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NOTIFICATIONS BY GOVERNMENT

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NOTIFICATIONS BY GOVERNMENT

ANIMAL HUSBANDRY, DAIRYING AND FISHERIES
DEPARTMENT

Declaration of Prohibiting the coastal areas of Kalpakkam in Kancheepuram District and Kudankulam in Tirunelveli District under Tamil Nadu Marine Fishing Regulation Act.

[G.O.Ms. No. 117, Animal Husbandry, Dairying and Fisheries (FS4), 30th August 2010.]

No. II(2)/AHDF/605/2010.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 5 of the Tamil Nadu Marine Fishing Regulation Act, 1983 (Tamil Nadu Act 8 of 1983), the Governor of Tamil Nadu hereby prohibits the fishing by any kind of fishing vessels in a radius of 500 meters along the atomic installations in the coastal areas of Kalpakkam in Kancheepuram District and Kudankulam in Tirunelveli District, in Tamil Nadu.

அறிவிக்கை

தமிழ்நாடு 1983 ஆம் ஆண்டு கடல்சார் மீன்பிடிப்பு முறைப்படுத்தல் சட்டத்தின் (தமிழ்நாடு சட்டம் 8/1983) 5 ஆம் பிரிவைச் சேர்ந்த (1) உட்பிரிவின் (2) பகுதியில் அளிக்கப்பட்டுள்ள அதிகாரங்களைக் கொண்டு, தமிழ்நாட்டு ஆளுநர் அவர்கள் தமிழ்நாட்டில் காஞ்சிபுரம் மாவட்டத்திலுள்ள கல்பாக்கம், திருநெல்வேலி மாவட்டத்திலுள்ள கூடங்குளம் ஆகிய கடலோர பகுதிகளில் அமைக்கப்பட்டுள்ள அணுமின் நிலையங்களைச் சுற்றியுள்ள 500 மீட்டர் ஆரத்திற்குட்பட்ட பகுதிகளில் எந்தவொரு மீன்பிடி படகு வாயிலாகவும் மீன்பிடிப்பதை இதனால் தடை செய்கிறார்.

எம்.பி. நிர்மலா,
அரசு செயலாளர்.

BACKWARD CLASSES, MOST BACKWARD CLASSES
AND MINORITIES WELFARE DEPARTMENT

Appointment of certain person as Kazi for Tiruvarur District under Kazis Act, 1880.

[G.O.Ms. No.70, Backward Classes, Most Backward Classes and Minorities Welfare (S1), 28th August 2010.]

No. II(2)/BCMBCM/W/606/2010.—In exercise of the powers conferred by Section 2 of the Kazis Act, 1880 (Central Act XII of 1880), the Governor of Tamil Nadu hereby appoints Thiru B. Abdul Kareem, son of B. Bava Sahib, residing at 3/157, Javia Street, Palakudi, Athikadai, Tiruvarur District as the Kazi for the Tiruvarur District.

T.N. RAMANATHAN,
Secretary to Government.

COMMERCIAL TAXES AND REGISTRATION DEPARTMENT

Provision for Payment of Consolidation of Stamp Duty Chargeable in respect of Issue of Policies by the Cholamandalam MS General Insurance Company Limited under Indian Stamp Act.

[G.O. Rt. No. 579, Commercial Taxes and Registration (J1), 13th September 2010, Aavani 28, Thiruvalluvar Aandu-2041.]

No. II(2)/CTR/607/2010.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the

Indian Stamp Act, 1899 (Central Act II of 1899), the Governor of Tamil Nadu hereby provides for the consolidation of duty of Rs.6,00,000/- (Rupees Six lakhs only) chargeable under the said Act in respect of issue of policies by the Cholamandalam MS General Insurance Company Limited for the period from 1st October 2010 to 31st March 2011.

P. SURIYAKUMAR,
Joint Secretary to Government.

HIGHER EDUCATION DEPARTMENT

Nomination of certain Person as Members to the Syndicate of Madurai Kamaraj University, Madurai under Madurai Kamaraj University Act.

[G.O. (1D) No. 189, Higher Education (H2), 6th September 2010, ஆவணி 21, திருவள்ளூர் ஆண்டு-2041.]

No. II(2)/HE/608/2010.—In exercise of the powers conferred under Section 19(a)-Class II - Other Members (4) of the Madurai Kamaraj University Act, 1965, His Excellency the Governor-Chancellor hereby nominates the following three persons as member to the Syndicate of Madurai Kamaraj University, Madurai for the period of three years with effect from 30th June 2010:—

1. Dr. P. Gunasekaran
Senior Professor & Head
Department of Genetics
School of Biological Science
Madurai Kamaraj University.
2. Dr. R. Kannan,
Professor & Head
Department of Sociology
Madurai Kamaraj University.
3. Dr. Thirumathi N. Saraswathi (re-nominated)
Professor & Head,
Department of Rural Development Economics,
Madurai Kamaraj University.

Nomination of certain Person as Members to the Senate of Manonmaniam Sundaranar University, Tirunelveli under Manonmaniam Sundaranar University Act.

[G.O. (1D) No. 190, Higher Education (H2), 6th September 2010, ஆவணி 21, திருவள்ளூர் ஆண்டு-2041.]

No. II(2)/HE/609/2010.—In exercise of the powers conferred under Section 19(a)-Class-II-Other Members (6) of Manonmaniam Sundaranar University Act, 1990 - Nomination of eight persons as members to the Senate of Manonmaniam Sundaranar University, Tirunelveli for a period of three years with effect from 10th August 2010:—

1. Recognised Research Institutions :

Dr. M.M. Mustafa,
Director,
National Research Centre for Banana,
Tiruchirappalli-620 102.

2. Recognised Cultural Association:

Dr. S. Cletus Babu, B.Tech., M.A., Ph.D.,
SCAD Group of Institutions,
105 A/1, Bypass Road,
Vannarpettai, Tirunelveli-627 003.

3. Chamber of Commerce:

Thiru M.S.S. Sha,
SBS Illam, Velmurugan Nagar,
Nandini Street, Madurai-625 010.

4. Industries:

Thiru R. Harirajan,
SAP Industries,
51, SIDCO Industrial Estate,
Thirumudivakkam, Chennai-600 044.

5. Authors:

Dr. R. Rajeswaran,
18/24, Kalaimagal Street,
Choolaimedu, Chennai-600 094.

6. Journalists:

Thiru Siva Meiyappan,
Chief Manager, Response & Spiritual Vertical Head,
The Times of India Group,
No. 11, Jeevarathnam Nagar,
C-3, Dhakha Apartments,
Adyar, Chennai-600 020.

7. Lawyers:

Thiru M. Siva Sankaran B.A., B.L.,
Advocate,
C-36, 5th Cross West Extension,
Thillai Nagar, Tiruchirappalli-620 018.

8. Sports:

Thiru R. Natarajan,
Superintendent of Customs, Chennai,
New No.9, Old No.5,
N.G.O. Colony, 2nd Main Road,
Choolaimedu, Chennai-600 094.

K. GANESAN,
Principal Secretary to Government.

HIGHWAYS AND MINOR PORTS DEPARTMENT.

**Declaration of New Ports are to be consolidated
incorporating all the Port limits of the existing Minor
Ports in Tamil Nadu under Indian Ports Act, 1908.**

Amendment to Notification

[G.O. Ms.No. 282, Highways and Minor Ports (HF2),
16th September 2010, Aavani 31,
Thiruvalluvar Aandu-2041.]

No.II(2)/HWMP/610/2010.—In exercise of the powers conferred by Clause (a) of sub-section (1) of Section 4 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Tamil Nadu hereby makes the following amendment to the Highways and Minor Ports Department Notification No.II(2)/HWMP/359/2009, published at pages 232 - 234 of Part II—Section 2, of the *Tamil Nadu Government Gazette*, dated the 22nd July 2009.

AMENDMENT

In the said Notification in the Schedule, under the heading—“THOOTHUKUDI DISTRICT”, after Serial Number 14 in column (1) and the corresponding entries columns (2) and (3) thereof, the following entries shall, respectively, be inserted namely:—

| | |
|-----------------|--|
| “14-A. UDANGUDI | (1) Latitude 08 26' 21" N Longitude 78 04' 45"E |
| | (2) Latitude 08 23' 27" N Longitude 78 09' 29"E |
| | (3) Latitude 08 22' 31" N Longitude 78 08' 57"E |
| | (4) Latitude 08 26' 06" N Longitude 78 04' 33"E". |

**Appointment of Certain Officers as Port Conservators and
Port Officers in Certain Ports under Indian Ports Act.**

Amendment to Notification

[G.O. Ms.No. 282, Highways and Minor Ports (HF2),
16th September 2010, Aavani 31,
Thiruvalluvar Aandu-2041.]

No.II(2)/HWMP/611/2010.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Tamil Nadu hereby makes the following amendment to the Highways Department Notification No.II(2) HW/771(c-1)/2004, published at pages 1 - 2 of Part II—Section 2, of the *Tamil Nadu Government Gazette*, dated the 25th August 2004.

AMENDMENT

In the said Notification, in the Schedule, after the entry “(ii) Manappad” in column (2) and the corresponding entry in column (3) thereof, against the entry “5. Thoothukudi” in column (1), the following entries shall, respectively, be inserted namely:—

“(iii) Udangudi Port Conservator, Udangudi.”

Appointment of Certain Officers to Receive the dues, fees or other charges Authorized to be taken in certain Ports under Tamil Nadu Maritime Board Act.

Amendment to Notification.

[G.O. Ms. No. 282, Highways and Minor Ports (HF2), 16th September 2010, Aavani 31, Thiruvalluvar Aandu-2041.]

No.II (2)/HWMP/612/2010.—In exercise of the powers conferred by sub-section (1) of Section 36 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Tamil Nadu hereby makes the following amendment to the Highways Department Notification No. II (2) HW/771(c-2)/2004 Published at pages 2 of Part-II—Section 2, of the *Tamil Nadu Government Gazette*, dated the 25th August 2004.

AMENDMENT

In the said Notification, in the Schedule, after the entry— “(ii) Manappad” in column (2) and the corresponding entry in column (3) thereof, against the entry “5. Thoothukudi” in column (1), the following entries shall, respectively, be inserted namely:—

“(iii) Udangudi Port Conservator, Udangudi.”

Application of the provisions of the Tamil Nadu Maritime Board Act to Udangudi Port in Thoothukudi District.

[G.O. Ms.No. 282, Highways and Minor Ports (HF2), 16th September 2010, Aavani 31, Thiruvalluvar Aandu-2041.]

No.II (2)/HWMP/613/2010.—In exercise of the powers conferred by sub-section (4) of Section 1 of the Tamil Nadu Maritime Board Act, 1995 (Tamil Nadu Act 4 of 1996), the Governor of Tamil Nadu hereby applies the provisions of the said Act to the Udangudi Port in Thoothukudi District to which the Indian Ports Act, 1908 (Central Act XV of 1908) has been extended by the Government under Section 4 of that Act, with effect on and from the 16th September 2010.

Amendment to First Schedule to the Indian Ports Act.

[G.O. Ms.No. 282, Highways and Minor Ports (HF2), 16th September 2010, Aavani 31, Thiruvalluvar Aandu-2041.]

No.II (2)/HWMP/614/2010.—In exercise of the powers conferred by sub-section (2) of Section 33 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Tamil Nadu hereby makes the following amendment to the First Schedule to the said Act.

AMENDMENT

In the said Act, in the First Schedule, under the heading “Part V- Ports under the Control of Government of Tamil Nadu”, for the entries, the following entries shall, be substituted, namely:—

| <i>Name of the Port.</i> | <i>District.</i> | <i>Vessels Charge-able</i> | <i>Rate of port dues/Classes of vessels</i> | <i>Dues how often chargeable in respect of the vessel.</i> |
|--------------------------------|------------------|--|--|--|
| (1) | (2) | (3) | (4) | (5) |
| (1) Kattupalli. | Tiruvallur | | (a) Foreign or coastal vessels calling at any port - Rupees six per ton on Gross Registered Tonnage; | Payable on each entry into the Ports”. |
| (2) Ennore Minor Port. | | | | |
| (3) Mugaiyur. | Kancheepuram | | (b) Sailing Vessels whether mechanized or not- Rupees five per ton on Gross Registered Tonnage. | |
| (4) Cuddalore | Cuddalore | | | |
| (5) Thiruchopuram | | | | |
| (6) Silambi-mangalam Shipyard. | | | | |
| (7) PY-03 Oil Field | | | | |
| (8) Parangipettai. | | Sea going Vessels of 14 tons and upwards | The rates in (a) and (b) above are applicable to all the ports mentioned in column (1). | |
| (9) Kaveri. | Nagapattinam. | | | |
| (10) Vanagiri. | | | | |
| (11) Thirukkadaiyur. | | | | |
| (12) Nagapattinam. | Ramanathapuram. | | | |
| (13) Thirukkuvilai. | | | | |
| (14) Pamban. | | | | |
| (15) Rameswaram. | Thoothukudi. | | | |
| (16) Valinokkam. | | | | |
| (17) Punnakkayal. | Thoothukudi. | | | |
| (18) Manappad. | | | | |
| (19) Udangudi. | Tirunelveli | | | |
| (20) Koodankukam. | | | | |
| (21) Kanyakumari. | Kanyakumari | | | |
| (22) Colachel. | | | | |

G. SANTHANAM,
Secretary to Government.

HOME DEPARTMENT.

Award of the Home Guards and Civil Defence Medal for Meritorious Service on the occasion of the Republic Day, 2010.

[Letter No. SC/7003-10/2009, Home (S.C.),
17th September 2010.]

No.II(2)/HO/615/2010—No.111-Pres./2010.—The President is pleased, on the occasion of the Republic Day, 2010 to award the Home Guards and Civil Defence Medal for Meritorious Service to the under mentioned officers—

| | | |
|----|----|----|
| XX | XX | XX |
| XX | XX | XX |

Shri. R. Kannan,
Coy. Commander (HG),
Tamil Nadu.

Shri. A. Sebastin,
Platoon Commander (HG),
Tamil Nadu.

Shri. J. Seerajudeen,
Platoon Commander (HG)
Tamil Nadu.

| | | |
|----|----|----|
| XX | XX | XX |
| XX | XX | XX |

2. These awards are made under Rule 3(ii) of the Rules governing the award of Home Guards and Civil Defence Medal for Meritorious Service.

BARUN MITRA,
Joint Secretary to the President.

K. GNANADESIKAN,
Principal Secretary to Government.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Exemption from certain Provisions of Development Regulations of Second Master Plan for Chennai Metropolitan Area relating to the Construction of Residential Building at Perambur, Chennai under Tamil Nadu Town and Country Planning Act.

[G.O. (2D) No. 556, Housing and Urban Development (UD-VI),
15th September 2010.]

No. II(2)/HOU/616/2010.—In exercise of the powers conferred by Section 113 of the Tamil Nadu Town and Country Planning Act, 1971, (Tamil Nadu Act 35 of 1972), the Governor of Tamil Nadu hereby exempts the site at (new) Door No. 93/2, Paddy Field Road, Perambur, Chennai-600 011 (R.S. No. 460/160, Block No. 24, Perambur Village) from Table (1) B of Regulation 25 of Second Master Plan for Chennai Metropolitan Area, 2026, relating to minimum plot width/frontage for construction of a residential building of Ground Floor and First Floor at the above site.

ASHOK DONGRE,
Secretary to Government.

LABOUR AND EMPLOYMENT DEPARTMENT

Exemption to Messers Dindigul District Central Co-operative Bank Limited, Dindigul under Employees' Provident Funds and Miscellaneous Provisions Act.

[G.O.Ms.No. 150, Labour and Employment (M1), 13th
October 2009, Purattasi 27, Thiruvalluvar Aandu-2040.]

No.II(2)/LE/617/2010.—Whereas Messers Dindigul District Central Co-operative Bank Limited, Dindigul (Tamil Nadu/24644) (hereinafter referred to as the "said establishment") has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (Central Act 19 of 1952), (hereinafter referred to as the "said Act").

And, Whereas in the opinion of the Government of Tamil Nadu, the rules of the Provident Fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in section 6 of the said Act and the Employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the Employees than the benefits provided under the said Act or under the employees' Provident Funds Scheme, 1952 (hereinafter referred to as "the said Scheme") in relation to the employees in any other establishment of a similar character.

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Governor of Tamil Nadu, after consultation with the Central Board hereby exempts the said establishment from the operation of the provisions of the said Scheme, except the provisions of paragraphs 32A, 32B, 79A and 79C with effect on and from the 1st June 1991.

THE SCHEDULE

1. The employer shall establish a Board of Trustees under his Chairmanship for the management of the Provident Fund according to such directions as may be given by the Central Government or the Central Provident Fund Commissioner, as the case may be, from time to time. The Provident Fund shall vest in the Board of Trustees who will be responsible for and accountable to the Employees, Provident Fund Organisation, *inter-alia*, for proper accounts of the receipts into and payment from the Provident Fund and the balance in their custody. For this purpose, the "employer" shall mean.

(i) In relation to all establishment, which is a factory, the owner or occupier of the factory; and

(ii) in relation to any other establishment, the person who, or the authority, that has the ultimate control over the affairs of the Establishment.

2. The Board of Trustees shall meet at least once in every three months and shall function in accordance with the guidelines that may be issued from time to time by the Central Government/Central Provident Fund Commissioner (CPFC) or an officer authorized by him.

3. All employees, as defined in Section 2 (f) of the said Act, who have been eligible to become members of the Provident Fund, had the establishment not been granted exemption, shall be enrolled as members.

4. Where an employee who is already a member of Employees' Provident Fund or a provident fund of any other exempted establishment is employed in his establishment, the employer shall immediately enroll him as a member of the fund. The employer should also arrange to have the accumulations in the provident fund account of such employee with his previous employer transferred and credited into his account.

5. The employer shall transfer to the Board of Trustees the contributions payable to the Provident Fund by himself and employees at the rate prescribed under the Act from time to time by the 15th of each month following the month for which the contributions are payable. The employer shall be liable to pay simple interest in terms of the provisions of Section 7Q of the said Act for any delay in payment of any dues towards the Board of Trustees.

6. The employer shall bear all the expenses of the administration of the Provident Fund and also make good any other loss that may be caused to the Provident Fund due to theft, burglary, defalcation, misappropriation or any other reason.

7. Any deficiency in the interest declared by the Board of Trustees is to be made good by the employer to bring it up to the statutory limit.

8. The employer shall display on the notice board of the establishment, a copy of the rules of the funds as approved by the appropriate authority and as and when amended, thereto along with a translation in the language of the majority of the employees.

9. The rate of contributions payable, the conditions and quantum of advances and other matters laid down under the provident fund rules of the establishment and the interest credited to the account of each member, calculated on the monthly running balance of the member and declared by the Board of Trustees shall not be lower than those declared by the Central Government under the various provisions prescribed in the said Act and the said Scheme framed there under.

10. Any amendment to the said Scheme, which more beneficial to the employees than the existing rules of the establishment, shall be made applicable to them automatically pending formal amendment of the Rules of the Trust.

11. No amendment in the rules shall be made by employer, without the prior approval of the Regional Provident Fund Commissioner (referred to as 'RPFC' hereinafter). The RPFC shall before giving his approval give a reasonable opportunity to the employees to explain their point of view.

12. All claims for withdrawals, advances and transfers should be settled expeditiously within the maximum time frame prescribed by the Employees' Provident Fund Organisation.

13. The Board of Trustees shall maintain detailed accounts to show the contributions credited withdrawal and interest in respect of each employee. The maintenance of such records

should preferably be done electronically. The establishments should periodically transmit the details of members' accounts electronically as and when directed by the CPFC/RPFC.

14. The Board of Trustees shall issue an annual statement of accounts or pass books to every employee within six months of the close of financial/accounting year free of cost once in the year. Additional print outs can be made available as and when the members want, subject to nominal charges. In case of pass book, the same shall remain in custody of employee to be updated periodically by the Trustees when presented to them.

15. The employer shall make necessary provisions to enable all the members to be able to see their account balance from the computer terminals as and when required by them.

16. The Board of Trustees and employer shall file such returns monthly/annually, as may be prescribed by the Employees' Provident Fund Organisation within the specified time-limit, failing which it will be deemed as a default and the Board of Trustees and employer will jointly and separately be liable for suitable penal action by the Employees' Provident Fund Organisation.

17. The Board of Trustees shall invest the monies of the Provident fund as per the directions of Government from time to time. Failure to make investments as per directions of the Government shall make the Board of Trustees separately and jointly liable to surcharge as may be imposed by the CPFC or his representative.

18. (a) The securities shall be obtained in the name of Trust. The securities so obtained should be in dematerialised (DEMAT) form and in case the required facility is not available in the areas where the trust operates, the Board of Trustees shall inform the RPFC concerned about the same.

(b) The Board of Trustees shall maintain a script wise register and ensure timely realisation of interest.

(c) The DEMAT account should be opened through depository participants approved by Reserve Bank of India and Central Government in accordance with the instructions issued by the Central Government in this regard.

(d) The cost of maintaining DEMAT account should be treated as incidental cost of investment by the Trust. Also all types of cost of investments like brokerage of purchase of securities, etc., shall be treated as Incidental cost of investment by the Trust.

19. All such investments made, like purchase of securities and bonds, should be lodged in the safe custody of depository participants, approved by Reserve Bank of India and Central Government, who shall be the custodian of the same. On closure of establishment or liquidation or cancellation of exemption of said scheme such custodian shall transfer the investment obtained in the name of the Trust and standing in its credit to the RPFC concerned directly on receipt of request from the RPFC concerned to that effect.

20. The exempted establishment shall intimate to the RPFC concerned and details of depository participants (approved by the Reserve Bank of India and Central

Government), with whom and in whose safe custody, the investments made in the name of trust, viz., investments made in securities, bonds, etc., have been lodged. However, the Board of Trustees may raise such sum or sums of money as may be required for meeting obligatory expenses such as settlement of claims, grant of advances as per rules and transfer or member's Provident Fund accumulations in the event of his/her leaving service of the employer and any other receipts of sale of the securities or other investments standing in the name of the Fund subject to the prior approval of the Regional Provident Fund Commissioner.

21. Any commission, incentive, bonus, or other pecuniary rewards given by any financial or other institutions for the investments made by the Trust should be credited to its account.

22. The employer and the members of the Board of Trustees, at the time of grant of exemption, shall furnish a written undertaking to the RPFC in such format as may be prescribed from time to time, *inter-alia*, agreeing to abide by the conditions which are specified and this shall be legally binding on the employer and the Board of Trustees, including their successors and assignees, or such conditions as may be specified later for continuation of exemption.

23. The employer and the Board of Trustees shall also give an undertaking to transfer the funds promptly within the time limit prescribed by the concerned RPFC in the event of cancellation of exemption. This shall be legally binding on them and will make them liable for prosecution in the event of any delay in the transfer of funds.

24. (a) The account of the Provident Fund maintained by the Board of Trustees shall be subject to audit by a qualified independent chartered accountant annually. Where considered necessary, the CPFC or the RPFC in-charge of the region shall have the right to have the accounts re-audited by any other qualified auditor and the expenses so incurred shall be borne by the employer.

(b) A copy of the Auditor's report along with the audited balance sheet should be submitted to the RPFC concerned by the Auditor directly within six months after the closing of the financial year from 1st April to 31st March. The format of the balance sheet and the Information to be furnished in the report shall be as prescribed by the Employees' Provident Fund Organisation and made available with the RPFC Office in electronic format as well as a signed hard copy.

(c) The same auditors should not be appointed for two consecutive years and not more than two years in a block of six years.

25. A company reporting loss for three consecutive financial years or erosion in their capital base shall have their exemption withdrawn from the first day of the next/succeeding financial year.

26. The employer in relation to the exempted establishment shall provide for such facilities for inspection and pay such inspection charges as the Central Government may from time to time direct under clause (a) of sub-section (3) of Section 17 of the Act within 15 days from the close of every month.

27. In the event of any violation of the conditions for grant of exemption by the employers or the Board of Trustees,

the exemption granted may be cancelled after issuing a show cause notice in this regard to the concerned persons.

28. In the event of any loss to the Trust as a result of any fraud, defalcation, wrong investment decisions, etc., the employer shall be liable to make good the loss.

29. In case of any change of legal status of the establishment, which has been granted exemption, as a result of merger, demerger, acquisition, sale, amalgamation, formation of a subsidiary, whether wholly owned or not, etc.; the exemption granted shall stand revoked and the establishment should promptly report the matter to the RPFC concerned for grant of fresh exemption.

30. In case, there are more than one unit/establishment participating in the common Provident Fund Trust which has been granted exemption, all the trustees shall be jointly and separately/liable/responsible for any default committed by any of the trustees/employer of any of the participating units and the RPFC shall take suitable legal action against all the trustees of the common Provident Fund Trust.

31. The State Government may lay down any further conditions for continuation of exemption of the establishments.

Appointment of certain person as Chief Inspector of Factories, under Factories Act.

[G.O. Ms. No. 190, Labour and Employment (M2), 20th September 2010, Purattasi 4, Thiruvalluvar Aandu-2041.]

No.II(2)/LE/618/2010.—In exercise of the powers conferred by sub-section (2) of Section 8 of the Factories Act, 1948 (Central Act LXIII of 1948) and in supersession of Labour and Employment Department Notification No. II(2)/LE/564/2010, published at Page 684 of Part II—section 2 of the *Tamil Nadu Government Gazette*, dated the 8th September, 2010, the Governor of Tamil Nadu hereby appoints Thiru K. Ayyanu, B.E., to be the Chief Inspector of Factories, Tamil Nadu under the said Act with effect from 1st September 2010.

T. PRABHAKARA RAO,
Principal Secretary to Government.

தொழிலாளர் மற்றும் வேலைவாய்ப்புத் துறை

Disputes between Workmen and Managements referred to Labour Courts for adjudication.

ஏஷியன் பெயின்ட்ஸ் லிமிடெட், கடலூர்.

[அரசாணை (டி) எண் 456 தொழிலாளர் மற்றும் வேலைவாய்ப்பு (பி2)த் துறை, 10 ஆகஸ்ட் 2010, ஆடி 25, திருவள்ளூர் ஆண்டு-2041.]

No.II(2)/LE/619/2010.—இந்த ஆணையின் இணைப்பில் குறிப்பிட்டுள்ள பொருள் தொடர்பாக ஏஷியன் பெயின்ட்ஸ் லிமிடெட், கடலூர்—என்ற நிர்வாகத்திற்கும், பென்டேசியா பாட்டாளி தொழிற்சங்கம் நெல்லிக்குப்பம் என்ற தொழிற்சங்கத்திற்குமிடையே தொழில் தகராறு எழுந்துள்ளது என்று அரசு கருதுவதாலும்;

மேற்சொன்ன தகராறை நீதிமன்றத் தீர்ப்புக்காக அனுப்புவது அவசியமென்று தமிழ்நாடு ஆளுநர் அவர்கள் கருதுவதாலும்;

எனவே, 1947ஆம் ஆண்டு தொழில் தகராறுகள் சட்டத்தின் (மத்திய சட்டம் XIV/1947) 10(1)(c) பிரிவிலும், 10(1)(d) பிரிவின் வரம்பு நிபந்தனையிலும் வழங்கியுள்ள அதிகாரங்களைக் கொண்டு தமிழ்நாடு ஆளுநர் அவர்கள் மேற்சொன்ன தகராறு, கடலூர் தொழிலாளர் நீதிமன்றத் தீர்ப்புக்காக அனுப்பப்பட வேண்டும் என்று இதனால் ஆணையிடப்படுகிறது.

மேலும், 1947ஆம் ஆண்டு தொழில்தகராறுகள் சட்டத்தின் 10(2A) பிரிவின் கீழ், இந்த ஆணையைப் பெற்றுக்கொண்ட நாளிலிருந்து மூன்று மாதங்களுக்குள் தீர்ப்பு அளிக் குமாறு கடலூர் தொழிலாளர் நீதிமன்றம் கேட்டுக்கொள்ளப்படுகிறது.

இணைப்பு

எழுவினா

திரு. பி. இளங்கோவன் என்பவருக்கு 14-8-2008 முதல் 16-8-2008 வரை வழங்கப்பட்ட தற்காலிக வேலை நீக்கத்தை ரத்து செய்தும், அந்த நாட்களுக்கான ஊதியத்தை வழங்கக் கோரும் தொழிற்சங்கத்தின் கோரிக்கை நியாயமானதா?

ஆம் எனில், உரிய உத்தரவுகள் பிறப்பிக்கவும்.

தமிழ்நாடு அரசு போக்குவரத்துக் கழகம், மதுரை

[அரசாணை (டி) எண் 512, தொழிலாளர் மற்றும் வேலைவாய்ப்பு (சி)த் துறை, 13 செப்டம்பர் 2010.]

No.II(2)/LE/620/2010.—இந்த ஆணையின் இணைப்பில் குறிப்பிட்டுள்ள பொருள் தொடர்பாக தமிழ்நாடு அரசு போக்குவரத்து கழக நிர்வாகத்துக்கும் தமிழ்நாடு அரசு போக்குவரத்து கழகம் (மதுரை) தொழிலாளர் சங்கத்துக்குமிடையே தொழில் தகராறு எழுந்துள்ளது என்று அரசு கருதுவதாலும்;

மேற்சொன்ன தகராறை நீதிமன்றத் தீர்ப்புக்காக அனுப்புவது அவசியமென்று தமிழ்நாடு ஆளுநர் அவர்கள் கருதுவதாலும்;

எனவே, 1947ஆம் ஆண்டு தொழில் தகராறுகள் சட்டத்தின் (மத்திய சட்டம் XIV/1947) 10(1)(c) பிரிவிலும், 10(1)(d) பிரிவின் வரம்பு நிபந்தனையிலும் வழங்கியுள்ள அதிகாரங்களைக் கொண்டு தமிழ்நாடு ஆளுநர் அவர்கள் மேற்சொன்ன தகராறு, மதுரை தொழிலாளர் நீதிமன்றத் தீர்ப்புக்காக அனுப்பப்பட வேண்டும் என்று இதனால் ஆணையிடப்படுகிறது.

மேலும், 1947ஆம் ஆண்டு தொழில்தகராறுகள் சட்டத்தின் 10(2A) பிரிவின் கீழ், இந்த ஆணையைப் பெற்றுக்கொண்ட நாளிலிருந்து மூன்று மாதங்களுக்குள் தீர்ப்பு அளிக் குமாறு மதுரை தொழிலாளர் நீதிமன்றம் கேட்டுக்கொள்ளப்படுகிறது.

இணைப்பு

எழுவினா

ஓட்டுநர் திரு. வி. கணேசன் என்பவருக்கு நிர்வாகம் தனது 30-9-2005 நாளிட்ட உத்தரவு மூலம் (1) "மூன்றாண்டு திரண்ட பயனுடன் ஊதிய உயர்வு நிறுத்தம், (2) 30 நாட்கள் தற்காலிக பணி நீக்கம்" காலத்தினை சம்பளமில்லா விடுப்பாக கருத வேண்டும் என்ற தண்டனைகளை ரத்து செய்ய வேண்டும் என்ற தொழிற்சங்கத்தின் கோரிக்கை நியாயமானதுதானா?

ஆமெனில், உரிய உத்தரவுகள் பிறப்பிக்க.

ச. ஆறுமுகம்,

அரசு கூடுதல் செயலாளர்.