

COURT CASE
DATE BOUND

No. 62/67/2012-6GSI

From

The Chief Secretary to Government Haryana

To

1. All the Heads of Departments, Commissioners of all Divisions.
2. All the Deputy Commissioners of the State of Haryana
3. The Managing Directors/Chief Administrators of the Boards, Corporations in Haryana State
4. The Registrar of all the Universities in the State of Haryana

Dated Chandigarh, the 13th December 2012

Subject: CWP No. 11216 of 2010 – Non compliance of Section 25-F of the Industrial Disputes Act 1947.

Sir/Madam.

I am directed to invite your attention in continuation to this office letter No. 62/67/2012-6GSI dated 23.11.2012 on the subject cited above vide which you were requested to furnish the requisite information in prescribed proforma by 27.11.2012 positively.

2. As intimated to you vide letter dated 23.11.2012 that it has been observed by the Hon'ble Court that instructions dated 29.12.1998 and 17.1.2008 are not being complied within letter and spirit as it is evident from various cases which are coming to this court, where not only there is blatant violation of the provisions of the Industrial Disputes Act, 1947 including Section 25-F thereof, but the State is losing cases on account of procedural lapses committed by its officers, such as non-appearance despite service or non-filing of written statement before the Labour Courts/Tribunals, non-production of requisite record, non-production of the evidence in defence, non-filing of the writ petition challenging the award in the Court immediately thereafter etc. Most of the Departments/Boards & Corporations have supplied the information as nil and have not given the information as per the prescribed proforma. Hence, the said information needs rechecking in view of the observations made by Hon'ble High Court. Therefore, you are again directed to recheck and supply the complete information before 31.12.2012 positively for the last five years i.e. 2008 onwards, strictly in the new prescribed proforma enclosed as Annexure 'A', failing which Head of the concerned Department would be held responsible for the same and disciplinary action will be initiated.

3. You are further requested to monitor such cases periodically atleast twice in a year and submit the report to this department in the month of February & July of every year.

4. These instructions should be brought to the notice of all concerned for being adhered to strictly. Non compliance of the instructions would be viewed seriously by the Government.

Bhupinder Malhotra
Superintendent, General Services-I
for Chief Secretary to Government Haryana

A copy is forwarded to all the Administrative Secretaries with the request to ensure that the requisite information is supplied in the prescribed proforma to this Department within stipulated period.

Bhupinder Malhotra
Superintendent, General Services-I
for Chief Secretary to Government Haryana

To

All the Administrative Secretaries to Government Haryana.

U.O. No. 62/67/2012-6GSI

Dated, Chandigarh the 13.12.2012

