradesh).	All premises of (1) Kotma, (2) Bhadra, (3) Jamuna underground and (4) Jamuna open-cast coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
5. Sub Area Manager, Western Coalfields Limited, Post Office Shivaji Nagar, Taluqua Warora, District Chandrapur, (Maharashtra).	All premises of (1) Rajur, (2) New Majri underground and (3) New Majri open-cast coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	16. Sub Area Manager, Western Coalfields Limited, Post Office Nowrozabad Colliery, Railway Station Nowrozabad, District Shahdol, (Madhya Pradesh).	All premises of (1) Nowrozabad, (2) Birsinghpur and (3) Umaria coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
6. Sub Area Manager, Western Coalfields Limited, Post Office Manikpur, District Chandrapur, (Maharashtra).	All premises of Ghugus coal mine and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	17. Sub Area Manager, Western Coalfields Limited, Post Office Korea Colliery, Railway Station Chirimiri, District Surguja, (Madhya Pradesh).	All premises of (1) Korea and (2) West Chirimiri coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
7. Sub Area Manager, Western Coalfields Limited, Post Office Ballarpur, District Chandrapur, (Maharashtra).	All premises of (1) Chanda Rayatwari, (2) Mahakali, (3) Hindusthan Lalpeth and (4) Durgapur coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	18. Sub Area Manager, Western Coalfields Limited, Post Office Sonawani Colliery, District Surguja, (Madhya Pradesh).	All premises of (1) Duman Hill and (2) North Chirimiri coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
8. Sub Area Manager, Western Coalfields Limited, Post Office Ballarpur, District Chandrapur, (Maharashtra).	All premises of (1) Ballarpur and (2) Sasti coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	19. Sub Area Manager, Western Coalfields Limited, Kurasia Colliery, Post Office Chirimiri, District Surguja, (Madhya Pradesh).	All premises of (1) Kurasia, (2) Sonawani and (3) Chirimiri coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
9. Sub Area Manager, Western Coalfields Limited, Post Office Korba Colliery, Railway Station Korba, District Bilaspur, (Madhya Pradesh).	All premises of (1) Korba 1 and 2, (2) Korba 3 and 4 and (3) Rajgamar coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.	20. Sub Area Manager, Western Coalfields Limited, Post Office Haldiwadi, District Surguja, (Madhya Pradesh).	All premises of New Chirimiri Ponri Hill coal mine and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
10. Sub Area Manager, Western Coalfields Limited, Post Office Manikpur Colliery, Railway Station Korba, District Bilaspur, (Madhya Pradesh).	All premises of (1) Manikpur and (2) Manikpur Extension coal mines belonging to or under the control of the Western Coalfields Limited, Nagpur.		
11. Sub Area Manager, Western Coalfields Limited, Post Office Banki Mogra, District Bilaspur, (Madhya Pradesh).	All premises of (1) Banki, (2) Surakachar and (3) Kusmunda coal mines and other premises belonging to or under the control of the Western Coalfields Limited, Nagpur.		

(1)	(2)	(1)	(2)
21. Sub Area Manager, Western Coalfields Limited, Post Office Bistrampur Colliery, Railway Station Bistrampur, District Surguja, (Madhya Pradesh).	All premises of (1) Bistrampur open-cast, (2) Bistrampur underground, (3) Jainagar and (3) Kumda coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	30. Sub Area Manager, Western Coalfields Limited, Chanda-metta Sub Area, Post Office Parasia, District Chhindwara, (Madhya Pradesh).	All premises of (1) Chanda-metta, (2) East Dongar Chickli, (3) Bhamori and (4) Jatachhapa coal mines and other premises belonging to or under the control of Western Coalfield Limited, Nagpur.
22. Sub Area Manager, Western Coalfields Limited, Post Office Churcha Colliery, Railway Station Baikunthpur Road, District Surguja, (Madhya Pradesh).	All premises of (1) Churcha and (2) Katkona coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	31. Sub Area Manager, Western Coalfields Limited, Eklehra Sub Area, Post Office Eklehra, District Chhindwara, (Madhya Pradesh).	All premises of (1) Barkui, (2) Eklehra and (3) North Chandametta coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
23. Sub Area Manager, Western Coalfields Limited, Bhatgaon, Post Office Bistrampur Colliery, District Surguja, (Madhya Pradesh).	All premises of Bhatgaon coal mine and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	32. Sub Area Manager, Western Coalfields Limited, Newton Group Sub Area, Post Office Parasia, District Chhindwara, (Madhya Pradesh).	All premises of (1) Newton Chickli 'A' and (2) Newton Chickli 'B' coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
24. Sub Area Manager, Western Coalfields Limited, Post Office West Jhagrakhand Colliery, District Surguja, (Madhya Pradesh).	All premises of (1) West Jhagrakhand, (2) Ramnagar, (3) Rajnagar, (4) Ram Nagar quarries and (5) Jhimar coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	33. Sub Area Manager, Western Coalfields Limited, Rawanwara Group Sub Area, Post Office Rawanwara, District Chhindwara, (Madhya Pradesh).	All premises of (1) Rawanwara and (2) Rawanwara Khas coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.
25. Sub Area Manager, Western Coalfields Limited, Post Office South Jhagrakhand Colliery, District Surguja, (Madhya Pradesh).	All premises of (1) South Jhagrakhand, (2) North Jhagrakhand ('B' seam) coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	[No. 11025/1/75-CAF/PIR-I]	
26. Sub Area Manager, Western Coalfields Limited, Bijuri Colliery, Post Office Bijuri, District Shahdol, (Madhya Pradesh).	All premises of (1) Bijuri (2) New Raj Nagar coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	<p>का० आ० 2473.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की वेदखनी) अधिनियम, 1971 (1971 का 40वाँ) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा ऊर्जा मंत्रालय (कोयला विभाग), भारत सरकार की तारीख 31 दिसम्बर, 1976 की अधिसूचना संख्या का० आ० 252 को अधिक्रान्त करते हुए केन्द्रीय सरकार एतद्वारा नीचे की सारणी के स्तम्भ 1 में उल्लिखित अधिकारी को, जो सरकार के राजपत्रित अधिकारी के समतुल्य अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिये सम्पदा अधिकारी नियुक्त करती है जो अपनी अधिकारिता की सीमाओं के भीतर, उक्त सारणी के स्तम्भ (2) में उल्लिखित कोटियों के सरकारी स्थानों, की वाकत, इस अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा।</p>	
27. Sub Area Manager, Western Coalfields Limited, Damua Colliery, Post Office Ghora-wari Khurd, District Chhindwara, (Madhya Pradesh).	All premises of (1) Damua, (2) Nandan Project and (3) Rakhikol coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	सारणी	
28. Sub Area Manager, Datla Sub Area, Western Coalfields Limited, Post Office Dungaria, District Chhindwara, (Madhya Pradesh).	All premises of (1) Ghora-wari, (2) Datla West and (3) Chikalmu Project coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	अधिकारी का पदनाम सरकारी स्थानों की कोटियों तथा अधिकारितों की स्थानीय सीमायें	
29. Sub Area Manager, Western Coalfields Limited Ambara Sub Area, Post Office Palachauri, Junnordeo, District Chhindwara, (Madhya Pradesh).	All premises of (1) Mohan, (2) Ambara and (3) Sukri coal mines and other premises belonging to or under the control of Western Coalfields Limited, Nagpur.	(1)	(2)
		उप-मुख्य कार्मिक अधिकारी, आसाम के जिला डिब्रूगढ़ और सिवसागर कोल इंडिया लि० (उत्तरी जिलों में कोल इंडिया लि० (उत्तरी पूर्वी कोयला क्षेत्र एरिया) पूर्वी कोयला क्षेत्र एरिया) का कोयला जिला डिब्रूगढ़, आसाम। क्षेत्र एरिया और अन्य सभी स्थान।	

[सं० 11025/1/75-सी० ए० एफ०/पी० आई० आर०-II]

चन्द्र धर सिपाठी, निदेशक

S.O. 2473.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in supersession of the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 252, dated the 31st December, 1976, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on estate officers by or under this Act, within the limits of his jurisdiction in respect of the categories of public premises specified in column (2) of the said Table.

TABLE

Designation of the officer	Categories of public premises and local limits of jurisdiction
Deputy Chief Personnel Officer, Coal India Limited, (North Eastern Coalfield Area), District Dibrugarh, Assam.	Coalfield area and all other premises belonging to Coal India Limited, (North Eastern Coalfield Area) in the district of Dibrugarh and Sibsagar, Assam.
[No. 11025/1/75-CAF/PIR.PT.II] C. D. TRIPATHI, Director.	

कृषि और सिंचाई मंत्रालय

(खाद्य विभाग)

नई दिल्ली, 4 मार्च, 1977

शुद्धि पत्र

क्र० आ० 2474.—इस विभाग के 11 जून, 1974 के आदेश संख्या 52/21/68-एफ० सी० 3 (एन० जैड०) बाल्यूम 7 में निम्नलिखित शुद्धियाँ की जायें:—

स्थानान्तरण आदेश में क्रम संख्या	की जाने वाली शुद्धियाँ
1	2
1272	क्रम संख्या 1326 की दृष्टि में इसको निकाल दें।
1279	कालम 3 में '(-)' के स्थान पर "चौकीदार" पढ़ें।
1285	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1286	कालम 4 में 'वही' के स्थान पर "डिस्टिंग आपरेटर" पढ़ें।
1298	(i) कालम 2 में 'श्री बाबू लाल शर्मा' के स्थान पर "श्री बाबू लाल सुपुत्र पंडित चन्द्र लाल" पढ़ें। (ii) कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
1299	कालम 3 में 'वही' के स्थान पर "डिस्टिंग आपरेटर" पढ़ें।
1300	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
1301	कालम 4 में 'वही' के स्थान पर "स्वीपर" पढ़ें।
1302	कालम 4 में 'वही' के स्थान पर "डिस्टिंग आपरेटर" पढ़ें।
1318	क्रम संख्या 1214 की दृष्टि में इसको निकाल दें।
1324	क्रम संख्या 1216 की दृष्टि में इसको निकाल दें।

(1)	(2)
1328	कालम 2 में 'श्री छोटे लाल' के स्थान पर "श्री छोटे लाल सुपुत्र श्री जी० सुख" पढ़ें।
1329	कालम 3 में 'चौकीदार' के स्थान पर "स्टिचर" पढ़ें।
1332	कालम 2 में 'मंशी' के स्थान पर "मंशीराम सुपुत्र श्री वीरवल" पढ़ें।
1335	कालम 3 में '(-)' के स्थान पर "चौकीदार" पढ़ें।
1336	कालम 2 में 'श्री भगन सिंह' के स्थान पर "श्री भगन सिंह" पढ़ें।
1337	कालम 3 में '(-)' के स्थान पर "स्टिचर" पढ़ें।
1338	कालम 3 में "डिस्टिंग आपरेटर" के स्थान पर "चौकीदार" पढ़ें।
1339	कालम 3 में 'चौकीदार' के स्थान पर "स्टिचर" पढ़ें।
1340	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1342	कालम 2 में 'श्री बोरथा मीन' के स्थान पर "श्री बिरथा मीन" पढ़ें।
1345	कालम 3 में '(-)' के स्थान पर "स्टिचर" पढ़ें।
1346	कालम 3 में '(-)' के स्थान पर "डिस्टिंग आपरेटर" पढ़ें।
1347	कालम 3 में '(-)' के स्थान पर "स्टिचर" पढ़ें।
1356	कालम 3 में 'वही' के स्थान पर "स्टिचर" पढ़ें।
1358	(i) कालम 2 में 'श्री छोटे लाल' के स्थान पर "श्री छोटे लाल सुपुत्र श्री खेमा" पढ़ें। (ii) कालम 3 में '(-)' के स्थान पर "स्टिचर" पढ़ें।
1362	कालम 3 में 'चौकीदार' के स्थान पर "स्टिचर" पढ़ें।
1363	(i) कालम 2 में 'श्री टेक बहादुर' के स्थान पर "श्री टेक बहादुर सुपुत्र श्री थैक बहादुर" पढ़ें। (ii) कालम 3 में '(-)' के स्थान पर "चौकीदार" पढ़ें।
1365	कालम 3 में 'स्वीपर' के स्थान पर "स्टिचर" पढ़ें।
1383	कालम 3 में '(-)' के स्थान पर "स्टिचर" पढ़ें।
1398	कालम 2 में 'श्री समसुदान' के स्थान पर "श्री समसुदीन" पढ़ें।
1401	(i) कालम 2 में 'श्री देशरत सिंह' के स्थान पर "श्री दशरथ सिंह" पढ़ें। (ii) कालम 3 में 'सिफटर' के स्थान पर "स्वीपर" पढ़ें।
1402	कालम 3 में 'वही' के स्थान पर "सिफटर" पढ़ें।
1406	कालम 3 में 'चौकीदार' के स्थान पर "(-)" पढ़ें।
1408	कालम 3 में 'सिफटर' के स्थान पर "(-)" पढ़ें।
1411	कालम 3 में '(-)' के स्थान पर "सिफटर" पढ़ें।
1412	कालम 3 में '(-)' के स्थान पर "सिफटर" पढ़ें।
1420	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
1434	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
1438	कालम 3 में '(-)' के स्थान पर "सिफटर" पढ़ें।
1440	कालम 3 में 'डिस्टिंग आपरेटर' के स्थान पर "(-)" पढ़ें।
1461	(i) कालम 3 में 'चौकीदार' के स्थान पर "स्टिचर" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "स्टिचर" पढ़ें।
1462	(i) कालम 3 में 'सिफटर' के स्थान पर "स्टिचर" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "स्टिचर" पढ़ें।

1	2	1	2
1463	(i) कालम 3 में 'वही' के स्थान पर "सिफटर" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "सिफटर" पढ़ें।	1589	(i) कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें। (ii) कालम 2 में 'श्री राम सिंह सुपुत्र श्री एकमान सिंह' के स्थान पर "श्री राम सिंह गोरखा सुपुत्र श्री टकमान सिंह" पढ़ें।
1467	कालम 3 में 'श्री राम प्रागत शुल्क' के स्थान पर "श्री राम प्रागत" पढ़ें।	1591	कालम 4 में 'वही' के स्थान पर "सिफटर" पढ़ें।
1479	कालम 3 में 'पिकर' के स्थान पर "(—)" पढ़ें।	1592	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1486	कालम 2 में 'श्री मोहन लाल सुपुत्र श्री सुन्दर नारायण' के स्थान पर "श्री मोहन लाल सुपुत्र श्री सुन्दरमणी" पढ़ें।	1605	कालम 2 में 'बेनसन एल० लाल' के स्थान पर "श्री बेनसन एम० लाल" पढ़ें।
1488	कालम 2 में "श्री जीत बहादुर" के स्थान पर "श्री जीत बहादुर सुपुत्र श्री मन बहादुर" पढ़ें।	1615	(i) कालम 2 में 'श्री चन्द्र बहादुर' के स्थान पर "श्री चन्द्र बहादुर सुपुत्र श्री फतेह बहादुर" पढ़ें। (ii) कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1503	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।	1616	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1520	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।	1618	कालम 2 में 'राजा' के स्थान पर "राज्ञी" पढ़ें।
1524	कालम 2 में 'श्री चन्दर बहादुर थापा सुपुत्र श्री बलवीर सिंह' के स्थान पर "श्री चन्द्र बादुर थापा सुपुत्र श्री बलवीर थापा" पढ़ें।	1627	कालम 2 में 'श्री मंगरी सिंह' के स्थान पर "श्री मंगू सिंह" पढ़ें।
1525	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1622	कालम 2 में 'श्री बाबू लाल' के स्थान पर "श्री बाबू लाल सुपुत्र श्री भूरे लाल" पढ़ें।
1526	कालम 2 में 'श्री धन बहादुर' के स्थान पर "श्री धन बहादुर" पढ़ें।	1635	(i) कालम 2 में 'श्री सुरेश नन्द' के स्थान पर "श्री सुरेशानन्द" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "डिस्ट्रिक्ट ऑफिसर" पढ़ें।
1540	(i) कालम 2 में 'श्री गोबर्द्धन उपाध्याय' के स्थान पर "श्री गोबर्द्धन सुपुत्र श्री गौरी दत्त" पढ़ें। (ii) कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1636	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1539	(i) कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें। (ii) कालम 4 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1648	कालम 2 में 'श्री बख्त वीर थापा सुपुत्र श्री पदम वीर थापा' के स्थान पर "श्री भक्तवीर थापा सुपुत्र श्री पदमसिंह थापा" पढ़ें।
1542	कालम 2 में 'श्री भूरी सिंह' के स्थान पर "श्री मोरी सिंह" पढ़ें।	1650	(i) कालम 2 में 'श्री बलवन्त सिंह' के स्थान पर "श्री बलवन्त सिंह सुपुत्र श्री दीप सिंह" पढ़ें। (ii) कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।
1544	कालम 2 में 'श्री हुक्मान लाल सुपुत्र श्री भोपाल लाल शाह' के स्थान पर "श्री हुक्म लाल सुपुत्र श्री गोपाल लाल शाह" पढ़ें।	1656	(i) कालम 2 में 'श्री राम प्रसाद' के स्थान पर "श्री राम प्रसाद सुपुत्र श्री फूसा राम" पढ़ें। (ii) कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1547	(i) कालम 2 में 'श्री सिंगरी लाल जैन' के स्थान पर "श्री सिंगरी लाल" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "सिफटर" पढ़ें।	1657	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1548	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	1659	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।
1549	कालम 2 में 'श्री महावीर भाटिया' के स्थान पर "श्री महावीर सुपुत्र श्री धनुराम" पढ़ें।	1660	(i) कालम 2 में 'श्री नर बहादुर' के स्थान पर "श्री नरबहादुर सुपुत्र श्री किशन बहादुर" पढ़ें। (ii) कालम 4 में '(—)' के स्थान पर "चौकीदार" पढ़ें।
1553	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।	1672	कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें।
1554	कालम 3 में 'वही' के स्थान पर '(—)' पढ़ें।	1673	(i) कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें। (ii) कालम 2 में 'श्री गदाधर सुपुत्र श्री मीनू प्रसाद' के स्थान पर "श्री गंगाधर सुपुत्र श्री मीनू प्रसाद" पढ़ें।
1561	(i) कालम 2 में "श्री मोहन सिंह" के स्थान पर "श्री मोहन सिंह सुपुत्र श्री भान सिंह" पढ़ें। (ii) कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें।	1675	कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें।
1562	(i) कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "स्टिचर" पढ़ें।	1676	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1563	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	1679	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।
1567	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1680	क्रम संख्या 1166 की दृष्टि में इसको निकाल दें।
1574	कालम 4 में 'वही' के स्थान पर "सिफटर" पढ़ें।	1688	कालम 2 में 'श्री कल्लन सिंह सुपुत्र श्री इन्दु सिंह' के स्थान पर "श्री कल्लन सिंह सुपुत्र श्री इन्द्र सिंह" पढ़ें।
1575	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।		
1588	कालम 4 में 'वही' के स्थान पर "सिफटर" पढ़ें।		

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1698	() कालम 2 में 'श्री जग बहादुर' के स्थान पर "श्री जग बहादुर सुपुत्र श्री रोंचा रोका" पढ़ें। () कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें। () कालम 4 में 'वही' के स्थान पर 'स्टिचर' पढ़ें।	1805	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1699	कालम में 'वही' के स्थान पर "चौकीदार" पढ़ें।	1809	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1701	() कालम 2 में 'श्री सूरज लाल' के स्थान पर "श्री सूरज लाल सुपुत्र श्री राम उदित" पढ़ें। () कालम 4 में 'चौकीदार' के स्थान पर "सिफटर" पढ़ें।	1810	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1702	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	1813	(i) कालम 2 में 'श्री करण बहादुर' के स्थान पर "श्री करण बहादुर सुपुत्र श्री फौजदार सिंह" पढ़ें। (ii) कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।
1706	कालम 2 में 'श्री गंगा बहादुर सुपुत्र श्री कांची राम' के स्थान पर "श्री गंगा बहादुर सुपुत्र श्री कांशी" पढ़ें।	1815	कालम 2 में 'श्री तुलाराम पुरोहित' के स्थान पर "श्री रत्ना राम सुपुत्र श्री श्री० डी० पुरोहित" पढ़ें।
1714	(i) कालम 2 में 'श्री मदन लसिंह' के स्थान पर "श्री मदन सिंह सुपुत्र श्री गोपाल सिंह" पढ़ें। (ii) कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।	1826	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1717	कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें।	1829	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1719	कालम 2 में 'श्री प्रेम सिंह बंसल' के स्थान पर "श्री प्रेम सिंह सुपुत्र श्री खेम चन्द" पढ़ें।	1831	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1725	क्रम संख्या 2147 की दृष्टि में इसे निकाल दें।	1833	क्रम संख्या 1503 की दृष्टि में इसे निकाल दें।
1737	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1852	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1738	(i) कालम 2 में 'श्री सोहन सिंह' के स्थान पर "श्री सोहन सिंह सुपुत्र श्री भंवर सिंह" पढ़ें। (ii) कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1854	कालम 2 में 'श्री बालाराम' के स्थान पर "श्री बालाराम सुपुत्र श्री छोटे लाल" पढ़ें।
1740	क्रम संख्या 1875 की दृष्टि में इसे निकाल दें।	1891	कालम 2 में 'श्री ए० के० जार्ज' के स्थान पर "श्री ए० एक्स० जार्ज" पढ़ें।
1743	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1894	कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें।
1745	कालम 2 में 'श्री मंगल सिंह' के स्थान पर "श्री मंगल सिंह सुपुत्र श्री मूल सिंह" पढ़ें।	1895	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1746	कालम 2 में 'श्री अमर नाथ सुपुत्र श्री भान चन्द्र' के स्थान पर "श्री अमर नाथ सुपुत्र श्री चन्द्र भान" पढ़ें।	1898	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।
1723	क्रम संख्या 1788 की दृष्टि में इसे निकाल दें।	1901	कालम में 'वही' के स्थान पर "(—)" पढ़ें।
1764	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।	1910	कालम 2 में 'श्री मोहन सिंह सुपुत्र श्री शेर सिंह' के स्थान पर "श्री मोहन सिंह सुपुत्र श्री शेर बहादुर" पढ़ें।
1769	कालम 2 में 'श्री धज बहादुर' के स्थान पर "श्री धोज बहादुर सुपुत्र श्री नौखीर" पढ़ें।	1929	कालम 2 में 'श्री कन्हैया सिंह' के स्थान पर "श्री कान्हें सिंह" पढ़ें।
1778	कालम 2 में 'श्री राम बिहारी मिश्र' के स्थान पर "श्री राम बिहारी सुपुत्र श्री लाल बहादुर" पढ़ें।	1948	क्रम संख्या 1787 की दृष्टि में इसे निकाल दें।
1779	कालम 2 में 'श्री राम विलास सिंह' के स्थान पर "श्री राम विलास सुपुत्र श्री दरबारी सिंह" पढ़ें।	1949	क्रम संख्या 1810 की दृष्टि में इसे निकाल दें।
1781	कालम 2 में 'श्री शिव रतन' के स्थान पर "श्री शिव रतन सुपुत्र श्री गंगादीन" पढ़ें।	1957	(i) कालम 2 में 'श्री राम चरन' के स्थान पर "श्री राम चरन सुपुत्र श्री मुरली सिंह" पढ़ें। (ii) कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1784	(i) कालम 2 में 'श्री विजयपाल शर्मा' के स्थान पर "श्री विजय पाल सुपुत्र श्री राम चन्द्र" पढ़ें। (ii) कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1966	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1786	कालम 3 में '(—)' के स्थान पर "चौकीदार" पढ़ें।	1967	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1974	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।	1973	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
1796	कालम 2 में 'श्री राम बहादुर' के स्थान पर "श्री राम बहादुर सुपुत्र श्री राम भरोसे" पढ़ें।	1979	कालम 2 में "श्री भगवती प्रसाद" के स्थान पर "श्री भगवती प्रसाद सुपुत्र श्री पातन दीन यादव" पढ़ें।
1798	कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें।	1983	क्रम संख्या 1902 की दृष्टि में इसे निकाल दें।
1804	कालम 3 में 'चौकीदार' के स्थान पर "(—)" पढ़ें।	1988	कालम 2 में 'श्री सुखलाल सिवासिया' के स्थान पर "श्री सुख लाल सिवासिया" पढ़ें।
		1989	कालम 2 में 'श्री नारायण दास भाटिया' के स्थान पर "श्री नारायण दास सुपुत्र श्री गोविन्द राम" पढ़ें।
		1992	कालम 3 में 'वही' के स्थान पर "(—)" पढ़ें।
		1993	(i) कालम 3 में 'वही' के स्थान पर "डस्टिंग आपरेटर" पढ़ें। (ii) कालम 3 में 'वही' के स्थान पर "डस्टिंग आपरेटर" पढ़ें।

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1994	(i) कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	2144	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
1997	(i) कालम 3 में 'शिपटमैन' के स्थान पर "डस्टिंग आपरेटर" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "डस्टिंग आपरेटर" पढ़ें।	2146	कालम 2 में 'श्री चन्द्र भान सुपुत्र श्री राम कला' के स्थान पर "श्री चन्द्र भान सुपुत्र श्री टीका राम" पढ़ें।
1998	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	2151	(i) कालम 3 में 'चौकीदार' के स्थान पर "डस्टिंग आपरेटर" पढ़ें। (ii) कालम 4 में 'चौकीदार' के स्थान पर "डस्टिंग आपरेटर" पढ़ें।
2018	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।	2152	(i) कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
2019	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	2156	कालम 2 में 'श्री राम बहादुर तिवारी' के स्थान पर "श्री राम बहादुर सुपुत्र श्री विजयनाथ तिवारी" पढ़ें।
2024	कालम 3 में '(-)' के स्थान पर "चौकीदार" पढ़ें।	2157	कालम 3 में 'चौकीदार' के स्थान पर "(-)" पढ़ें।
2022	(i) कालम 3 में '(-)' के स्थान पर "चौकीदार" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "डस्टिंग आपरेटर" पढ़ें।	2158	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
2023	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	2161	कालम 2 में 'श्री तिल बहादुर सुपुत्र श्री कतरी राम' के स्थान पर "श्री तिल बहादुर सुपुत्र श्री कवीराम" पढ़ें।
2026	कालम 2 में 'श्री रावती शरण' के स्थान पर "श्री रेवती शरण भर्मा" पढ़ें।	2162	कालम 2 में 'श्री घटीसी लाल' के स्थान पर "श्री धीटीसे लाल" पढ़ें।
2027	कालम 3 में 'चौकीदार' के स्थान पर "स्टिचर" पढ़ें।	2166	कालम 2 में 'श्री परस राम' के स्थान पर "श्री परस राम दुवे" पढ़ें।
2032	कालम 2 में 'श्री शम्भू दयाल मिश्र' के स्थान पर "श्री शम्भू दयाल सुपुत्र श्री बंसी धर मिश्र" पढ़ें।	2167	कालम 2 में 'अलाउद्दीन' के स्थान पर "श्री अल्लाहदीन" पढ़ें।
2042	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।	2168	कालम 2 में 'श्री राम बहादुर' के स्थान पर "श्री राम बहादुर सुपुत्र श्री टेक बहादुर" पढ़ें।
2043	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	2174	कालम 2 में 'श्री कमल यादव' के स्थान पर "श्री कमल सुपुत्र श्री त्रिलोक" पढ़ें।
2068	कालम 2 में 'श्री जय बल्लभ जोशी' के स्थान पर "श्री जय बल्लभ" पढ़ें।	2175	कालम 2 में 'श्री जर बहादुर' के स्थान पर "श्री जरबहन" पढ़ें।
2074	कालम 2 में 'श्री तार दत्ता' के स्थान पर "श्री तारा दत्त" पढ़ें।	2181	कालम 2 में 'श्री कृष्ण अवतार शुक्ल' के स्थान पर "श्री कृष्ण अवतार सुपुत्र श्री रवि नारायण" पढ़ें।
2081	कालम 3 में '(-)' के स्थान पर "चौकीदार" पढ़ें।	2187-ए	कालम 2 में 'श्री अम्बिका प्रसाद पांडे' के स्थान पर "श्री अम्बिका प्रसाद सुपुत्र श्री जय प्रसाद पांडे" पढ़ें।
2082	क्रम संख्या 1980 की दृष्टि में इसे निकाल दें।	2191	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
2084	कालम 2 में 'श्री राम देव तिवारी' के स्थान पर "श्री राम देव सुपुत्र श्री बीजा तिवारी" पढ़ें।	2192	कालम 3 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
2090	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।	2193	(i) कालम 3 में '(-)' के स्थान पर "स्टिचर" पढ़ें। (ii) कालम 4 में 'वही' के स्थान पर "स्टिचर" पढ़ें।
2093	क्रम संख्या 2054 की दृष्टि में इसे निकाल दें।	2194	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।
2096	क्रम संख्या 2125 की दृष्टि में इसे निकाल दें।	2211	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
2097	क्रम संख्या 1663 की दृष्टि में इसे निकाल दें।	2213	कालम 3 में '(-)' के स्थान पर "स्वीपर" पढ़ें।
2098	कालम 4 में 'वही' के स्थान पर "सिफ्टर" पढ़ें।	2214	कालम 3 में '(-)' के स्थान पर "स्वीपर" पढ़ें।
2099	कालम 4 में 'वही' के स्थान पर "चौकीदार" पढ़ें।	2224	कालम 2 में 'श्री मुन्नी लाल सुपुत्र श्री गुनी लाल' के स्थान पर "श्री मुनी लाल सुपुत्र श्री चुनो लाल" पढ़ें।
2115	कालम 2 में 'श्री धनमान सिंह' के स्थान पर "श्री डामर सिंह सुपुत्र श्री सावर मोरखा" पढ़ें।	2227	कालम 3 में 'स्वीपर' के स्थान पर "(-)" पढ़ें।
2122	कालम 2 में 'श्री बिरखू बहादुर सुपुत्र श्री बिरका बहादुर' के स्थान पर "श्री बिरखा बहादुर सुपुत्र श्री बिरखा बहादुर" पढ़ें।	2228	(i) कालम 3 में 'वही' के स्थान पर "स्वीपर" पढ़ें। (ii) कालम 2 में 'श्री शंकर' के स्थान पर "श्री शंकर सुपुत्र श्री गुगन" पढ़ें।
2135	(i) कालम 2 में 'श्री श्याम विहारी चौबे' के स्थान पर "श्री श्याम विहारी" पढ़ें। (ii) कालम 3 में 'डस्टिंग आपरेटर' के स्थान पर "(-)" पढ़ें।	2232	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
2139	कालम 3 में '(-)' के स्थान पर "चौकीदार" पढ़ें।		
2142	कालम 4 में 'वही' के स्थान पर "सिफ्टर" पढ़ें।		
2143	कालम 4 में 'वही' के स्थान पर "डस्टिंग आपरेटर" पढ़ें।		

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2242	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
2254	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
2255	कालम 2 में 'श्री राधाश्याम' के स्थान पर "श्री राधाश्याम सुपुत्र श्री सुरज मल" पढ़ें।
2256	कालम 2 में 'श्री बाबूराम' के स्थान पर "श्री बाबूराम सुपुत्र श्री छज्जू राम" पढ़ें।
2266	कालम 3 में 'वही' के स्थान पर "(-)" पढ़ें।
2267	कालम 3 में 'वही' के स्थान पर "स्वीपर" पढ़ें।
2268	क्रम संख्या 2297 की दृष्टि में इसे निकाल दें।
2284	क्रम संख्या 2279 की दृष्टि में इसे निकाल दें।
2294	(i) कालम 2 में 'श्री राम स्वरूप' के स्थान पर "श्री राम स्वरूप सुपुत्र श्री गुरुधन" पढ़ें। (ii) कालम 3 में 'वही' के स्थान पर "सिफ्टर" पढ़ें। (iii) कालम 4 में 'वही' के स्थान पर "सिफ्टर" पढ़ें।
2295	कालम 4 में 'वही' के स्थान पर "स्वीपर" पढ़ें।

[सं० 52/7/74-एफ० सी० III(वाल्फू० VIII)]

बकशी राम, उप सचिव

MINISTRY OF AGRICULTURE & AND IRRIGATION
(Department of Food)

New Delhi, the 4th March, 1977

CORRIGENDUM

S.O. 2474.—In this Department Order No. 52/21/68-FC. III(NZ)/Vol. VII dated 11-6-1974, the following corrections shall be carried out:

Sl. No. in the Transfer Order	Correction to be Carried out
1	2
1272	Deleted in view of Sl. No. 1326.
1279	For the "Dash" in col. 3, read "Watchman".
1285	For the word "Do" in col. 4, read "Watchman".
1286	For the word "Do" in col. 4, read "Dusting Operator".
1298	(i) For the words "Shri Babu Lal Sharma" in col. 2, read "Shri Babu Lal S/o Pt. Chander Lal". (ii) For the word "Do" in col. 3, read "Dash".
1299	For the word "Do" in col. 3, read "Dusting Operator".
1300	For the word "Do" in col. 3, read "Dash".
1301	For the word "Do" in col. 4, read "Sweeper".
1302	For the word "Do" in col. 4, read "Dusting Operator".
1318	Deleted in view of S. No. 1214.
1324	Deleted in view of S. No. 1216.
1328	For the words "Shri Chhotey Lal" in col. 2, read "Shri Chhotey Lal S/o Shri Jee Sukh".

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1329	For the word "Watchman" in col. 3, read "Stitcher".
1332	For the word "Munshi" in col. 2, read "Shri Munshi Ram S/o Shri Birbal".
1335	For the "Dash" in col. 3, read "Watchman".
1336	For the words "Shri Mangan Singh" in col. 2, read "Shri Magan Singh".
1337	For the "Dash" in col. 3, read "Stitcher".
1338	For the word "Dusting Operator" in col. 3, read "Watchman".
1339	For the word "Watchman" in col. 3, read "Stitcher".
1340	For the word "Do" in col. 3, read "Watchman".
1342	For the words "Shri Bordha Meena" in col. 2, read "Shri Birdha Meena".
1345	For the "Dash" in col. 3, read "Stitcher".
1346	For the "Dash" in col. 3, read "Dusting Operator".
1347	For the "Dash" in col. 3, read "Stitcher".
1356	For the word "Do" in col. 3, read "Stitcher".
1358	(i) For the words "Shri Chottey Lal" in col. 2, read "Shri Chhotey Lal S/o Shri Khema". (ii) For the "Dash" in col. 3, read "Stitcher".
1362	For the word "Watchman" in col. 3, read "Stitcher".
1363	(i) For the words "Shri Tek Bahadur" in col. 2, read "Shri Tek Bahadur S/o Shri Thek Bahadur". (ii) For the "Dash" in col. 3, read "Watchman".
1365	For the word "Sweeper" in col. 3, read "Stitcher".
1383	For the "Dash" in col. 3, read "Stitcher".
1398	For the words "Shri Samsuddan" in col. 2, read "Shri Samsuddin".
1401	(i) For the words "Shri Deshrat Singh" in col. 2, read "Shri Dashrath Singh". (ii) For the word "Sifter" in col. 3, read "Sweeper".
1402	For the word "Do" in col. 3, read "Sifter".
1406	For the word "Watchman" in col. 3, read "Dash".
1408	For the word "Sifter" in col. 3, read "Dash".
1411	For the "Dash" in col. 3, read "Sifter".
1412	For the "Dash" in col. 3, read "Sifter".
1420	For the word "Do" in col. 3, read "Dash".
1434	For the word "Do" in col. 3, read "Dash".
1438	For the "Dash" in col. 3, read "Sifter".
1440	For the words "Dusting Operator" in col. 3, read "Dash".
1461	(i) For the word "Watchman" in col. 3, read "Stitcher". (ii) For the word "Do" in col. 4, read "Stitcher".
1462	(i) For the word "Sifter" in col. 3, read "Stitcher". (ii) For the word "Do" in col. 4, read "Stitcher".
1463	(i) For the word "Do" in col. 3, read "Sifter". (ii) For the word "Do" in col. 4, read "Sifter".
1467	For the words "Shri Ram Pragat Shukla" in col. 2, read "Shri Ram Pragat".

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1479	For the word "Picker" in col. 3, read "Dash".	1618	For the word "Ranja" in col. 2, read "Ranjha".
1486	For the words "Shri Mohan Lal S/o Shri Sunder Narain" in col. 2, read "Shri Mohan Lal S/o Shri Sunder Mani".	1627	For the words "Shri Mangi Singh" in col. 2, read "Shri Mangu Singh".
1488	For the words "Shri Jit Bahadur" in col. 2, read "Shri Jit Bahadur S/o Shri Man Bahadur".	1622	For the words "Shri Babu Lal" in col. 2, read "Shri Babu Lal S/o Bhure Lal".
1506	For the word "Do" in col. 3, read "Dash".	1635	(i) For the words "Shri Suresh Nand" in col. 2, read "Shri Suresha Nand".
1520	For the word "Do" in col. 3, read "Dash".		(ii) For the word "Do" in col. 4, read "Dusting Operator".
1504	For the words "Shri Chander Bahadur Thapa S/o Balbir Thapa" in col. 2, read "Shri Chandra Bahadur Thapa S/o Shri Dal Bir Thapa".	1636	For the word "Do" in col. 4, read "Watchman".
1525	For the word "Dash" in col. 3, read "Watchman".	1648	For the words "Shri Bakhat Bir Thapa S/o Padam Bir Thapa" in col. 2, read "Shri Bhaktabir Thapa S/o Padam Singh Thapa".
1536	For the words "Shri Dhan Bahadur" in col. 2, read "Shri Dan Bahadur".	1650	(i) For the words "Shri Balwant Singh" in col. 2, read "Shri Balwant Singh S/o Deep Singh".
1540	(i) For the words "Shri Goverdhan Upadhyay" in col. 2, read "Shri Goverdhan S/o Gauri Datt".		(ii) For the "Dash" in col. 3, read "Watchman".
	(ii) For the "Dash" in col. 3, read "Watchman".	1556	(i) For the words "Shri Ram Prashad" in col. 2, read "Shri Ram Prasad S/o Phusa Ram".
1539	(i) For the "Dash" in col. 3, read "Watchman".		(ii) For the word "Do" in col. 3, read "Dash".
	(ii) For the "Dash" in col. 4, read "Watchman".	1657	For the word "Do" in col. 3, read "Watchman".
1542	For the words "Shri Bhuri Singh" in col. 2, read "Shri Bhoori Singh".	1659	For the "Dash" in col. 3, read "Watchman".
1544	For the words "Shri Hukuan Lal S/o Bhopal Lal Shah" in col. 2, read "Shri Hukam Lal S/o Shri Gopal Lal Shah".	1660	(i) For the words "Shri Nar Bahadur" in col. 2, read "Shri Nar Bahadur S/o Kishan Bd.".
1547	(i) For the words "Shri Singari Lal Jain" in col. 2, read "Shri Singari Lal".		(ii) For the "Dash" in col. 4, read "Watchman".
	(ii) For the word "Do" in col. 4, read "Sifter".	1672	For the word "Watchman" in col. 3, read "Dash".
1548	For the word "Do" in col. 4, read "Watchman".	1673	(i) For the word "Do" in col. 3, read "Watchman".
1549	For the words "Shri Mahabir Bhatia" in col. 2, read "Shri Mahabir S/o Shri Bhanu Ram".		(ii) For the words "Shri Ganda Dhar S/o Minu Parsad" in col. 2, read "Shri Ganga Dhar S/o Minu Pd.".
1553	For the word "Do" in col. 3, read "Dash".	1675	For the word "Watchman" in col. 3, read "Dash".
1554	For the word "Do" in col. 3, read "Dash".	1676	For the word "Do" in col. 3, read "Watchman".
1561	(i) For the words "Shri Mohan Singh" in col. 2, read "Shri Mohan Singh S/o Shri Man Singh".	1679	For the "Dash" in col. 3, read "Watchman".
	(ii) For the word "Watchman" in col. 3, read "Dash".	1680	Deleted in view of Sl. No. 1166.
1562	(i) For the word "Do" in col. 3, read "Dash".	1688	For the words "Shri Kallan Singh S/o Indu Singh" in col. 2, read "Shri Kallan Singh S/o Inder Singh".
	(ii) For the word "Do" in col. 4, read "Sifter".	1698	(i) For the words "Shri Jung Bahadur" in col. 2, read "Shri Jung Bd. S/o Roncha Roka".
1563	For the word "Do" in col. 4, read "Watchman".		(ii) For the word "Watchman" in col. 3, read "Dash".
1567	For the "Dash" in col. 3, read "Watchman".		(iii) For the word "Do" in col. 4, read "Stitcher".
1574	For the word "Do" in col. 4, read "Sifter".	1699	For the word "Do" in col. 4, read "Watchman".
1575	For the word "Do" in col. 4, read "Watchman".	1701	(i) For the words "Shri Suraj Lal" in col. 2, read "Shri Suraj Lal S/o Ram Udit".
1588	For the word "Do" in col. 4, read "Sifter".		(ii) For the word "Watchman" in col. 4, read "Sifter".
1589	(i) For the word "Do" in col. 4, read "Watchman".	1702	For the word "Do" in col. 4, read "Watchman".
	(ii) For the words "Shri Ram Singh I S/o Pakmam Singh" in col. 2, read "Shri Ram Singh Gorkha S/o Takman Singh".	1706	For the words "Shri Ganga Bahadur S/o Kanchi Ram" in col. 2, read "Shri Ganga Bd. S/o Shri Kanshi".
1591	For the word "Do" in col. 4, read "Sifter".	1714	(i) For the words "Shri Madan Singh" in col. 2, read "Shri Mandan Singh S/o Gopal Singh".
1592	For the word "Do" in col. 4, read "Watchman".		(ii) For the word "Do" in col. 3, read "Dash".
1605	For the words "Benson N. Lal" in col. 2, read "Shri Benson M. Lal".	1717	For the word "Watchman" in col. 3, read "Dash".
1615	(i) For the words "Shri Chander Bahadur" in col. 2, read "Shri Chander Bd. S/o Fateh Bd.".	1719	For the words "Shri Prem Singh Bansal" in col. 2, read "Shri Prem Singh S/o Khem Chand".
	(ii) For the word "Do" in col. 3, read "Dash".	1725	Deleted in view of Sl. No. 2147.
1616	For the word "Do" in col. 3, read "Watchman".	1737	For the "Dash" in col. 3, read "Watchman".

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1738	(i) For the words "Shri Sohan Singh" in col. 2, read "Shri Sohan Singh S/o Sh. Bhanwar Singh".
	(ii) For the "Dash" in col. 3, read "Watchman".
1740	Deleted in view of Sl. No. 1875.
1743	For the "Dash" in col. 3, read "Watchman".
1745	For the words "Shri Managal Singh" in Col. 2, read "Shri Mangal Singh S/o Shri Mool Singh".
1746	For the words "Shri Amar Nath S/o Bhan Chander" in col. 2, read "Shri Amar Nath S/o Chander Bhan".
1723	Deleted in view of Sl. No. 1788.
1764	For the word "Do" in col. 3, read "Dash".
1769	For the words "Shri Dhaj Bahadur" in col. 2, read "Shri Dhoj Bahadur S/o Naur Bir".
1778	For the words "Shri Ram Bihari Misra" in col. 2, read "Shri Ram Bihari S/o Shri Lal Bahadur".
1779	For the words "Shri Ram Bilas Singh" in col. 2, read "Shri Ram Bilas S/o Shri Darbari Singh".
1781	For the words "Shri Shiv Ratan" in col. 2, read "Shri Shiv Rattan S/o Shri Ganga Din".
1784	(i) For the words "Shri Vijaya Pal Sharma" in col. 2, read "Shri Vijaya Pal S/o Ram Chander".
	(ii) For the "Dash" in col. 3, read "Watchman".
1786	For the "Dash" in col. 3, read "Watchman".
1794	For the "Do" in col. 3, read "Dash".
1796	For the words "Shri Ram Bahadur" in col. 2, read "Shri Ram Bahadur S/o Ram Bharosey".
1798	For the word "Watchman" in col. 3, read "Dash".
1804	For the word "Watchman" in col. 3, read "Dash".
1805	For the word "Do" in col. 3, read "Watchman".
1809	For the word "Do" in col. 3, read "Dash".
1810	For the word "Do" in col. 3, read "Watchman".
1813	(i) For the words "Shri Karan Bahadur" in col. 2, read "Shri Karan Bahadur S/o Faujdar Singh".
	(ii) For the "Dash" in col. 3, read "Watchman".
1815	For the words "Shri Tula Ram Purohit" in col. 2, read "Shri Rula Ram S/o B.D. Prohit".
1828	For the word "Do" in col. 3, read "Dash".
1829	For the word "Do" in col. 3, read "Watchman".
1831	For the word "Do" in col. 3, read "Dash".
1833	Deleted in view of Sl. No. 1503.
1852	For the word "Do" in col. 3, read "Dash".
1854	For the words "Shri Bala Ram" in col. 2, read "Shri Bala Ram S/o Chhotu Lal".
1891	For the words "Shri A.K. George" in col. 2, read "Shri A.X. George".
1894	For the word "Watchman" in col. 3, read "Dash".
1895	For the word "Do" in col. 3, read "Watchman".
1898	For the word "Dash" in col. 3, read "Watchman".
1901	For the word "Do" in col. 3, read "Dash".
1910	For the words "Shri Mohan Singh S/o Sher Singh" in col. 2, read "Shri Mohan Singh S/o Shri Sher Bahadur".
1929	For the words "Shri Kanhya Singh" in col. 2, read "Shri Kanhay Singh".

1	2
1948	Deleted in view of Sl. No. 1787.
1949	Deleted in view of Sl. No. 1810.
1957	(i) For the words "Shri Ram Charan" in col. 2, read "Shri Ram Charan S/o Murli Singh".
	(ii) For the word "Do" in col. 3, read "Dash".
1966	For the word "Do" in col. 3, read "Dash".
1967	For the word "Do" in col. 3, read "Watchman".
1973	For the word "Do" in col. 3, read "Dash".
1979	For the words "Shri Bhagwati Prasad" in col. 2, read "Shri Bhagwati Pd. S/o Patan Din Yadav".
1983	Deleted in view of Sl. No. 1902.
1988	For the words "Shri Sukhlal Siwasiya" in col. 2, read "Shri Sukh Lal S/o Pusa Lal Siwasiya".
1989	For the words "Shri Narain Dass Bhatia" in col. 2, read "Shri Narain Dass S/o Govind Ram".
1992	For the word "Do" in col. 3, read "Dash".
1993	(i) For the word "Do" in col. 3, read "Dusting Operator".
	(ii) For the word "Do" in col. 3, read "Dusting Operator".
1994	(i) For the word "Do" in col. 3, read "Watchman".
	(ii) For the word "Do" in col. 4, read "Watchman".
1997	(i) For the word "Sifter" in col. 3, read "Dusting Operator".
	(ii) For the word "Do" in col. 4, read "Dusting Operator".
1998	For the word "Do" in col. 4, read "Watchman".
2018	For the word "Do" in col. 3, read "Dash".
2019	For the word "Do" in col. 3, read "Watchman".
2024	For the "Dash" in col. 3, read "Watchman".
2022	(i) For the "Dash" in col. 3, read "Watchman".
	(ii) For the word "Do" in col. 4, read "Dusting Operator".
2023	For the word "Do" in col. 4, read "Watchman".
2026	For the words "Shri Ravti Saran" in col. 2, "Shri Revti Saran Sharma".
2027	For the word "Watchman" in col. 3, read "Stitcher".
2032	For the words "Shri Shambu Dayal Mishra" in col. 2, read "Shri Shambu Dayal S/o Bansi Dhar Misra".
2042	For the word "Do" in col. 3, read "Dash".
2043	For the word "Do" in col. 3, read "Watchman".
2068	For the words "Shri Jai Ballabh Josi" in col. 2, read "Shri Jai Ballabh".
2074	For the words "Shri Tar Dutta" in col. 2, read "Shri Tara Dut".
2081	For the "Dash" in col. 3, read "Watchman".
2082	Deleted in view of Sl. No. 1980.
2084	For the words "Shri Ram Deo Tiwari" in col. 2, read "Shri Ram Dev S/o Shri Bija Tiwari".
2090	For the word "Do" in col. 3, read "Dash".
2093	Deleted in view of Sl. No. 2054.
2096	Deleted in view of Sl. No. 2125.
2097	Deleted in view of Sl. No. 1663.
2098	For the word "Do" in col. 4, read "Sifter".

1	2
2099	For the word "Do" in col. 4, read "Watchman".
2115	For the words "Shri Dhanman Singh" in col. 2, read "Shri Damar Singh S/o Sabar Gurkha".
2122	For the words "Shri Birkhu Bahadur S/o Dirka Bahadur" in col. 2, read "Shri Birkha Bahadur S/o Hirkha Bahadur".
2135	(i) For the words "Shri Shyam Bihari Chaubey" in col. 2, read "Shri Shyam Bihari". (ii) For the words "Dusting Operator" in col. 3, read "Dash".
2139	For the "Dash" in col. 3, read "Watchman".
2142	For the word "Do" in col. 4, read "Sifter".
2143	For the word "Do" in col. 4, read "Dusting Operator".
2144	For the word "Do" in col. 4, read "Watchman".
2146	For the words "Shri Chander Bhan S/o Ram Kala" in col. 2, read "Shri Chander Bhan S/o Tika Ram".
2151	(i) For the word "Watchman" in col. 3, read "Dusting Operator". (ii) For the word "Watchman" in col. 4, read "Dusting Operator".
2152	(i) For the word "Do" in col. 3, read "Watchman". (ii) For the word "Do" in col. 4, read "Watchman".
2156	For the words "Shri Ram Bahadur Tiwari" in col. 2, read "Shri Ram Bahadur S/o Bishwanath Tiwari".
2157	For the word "Watchman" in col. 3, read "Dash".
2158	For the word "Do" in col. 3, read "Watchman".
2161	For the words "Shri Til Bahadur S/o Katri Ram" in col. 2, read "Shri Til Bahadur S/o Shri Kabi Ram".
2162	For the words "Shri Ghasity Lal" in col. 2, read "Shri Ghasitey Lal".
2166	For the words "Shri Paras Ram" in col. 2, read "Shri Paras Ram Dubey".
2167	For the words "Shri Allauddin" in col. 2, read "Shri Allah Din".
2168	For the words "Shri Ram Bahadur" in col. 2, read "Shri Ram Bahadur S/o Shri Tek Bahadur".
2174	For the words "Shri Kamal Yadav" in col. 2, read "Shri Kamal S/o Shri Trilok".
2175	For the words "Shri Jar Bahadur" in col. 2, read "Shri Jar Bandhan".
2181	For the words "Shri Krishan Avtar Shukla" in col. 2, read "Shri Krishan Avtar S/o Shri Ravi Narain Shukla".
2187-A	For the words "Shri Ambika Prasad Pandey" in col. 2, read "Shri Ambika Prasad S/o Shri Jai Prasad Pandey".
2191	For the word "Do" in col. 3, read "Dash".
2192	For the word "Do" in col. 3, read "Watchman".
2193	(i) For the "Dash" in col. 3, read "Stitcher". (ii) For the word "Do" in col. 4, read "Stitcher".
2194	For the word "Do" in col. 4, read "Watchman".
2211	For the word "Do" in col. 3, read "Dash".
2213	For the "Dash" in col. 3, read "Sweeper".

1	2
2214	For the "Dash" in col. 3, read "Sweeper".
2224	For the words "Shri Muni Lal S/o Shri Guni Lal" in col. 2, read "Shri Munni Lal S/o Chunni Lal".
2227	For the word "Sweeper" in col. 3, read "Dash".
2228	(i) For the word "Do" in col. 3, read "Sweeper". (ii) For the words "Shri Shanker" in col. 2, read "Shri Shanker S/o Gagan".
2232	For the word "Do" in col. 3, read "Dash".
2242	For the word "Do" in col. 3, read "Dash".
2254	For the word "Do" in col. 3, read "Dash".
2255	For the words "Shri Radha Shyam" in col. 2, read "Shri Radhey Shyam S/o Shri Suraj Mal".
2256	For the words "Shri Babu Ram" in col. 2, read "Shri Ballu Ram S/o Chhajju Ram".
2266	For the word "Do" in col. 3, read "Dash".
2267	For the word "Do" in col. 3, read "Sweeper".
2268	Deleted in view of Sl. No. 2297.
2284	Deleted in view of Sl. No. 2279.
2294	(i) For the words "Shri Ram Swaroop" in col. 2, read "Shri Ram Swaroop S/o Shri Gurdhan". (ii) For the word "Do" in col. 3, read "Sifter". (iii) For the word "Do" in col. 4, read "Sifter".
2295	For the word "Do" in col. 4, read "Sweeper".

[No. 52/74-FC III/(Vol. VIII)]
BAKHSI RAM, Dy. Secy.

पर्यटन और नागर विमानन मंत्रालय

नई दिल्ली, 22 जुलाई, 1977

क्र० आ० 2475.—वायु निगम अधिनियम, 1953 (1953 का 27) की धारा 4 (ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एयर चीफ मार्शल पी० सी० लाल को 21 जुलाई, 1977 के पूर्वानुन से इंडियन एयरलाइन्स का अध्यक्ष (अंशकालिक) नियुक्त करती है।

[सं० ए० बी०-18014/10/77-ए०सी०]

सी० एल० डींगरा, उप सचिव

MINISTRY OF TOURISM AND CIVIL AVIATION

New Delhi, the 22nd July, 1977

S.O. 2475.—In exercise of the powers conferred by Section 4(1A) of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby appoints ACM P. C. Lal as Chairman (part-time) of Indian Airlines with effect from the forenoon of 21st July, 1977.

[No: AV. 18014/10/77-AC]

C. L. DHINGRA, Dy. Secy.

निर्माण और आवास मंत्रालय

दिल्ली विकास प्राधिकरण

नई दिल्ली, 27 जुलाई, 1977

क्र० आ० 2476.—अधिसूचना संख्या पीए/बीसी/77/541 दिनांक 2 जुलाई, 1977 के क्रम में तथा उन्हें प्रदत्त अधिकारों का प्रयोग करते हुए अध्यक्ष, दिल्ली विकास प्राधिकरण, श्री सतीश चन्द्र खण्डेलवाल, सदस्य, दिल्ली नगर निगम, दिल्ली को दिल्ली विकास प्राधिकरण की आवास समिति का सदस्य नामित करते हैं।

[संख्या पीए/बीसी/77/541]

पी० के० बी० सिंह, सचिव

MINISTRY OF WORKS AND HOUSING

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 27th July, 1977

S.O. 2476.—In continuation of notification number PA/VC/77/541 dated the 2nd July, 1977 and in exercise of the powers conferred on him, the Chairman, D.D.A. is pleased to nominate Shri Satish Chander Khandelwal, Member, Municipal Corporation of Delhi also as a member of the Housing Committee of the Delhi Development Authority.

[No. PA/VC/77/541]

P. K. B. SINGH, Secy.

DIRECTOR OF ESTATES

New Delhi, the 18th July, 1977

CORRIGENDUM

S.O. 2477.—In the notification of the Government of India in the Ministry of Works and Housing No. 19014(2)/75-Pol. IV dated the 4th December, 1976, published in the Gazette of India, Part II, Section 3, Sub-section (ii) of the same date at page-4230, in line one, for S.O. 4226 read "S.O. 4626".

[File No. 1914 (2) 75-Pol. IV]

I. CHAUDHURI, Director

अभ्यन्तर मंत्रालय

आदेश

नई दिल्ली, 25 जून, 1977

का० आ० 2478 केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स एल्लेप्पे कम्पनी लिमिटेड एण्ड जनरल एक्सपोर्ट कम्पनी, क्लीरिंग एण्ड फारवर्डिंग एजेंट्स, विलिंगडन आइलैंड, कोचीन-682003 के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है।

और केन्द्रीय सरकार उक्त विवाद को न्यायानिर्णयन के लिए निर्देशित करना वांछनीय समझती है।

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री के० सेलवारतनम होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायानिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स एल्लेप्पे कम्पनी लिमिटेड एण्ड जनरल एक्सपोर्ट कम्पनी, क्लीरिंग एण्ड फारवर्डिंग एजेंट्स, कोचीन-682003 के कर्मचारियों की अपनी वर्तमान मजदूरी और परिवर्ती महंगाई भत्ते में संशोधन और वृद्धि की मांग न्यायोचित है ? यदि हाँ, तो वृद्धि कितनी होनी चाहिए ?

[एल-35011(2)/76-डी० 4(ए)]

नन्द लाल, डेस्क अधिकारी

MINISTRY OF LABOUR

ORDER

New Delhi, the 25th June, 1977

S.O. 2478.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Alleppey Company Limited and General Export Company, Clearing and Forwarding

Agents, Willingdon Island, Cochin-682003 and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. Selvaratnam shall be the Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the employees of Messrs Alleppey Company Limited and General Export Company, Clearing and Forwarding Agents, Cochin-682003 are justified in demanding revision and enhancement of their present wages and Variable Dearness Allowance? If so, what should be the increase?

[No. L-35011(2)/76-DIV(A)]

NAND LAL, Desk Officer.

आदेश

नई दिल्ली, 30 जून, 1977

का० आ० 2479 केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में बैंक आफ बड़ौदा, अहमदाबाद के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और उक्त औद्योगिक विवाद श्री एम० यू० शाह, पीठासीन अधिकारी, औद्योगिक अधिकरण, अहमदाबाद के समक्ष लम्बित है;

और उक्त श्री एम० यू० शाह की सेवाएं अब उपलब्ध नहीं हैं;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33ख की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री एम० यू० शाह, पीठासीन अधिकारी, औद्योगिक अधिकरण, अहमदाबाद से उक्त विवाद से सम्बद्ध कार्यवाहियों को वापस लेती है और उन्हें उक्त अधिनियम की धारा 7-क के अधीन गठित औद्योगिक अधिकरण, अहमदाबाद को हस्तांतरित करती है जिसके पीठासीन अधिकारी श्री आर० सी० इसरानी, बी०ए० (आनर्स), एल०एल०बी० हैं, और यह निदेश देती है कि उक्त केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद आगे की कार्यवाहियां उसी प्रक्रम से करेगा जिस पर वे उसे हस्तांतरित की जाएं और विधि के अनुसार उनका निपटान करेगा।

अनुसूची

क्या बैंक आफ बड़ौदा, दक्षिणी क्षेत्र अहमदाबाद के प्रबन्ध तन्त्र की बैंक की परसीशेरी शाखा के क्लर्क, श्री एस० एस० सिन्दूरिया की 13-4-1976 से सेवाएं समाप्त करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोप का हकदार है ?

[संख्या एल-12012/202/76-डी० 2-ए]

ORDER

New Delhi, the 30th June, 1977

S.O. 2479.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the Bank of Baroda, Ahmedabad and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the said industrial dispute is pending before Shri M. U. Shah, Presiding Officer, Industrial Tribunal, Ahmedabad;

And whereas the services of the said Shri M. U. Shah are no longer available ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 33-B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby withdraws the proceedings in relation to the said dispute from Shri M. U. Shah, Presiding Officer Industrial Tribunal, Ahmedabad and transfers the case to the Industrial Tribunal, Ahmedabad presided over by Shri R. C. Israni, B.A. (Hons) L.L.B. constituted under section 7-A of the said Act and directs that the said Central Government Industrial Tribunal, Ahmedabad shall proceed with the same proceedings from the stage at which they are transferred to it and dispose of the same according to law

SCHEDULE

Whether the action of the management of the Bank of Baroda, Southern Region, Ahmedabad in terminating the services of Shri S. S. Sinduria, Clerk, Persi Sheri Branch of the Bank with effect from 13-4-1976 is justified? If not, to what relief is the workman concerned entitled?

[No. L-12012/202/76-D.II-A]

प्रादेश

नई दिल्ली, 2 जुलाई, 1977

का० आ० 2480.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सेंट्रल बैंक आफ इंडिया, जामनगर के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और उक्त औद्योगिक विवाद श्री एम० यू० शाह, पीठासीन अधिकारी, औद्योगिक अधिकरण, अहमदाबाद के समक्ष लम्बित हैं ;

और अक्त श्री एम० यू० शाह की सेवाएं अब अपलब्ध नहीं हैं ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 की धारा 33ख की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री एम० यू० शाह, पीठासीन अधिकारी, औद्योगिक अधिकरण, अहमदाबाद से उक्त विवाद से सम्बद्ध कार्यवाही को वापस लेती है और उसे उक्त अधिनियम की धारा 7क के अधीन गठित औद्योगिक अधिकरण को हस्तांतरित करती है जिसके पीठासीन अधिकारी श्री आर० सी० इसरानी, बी० ए० (ग्रान्स), एल० एल० बी०, होंगे और यह निदेश देती है कि उक्त केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद और आगे कार्यवाही उसी प्रक्रम से करेगा जिस पर वह उसे हस्तांतरित की जाए और विधि के अनुसार उसका निपटान करेगा ।

अनुसूची

- (1) क्या शाखा प्रबन्धक, सेंट्रल बैंक आफ इंडिया, जामनगर की श्री उस्मान जूमा, रामोशी को 1-11-76 से सेवा से रोकने की कार्यवाही न्यायोचित है ? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?
- (2) क्या सेंट्रल बैंक आफ इंडिया की जामनगर शाखा के श्री उस्मान जूमा, रामोशी जामनगर शाखा में नियोजित बैंक के अन्य चतुर्थ श्रेणी कर्मचारियों को ग्राह्य वेतनमान तथा अन्य लाभों के हकदार हैं ? यदि हां, तो कर्मकार किस अनुतोष का हकदार है ?

[संख्या एल-12012/34/77-डी० 2-ए]

ORDER

New Delhi, the 2nd July, 1977

S.O. 2480.—Whereas the Central Government is of opinion that an industrial dispute between the employers in relation

to the management of the Central Bank of India, Jamnagar and their workman in respect of the matters specified in the Schedule hereto annexed :—

And whereas the said industrial dispute is pending before Shri M. U. Shah, Presiding Officer, Industrial Tribunal, Ahmedabad ;

And whereas the services of the said Shri M. U. Shah are no longer available ;

Now, therefore, in exercise of the powers conferred by sub-section 1 of section 33-B of the Industrial Disputes Act, 1947, the Central Government hereby withdraws the proceedings in relation to the said dispute from Shri M. U. Shah, Presiding Officer, Industrial Tribunal, Ahmedabad and transfers the same to the Industrial Tribunal presided over by Shri R. C. Israni, B.A. (hons), L.L.B. constituted under section 7-A of the said Act and directs that the said Central Government Industrial Tribunal, Ahmedabad shall proceed with the same proceedings from the stage at which they were transferred to it and dispose of the same according to law

SCHEDULE

- (1) Whether the action of the Branch Manager, Central Bank of India, Jamnagar in stopping Shri Usman Juma, Ramoshi from service with effect from 1-11-76 is justified? If not to what relief is the workman entitled?
- (2) Whether Shri Usman Juma, Ramoshi, Central Bank of India Jamnagar Branch is entitled to the pay scale and other benefits admissible to other class IV employees of the Bank employed in the Jamnagar Branch? If so, to what relief is the workman entitled?

[No. L-12012/34/77-D.II.A.]

प्रादेश

नई दिल्ली, 13 जुलाई, 1977

का० आ० 2481.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सेंट्रल बैंक आफ इंडिया, जामनगर के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) के साथ पठित धारा 7क द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एम० यू० शाह होंगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

- (1) क्या शाखा प्रबन्धक सेंट्रल बैंक आफ इंडिया, जामनगर की श्री उस्मान जूमा रामोशी को 1-11-76 से काम से रोकने की कार्रवाई न्यायोचित है ? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?
- (2) क्या सेंट्रल बैंक आफ इंडिया, जामनगर शाखा के श्री उस्मान जूमा, रामोशी बैंक की जामनगर शाखा में नियोजित श्रेणी 4 के अन्य कर्मचारियों को अनुव्यय वेतनमान और अन्य लाभों के हकदार हैं ? यदि हां, तो कर्मकार किस अनुतोष का हकदार है ?

[सं० एल-12012/34/77-डी० 2-ए०]

आर० पी० नरुला, अवसर सचिव

ORDER

New Delhi, the 13th July 1977

S.O. 2481.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the Central Bank of India, Jamnagar and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7-A read with Clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an industrial Tribunal, the Presiding Officer of which shall be Shri M. U. Shah with head quarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

- (1) Whether the action of the Branch Manager, Central Bank of India, Jamnagar in stopping Shri Usman Juma, Ramoshi from service with effect from 1-11-76 is justified? If not, to what relief is the workman entitled?
- (2) Whether Shri Usman Juma, Ramoshi Central Bank of India Jamnagar Branch is entitled to the pay scale and other benefits admissible to other class IV employees of the Bank employed in their Jamnagar Branch? If so, to what relief is the workman entitled?

[No. L-12012/34/77-D. II-A]

R. P. NARULA, Under Secy.

नई दिल्ली, 15 जुलाई, 1977

क्र० आ० 2482.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मोहन लाल लालचन्द मेटल वर्क्स, पटवाशेरी, नवसारी, जिला बुलसारा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(279)/77-पी० एफ०-2]

New Delhi, the 15th July, 1977

S.O. 2482.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mohanlal Lalchand Metal Works, Patwa Sheri, Navsari, District Bulsar, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1977.

[No. S. 35019/279/77-PF. II]

क्र० आ० 2483—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अमेरिकन रेडियो एण्ड आटोमोबाइल कम्पनी, एस० पी० मुकजी मार्ग, दिल्ली-6 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण

उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1973 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(280)/77-पी० एफ०-2]

S.O. 2483.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs American Radio and Automobile Company, S.P. Mukerji Marg, Delhi-6, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1973.

[No. S. 35019/280/77-PF. II]

क्र० आ० 2484.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जयन्तीलाल प्रेमचन्द, 2254 महरत पोल, मानिक चौक, अहमदाबाद-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(281)/77-पी० एफ०-2]

S.O. 2484.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jayantilal Premchand, 2254, Mahurat Pole, Manekchowk, Ahmedabad-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now therefore, in exercise of the powers conferred by sub-section (3) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of March, 1977.

[No. S. 35019/281/77-PF. II]

क्र० आ० 2485.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सूविधा ट्रेवल्स, श्याम आटोमोबाइल्स के अपर, श्याम सदन, मिर्जापुर रोड, अहमदाबाद-1 जिसमें 7, म्यूसिसिपल शापिंग सेन्टर, एस० टी० स्टैंड के पास, आनन्द जिला कैन्डा (गुजरात) स्थित उसकी शाखा भी सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019(282)/77-पी० एफ० 2]

S.O. 2485.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Suvidha Travels, Above Shyam Automobiles, Shyam Sadan, Mirazapur Road, Ahmedabad-1 including its branch at 2, Municipal Shopping Centre, Near S.T. Stand, Anand, District Kaira (Gujarat), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of March, 1977.

[No. S. 35019/282/77-PF. II]

का० प्रा० 2486—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स क्वाली टूल्स, 'बी' टाइप शेड सं० 1, नरोडा इन्डस्ट्रियल टाउनशिप, अहमदाबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019(283)/77-पी० एफ० 2]

S.O. 2486.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kwali Tools, 'B' Type Shed No. 1, Naroda Industrial Township, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1976.

[No. S. 35019/2/8/3/77-PF. II]

का० प्रा० 2487—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम० ए० गफकार एण्ड सन्स, डाक घर बाक्स सं०, 627, 175 मदीना बिल्डिंग के सामने, हैदराबाद-2 (आन्ध्र प्रदेश) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

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अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जुलाई, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (284)/77-पी० एफ०-2]

S.O. 2487.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs M.A. Gaffar and Sons, Post Office Box No. 627, 175, Opposite Madina Building, Hyderabad-2 (Andhra Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of July, 1975.

[No. S. 35019/284/77-PF. II]

का० प्रा० 2488.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भगवती स्फेरोकास्ट (प्राइवेट) लिमिटेड, 1 कृष्ण सोसाइटी, एलिस-ब्रीज, अहमदाबाद-6 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अक्टूबर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019 (540)/76-पी० एफ०-2(1)]

S.O. 2488.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bhagwati Spherocast (Private) Limited, 1, Krishna Society, Ellisbridge, Ahmedabad-6, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of October, 1976.

[No. S. 35019(540)/76-PF. II(i)]

नई दिल्ली, 19 जुलाई, 1977

का० प्रा० 2489.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कोयला केन्द्र, 15 शेक्सपियर सरानी, कलकत्ता-7, जिसमें स्टेशन रोड, उखरा ग्रासनखोल स्थित उसकी शाखा भी सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना एक अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35017 (30)/76-पी० एफ०-2(1)]

New Delhi, the 19th July, 1977

S.O. 2489.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs India's Coal Centre, 15, Shakespeare Sarani, Calcutta-71 including its branch at Station Road, Ukhra, Asansol, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35017/30/76-PF. II(i)]

का० आ० 2490.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् एक अप्रैल, 1976 से मैसर्स भारतीय कोयला केन्द्र, 15 शेक्सपियर सरानी कलकत्ता-7 जिसमें स्टेशन रोड उखरा आसनसोल स्थित उसकी शाखा भी सम्मिलित है, नाम स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस-35017(30)/76-पी० एफ-2(ii)]

S.O. 2490.—In exercise of the powers conferred by the first proviso to section 6 of the Employee's Provident Funds and Miscellaneous provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1976 the establishment known as Messrs India's Coal Centre, 15, Shakespeare Sarani, Calcutta-71 including its branch at Station Road, Ukhra, Asansol, for the purposes of the said proviso.

[No. S. 35017/30/76-PF. II(ii)]

का० आ० 2491.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स शिव प्रसाद महेन्द्र कुमार, 2, गणेश चन्द्र एवेन्यू, कलकत्ता-13 जिसमें कालोनी टी एस्टेट, डाकघर रंगापारा, जिला दारंग (आसाम) स्थित उसकी शाखा भी सम्मिलित है। नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 दिसम्बर, 1973 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35017(48)/77-पी० एफ-2(i)]

S.O. 2491.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sheoparshad Mahendrakumar, 2, Ganesh Chandra Avenue, Calcutta-13 including its branch at Kolony Tea Estate, Post Office Rangapara, District Darrang (Assam), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1973.

[No. S. 35017/48/77-PF. II(ii)]

का० आ० 2492.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 दिसम्बर, 1973 से मैसर्स शिव प्रसाद महेन्द्रकुमार, 2, गणेश चन्द्र एवेन्यू, कलकत्ता-13 जिसमें कालोनी, टी एस्टेट, डाकघर रंगापारा, 7 जला दारंग (आसाम) स्थित उसकी शाखा भी सम्मिलित है, नाम स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस-35017(48)/77-पी० एफ-2(ii)]

S.O. 2492.—In exercise of the powers conferred by the first proviso to section 6 of the Employee's Provident Funds and Miscellaneous provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of December, 1973, the establishment known as Messrs Sheoparshad Mahendrakumar, 2, Ganesh Chandra Avenue, Calcutta-13, including its branch at Kolony Tea Estate, Post Office Rangapara, District Darrang (Assam), for the purposes of the said proviso.

[No. S. 35017/48/77-PF. II(ii)]

का० आ० 2493.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ज्वेल बॉक्स इन्का: 45-बी० बी० गंगुली स्ट्रीट, कलकत्ता-12 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35017 (53)/77-पी० एफ-2]

S.O. 2493.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jewal Box Inc. 45, B. B. Ganguly Street, Calcutta-12, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1976.

[No. S. 35017/53/77-PF. II]

का० आ० 2494.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लुवरी केम इण्डस्ट्रीज (प्राइवेट) लिमिटेड, राय (बाया मयन्दर) जिला थाना वेस्टर्न रेलवे जिसमें कांजी मैन्शन : 313 सदर बी० पी० रोड, मुम्बई-4 स्थित उसका कार्यालय भी सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना एक जनवरी, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35018 (41)/77-पी० एफ-2]

S.O. 2494.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Lubri-Chem Industries (Private) Limited, Rail, (Via Bhayandar), District Thana, Western Railways including its Office at Kanji Mansion, 313, Sardar V. P. Road, Bombay-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1975.

[No. S. 35018/41/77-PF. II]

का० आ० 2495.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मोडेला स्टील्स एण्ड एलाय लिमिटेड, 7 एम फ्लोर, रेशम भवन वीर नारिमन रोड, मुम्बई-20 जिसमें 34-43 औद्योगिक क्षेत्र देसीगांव, रतलाम (मध्य प्रदेश) स्थित उसकी शाखा भी सम्मिलित है। नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना एक मई, 1974 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35018(43)/77-पी० एफ०-2 (i)]

S.O. 2495.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Modella Steels and Alloys Limited, 7 M Floor, Resham Bhavan, Veer Nariman Road, Bombay-20 including its branch at 34-43, Industrial Area Designaon, Ratlam (Madhya Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1974.

[No. S. 35018/43/77-PF. II(i)]

का० आ० 2496.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् एक मई, 1974 से मैसर्स मोडेला स्टील्स एण्ड एलायज लिमिटेड, 7 एम फ्लोर रेशम भवन, वीर नारिमन रोड, जिसमें 34-43, औद्योगिक देसीगांव, रतलाम, (मध्य प्रदेश) स्थित उसकी शाखा भी सम्मिलित है, नाम स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस-35018(43)/77-पी० एफ०-2(ii)]

S.O. 2496.—In exercise of the powers conferred by the first proviso to section 6 of the Employee's Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of

May, 1974, the establishment known as Messrs Modella Steels and Alloys Limited, 7 M Floor, Resham Bhavan, Veer Nariman Road, Bombay-20, including its branch at 34-43, Industrial Area Designaon, Ratlam (Madhya Pradesh), for the purposes of the said proviso.

[No. S. 35018/43/77-PF. II(ii)]

का० आ० 2497.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फिट राइट पैकेजिंग, 20/20-ए वैभव इण्डस्ट्रियल स्टेट, सियान-ट्राम्बे रोड, मुम्बई-88 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना उनतीस फरवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35018(44)/77-पी० एफ०-2]

S.O. 2497.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Fit-Rite Packaging, 20/20-A, Vaibhav Industrial Estate, Sion-Trombay Road, Bombay-88, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-ninth day of February, 1976.

[No. S. 35018/44/77-PF. II]

का० आ० 2498.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एल्केम लाबोरेटरीज (प्राइवेट) लिमिटेड, कुमार इंजीनियरिंग वर्क्स कम्पाउण्ड, कालिना, मुम्बई-29, जिसमें एग्जीबिशन रोड, पटना-1 स्थित उसकी शाखा भी सम्मिलित है। नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 29 फरवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35018(45)/77-पी० एफ०-2]

S.O. 2498.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Alkom Laboratories (Private) Limited, Kumar Engineering Works Compound, Kalina, Bombay-29, including its branch at Exhibition Road, Patna-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-ninth day of February, 1976.

[No. S. 35018/45/77-PF. II]

का० आ० 2499.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मसर्स शार्टेप्रिन्ट्स, प्लॉट सं० 15 मोतीबाग, आर० के० स्टूडियो के सामने, चेम्बूर, मुम्बई-71 जिसमें 119, दादा साहिब फाल्के रोड, दादर, मुम्बई-14 स्थित उसकी शाखा भी सम्मिलित है। नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जनवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018 (47)/77-पी० एक०-2]

S.O. 2499.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shortprints, Plot No. 15, Motibaug, Opposite R. K. Studios, Chembur, Bombay-71 including its branch at 119, Dadasaheb Phalke Road, Dadar, Bombay-14 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1976.

[No. S. 35018/47/77-PF. II]

का० आ० 2500.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मसर्स प्रतिक हीट प्रोडक्ट्स, 11-टंकोवाला औद्योगिक एस्टेट, स्टील मेड मारोल मारोशी रोड, आन्धेरी (पूर्व) मुम्बई-59। नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018 (54)/77 पी० एक०-2]

S.O. 2500.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Pratik Heat Products, 11, Tankiwal Industrial Estate, Steel Made Compound, Marol Maroshi Road, Andheri (East), Bombay-59, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35018/54/77-PF. II]

का० आ० 2501.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मसर्स पकोडे मल्टीपपर्स कोऑपरेटिव सोसाइटी लिमिटेड, सं० 3566, मेलपुरम पकोडे डाक घर, जिला कन्याकुमारी नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जून, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019 (59)/77-पी० एक०-2(i)]

S.O. 2501.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Pacode Multipurpose Co-operative Society Limited, No. 3566, Melpuram, Pacode Post Office, Kanyakumari District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1975.

[No. S. 35019/59/77-PF. II(i)]

का० आ० 2502.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जून 1975 से मसर्स पकोडे मल्टीपपर्स कोऑपरेटिव सोसाइटी लिमिटेड, सं० 3566 मेलपुरम पकोडे डाक घर, जिला कन्याकुमारी, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस०-35019 (59)/77-पी० एक०-2 (ii)]

S.O. 2502.—In exercise of the powers conferred by the first proviso to section 6 of the Employee's Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of June, 1975 the establishment known as Messrs Pacode Multipurpose Cooperative Society Limited, No. 3566, Melpuram, Pacode Post Office, Kanyakumari District, for the purposes of the said proviso.

[No. S. 35019/59/77-PF. II(ii)]

का० आ० 2503.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मसर्स नवीन मेकैनाथ्रन्ड कांस्ट्रक्शन कम्पनी (प्राइवेट) लिमिटेड 4 अशोक नगर, हुवली-22 जिसके अन्तर्गत (1) सुपा (2) बेलगाम (3) हुवली (4) हिडकलडेम और (5) भगवती स्थित इसकी शाखाएं भी हैं। नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण

उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019 (151)/77-पी० एफ०-2]

S.O. 2503.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Naveen Mechanised Construction Company (Private) Limited, 4, Ashoknagar, Hubli-22 including its branches at (1) Supa, (2) Belgaum, (3) Hubli (4) Hidkal Dam and (5) Bhagwati, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1976.

[No. S. 35019/151/77-PF. II]

का० आ० 2504.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एच० गुरु इन्स्ट्रुमेंट्स (प्राइवेट) लिमिटेड, 32 इण्डस्ट्रियल सबर्ब, यशवन्थपुर पोस्ट, बंगलौर-2 नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 फरवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019 (235)/77-पी० एफ०-2 (i)]

S.O. 2504.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs H. Guru Instruments (Private) Limited, 32, Industrial Suburb, Yeswanthpur Post, Bangalore-52, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1977.

[No. S. 35019/235/77-PF. II(i)]

का० आ० 2505.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंधित विषय में आवश्यक जांच करने के पश्चात् 1 फरवरी, 1977 से मैसर्स एच० गुरु इन्स्ट्रुमेंट्स (प्राइवेट) लिमिटेड, 32 इण्डस्ट्रियल सबर्ब, यशवन्थपुर पोस्ट, बंगलौर-52 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस०-35019 (235)/77-पी० एफ०-2 (ii)]

S.O. 2505.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of February, 1977, the establishment known as Messrs. H. Guru Instruments (Private) Limited, 32, Industrial Suburb Yeswanthpur Post, Bangalore-52, for the purposes of the said proviso.

[No. S. 35019/235/77-PF. II(ii)]

का० आ० 2406.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मद्रास सोप फैक्टरी सं० 20, एस० जे० पी० रोड क्रॉस, बंगलौर-2 नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019 (240)/77-पी० एफ०-2]

S.O. 2506.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Madras Soap Factory, No. 20, S.J.P. Road, Cross, Bangalore-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1977.

[No. S. 35019/240/77-PF. II]

का० आ० 2507.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी० जी० एलेक्जेंडर मेमोरियल अस्पताल, कुम्बानाद डाकघर, कुम्बानाद, ग्राम कोयिपुरम, भवेला तालुक, जिला अलिपी, नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 30 अप्रैल, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019 (254)/77-पी० एफ०-2]

S.O. 2507.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. G. Alexander Memorial Hospital, Kumbanad Post Office, Kumbanad, Koyippuram Village, Tiruvalla Taluk District Alleppey have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of April, 1977.

[No. S. 35019/254/77-PF. II]

का० आ० 2508.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री रयाल सीमा पेपर मिल्स लि० नर सिंघ राव पेट, कुरनूल, आन्ध्र प्रदेश, जिसमें (1) अडोनी, जिला कुरनूल, आन्ध्र प्रदेश और (2) 5-3-512 चिवाघली लेन, हैदराबाद-1 स्थित उसकी शाखाएं भी सम्मिलित हैं नामक स्थापन से संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (256)/77-पी० एफ०-2(i)]

S.O. 2508.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sree Rayalaseema Paper Mills Limited, Narasinga Rao Pet, Kurnool, Andhra Pradesh, including its branches at (1) Adoni District Kurnool Andhra Pradesh and (2) 5-3-512 Chivaghali Lane, Hyderabad-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1976.

[No. S. 35019/256/77-PF. II(i)]

का० आ० 2509.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में आवश्यक जांच करने के पश्चात् 1 जनवरी, 1976 से मैसर्स श्री रयाल सीमा पेपर मिल्स लिमिटेड, नरसिंघ राव पेट, कुरनूल, आंध्र प्रदेश जिसमें (1) अडोनी जिला कुरनूल, आंध्र प्रदेश और (2) 5-3-512 चिवाघली लेन, हैदराबाद-1 स्थित उसकी शाखाएं भी सम्मिलित हैं, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस०-35019 (256)/77-पी० एफ० 2(ii)]

S.O. 2509.—In exercise of the powers conferred by the proviso to section 6 of the Employees' Provident Funds and Miscellaneous provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1976, the establishment known as Messrs Sree Rayalaseema Paper Mills Limited, Narasinga Rao Pet, Kurnool, Andhra Pradesh, including its branches at (1) Adoni District Kurnool, Andhra Pradesh and (2) 5-3-512 Chivaghali Lane, Hyderabad-1, for the purposes of the said proviso.

[No. S. 35019/256/77-PF. II(ii)]

का० आ० 2510.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रामसिंह अग्रवाल एण्ड कंपनी, 68, राष्ट्रपति रोड, सिकन्दराबाद, जिसमें हिमायत नगर, हैदराबाद, आन्ध्र प्रदेश स्थित उसकी शाखा भी सम्मिलित है, नामक स्थापन से संबंध नियोजक और

कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(257)/77 पी०एफ०-2]

S.O. 2510.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ram Singh Agarwal and Company, 68, Rashtrapathi Road, Secunderabad, including its branch at Himayathnagar, Hyderabad, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1976.

[No. S. 35019/257/77-PF. II]

का० आ० 2511.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रमेश वीविंग वर्क्स, भातर रोड, मजुरा भागल, सूरत नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 28 फरवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(260)/77-पी० एफ०-2]

S.O. 2511.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ramesh Weaving Works, Bhatar Road, Majura Bhagal, Surat, have agreed that the Provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-eighth day of February, 1977.

[No. S. 35019(260)/77-PF. II]

का० आ० 2512.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राजेन्द्र इन्डस्ट्रीज, भातर रोड, मजुरा भागल, सूरत नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 28 फरवरी, 1977 को प्रवृत्त हुए समझी जाएगी।

[सं० एस-35019(261)/77-पी० एफ०-2]

S.O. 2512.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rajendra Industries, Bhatar Road, Majura Bhagal, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty eighth day of February, 1977.

[No. S. 35019/261/77-PF. II]

का० आ० 2513.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राधा कृष्ण काफी हाउस, मार्केट रोड, मंगलूर-1, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019(265)/77-पी० एफ०-2]

S.O. 2513.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Radhakrishna Coffee House, Market Road, Mangalore-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1977.

[No. S. 35019/265/77-PF. II]

का० आ० 2514.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स केल्ट्रान पावर डिवाइसेज लिमिटेड, पुष्पगिरि पार्क, पुनकुन्नम, त्रिचूर (ग्राम अय्यन्थोल, जिला त्रिचूर) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019(267)/77-पी० एफ०-2]

S.O. 2514.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Keltron Power Devices Limited, Pushpagiri Park, Poonnunnam, Trichur (Ayyanthole Village, Trichur District), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1977.

[No. S. 35019/267/77-PF. II]

का० आ० 2515.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आटोमोबाइल एसिलरी सर्विसेज, महाबली पुरम रोड, थुरापक्कम मद्रास-20, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 दिसम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019(269)/77-पी० एफ०-2]

S.O. 2515.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Automobile Ancillary Services, Mahabalipuram Road, Thurai-pakkam, Madras-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1975.

[No. S. 35019/269/77-P.F. II]

का० आ० 2516.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फोटो ब्लाक्स कम्पनी, 53 वाल्लाजह रोड, मद्रास-2 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019(270)/77-पी० एफ०-2]

S.O. 2516.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Photo Blocks Company, 53. Wallajah Road, Madras-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S. 35019/270/77-P.F. II]

का० आ० 2517.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मोजेक इंडस्ट्रीज (प्राइवेट) लिमिटेड बालमत्ता, मंगलौर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 फरवरी, 1977 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35019(271)/77-पी० एफ०-2]

S.O. 2517.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mosaic Industries (Private) Limited, Balmatta, Mangalore-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1977.

[No. S. 35019/271/77-P.F. II]

का० आ० 2518.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हिमाचल मिनरल्स एण्ड कैमिकल्स, बाटा मण्डी, पाओन्टा साहिब (सिरमूर), नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 अप्रैल, 1977 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35019(272)/77-पी० एफ०-2]

S.O. 2518.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Himachal Minerals and Chemicals, Bata Mandi, Paonta Sahib (Sirmur), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1977.

[No. S. 35019/272/77-P.F. II]

का० आ० 2519.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भीम लंच होम, श्री कालाहस्ती, चित्तूर जिला नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 अक्टूबर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35019(273)/77-पी० एफ०-2]

S.O. 2519.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bhima Lunch Home, Sri Kalahasti, Chittoor District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1976.

[No. S. 35019/273/77-P.F. II]

का० आ० 2520.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री वेंकटेश्वर एजेन्सीज द्वारा मैसर्स टाडीकोन्डा रामूलु, गुंटूर-3 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35019(274)/77-पी० एफ०-2]

S.O. 2520.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sri Venkateswara Agencies, Care of Messrs. Tadikarada Ramulu, Guntur-3, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35019/274/77-P.F. II]

का० आ० 2521.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स होटल गौरी शंकर (मिलिटरी), जिनटावर, गुंटूर-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35019(275)/77-पी० एफ०-2]

S.O. 2521.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Hotel Gouri Shankar (Military), Zinna Tower, Guntur-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1976.

[No. S. 35019/275/77-P.F. II]

क्र० आ० 2522.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भीमा होटल-4 606 वेस्ट स्ट्रीट, रजिस्ट्री सं० 2308, श्री कालाहस्ती जिला चित्तूर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019 (276)/77-पी० एफ०-2]

S.O. 2522.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bhima's Hotel, 4-606, West Street, Registered No. 2308, Sri Kalahasti, Chittoor District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1976.

[No. S. 35019/276/77-P.F. II]

क्र० आ० 2523.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हाई-फेड मंचरी तिलक रोड हैदराबाद, नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1974 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (286)/77-पी० एफ०-2]

S.O. 2523.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Hy-FPD Matchery Tilak Road, Hyderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1974.

[No. S. 35019/286/77-P.F. II]

59GI 77-8

क्र० आ० 2524.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आहुजा राइस मिल्स (पट्टेदार श्याम सुन्दर मणिमल), बालोद, जिला दुर्ग (मध्य प्रदेश) नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019 (311)/77-पी० एफ०-2]

S.O. 2524.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Ahuja Rice Mills, (Lessee Shyam Sunder Munilal), Balod, District Drug (Madhya Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1977.

[No. S. 35019/311/77-P.F. II]

क्र० आ० 2525.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स टाइटेनियम इन्डियुपमेंट एण्ड एनोड मैनुफैक्चरिंग लिमिटेड, बन्डालूर, मद्रास-48 नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35019 (508)/77-पी० एफ०-2(i)]

S.O. 2525.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Titanium Equipment and Anode Manufacturing Limited, Vandalur, Madras-48, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1976.

[No. S. 35019/508/77-P.F. II(i)]

क्र० आ० 2526.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंधित विषय में आवश्यक जांच करने के पश्चात् एक जनवरी, 1976 से मैसर्स टाइटेनियम इन्डियुपमेंट एण्ड एनोड मैनुफैक्चरिंग लिमिटेड, बन्डालूर, मद्रास-48, नाम स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस०-53019 (508)/77-पी० एफ०-2(ii)]

एस० एस० सहस्रनामन, उप सचिव

S.O. 2526.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1976, the establishment known as Messrs. Titanium Equipment and Anode Manufacturing Limited, Vandalur, Madras-48, for the purposes of the said proviso.

[No. 535019/508/76-P.F. II(ii)]

S. S. SAHASRANAMAN, Dy. Secy.

New Delhi, the 20th July, 1977

S.O. 2527.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Bhurkunda Colliery of Messrs. National Coal Development Corporation and their workmen, which was received by the Central Government on the 12th July, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, (NO. 3) AT DHANBAD

Reference No. 3 of 1976

PARTIES:

Employers in relation to the management of Bhurkunda Colliery of M/s. N.C.D.C. Ltd.

AND

Their workmen represented by Colliery Mazdoor Sangh.

APPEARANCE :

For the employers : Shri T. P. Choudhury, Advocate.

For the workmen : Shri P. K. Bose, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 7th July, 1977

AWARD

This is a reference by the Government of India, Ministry of Labour under order No. L-20012/14/75-D.IIIA dated 14-1-76 under section 10(1)(d) of the Industrial Disputes Act, 1947. The concerned workmen are Shankar Rajbhar, Fan Driver and Lalku Paswan, Miner borth of Bhurkunda colliery of M/s. N.C.D.C. Ltd., (Now C.C.L.). The point for adjudication is their dismissal from service w.e.f. 12-11-74. The schedule of reference is extracted below :

SCHEDULE

"Whether the management of Bhurkunda colliery, P.O. Bhurkunda, District Hazaribagh (Bihar) of Messrs. National Coal Development Corporation Ltd., are justified in dismissing from service Shri Shankar Rajbhar, Fan Driver and Shri Lalku Paswan, Miner No. Mine No. 1, Bhurkunda colliery w.e.f. 12-11-74. If not, to what relief the workmen are entitled."

(2) From the record it appears that there was a conciliation proceeding before the Assistant Labour Commissioner (C), Hazaribagh and when no settlement could be arrived at a failure report was submitted on 29-1-75 by the Assistant Labour Commissioner and the present reference was made. The dispute was sponsored by the Secretary, Colliery Mazdoor Sangh.

(3) A preliminary point was raised regarding the validity of the domestic enquiry and two witnesses were examined on behalf of the management and there on behalf of the concerned workmen of whom WWs 2 & 3 were Shankar Rajbhar and Lalku Paswan, respectively. All the relevant documents were brought on record and by an order dated 7-2-77 it was held by me that the enquiry had been fair and proper in keeping with the principles of natural justice and the enquiry officer had recorded his finding giving convincing reasons for the same. I may mention that two concerned workmen were dismissed from service w.e.f. 12-11-74.

(4) A written statement has been filed on behalf of the employers contending inter-alia that the reference is incompetent and illegal in as much as no dispute much less any industrial dispute, was ever raised with them by or on behalf of the workmen regarding their dismissal. All that was done was that a copy of a letter dated 15-11-74 was sent to them which contained certain allegations. It is said that in law it does not amount to an industrial dispute.

(5) Case further is that the two concerned workmen were dismissed from service for proved misconduct after due enquiry in which the said workmen had been given all possible opportunities to defend themselves.

(6) Their case also is that the enquiry officer submitted his report and the authorities on the consideration of the same and on the basis of the entire record agreed with the findings of the enquiry officer and considering the seriousness of their misconduct ordered their dismissal w.e.f. 12-11-74.

(7) It is submitted that since after a fair the concerned enquiry workmen were found guilty of a very serious misconduct as enumerated in the certified standing orders no interference by the Tribunal is warranted.

(8) Regarding the charges against the two concerned workmen it is said that on 18-3-74 at about 3.30 A.M. they were caught red handed while carrying copper wire belonging to the employers on a stolen bicycle. This bicycle belonged to Shri Subhas Roy, mechanical fitter of Bhurkunda colliery and it was stolen on 17-3-74 when he was on duty. A case was instituted with the police and the two concerned workmen were arrested and taken into custody.

(9) Their contention is that either in law or on facts the two concerned workmen are entitled to no relief and the order of dismissal passed by the management is justified.

(10) On behalf of the workmen a written statement has been filed stating therein that in the concerned colliery there are more than one trade unions and one of them is Colliery Mazdoor Sangh affiliated to INTUC, and they joined the Colliery Mazdoor Sangh a few years back after abandoning their previous trade union. Since they were influential leaders within the group the management did not like their joining the Colliery Mazdoor Sangh and as they did not listen to them they became eyesore of the local management.

(11) Their case is that charge sheet was served upon them and their reply was not properly considered and then there was a show of enquiry and the enquiry officer with the prior consultation of the management in total disregard of the rules of natural justice and in utter violation of the conditions of the employment gave a finding against them. Subsequently, they were dismissed on 12-11-74.

(2) They further contend that they made a written representation through their union to the Dy. Superintendent of collieries, N.C.D.C. Ltd. on 15-11-74 but no reply was given. The matter was then referred to the Assistant Labour Commissioner (C), Hazaribagh and ultimately when the conciliation proceeding failed a failure report was submitted.

(13) It is said that the entire action of the management had been motivated to victimise them for their trade union activities. The action of the management in dismissing them is utterly mala fide and an act of unfair labour practice and it cannot be justified.

(14) I have referred to above my order on the preliminary point. The matter now for adjudication is as to whether any action can be taken by the Tribunal under Section 11A of the I.D. Act. As provided under the section when there is reference of an industrial dispute relating to the discharge or dismissal of a workman and if the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award set aside the order of discharge or dismissal and direct reinstatement of the workmen on such terms and conditions, if any, as it thinks fit or give such other relief to the workmen including the award of any lesser punishment in lieu of discharge or dismissal as the circumstance of the case may require. There is a proviso to this section which says that in any proceeding under this section, the Labour Court, Tribunal or National Tribunal, as the case may be, shall rely only on the materials on record and shall not take any further evidence in relation to the matter.

(15) The decision of their Lordship of the Supreme Court in the case of India Iron & Steel Co. Ltd. and another-vs-their workmen (1958-1-LLJ 260) defined the power of the Tribunal to interfere with the management's decision and the Tribunal could interfere only if the order of dismissal was as a result of victimisation, unfair labour practice and the management was actuated by mala fide or any ulterior motive. Regarding punishment, before the enactment of S. 11A the law was that if the Tribunal finds that enquiry held by the employer was fair and proper and it could justify his action in discharging or dismissing the workman, it had no jurisdiction to interfere with the quantum of punishment. Under Section 11A Labour Court, Tribunal and National Tribunal have been vested with the power to direct reinstatement in case of wrongful discharge or dismissal after setting aside the order of discharge or dismissal. Besides, the adjudicatory authorities have also been given power to subject the order of reinstatement to any terms and conditions which they may think fit on the facts and circumstances of the case.

(16) So far as the main portion of the section is concerned I have given the relevant points. In the present reference so far as the order of dismissal goes, if I am satisfied that the misconduct had actually been committed and proved there will be no ground to alter it. But if on the materials on record I come to the conclusion that it is certainly a case of victimisation and unfair labour practice and it has not been proved to the satisfaction of the Tribunal that it was actually the property of the colliery which was stolen by the two concerned workmen, no punishment of any type could be awarded under the relevant standing orders referred to in the charge sheet.

(17) So far as the proviso to the section goes perhaps it makes it incumbent upon the parties to bring all the relevant materials before the enquiry officer and in case that is not done, before the Tribunal they could not be brought on record by either party. But there may arise cases where it may be difficult for the workman to bring before the enquiry officer materials to show that the punishment based on the report of the enquiry officer is on account of his bias or is mala fide or a process of victimisation by the punishing authorities. In such a circumstance if the opportunity is not given to the workman to prove the above facts gross injustice is likely to be done to him. But so long as the proviso stands, position remains that any material de hors the materials already on record cannot be looked into by the Tribunal. Therefore it shall be my endeavour in the present reference to see if on the materials on record it is possible to find out the truth, or otherwise of the allegations made on behalf of the parties.

(18) Ext. M 9 is the charge sheet dated 9-6-74 against Lalku Paswan and Ext. M-9/1 dated 9-6-74 is the charge sheet against Shankar Rajbahar. In both the workmen have been asked to state as to why disciplinary action amounting even to dismissal from service of NCDC Ltd. should not be taken against them under S.O. No. 17(a)(i) of the standing orders as applicable to the collieries of NCDC Ltd. Ext. M-17 is the certified standing orders and S.O. No. 17 deals with the disciplinary action and penalties. One of such misconducts is theft, fraud or dishonesty in connection with the employer's business or property. WW-2 Shankar Rajbahar has admitted that they were arrested by the police although at the instance of the management and were kept in hajat. WW-3 Lalku Paswan has made a similar statement in cross-examination.

(19) Allegation is that there was recovery of copper wire which they had loaded on a stolen bicycle. There is no evidence, however, when the cable along with the copper wire was stolen from the stock of the colliery or the godown of the colliery or from anywhere in the use of the colliery. There is no evidence as to when it was stolen and when from the cable copper wire was taken out. None of the witnesses examined during the course of enquiry has stated that he had seen the concerned workmen committing theft of cable and taking out copper wire. Ext. M-2 is the report to the colliery manager dated 1-6-74 by the security inspector. There is nothing on these points in it. The mere fact that copper wire was recovered from these two concerned workmen will not lead to the irresistible inference that it was colliery's property and was stolen by them. I have referred to the relevant portion of the standing orders which is mentioned in the charge sheet. Unless it is established that there was a theft, fraud or dishonesty in connection with the employers business or property it cannot be treated as misconduct. As there is complete paucity of evidence on this point it is not possible to say that S.O. No. 17(a) or (i) will be applicable

to these two concerned workmen for which they are liable to be dismissed and have been dismissed.

(20) It is said that they were arrested by the police and also were in hazat for a few days and thereafter they were bailed out. There is no evidence on record if any criminal case was instituted against them and the it is still pending or has been disposed of. This may lead to the conclusion that as perhaps there was complete lack of convincing evidence before the police on the charge of theft against them no action was taken.

(21) Mr. Bose appearing for the workmen has referred to Ext. M-2 dated 1-6-74 and has submitted that the alleged incident took place on 18-3-1974 but this report is dated 1-6-74 and as mentioned therein it has been written as per the direction of the colliery manager. He has contended that in all probability when the police did not take any action for want of evidence the colliery manager got a report from the security guard on 1-6-74 and then got a proceeding started and ultimately obtained their dismissal order. In my opinion, there is a good deal of substance in this contention. No explanation has been given about this belated report and in such a circumstance what Mr. Bose has contended may be true.

(22) The other misconduct alleged against the concerned workmen is that they had stolen a bicycle belonging to Shri Subhas Roy, mechanical fitter, on 17-3-74 at 10 P.M. Evidence has been led that cycle belonging to Shri Subhas Roy had been stolen and there is a letter Ext. M-3 addressed by him to the manager, Bhurkunda Colliery, which is dated 18th March, 1974. But I find that he was not examined before the enquiry officer. In his letter he says that he has learnt that thieves have been caught with the cycle and the witnesses before the enquiry officer have also not said that the cycle was identified by Shri Subhas Roy. Therefore, it cannot be said with certainty that the cycle belonging to Shri Subhas Roy was recovered from the possession of the two concerned workmen.

(23) Mr. Bose has pointed out that the date on Ext. M-3 has been over written and that seems to be correct. There is a clear over writing on the date mentioned in the letter. It is difficult to say as to why it was done and what was the date actually mentioned therein which was subsequently changed. But it creates doubt regarding its genuineness.

(24) Fact remains that although it is said that the cycle belonging to Shri Subhas Roy was recovered from the possession of these two concerned workmen that cycle was never produced and identified by him and Shri Subhas Roy also learnt about it from some source and had never any occasion to see the cycle and the thieves. Then as I have stated just now the over writing in Ext. M-3 makes it very suspicious. In such a circumstance it may be said that S.O. No. 17(i) of the standing order does not come into play and the charge against the two concerned workmen on this count cannot be said to have been proved.

(25) Against Shankar Rajbahar there are other two charges with which we are not concerned and I need not discuss them at all. Learned Advocate for the management has pointed out to my order on the preliminary point where I have said that the enquiry officer has recorded his findings giving convincing reason for the same and has contended that in view of this finding it is not now open to the representative of the concerned workmen to say anything regarding the allegations against them about the theft of copper wire and cycle. So far as my order goes what I said therein was with respect to the materials that had been placed before the enquiry officer and on the basis of which he gave his finding. The points that have been placed before me and discussed by me were certainly not raised before the enquiry officer and therefore no finding on them could have been expected from him. I don't see any reason not to consider the above points, which are already there on record and I don't agree with the contention that when once I have said that the enquiry officer has recorded his evidence giving convincing reasons, points already available on record cannot be raised at the time of hearing on merits.

(26) As the position stands I find that it is not possible for the management to establish beyond all doubts that cable belonging to the colliery was stolen by the concerned workmen and they had also stolen the cycle belonging to a co-worker. It has also not been established that the cable recovered from them was the property of the colliery and that

the cycle said to have been recovered from them was the property of Subhas Roy. Therefore, the misconduct mentioned in the charge sheets does not seem to have been committed by them and in that view of the matter any punishment on that score cannot sustain. I must make it clear that the only purpose is to see if any action under Section 11A is called for and keeping that in view I have discussed the points above and given my finding.

(27) At this stage I would like to refer to the case the workmen of Firestone Tyre & Rubber company and the management and others reported in (Vol. 10 S.C.I.J. 159) where the scope of Section 11A of the Industrial Disputes Act was considered by the Supreme Court. Their Lordships have said that "even in cases where a domestic enquiry has been held and finding of misconduct recorded, the Labour Tribunals have now full power and jurisdiction to reappraise the evidence and to satisfy themselves whether this evidence justifies the finding of misconduct". "Even in cases where an enquiry has been held by an employer and a finding of misconduct arrived at, the Tribunal now can differ from that finding in a proper case and hold that no misconduct is proved." "The Tribunal may also hold that the order of discharge or dismissal is not justified because the alleged misconduct itself is not established by the evidence, to come to a conclusion either way."

(28) On behalf of the workmen it has been submitted that they have been victimised on account of their trade union activities and for having changed their membership to the Colliery Mazdoor Sangh. Shri K. C. Choudhury, office superintendent at Bhurkunda Colliery has deposed as WW-1. He has stated that in 1974 for some time he was Secretary and President of Colliery Mazdoor Sangh of Bhurkunda Branch. At the time when he was President Shri Aklu Prasad was the Secretary. He says further that the two concerned workmen were previously members of the United Coal Workers Union affiliated to AITUC and subsequently they joined the Colliery Mazdoor Sangh. Between the union functioning in that area there was a good deal of rivalry which still continues. Sometimes the management encourages one union against the other. WW-2 is Shri Shankar Rajbhar and he speaks about the change over to the Colliery Mazdoor Sangh. Identical is the evidence of WW-3 Lalku Paswan. WW-2 has stated that in 1974 there were 4 or 5 trade unions functioning in the Bhurkunda Colliery including Colliery Mazdoor Sangh and Coal Workers Union. He has no knowledge that the two concerned workmen joined the Colliery Mazdoor Sangh leaving the Coal Workers Union.

(29) From the evidence of the witnesses it is clear that they had changed over from one union to the other although no paper has been produced to show their membership. But from the same it is not possible to conclude that they have been victimised by the management for their being members of Colliery Mazdoor Sangh.

(30) There is however, one very important circumstance which supports this point. Along with these two workmen one Lachhi Ram was also arrested. He was also running away along with them as it appears from Ext. M-2/1 and one pocket book fell down in which his passport size photograph was there. Then from his garden one maund copper wire and one dicking plate of two conveyer belts were recovered. He was suspended and charge sheet was given to him. But no further action was taken. Ext. W-6 is the letter to the Dy. Superintendent of collieries by the Colliery Mazdoor Sangh on behalf of Lachhi Ram in which there is a mention about his suspension and there is a prayer to permit him to join his duties and arrange for payment of his subsistence allowance. WW. 1 has said that this Lachhi Ram is still in service. Undoubtedly, charges were more serious against him than against these two concerned workmen. But no action has been taken against him. This one fact leads to the conclusion that the order of dismissal against these two concerned workmen is a malafide one and may be due to their trade union activities. It may also lead to the inference that this is a case of victimisation on that account.

(31) In this very connection we may also take into account the report Ext. M2 which as I have already said above creates suspicion against the intention of the management.

(32) From my discussions above it follows that materials on record do not establish the misconduct as enumerated in S.O. No. 17(a)(i) and circumstances are there to indicate that the order of dismissal has been passed by the punishing

authority to victimise them on account of their trade union activities and is malafide.

(33) Shri T. P. Choudhury, Advocate has referred to the case Anand Bazar Patrika (P) Ltd. and their employees reported in Vol. 5 SCLJ 2978 on the point that finding on malafide or victimisation should not be made either casually or light heartedly and it should be made only when evidence has been led to justify it.

(34) So far as oral evidence goes we get only this much that the two concerned workmen have changed their affiliation from the union sponsored by the Communist Party which has been disliked by the management.

(35) But I have pointed out the circumstances which may irresistably lead to the conclusion of malafide and victimisation. Circumstances are eloquent on this point.

(36) Thus it is clear that the management was actuated by ulterior motive to start enquiry against them and this may be said to be a process of victimisation. The conclusion is based on the authentic materials.

(37) Mr. Bose has contended that the officer who conducted the domestic enquiry and has deposed as MW-1 has given his finding on account of his bias against the two workmen. For this purpose he has referred to the fact that the enquiry officer is a Senior Personnel Officer and another Senior Personnel Officer has filed the rejoinder on behalf of the management. He has further contended that not only that but Mr. Siddique has also deposed as MW. 1. His argument is that in such a circumstance it is very difficult to say that his report is fair and proper.

(38) I don't find any substance in this contention. Enquiry has to be conducted by an officer under the management and he has to pledge his oath to prove the enquiry proceeding and his report. Senior Personnel Officer may also file rejoinder or written statement on behalf of the management. On these facts it cannot be concluded that the enquiry officer in the present case has given his report out of bias against the concerned workmen.

(39) Thus, through bias of the enquiry officer against the concerned workmen cannot be concluded I have already discussed the materials from which victimisation has been proved. Besides, I have also come to the conclusion that the alleged misconduct as per the standing orders has not been proved and established beyond all reasonable doubts. In these circumstances the order of dismissal passed by the management cannot be sustained.

(40) Mr. T. P. Choudhury, Advocate for the management has contended that no demand was made on the management before 15-11-74 when Ext. W-1 was sent to the Assistant Labour Commissioner (C), Hazaribagh requesting him to start conciliation preceding and in that view of the matter there was no industrial dispute in the eye of the law and the reference is incompetent. In this connection he has referred to the cases of Sindhu Resettlement Corporation-vs-the Industrial Tribunal, reported in Vol. VII-S.C. Labour Judgment 790. What happened in this case was that reference was made on two points out of which no demand was ever made to the management with respect to one. On these facts their Lordships were of the opinion that to that extent the reference was incompetent.

(41) Mr. T. P. Choudhury in support of his contention has referred to Ext. W-1 dated 15-11-74 which was received by the management on 21-11-74 under receipt No. 22279. The letter is CMS/BHK/74-75-72. This letter was addressed to the management and was made over to the Group Personnel Officer and it related to the illegal dismissal from service w.e.f. 12-11-74 of the two concerned workmen.

(42) Ext. W-7 is letter No. CMS/BHK/74-75-72 addressed to the Dy. Superintendent of Collieries and that is the letter received on 21-11-74 as per Ext. W-1. Ext. W-4 is a letter of the same date bearing No. CMS/BHK/74-75-73 addressed to the Assistant Labour Commissioner (C), Hazaribagh. These are the two letters of the same date one addressed to the Dy. Superintendent of Collieries and the other addressed to the Assistant Labour Commissioner (C), Hazaribagh. But they have different particulars as indicated above and the one meant for Dy. Supdt. of Collieries was received under Ext. W-1. Thus though it is true that the demand with the management was made on the same date when a letter to the

Assistant Labour Commissioner (C) was also sent requesting him to take up the matter in conciliation, it is clear that demand was made on the management and this case is not similar to that of the Sindhu Resettlement Corporation just referred to above.

(43) Mr. T. P. Choudhury has referred to Ext. W-4 and has contended that there is a mention in it regarding the letter Ext. W-3 dated 22-10-74, but there is no mention about Ext. W-7. This according to him is a circumstance to indicate that Ext. W-7 was not in existence when Ext. W-4 was sent to the Assistant Labour Commissioner (C), Hazaribagh. He has in this connection referred to a case reported in AIR 1930, Patna-78 (Deonath Singh, Plaintiff-appellant-vs-Devendra Nath Singh & others, Defendants-respondents) and his argument is that if Ext. W-7 is not mentioned in Ext. W-4, undoubtedly it is a forged document.

(44) To counteract this argument Mr. Bose has argued when notice was given by the Assistant Labour Commissioner (C), Hazaribagh to the management they did not report that they had not received any demand from the workmen. Similarly when copy of the failure report was sent, no reference was made about it. It is only in the written statement that this point has been taken. Undoubtedly, therefore, the case of the workmen on this point is much stronger than that of the management.

(45) He has also referred to the oral evidence of the witnesses examined in this connection, particularly of WW-1 who is the office superintendent in the Bhurkunda colliery and Secretary and thereafter President of Colliery Mazdoor Sangh of the Bhurkunda Branch. He says that Shri Akiu Prasad, Secretary had sent a letter Ext. W-2 dated 12-8-74 to the Dy. Supdt. of Collieries, NCDC regarding suspension from service of the two concerned workmen. He says that this letter was delivered to the Dy. Supdt. of Collieries by hand. Thereafter Ext. W-3 dated 22-10-74 was sent to the Assistant Labour Commissioner and its copy was forwarded for information and for immediate action under the signature of Shri Akiu Prasad. He says further that the letter dated 15-11-74 was made over to the Dy. Superintendent of Collieries by hand and was sent to the Area General Manager by post. It was actually on the 9th that the letter Ext. W-4/1 was sent to the Assistant Labour Commissioner (C) for further necessary action. His submission is that from the above it would appear that demands had been made and there was both oral and documentary evidence on these points.

(46) In my opinion, there is a good deal of substance in this contention. It is not correct to say that no demand was made upon the management and that there was no industrial dispute and the reference is incompetent.

(47) To sum up, I hold that the management has failed to establish that there was theft of its property by the concerned workmen or that they were in possession of a stolen property of the management and of Shri Subhas Roy and that it has been established that they have been victimised on account of their trade union activities and the order passed regarding their dismissal is malafide and is a process of victimisation by the punishing authority. There is no substance in the contention that there was no demand made upon the management and in that view of the matter the reference is incompetent.

(48) Therefore as the position stands the dismissal of the two concerned workmen is unjustified and they are entitled to reinstatement, continuity of service with full back wages w.e.f. 12-11-74.

(49) The management of Bhurkunda colliery, P.O : Bhurkunda, District Hazaribagh (Bihar) of Messrs National Coal Development Corporation Ltd. are not justified in dismissing from service Shri Shankar Rajbhar, Fan Driver and Shri Lalkoo Paswan, Miner No. Mine No. 1, Bhurkunda colliery w.e.f. 12-11-74. The two concerned workmen are entitled to reinstatement, continuity of service and back wages.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-20012/14/75-D IIIA]

New Delhi, the 21st July, 1977

S.O. 2528.—In pursuance of the section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relations to the management of East Lohapati Colliery, Post Office Ramnagar Garh and their workmen, which was received by the Central Government on the 11th July, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 16 of 1977

(Ministry's Order No. L-20012/72/73/LRII/B. III(A), Dt. 3-6-75)

PARTIES :

Employers in relation to the management of East Lohapati Colliery, Post Office Ramnagar Garh, District Dhanbad, of Messrs East Murlidih Coal Company (Private) Limited.

AND

Their Workmen.

APPEARANCES :

For the B.C.C.L.—Shri T. P. Choudhury, Advocate.

For the Workmen—Shri J. D. Lall, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated, the 4th July, 1977

AWARD

The Central Government, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act referred the following dispute for adjudication to the Central Govt. Industrial Tribunal No. 2, Dhanbad, by its Order No. L-20012/72/73/LRII/D.III(A) dated the 3rd June, 1975, namely—

"Whether the action of the management of East Lohapati Colliery, Post Office Ramnagar Garh, District Dhanbad, of Messrs East Murlidih Coal Company (Private) Limited, 8, Waterloo Street, Calcutta, taken over by the Central Government from 31st January, 1973 and now under the management of Messrs Coal Mines Authority Limited, 15, Park Street, Calcutta, in dismissing Shri Sitaram Mahato, Surface Trammer, with effect from 30th October, 1972, is justified? If not, to what relief is the said workman entitled?"

2. The same was received by transfer from Tribunal No. 2 in this Tribunal by Government of India, Ministry of Labour, Order No. S-11025(1)/77-(i)-D.IV(B) dated 22nd February, 1977.

3. East Lohapati Colliery formerly belonged to Messrs East Murlidih Coal Company (Private) Limited. It was a non-coking coal mine. Its management was taken over by the Central Government on January 31, 1973 under section 3 of the Coal Mines (Taking over of Management) Ordinance, 1973. The ownership vested in the Central Government on May 1, 1973 under section 3 of the Coal Mines (Nationalisation) Act, 1973 and was subsequently transferred to the Coal Mines Authority Limited and thereafter to the Bharat Coking Coal Limited.

4. The case of Sitaram Mahato is that he was a Surface Trammer in the said mine; that a chargesheet was served on him on October 30, 1972 on false and concocted facts; that he submitted a reply to that chargesheet on November 2, 1972; that a domestic enquiry was held without proper

notice to him; that on the basis of that domestic enquiry he was dismissed on November 18, 1972 with retrospective effect from October 30, 1972; that the domestic enquiry is bad because he was not afforded any opportunity to defend himself and there was violation of principles of natural justice.

5. Notice was issued to Messrs East Murlidih Coal Company (Private) Limited but the Company did not put in appearance and the matter had proceeded ex-parte against it.

6. The claim of the workman has been resisted by the B.C.C.L. on the ground that the charge was correct; that two notices were issued to the workman but despite service he did not participate in the domestic enquiry; that no principles of natural justice were violated; that his dismissal was eminently justified; and that, in any case, no award can be passed against the B.C.C.L. under the Coal Mines (Nationalisation) Act inasmuch as the dismissal took place prior to the date of taking over and also prior to the date of vestment and if any award can at all be passed it can only be against the East Murlidih Coal Company (Private) limited.

7. The domestic enquiry was held by P. Burman, the Personnel Officer of the Colliery. Ext. M-1 is the chargesheet which says that at the time of the weekly payment in the afternoon of October 23, 1972 Sitaram Mahato demanded money from certain workmen and threatened to beat them if they did not pay the demanded money and that he further threatened to kill one of them if no money was paid and hence he had committed breach of Standing Order No. 18(1) (b), 18(1)(e) and 18(1)(r). Sitaram Mahato submitted the reply Ext. M-2 to the charge sheet on November 2, 1972 in which he denied that the charge was true and asserted that he was being victimised because of his active trade union activities. Ext. M-3 is a notice dated November 2, 1972 said to have been sent to Sitaram Mahato by registered post with acknowledgement due informing him that the domestic enquiry will be held in the office of the Colliery Manager at 4-30 p.m. on November 8, 1972. Ext. M-4 is said to be an acknowledgement purporting to bear the left thumb impression of Sitaram Mahato in token of receipt of the notice under date November 6, 1972. Sitaram Mahato did not attend the proceeding on November 8, 1972. Another notice Ext. M-5 was then sent to him on November 9, 1972 informing him that the domestic enquiry could not be held in his absence on November 8, but it would now be held at 4 p.m. in the Manager's Office on November 16, 1972. Ext. M-6 is the acknowledgement receipt purporting to bear the left thumb impression of Sitaram Mahato under date November 14, 1972. Ext. M-7 are the proceedings of the domestic enquiry. It shows that the witnesses examined were Sariat Gope, Sakha Deshwali, Charkoo Mahato, Jhari Mahato, Ram Naresh Prasad and Jugendra Singh. Ext. M-8 is the report of the enquiry officer dated November 17, 1972. Ext. M-14 is the letter of the Colliery Manager to the Director recommending the dismissal of Sitaram Mahato and it also contains the order of the Director approving the dismissal. Ext. M-13 dated November 18, 1972 is the dismissal order which was made retrospective from October 30, 1972 on which date the charge sheet had been sent to the delinquent.

8. The above facts were proved by P. Burman MW-1. The workman examined himself as WW-1 and has deposed that neither of the two notices was ever served on him and he had no knowledge of the date of enquiry. He has further deposed that no postman ever contacted him for the service of these notices and the two acknowledgements Exts. M-4 and M-6 do not bear his thumb impression. As against this, P. Burman has no personal knowledge if the notices were served. The learned counsel for the workman vehemently contended that I should hold, in the circumstances mentioned above, that these two notices were never served. It may be stated at the outset that the workman had taken a specific plea in his written statement that these notices were not served on him and, therefore, a heavy burden lay on the management to prove the service. These two notices are said to have been sent by registered post. The postal registration receipts are not on the record. Ext. M-4 does not even bear the postal stamp. Ext. M-6 certainly bears the postal stamp but the supporting registration receipt is missing. The Postman was not examined. The workman was residing within the colliery campus the charge sheet was served on him in person and I fail to understand why it was necessary to send postal notices for the enquiry. My experience of the workings of collieries is that workmen are informed on the basis of Dak Books and notices are served on the foot of Peon Books by

obtaining thumb impressions or signatures thereon. This practice must have been followed when the charge sheet was served because admittedly it was not sent by post and I do not know why the stratagem of postal service was resorted to in giving the notice of enquiry. In the face of the positive denial of the workman, and in the absence of positive proof by the management, I am of the view that it is not proved that the workman had notice of the date of the enquiry. The time given was also much too short as the notice, assuming though not holding that it was served, was served on November 14 and the enquiry was fixed for November 16.

9. On merits also, I am not in a position to uphold the conclusion arrived at by P. Burman. The breach complained was of Standing Order No. 18 of the Model Standing Orders. The actual Standing Order is No. 17 and not 18. The charge-sheet says that breach was committed of clauses (b), (c) and (r). Clause (b) reads: "taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or in his own interests." Clause (e) reads: "drunkenness, fighting or riotous, disorderly or indecent behaviour while on duty at the place of work." Clause (r) reads: "threatening, abusing or assaulting any superior or co-worker." Let us see if any of these charges was established in the domestic enquiry. There is no evidence of any drunkenness, fighting or riotous, disorderly or indecent behaviour while on duty at the place of work. Sariat Gope PW-1 proved his complaint Ext. M-9 and stated that Sitaram Mahato had demanded 25 paise from him and on his objection, had threatened him with assault and he had no option but to pay 25 paise out of fear. In his complaint Ext. M-9, he had not asserted that he had paid any money and had instead only complained that money was demanded and on refusal, a threat was given. Mahato asked him to collect Re. 1 from Truck Loaders per for an assault. Sakha Deshwali PW-2 deposed that Sitaram Mahato trip and pay the money to him and when he refused to do so, he threatened him. He proved his complaint Ext. M-10. In the complaint, he speaks of payment of commission. PW-3 Charkoo Mahato deposed that Sitaram Mahato demanded 25 paise from him on the basis of a receipt of the union but he did not agree to pay and thereupon Sitaram threatened him with assault and still the witness refused to pay. His complaint is Ext. M-11. Jhari Mahato has made a similar deposition and his complaint is Ext. M-12. It comes to this, therefore, that bellying the evidence to be true, Sitaram Mahato demanded membership fee of the union from at least two of the witnesses and not any bribe or illegal gratification. PW-1 does not say that he paid a bribe. It is PW-2 who stated that he was asked to realise Re. 1 per trip. It is obvious that none of these four witnesses ever paid any bribe or any illegal gratification whatsoever and, therefore, this charge was also not established. With regard to threatening a co-worker, there is certainly some evidence but such threatenings are seldom intended to be executed. They are at times uttered in mere joviality or as an idle threat of which no notice is ever taken. In any case, the punishment was out of all proportion to the nature of the threat. In the result, I find that the charges were not established.

10. In the Tribunal, the B.C.C.L. did not lead any evidence in proof of the charges. The old owner also did not appear to prove them. Sitaram Mahato has deposed that he did not demand any money and did not utter any threat. The result is that his dismissal was wholly unjustified.

11. The learned counsel for the B.C.C.L. has argued that no award can be passed against the Government company under section 7 of the Coal Mines (Nationalisation) Act. Section 7 reads thus:

"(1) Every liability of the owner, agent, manager or managing contractor of a coal mine, in respect of any period prior to the appointed day, shall be the liability of such owner, agent, manager or managing contractor, as the case may be, and shall be enforceable against him and not against the Central Government or the Government company.

(2) For the removal of doubts, it is hereby declared that—

(a) save as otherwise provided elsewhere in this Act no claim for wages, bonus, royalty, rate, rent, taxes, provident fund, pension, gratuity or any other dues in relation to a coal mine in respect of any period prior to the appointed day, shall be enforceable against the Central Government or the Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to any coal mine passed after the

appointed day, but in relation to any matter, claim or dispute which arose before that day, shall be enforceable against the Central Government or the Government company;

(c) no liability for the contravention, before the appointed day, of any provision of law for the time being in force, shall be enforceable against the Central Government or the Government company."

Reliance has also been placed on B.C.C.L. vs. Dhanbad Colliery, 1976 Lab. I.C. 1513. That case was under the Coking Coal Mines (Nationalisation) Act, 1972. Section 9 of that Act is more or less in pari materia with Section 7 of the Act in question. The Patna High Court has held that in the case of a workman who was dismissed before the appointed day, no award can be passed after the appointed day for his reinstatement against the Government company. The learned counsel for the workmen argued that that decision turned on the interpretation of Section 9 of that Act and will not bind this Tribunal in so far as the interpretation of Section 7 of the Act in question is concerned. I do not think that this argument is correct. The language of the two sections is similar, if not identical, and the object of both the sections is the same. It is not possible for me to distinguish the case. However, as prayed, I am giving the gist of the argument of the learned counsel. His principal argument is that once it is held that the dismissal was unjustified, there would normally be an order of reinstatement and payment of full back wages. If there is reinstatement retrospectively from the date of dismissal, the result would be that the workmen would be deemed to have continued in service till April 30, 1973 just prior to the date on which ownership vested in the Central Government. If that be so, Section 14 would come into play and B.C.C.L. will be bound to continue him in the employment. It is not that section 7 can control Section 14. Both sections have to be obeyed and in case there is any conflict or seeming conflict, the Tribunal should arrive at a harmonious construction so as to make it possible for both sections to be obeyed. It was further argued that if the two sections cut into each other, the latter section should be obeyed rather than the former one. As stated earlier, it is not for a subordinate Tribunal to go behind the verdict of the Patna High Court, to which it is subordinate, and I, therefore, refrain from expressing any view of my own.

11. My award is that the management of Messrs East Murlidih Coal Company (Private) Limited was not justified in dismissing Sitaram Mahata with effect from October 30, 1972. He is entitled to full back wages from October 30, 1972 to April 30, 1973 from Messrs East Murlidih Coal Company (Private) Limited. He is not entitled to any relief against the B.C.C.L. and since B.C.C.L. cannot be directed to reinstate him and since the quondam owner cannot now reinstate him, no award for reinstatement is given. He will only be entitled to his full back wages from the quondam owner for the period indicated above.

K. B. SRIVASTAVA, Presiding Officer

[No. L-20012/72/73-LRIIODIIIA]

S. H. S. IYER, Desk Officer

S.O. 2529.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-Cum-Labour Court No. 2, Bombay in the matter of application filed by Shri Ramdas Gulba, C/o Maharashtra Khan Kamgar Union, Durga Devi Sharma Primiar School, Vikhroli Powai Road, Post : I.I.T. Bombay-76 under Section 33A of the Industrial Disputes Act, 1947 which was received by the Central Government on 6th July, 1977.

BEFORE THE GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/42 of 1970

(Arising out of Reference No. CGIT/4 of 1970)

PARTIES:

Shri Ramdas Gulba	:	Complainant
V/s.		
M/s. Desai & Co.	:	Respondent

APPEARANCES:

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the complainant against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of seven years. He was dismissed from service from 26-2-1970 without notice or payment of one month's wages. He says that in order to strike terror in the minds of employees and to weaken the trade union movement, the management dismissed him from service. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement saying that the complainant was in the employment of the company on 15-12-1969, but had left the service of his own accord as and from 6-12-1969 and was never employed thereafter. The Respondent says that since the complainant was not in the employment of the company on the date of reference i.e. 11-2-1970 the complaint is not maintainable, and the same be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying and their workmen regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970, which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in the prosecution of this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claim, returned to sender, left".

In the circumstances the complaint is dismissed for the default of the complainant.

P. RAMAKRISHNA, Presiding Officer.

[No. L-29014/2/77-D. III. B]

S.O. 2530.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-Cum-Labour Court No. 2, Bombay in the matter of application filed by Shri Yeshwant Hari-bhau and 16 others, C/o Maharashtra Khan Kamgar Union, Durga Devi Sharma Primiar School, Vikhroli Powai Road, Post : I.I.T., Bombay-76 under Section 33A of the Industrial Disputes Act, 1947 which was received by the Central Government on the 6th July, 77.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/1 of 1970
(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES:

Shri Yeshwant Haribhau : Complainant
V/s.
M/s. A. Mahendra & Co., : Respondent

APPEARANCES:

For the Complainant—No appearance
For the Respondent—1. Shri G. S. Balooch, 2. Shri
L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry STATE : Maharashtra
Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the complainant against the order passed by the Respondent Employer dismissing him from service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of seven years. The management dismissed him from service from 12-2-1970, without notice or payment of one month's wages in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and malafide order of dismissal.

The Respondent filed written statement stating that the complainant was never in their service. It prays that the complainant may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left."

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer,
[No. L-29014/4/77-D. III. B]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/2 of 1970
(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES:

Shri Mehboob Chand : Complainant
V/s.
M/s. A. Mahendra & Co., Bombay : Respondent

APPEARANCES:

For the Complainant—No appearance.
For the Respondent—1. Shri G. S. Balooch, 2. Shri
L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry STATE : Maharashtra
Bombay, dated the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 10 years. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and malafide order of dismissal.

The Respondent filed written statement stating that after lifting the lock-out, the complainant was asked to report himself to duty latest by 29-1-1970, but he failed to do so. The complainant was therefore treated as having left the service on his own and his name was struck off the muster roll. The Respondent company says that the complainant has not been dismissed for any misconduct connected with the dispute and as such the complaint under Section 33A is not maintainable. It prays that the complaint may be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer.
[No. L-29014/4/77-D. III. B]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/3 of 1970
(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES:

Shri Narain Haribhau More : Complainant
V/s.
M/s. A. Mahendra & Co., Bombay. : Respondent

APPEARANCES:

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 10 years. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that after lifting the lockout, the complainant was asked to report himself to duty latest by 29-1-1970, but he failed to do so. Complainant was therefore treated as having left the service on his own and his name was struck off from the muster roll. The Respondent company says that the complainant has not been dismissed for any misconduct connected with the dispute and as such the complaint under Section 33A is not maintainable. It prays that the complaint may be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer.
[No. L-29014/4/77-D. III. B]

New Delhi, the 22nd July, 1977

S.O. 2531.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Bombay in the matter of application filed by Shri Yeshwant Haribhau and 16 others, C/o. Maharashtra Khan Kamgar Union, Durga Devi Sharma Primar School, Vikhroli Powai Road, Post I.I.T., Bombay-76 under Section 33A of the Industrial Disputes Act, 1947 which was received by the Central Government on the 6th July, 77.

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BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/4 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES

Shri Hiranman Vishwanath : Complainant
V/s.

M/s. A. Mahendra & Co. : Respondent

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the Complainant against the order passed by the Respondent Employer dismissing the Complainant from their service.

The facts of the case are that the Complainant worked in the quarries of the Respondent for a period of one year. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Repondent filed written statement saying that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in the prosecution of this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint has to be and is hereby dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer

[No. L-29014/4/77-D.III.B.]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/5 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES

Smt. Sunderbhai Punjaram : Complainant

V/s.

M/s. A. Mahendra & Co. : Respondent

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 against the order passed by the Respondent Employer dismissing the Complainant from their service.

The facts of the case are that the Complainant worked in the quarries of the Respondent for a period of twelve years. The management dismissed her from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that she may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement saying that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in the prosecution of this complaint. The matter was posted from 18-4-1977 to this date i.e., 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint has to be and is hereby dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer

[No. L-29014/4/77-D.III.B.]

Complaint No. CGIT-2/6 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES

Smt. Leelabai Damu Solse : Complainant

V/s.

M/s. A. Mahendra & Co. Bombay : Respondent

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the Complainant against the order passed by the Respondent Employer dismissing him from service.

The facts of the case are that the Complainant worked in the quarries of the Respondent for a period of ten years. The management dismissed her from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that she may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e., 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer

[No. L-29014/4/77-D.III.B.]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/7 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Smt. Radhabai Narain—Complainant.

V/s.

M/s. A. Mahendra & Co. Bombay—Respondent.

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the Complainant against the order passed by the Respondent Employer dismissing her from service.

The facts of the case are that the Complainant worked in the quarries of the Respondent for a period of 10 years. The management dismissed her from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that she may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer
[No. 29014/4/77-D.III.B.]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Complaint No CGIT-2/8 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Shri Eknath Vishwanath—Complainant.

V/s.

M/s. A. Mahendra & Co. Bombay—Respondent

APPEARANCES :

For the Complainant—No appearance

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the Complainant against the order passed by the Respondent Employer dismissing the Complainant from their service.

The facts of the case are that the Complainant worked in the quarries of the Respondent for a period of one year. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that after lifting the lock-out, the complainant was asked to report himself to duty latest by 29-1-1970, but he failed to do so. Complainant was therefore treated as having left the service on his own and his name was struck off from the muster roll.

The Respondent company says that the complainant has not been dismissed for any misconduct connected with the dispute and as such the complaint under Section 33A is not maintainable. It prays that the complaint may be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer
[No. 29014/4/77-D.III.B.]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/9 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Shri Bhima Hanamanta—Complainant.

V/s.

M/s. A. Mahendra & Co., Bombay—Respondent.

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry STATE : Maharashtra
Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 4 years. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that after lifting the lockout, the complainant was asked to report himself to duty latest by 29-1-1970, but he failed to do so. Complainant was therefore treated as having left the service on his own and his name was struck off the muster roll. The Respondent company says that the complainant has not been dismissed for any misconduct connected with the dispute and as such the complaint under Section 33A is not maintainable. It prays that the complaint may be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the Reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer
[No. L-29014/4/77-D.III.B]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/10 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Shri Keru Limbaji—Complainant.

V/s.

M/s. A. Mahendra & Co., Bombay—Respondent.

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry STATE : Maharashtra
Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 10 years. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that after lifting the lockout, the complainant was asked to report himself to duty latest by 29-1-1970, but he failed to do so. Complainant was therefore treated as having left the service on his own and his name was struck off the muster roll. The Respondent company says that the complainant has not been dismissed for any misconduct connected with the dispute and as such the complaint under Section 33A is not maintainable. It prays that the complaint may be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer
[No. L-29014/4/77-D.III.B]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAYComplaint No. CGIT-2/11 of 1970
(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Smt. Vansabhai Yeshwant—Complainant.

V/s.

M/s. A. Mahendra & Co., Bombay—Respondent.

APPEARANCES :

For the Complainant—No appearance.

For the Respondent.—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the complainant against the order passed by the Respondent Employer dismissing her from service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 7 years. The management dismissed her from service from 12-2-1970 without notice or payment of one month's wages in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that she may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has no evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer

[No. L-29014/4/77-D.III.B]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAYComplaint No. CGIT-2/12 of 1970
(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Smt. Kousallya Eknath—Complainant.

V/s.

M/s. A. Mahendra & Co., Bombay—Respondent.

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of one year. The management dismissed her from service from 12-2-1970 without notice or payment of one month's wages in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that she may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that after lifting the lockout, the complainant was asked to report herself to duty latest by 29-1-1970, but she failed to do so. The complainant was therefore treated as having left the service on his own and her name was struck off the muster roll. The Respondent company says that the complainant has not been dismissed for any misconduct connected with the dispute and as such the complaint under Section 33A is not maintainable. It prays that the complaint may be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer

[No. L-29014/4/77-D.III.B]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAYComplaint No. CGIT-2/15 of 1970(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Smt. Padmabai Keru Koli—Complainant.

V/s.

M/s. A. Mahendra & Co., Bombay—Respondent.

APPEARANCES:

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the complainant against the order passed by the Respondent Employer dismissing her from service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 10 years. The management dismissed her from service from 12-2-1970 without notice or payment of one month's wages in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that she may be reinstated in service after setting aside the illegal, improper and malafide order of dismissal.

The Respondent filed written statement stating that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in term of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer

[No. L-29014/4/77-D.III.B]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAYComplaint No. CGIT-2/16 of 1970(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Smt. Shantabai Bhima—Complainant

V/s.

M/s. A. Mahendra & Co. Bombay—Respondent.

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, (2) Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry

STATE : Maharashtra.

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of two years. The management dismissed her from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that she may be reinstated in service after setting aside the illegal, improper and malafide order of dismissal.

The Respondent filed written statement saying that the complainant was never in their service. It prays that the complainant may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in the prosecution of this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint has to be and is hereby dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer

[No. L-29014/4/77-D.III.B.]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAYComplaint No. CGIT-2/17 of 1970
(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Shri Tukaram Vishwanath—Complainant
V/s.

M/s A. Mahendra & Co.—Respondent

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the complainant against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the Complainant worked in the quarries of the Respondent for a period of one year. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement saying that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was number as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in the prosecution of this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint has to be and is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer
[No. L-29014/4/77-D III. B]BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAYComplaint No. CGIT-2/20 of 1970
(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Shri Punjaram Sravan More—Complainant.
V/s.

M/s. A. Mahendra & Co., Bombay—Respondent.

APPEARANCES :

For the Complainant—No appearance.

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry STATE : Maharashtra

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 14 of 1947 by the complainant against the order passed by the Respondent Employer dismissing him from service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 12 years. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that the complainant was never in their service. It prays that the complaint may be dismissed on that ground.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying on the other hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer
[No. L-29014/4/77-D III B.]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Complaint No. CGIT-2/44 of 1970

(Arising out of Reference No. CGIT-2/4 of 1970)

PARTIES :

Shri Hiranman Kasiram Karsale—Complainant

V/s.

M/s, Mahendra & Co., Bombay.—Respondent

APPEARANCES :

For the Complaint—No appearance

For the Respondent—1. Shri G. S. Balooch, 2. Shri L. J. Kadri, Labour Advisers.

INDUSTRY : Quarry.

STATE : Maharashtra.

Bombay, the 7th May, 1977

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 1947 against the order passed by the Respondent Employer dismissing the complainant from their service.

The facts of the case are that the complainant worked in the quarries of the Respondent for a period of 10 years. The management dismissed him from service from 12-2-1970 without notice or payment of one month's wages, in order to strike terror in the minds of their employees and to weaken the trade union movement. The complainant prays that he may be reinstated in service after setting aside the illegal, improper and mala fide order of dismissal.

The Respondent filed written statement stating that after lifting the lockout, the complainant was asked to report himself to duty latest by 29-1-1970 and that he failed to do so. The complainant was therefore and treated as having left the service on his own and his name struck off the muster roll. The Respondent company says that the complainant has not been dismissed for any misconduct connected with the dispute and as such the complaint under Section 33A is not maintainable. It prays that the complaint may be dismissed.

There was an industrial dispute between the Respondent herein and 11 others carrying on the business of quarrying, on the one hand and their respective workmen on the other regarding the question whether the lock-out declared by the said 12 employers with effect from 27-12-1969 was justified. That question was referred to this Tribunal by the Central Government by its order dated 31-1-1970 which was numbered as Reference No. CGIT-2/4 of 1970. Pending disposal of the reference the management dismissed the complainant herein from their service. The management and the workmen settled the dispute and prayed the Tribunal to pass an Award in terms of the settlement. This Tribunal by its order dated 24-4-1976 accordingly passed an award in terms of the settlement.

After the reference was disposed of in terms of the settlement the complainant has not evinced any interest in this complaint. The matter was posted from 18-4-1977 to this date i.e. 7-5-1977 for disposal. Notice of hearing was sent by registered post with acknowledgement due to the Union which has sponsored the cause of the complainant. The Registered letter was returned with the endorsement "not claimed, returned to sender, left".

In the circumstances this complaint is dismissed for default of the complainant.

P. RAMAKRISHNA, Presiding Officer,

[No. L-29014/4/77-D III B]

C. R. NIM, Under Secy.

नई दिल्ली, 22 जुलाई, 1977

का० आ० 2532.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोक हित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड ड के उप-खण्ड (vi) के उपबन्धों के अनुकरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 565 तारीख 24 जनवरी, 1977 द्वारा भारत सरकार टक्काल, अलीपुर कलकत्ता को उक्त अधिनियम के प्रयोजनों के लिए 7 फरवरी, 1977 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि उक्त कालावधि को आगे छहः मास की कालावधि के लिए बढ़ाया जाना लोकहित में अपेक्षित है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 7 अगस्त, 1977 से आगे छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या 11020/3/77-डी० 1 (ए०)]

New Delhi, the 22nd July, 1977

S.O. 2532.—Whereas, the Central Government having been satisfied that the public interest so required, had in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 565 dated the 24th January, 1977 the India Government Mint, Alipore, Calcutta, to be a public utility service for the purposes of the said Act for a period of six months from the 7th February, 1977;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months ;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 7th August, 1977.

[S. 11020/3/77/DI (A)]

का० आ० 2533.—केन्द्रीय सरकार, औद्योगिक नियोजन (स्थायी आदेश) अधिनियम, 1946 (1946 का 20) की धारा 14 द्वारा शक्तियों का प्रयोग करते हुए, पारादीप पत्तन का प्रशासन करने वाले पत्तन न्यास प्राधिकरण के स्वामित्वाधीन या प्रबंध के अधीन औद्योगिक स्थापनों को, निम्नलिखित शर्तों के अधीन रहते हुए, उक्त अधिनियम के सभी उपबन्धों से छूट देती है, अर्थात्:—

(1) पत्तन प्राधिकरण, उक्त अधिनियम की अनुसूची में उपबर्णित विषय से संबंधित समेकित नियमों को, एक पैम्फलेट में

अंग्रेजी भाषा में, या कर्मचारी की बहुसंख्या द्वारा समझी जाने वाली भाषा या भाषाओं में, प्रकाशित करेगा या करायेगा;

- (2) उक्त नियमों में कोई संशोधन करने से पूर्व, पत्तन प्राधिकरण कर्मचारी को प्रस्तावित संशोधन की सूचनापट्ट पर नोटिस द्वारा जानकारी देगा और ऐसे किन्हीं आक्षेपों या सुझावों पर विचार करेगा, जो उसके बारे में ऐसी सूचना के इक्कीस दिनों के भीतर दिए जाएं ;
- (3) खण्ड (1) में निर्दिष्ट पैम्पलैट की एक प्रति और उसके हर संशोधन की एक प्रति प्रत्येक संबंधित कर्मचार को दी जाएगी।

[तं० एस० 12011/2/77—डी० आई० (ए)]

एल० के० नारायणन, डेस्क अधिकारी

industrial establishments under the ownership or management of the Port Trust Authority, administering the Port of Paradip, from all the provisions of the said Act subject to the following conditions, namely :—

- (1) The Port Authority shall publish or cause to be published consolidated rules relating to the matters set out in the Schedule to the said Act in a pamphlet in the English language and the language or languages understood by the majority of the workmen ;
- (2) before making any amendment to the said rules, the Port Authority shall inform the workmen concerned by a notice on the notice board of the proposed amendment and shall consider any objection or suggestion that may be made thereto within twenty one days of such notice;
- (3) a copy of the pamphlet referred to in clause (1) above and a copy of every amendment thereto shall be supplied to each of the workmen concerned.

[No. S. 12011/2/76/DI (A)]

L. K. NARAYANAN, Desk Officer

S.O. 2533.—In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act 1946 (20 of 1946), the Central Government hereby exempts the