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### LABOUR GAZETTE

Started in 1921, the *Labour Gazette*, issued monthly, is a journal for the use of all interested in obtaining prompt and accurate information on matters specially affecting and concerning labour in India and abroad. It contains statistical and other information on consumer price index numbers for working class, industrial disputes, industrial relations, cases under labour laws, labour legislation, etc. Special articles on labour etc., are published from time to time.

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# LABOUR GAZETTE

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Vol. LXIV

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## The Month in Brief

### Consumer Price Index Numbers for working class

The Bombay, Solapur and Nagpur Consumer Price Index Numbers for working class for the month of July 1984, with average price for the year ended December 1960 equal to 100 were 611, 605 and 597 respectively. The Pune, Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for working class for the month of July 1984, with the average prices for the year ended December 1961 equal to 100 were 574, 587, 647 and 608 respectively.

### All India Average Consumer Price Index Number for Industrial Workers

All India Average Consumer Price Index Numbers for Industrial Workers (General) base 1960-100 for July 1984 was 585 as compared to 575 in June 1984. On base 1949-100 derived from 1960 based Index worked out to 711 as against 698 for June 1984.

### Industrial Disputes in Maharashtra State

During the month of June 1984, there were 52 disputes involving 29,895 workmen and time loss of 4,90,202 mandays as compared to 55 disputes in May 1984 involving 29,736 workmen and time loss of 5,47,854 mandays.

Further particulars of Industrial Disputes are given at pages 67 to 69 of this issue.

### Benefits under the Employees State Insurance Scheme

During the months of June and July 1984, 1,65,934 workers were paid Rs. 1,17,57,946.15, for the sickness and Rs. 12,52,326.55 were paid for the long term diseases. 40,358 workers were paid Rs. 92,82,225.94 on account of accidents as employment injury which included 13,791 cases for the permanent disablement and 5,111 for the pension to the dependents families. Rs. 8,08,954.40 were paid to the women workers for the Maternity Benefits. Besides this 76 persons were sterilized and paid Rs. 15,726.00 as Family Planning benefit.

## Current Notes

### Safety and Health Practices of Multinational Enterprises

About 9 million persons were injured last year as a result of on-the-job accidents in 64 countries—24,000 of these injuries were fatal. The situation is worse in the Third World than in the industrialised North. Increasingly, new risks are added to the old ones. Humans are exposed to more and more and more chemical substances which have climbed from 1.6 million in 1970 to over 5 million today. Among the 60,000 or so chemicals in common use, however, exposure limits have been adopted for only a fraction of the agents known to be toxic for workers—and only in a limited number of countries.

On the brighter side, determination is gaining momentum among employers, workers and governments that efforts must be stepped up to improve radically safety and health protection at the workplace. How do multinational enterprises (MNEs) fall in line as the world's major employers with some 44 million people on their payrolls?

Probing this connection through in-depth interviews with management and labour, ILO specialists have investigated the occupational safety and health practices in eight selected MNEs from a cross-section of industry in the Federal Republic of Germany, the Netherlands, Nigeria, Mexico, Switzerland, Nigeria, Mexico, Switzerland, the United Kingdom and the United Kingdom and the United States. The specialists have also carried out on-site inspections of 12 MNE subsidiaries.

#### Some findings

MNEs have a good safety and health performance, but generally better at home than in developing countries. Larger firms are more effective than smaller ones. Those enterprises with a written safety and health policy, backed up by competent staff to implement it, are the ones which achieve the best results in accident prevention. MNEs are front line fighters in the battle against hidden perils, particularly chemicals. Yet some labour leaders complain about insufficient information from MNEs on this score.

#### The human factor

"The safety and health practices in home countries of the MNEs constitute the basic framework throughout their operations," the ILO specialists report. It means that their subsidiaries could do a lot to improve workers' safety and health in the Third World. The truth of the matter is that they do, but their efforts are hampered by the human factor—translate negligence coupled with a lack of safety and health instruction of local workers.

It is a problem of better supervision and education. Several labour representatives raised the issue, urging a closer collaboration between MNE subsidiaries, trade unions and national authorities to promote awareness

of on-the-job risks among workers and inoculate them with safety consciousness. On the whole, however, available figures show a downward trend in work accidents in MNE subsidiaries. Fatal injuries are rare. The most common causes of lost time continue to be banal slips, or injuries from falling objects. Workers were also found to expose themselves to health hazards unnecessarily by not using the duly issued protective clothing and equipment.

#### Management responsibility

The majority of the MNEs made concern for workers safety and health a management line responsibility, the ILO study finds. Policies in this field are established at the top level, often supported by detailed instructions applicable in each and every operation and plant throughout the group. Some firms have an elaborate system of accident reporting to spot problem areas and identify the most effective ways of prevention. MNEs are generally engaged in high technology industries involving special and new work hazards. This alone is enough to keep them on their toes to watch out for invisible dangers, be it from chemicals or flickering computer screens. Several MNEs have developed schemes whereby every substance used in the enterprise is put on a special information sheet which describes the hazard and the precautions that should be taken to avert it.

The ILO has launched an international hazard alert system through which an early warning is sounded about a suspected substance and transmitted to employer and worker organisations as well as governments. MNEs, as a rule, co-operate with the ILO in this field and some have made use of the information received. Given the growing concern with the potential harmful effects of new substances, the ILO study urges better co-ordination of toxicity research between enterprises and national institutions. The findings should be shared with workers fully and in time.

*(ILO Press EFT Bulletin 1st August 1984)*

#### Strikes, lockouts accounts for 29.28 M. Mandays

Mandays lost due to strikes and lockouts in the country during 1983 totalled 29.88 million, not taking the Bombay textile mills strike into account. Of this the strikes accounted for 9.6 million days, or 32 per cent and the lockouts 20.1 million days. Giving this information to Parliament's consultative committee for his Ministry on July 11, 1984, the Labour Minister, Mr. Verendra Patil, said the average duration of a strike was 36 days and that of a lockout 64 days. The average number of workers involved in a strike was 594 and in a lockout 577.

*(EFI Bulletin 1st August 1984)*

### Bill on ESI gains Parliament's approval

With the passage of the Employees State Insurance (Amendment) Bill by the Lok Sabha on August 1, the Bill providing for the extension of the coverage of the Act to workers getting up to Rs. 1,600 per month has secured Parliament's approval.

The Bill has already been passed by the Rajya Sabha on July 24. Before the passage of the Bill by the Lok Sabha, Labour Minister Veerendra Patil assured the House that the Government was making all efforts to introduce a comprehensive bill on the ESI scheme in the current session itself.

The present Bill also delinks the employers' contribution to the scheme in the current session itself from the employees' contribution.

The revised rates of employers' contribution will be 5 per cent of the wages of the employees as against the contribution of 2.2 per cent by the workers.

Employees getting daily wages below Rs. 6 are exempted from the contribution.

The Bill was generally welcomed by the members and during the debate, a number of them complained about the working of ESI hospitals and dispensaries. They also wanted the coverage of the Bill to be extended to the unorganised and agricultural sectors also.

In this reply to the debate, Labour Minister Patil said that the Government was of the view that it was not possible to include the unorganised and agricultural sectors in the scheme as the organised sector itself had not been covered fully so far. It had, therefore, been left to the State Governments to frame suitable schemes for them.

About the administration of the scheme, the minister said that the proposed comprehensive bill would include a provision for raising the workers' representation on the ESI to 10 from five at present.

Minister of State Dharam Vir, who moved the Bill, stated that the scheme at present covered 6.3 million employees with the total number of beneficiaries being around 28.1 million.

*(Indian Worker dated 6th August 1984.)*

### Unified law for brick-kiln industry soon

The outline of a unified new legislation for brick-kiln industry has been drawn up. It will ensure regular payment of wages, protection against health hazards, social security coverage and welfare facilities at work places.

To ensure continuity of employment a retaining allowance has been recommended which will be paid for the off season period to the workers at grade scales of 10 per cent and above on return for work in the next season. The employer will further deposit minimum of 20 per cent wages and above into

the worker mount in a nationalised bank from which regular payment will be made to the workers annually in lieu of provident fund, gratuity, bonus and other welfare measures.

The new law will cover all establishments employing five or more workers. There will be tripartite advisory committees both at Central and State levels to see the implementation. The states will be the appropriate authorities for implementation and the Central Government having power to issue directions eliminate contract labour and payment of travelling charge from the place of residence to the place of work and *vice-versa* each season.

*(Indian Worker dated 6th August 1984)*

### Indian denies UN panel's charge on bonded labour

The Indian Government has rejected charges that it lacked political will to tackle the problem of bonded labour and has maintained that it had taken constitutional, administrative, economic and social measures to eradicate it.

*(Indian Worker dated 13th August 1984)*

### Enhanced minimum Wages for agricultural Workers

To mitigate the sufferings of the agricultural labourers, the State Government has revised minimum wages from 1983. The present wages vary from Rs. 6, to Rs. 10 per day. A separate machinery has been created to ensure strict payment of the minimum wages.

*(Daily note dated 11th August 1984)*

### Rehabilitation of Bonded Labour

Poverty and illiteracy are the main causes of the system of bonded labour. Out of 530 persons identified as bonded labourers in the State, over 300 labourers have been released and rehabilitated.

Vigilance committees have been formed in seven districts to save tribal cultivators and labourers from exploitation.

*(Daily note dated 11th August 1984)*

# Labour Legislation

THE INDUSTRIAL EMPLOYMENT (SUSPENSION OF WORK) (AMENDMENT) ACT, 1982 (No. 18 OF 1982)

AN ACT FOR AMENDING THE INDUSTRIAL EMPLOYMENT (SUSPENSION OF WORK) ACT, 1947

*[Faint, mostly illegible text from the reverse side of the page, including sections of the Industrial Employment (Suspension of Work) Act, 1947 and its amendments.]*

ints or charges of misconduct against him, the employer shall pay to such workmen subsistence allowance.

(a) at the rate of fifty per cent of the wages which the workman was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension ; and

(b) at the rate of seventy-five per cent of such wages for remaining period of suspension if the delay in the completion of disciplinary proceedings against such workman is not directly attributable to the conduct of such workman.

(2) If any dispute arises regarding the subsistence allowance payable to a workman under sub-section (1), the workman or the employer concerned may refer the dispute to the Labour Court, constituted under the Industrial Disputes Act, 1947 (14 of 1947), within the local limits of whose jurisdiction the industrial establishment wherein such workman is employed is situate and the Labour Court to which the dispute is so referred shall, after giving the parties an opportunity of being heard, decide the dispute and such decision shall be final and binding on the parties.

(3) Notwithstanding anything contained in the foregoing provisions of this section, where provisions relating to payment of subsistence allowance under any other law for the time being in force in any State are more beneficial than the provisions of this section, the provisions of such other law shall be applicable to the payment of subsistence allowance in that State

6. *Amendment of section 11.*—In section 11 of the principal Act, in sub-section (1), for the words and figures " sections 480 and 482 of the Code of Criminal Procedure, 1898 " (5 of 1898), the words and figures " sections 345 and 346 of the Code of Criminal Procedure, 1973 " (2 of 1974), shall be substituted.

7. *Amendment of section 13.*—In section 13 of the Principal Act, in sub-section (4) for the words " a Presidency Magistrate of the second class " the words " a Metropolitan Magistrate or Judicial Magistrate of the second, class " shall be substituted.

8. *Amendment of section 13 A.*—In section 13A of the Principal Act, after the words " or workman ", the words " or a trade union or other representative body of the workmen " shall be inserted.

9. *Amendment of section 15.*—In section 15 of the principal Act, in sub-section (3), for the words " in two successive sessions, and if, before the expiry of the session in which it is sould or the session immediately following " the words " in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid shall be substituted.

(Published in Maharashtra Government Gazette, Part-VI, dated 26th September 1982, Pages Nos. 184-185 and also in Labour Gazette for the month 9 November 1982 of pages Nos. 142-144)

## (2) THE PAYMENT OF WAGES (AMENDMENT) ACT, 1982

No. 38 of 1982

(18th August 1982)

*Act further to amend the payment of Wages Act, 1936*

Be it enacted by Parliament in the Thirty-third year of the Republic of India as follows—

1. *Short title and commencement.*—(1) This Act, may be called the Payment of Wages (Amendment) Act, 1982.

(2) It shall come into force on such date as the Central Government may by notification in the *Official Gazette*, appoint.

2. *Amendment of long title and preamble.*—In the Payment of Wages Act, 1936 (4 of 1936), (hereinafter referred to as the principal Act), in the long title and in the preamble, for, the words “persons employed in industry”, the words “employed persons” shall be substituted.

3. *Amendment of section 1.*—In section 1 of the principal Act,—

(a) in sub-section (4),—

(i) for the words “Factory and to persons” the words “factory, to persons” shall be substituted;

(u) after the words “contract with a railway administration”, the words, brackets, letters and figures, “and to persons employed in on industrial or other establishment specified in sub-clauses (a) to (g) of clause (u) of section 2” shall be inserted;

(b) in sub-section (b),—

(i) for the words “any industrial establishment or in any class or group of industrial establishments”, the words, brackets, letter and figures “any establishment or class of establishments specified by the Central Government or a State Government under sub-clause (b) of clause (u) section 2” shall be substituted;

(a) for the proviso, the following proviso shall be substituted, namely—

“Provided that in relation to any such establishment owned by the Central Government, no such notification shall be issued except with the concurrence of that Government.”

(c) in sub-section (c) for the words “one thousand rupees”, the words “one thousand six hundred rupees” shall be substituted.

4. *Amendment of section 2.*—In section 2 of the principal Act, in clause (u)—

(a) in the opening portion, for the words “industrial establishment” means, the words “industrial or other establishment” means shall be substituted;

(b) after sub-clause (g) the following sub-clause shall be inserted, namely—

“(h) any other establishment or class of establishments which the Central Government or a State Government may, having regard to the nature thereof, the need for protection of persons employed therein and other relevant circumstances, specify, by notification in the *Official Gazette*”.

5. *Amendment of section 3.*—In section 3 of the principal Act, in the proviso, for clause (b) the following clause shall be substituted, namely—

“(b) in industrial or other establishments, if there is a person responsible to the employer for the supervision and control of the industrial or other establishments;

6. *Amendment of section 5.*—In section 5 of the principal Act, in clauses (a) and (b) of sub-section (1), for the words, “industrial establishment” the words “industrial or other establishment” shall be substituted.

7. *Amendment of section 7.*—In section 7 of the principal Act, in sub-section (2), after clause (k), the following clauses shall be inserted, namely—

“(kk) deductions made, with the written authorisation of the employed person, for the payment of his contribution to any fund constituted by the employer or a trade union registered under the Trade Unions Act, 1926 (16 of 1926), for the welfare of the employed persons or the members of their families, or both, and approved by the State Government or any officer specified by it in this behalf, during the continuance of such approval;

(kkk) deduction made, with the written authorisation of the employed person, for payment of the fees payable by him for the membership of any trade union registered under the Trade Unions Act, 1926 (16 of 1926)

8. *Amendment of section 8.*—In section 8 of the principal Act,—

(a) in sub-section (4), for the words “half-an-anna in the rupee”, the words “three per cent” shall be substituted;

(b) in the Explanation, for the words “industrial establishment” the words “industrial or other establishment” shall be substituted.

9. *Amendment of section 14.*—In section 14 of the principal Act,—

(a) in sub-section (3), for the words “industrial establishment” the words “industrial or other establishments” shall be substituted;

(b) in sub-section (4), in clause (b) and (c) for the words “industrial establishment” the words “industrial or other establishment” shall be substituted;

(c) in sub-section (4A)—

(i) for the words and figures “Code of Criminal Procedure, 1898 (5 of 1898), the words and figures” “Code of Criminal Procedure 1973 (2 of 1974), shall be substituted;



(ii) for the word and figures "section 98", the word and figures section 94" shall be substituted.

10. *Amendment of section 18.*—In section 18 of the principal Act, for the words and figures "Chapter XXXV of the Code of Criminal Procedure 1898)" 5 of 1898 the words and figures "Chapter XXVI of the Code of Criminal Procedure 1973 (2 of 1974)", shall be substituted.

11. *Amendment of section 20.*—In section 20 of the principal Act,—

(a) in sub-section (1), for the words "which may extend to five hundred rupees" the words "which shall not be less than two hundred rupees but which may extend to one thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "two thousand rupees", the words "five hundred rupees" shall be substituted;

(c) in sub-section (3), for the words "which may extend to five hundred rupees", the words "which shall not be less than two hundred rupees but which may extend to one thousand rupees" shall be substituted;

(d) in sub-section (4),—

(i) clause (b), for the words "industrial establishment", the words "industrial or other establishment" shall be substituted;

(ii) for the words "which may extend to five hundred rupees" occurring at the end, the words "which shall not be less than two hundred rupees but which may extend to one thousand rupees" shall be substituted;

(e) in sub-section (5), for the words "which may extend to three months or with fine which may extend to one thousand rupees, or with both" the words "which shall not be less than one month but which may extend to six months and with fine which shall not be less than five hundred rupees but which may extend to three thousand rupees" shall be substituted;

(f) in sub-section (6) for the words "fifty rupees", the words "one hundred rupees" shall be substituted.

12. *Amendment of section 25.*—In section 25 of the principal Act.—

(a) for the words "employed in a factory", the words "employed in a factory or an industrial or other establishment" shall be substituted;

(b) for the words "displayed in such factory" the words "displayed in such factory or industrial or other establishment" shall be substituted;

(c) for the words "in the factory" the words "in the factory or industrial or other establishment" shall be substituted.

13. *Insertion of new section 25A.*—After section 25 of the principal Act, the following section shall be inserted namely:—

"25A. *Payment of undisbursed wages in cases of death of employed person—*

(1) Subject to the other provisions of the Act, all amounts payable to an employed person as wages shall, if such amounts could not or cannot be

paid on account of his death before payment or an account of his whereabouts not being known:—

(a) be paid to the person nominated by him in this behalf in accordance with the rules made under this Act; or

(b) where no such nomination has been made or where for any reasons such amounts cannot be paid to the person so nominated, be deposited with the prescribed authority who shall deal with the amounts so deposited in such manner as may be prescribed.

(2) where, in accordance with the provisions of sub-section (1), all amounts payable to an employed person as wages,—

(a) are paid by the employer to the person nominated by the employed person; or

(b) are deposited by the employer with the prescribed authority, the employer shall be discharged of his liability to pay those wages.

14. *Amendment of section 26.*—In section 26 of the principal Act,—

(a) in sub-section (3),—

(i) in clause (1), the words "and", occurring at the end, shall be omitted;

(ii) after clause (1) the following clauses shall be inserted namely—

"1(a) prescribe the form and manner in which nominations may be made for the purposes of sub-section (1) of section 25A, the cancellation or variation of any such nomination, or the making of any fresh nomination in the event of the nominee predeceasing the person making nomination, and other matters connected with such nominations;

(1b) specify the authority with whom amounts required to be deposited under clause (b) of sub-section (1) of section 25A shall be deposited, and the manner in which such authority shall deal with the amounts deposited with it under that clause".

(b) in sub-section (6),—

(i) for the words "two successive sessions", the words "two or more successive sessions" shall be substituted;

(ii) for the words "in which it is so laid or the session immediately following", the words "immediately following the session or the successive sessions aforesaid" shall be substituted.

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Part II Section 1

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No. 206

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(LEGISLATIVE DEPARTMENT)

New Delhi, May 18, 1984 Vaisakha 28, 1906 (Saka)

The following Act of Parliament received the assent of the President on the 18th May, 1984 and is hereby published for general information :—

THE PAYMENT OF GRATUITY (AMENDMENT) ACT, 1984

No. 25 of 1984

(18th May, 1984)

An Act to amend the Payment of Gratuity Act, 1972

Enacted by Parliament in the Thirty-third Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the Payment of Gratuity (Amendment) Act, 1984.

(2) It shall apply to every establishment in which the Central Government or the Government of any State or any local authority or any other authority is the employer.

2. Amendment of Section 2.—In section 2 of the Payment of Gratuity Act, 1972 (hereinafter referred to as the principal Act) :—

(a) for the words "one thousand rupees", wherever they occur, the words "one thousand and six hundred rupees" shall be substituted;

(b) for the words "and where the employee has not been notified in writing that he is entitled to gratuity" and "and where the employee has not been notified in writing that he is entitled to gratuity" in the principal Act, the following shall be substituted :—

"and whether or not such notice is received by a controlling or administrative authority, and where the employee has not been notified in writing that he holds a post under the Central Government or a State Government and is governed by any other law for or by any other provision for payment of gratuity";

(b) for clause (r), the following clause shall be substituted, namely :—

"(r) "Superannuation", in relation to an employee, means the attainment by the employee of such age as is fixed in the contract or conditions of service as the age on the attainment of which the employee shall vacate the employment";

3. Amendment of Section 4.—(a) in sub-section (1), for the words "nominee or", the words "nominee or, as the case may be, the guardian of such nominee or" shall be substituted;

(b) in sub-section (2), in the second proviso, for the words "an employee employed in a seasonal establishment", the words "an employee who is employed in a seasonal establishment and who is not so employed throughout the year" shall be substituted;

(c) in sub-section (6), in clause (b), for the words "shall be wholly forfeited", the words "may be wholly or partially forfeited" shall be substituted;

(d) after sub-section (6), the following sub-section shall be inserted and shall be deemed always to have been inserted, namely :—

"(7) For the removal of doubts, it is hereby declared that the gratuity determined in accordance with the provisions of Explanation to clause (e) of section 2 shall be payable to an employee referred to in that clause notwithstanding that immediately, or at any time, before the termination of his employment in the manner specified in clause (a) or clause (b) or Clause (c) of sub-section (1), he was in receipt of :—

(i) where such termination of his employment is before the commencement of the Payment of Gratuity (Amendment) Act, 1984, wages exceeding one thousand rupees per month, and

(ii) where such termination of his employment is after such commencement, wages exceeding one thousand and six hundred rupees per month";

4. Amendment of Section 7.—(a) in sub-section (4) :—

(i) in clause (a), the Explanation shall be omitted;

(ii) clause (b), (c) and (d) shall be re-lettered as clauses (c), (d) and (e) respectively, and before clause (c) as so re-lettered, the following clause shall be inserted, namely :—

(b) where there is a dispute with regard to any matter or matters specified in clause (a), the employer or employee or any other person raising the dispute may make an application to the controlling authority for deciding the dispute :

(iii) for clause (c) as so re-lettered, the following clause shall be substituted, namely :—

(c) The controlling authority shall, after due inquiry and after giving the parties to the dispute a reasonable opportunity of being heard, determine the matter or matters in dispute and if, as a result of such inquiry any amount is found to be payable to the employee, the controlling authority shall direct

the employer to pay such amount or, as the case may be such amount as reduced by the amount already deposited by the employer :—

(iv) in clause (c) as so re-lettered, in sub-clause (ii), for the words "nominee or", the words "nominee or", as, the case may be, the guardian of such nominee or shall be substituted ;

(b) in sub-section (1) after the proviso, the following proviso shall be inserted, namely :

"Provided further that no appeal by an employer shall be admitted, unless at the time of preferring the appeal, the appellant either produces a certificate of the controlling authority to the effect that the appellant has deposited with him an amount equal to the amount of gratuity required to be deposited under sub-section (4), or deposits with the appellate authority such amount

5. *Insertion of new sections 7A and 7B.*—After Section 7 of the principal Act, the following sections shall be inserted, namely :—

*Inspectors.*—7A. (1) The appropriate Government may, by notification appoint as many Inspectors, as it deems fit, for the purpose of this Act.

(2) The appropriate Government may, by general or special order, define the area to which the authority of an Inspector so appointed shall extend and where two or more Inspectors are appointed for the same area, also provide by such order, for the distribution or allocation of work to be performed by them under this Act.

(3) Every Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

*Powers of Inspectors.*—7B (1). Subject to any rules made by the appropriate Government in this behalf, an Inspector may, for the purpose of ascertaining whether any of the provisions of this Act or the conditions, if any, of any exemption granted thereunder, have been complied with, exercise all or any of the following powers namely :—

(a) require an employer to furnish such information as he may consider necessary.

(b) enter and inspect, at all reasonable hours, with such assistants (if any), being persons in the service of the Government or local or any public authority, as he thinks fit, any premises of or place in any factory, mine, oilfield, plantation, port, railway company, shop or other establishment to which this Act applies for the purpose of examining any register, record or notice or other document required to be kept or exhibited under this Act or the rules made thereunder, or otherwise kept or exhibited in relation to the employment of any person or the payment of gratuity to the employees and require the production thereof for inspection ;

(c) examine with respect to any matter relevant to any of the purposes aforesaid, the employer or any person whom he finds in such premises or place and who, he has reasonable cause to believe, is an employee employed therein :

(a) make copies of, or take extracts from, any register, record, notice or other document, as he may consider relevant, and where he has reason to believe that any offence under this Act has been committed by an employer, search and seize with such assistance as he may think fit, such register, record, notice or other document as he may consider relevant in respect of that offence ;

(e) exercise such other powers as may be prescribed.

(2) Any person required to produce any register, record, notice or other document or to give any information by an Inspector under sub-section (1), shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code (45 of 1860).

(3) The provisions of the Code of Criminal Procedure, 1973 shall so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of that Code" (2 of 1974).

6. *Amendment of section 13.*—In section 13 of the principal Act, after the words "payable under this Act", the words "and no gratuity payable to an employee employed in any establishment, factory, mine, oilfield, plantation, port, railway, company or shop exempted under section 5" shall be inserted.

R. V. S. PBRI SASTRI,  
Secretary to the Government of India.

## THE GAZETTE OF INDIA (EXTRAORDINARY) PART II, SEC. 1

PUBLISHED BY AUTHORITY

No. 34, New Delhi, Friday, May 18, 1874/Vaisakha 28, 1906

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(Legislative Department)

New Delhi, the 18th May, 1984/Vaisakha 28, 1906 (Saka)

The following Act of Parliament received the assent of the President on the 18th May 1984 and is hereby published for general information :—

## THE PAYMENT OF GRATUITY (SECOND AMENDMENT) ACT, 1984

No. 26 of 1984

(18th May 1984)

An Act further to amend the Payment of Gratuity Act, 1972.

Be it enacted by Parliament in the Thirty-fifth year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Payment of Gratuity (Second Amendment) Act, 1984.

2. *Amendment of section 1.*—In section 1 of the Payment of Gratuity Act, 1972 (39 of 1972) (hereinafter referred to as the 'principal Act') after sub-section (3), the following sub-section shall be inserted, namely :—

“(3A) A shop or establishment to which this Act has become applicable shall continue to be governed by this Act notwithstanding that the number of persons employed therein at any time after it has become so applicable falls below ten

3. *Amendment of section 2.*—In section 2 of the principal Act, for clause (c) and the Explanations thereto, the following clause shall be substituted namely :—

(c) “continuous service” means continuous service as defined in Section 2

4. *Insertion of new section 2A.*—In the principal Act, after section 2, the following section shall be inserted, namely :—

“2A. *Continuous service*—For the purposes of this Act,—

(1) an employee shall be said to be in continuous service for a period if he has, for that period, been in uninterrupted service, including service which may be interrupted on account of sickness, accident, leave, absence from duty without leave (not being absence in respect of which an order imposing a punishment or penalty or treating the absence as break in service has been passed in accordance with the standing orders, rules or regulations govern-

ing the employees of the establishment). lay-off, strike or a lock-out or cessation of work not due to any fault of the employees, whether such uninterrupted or interrupted service was rendered before or after the commencement of this Act;

(2) where an employee (not being an employee employed in a seasonal establishment) is not in continuous service within the meaning of clause (1) for any period of one year or six months, he shall be deemed to be in continuous service under the employer—

(a) for the said period of one year, if the employee during the period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer not less than—

(i) one hundred and ninety days, in the case of an employee employed below the ground in a mine or in an establishment which works not less than six days in a week; and

(ii) two hundred and forty days, in any other case.

(b) for the said period of six months, if the employee during the period of six calendar months preceding the date with reference to which the calculation is to be made, has actually worked under the employer for not less than—

(i) ninety-five days, in the case of an employee employed below the ground in a mine or in an establishment which works for less than six days in a week; and

(ii) one hundred and twenty days, in any other case.

(3) where an employee, employed in a seasonal establishment, is not in continuous service within the meaning of clause (1), for any period of one year or six months, he shall be deemed to be in continuous service under the employer for such period if he has actually worked for not less than seventy-five per cent of the number of days on which the establishment was in operation during such period”.

5. *Amendment of section 5.*—Section 5 of the principal Act shall be re-numbered as Sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely

“(2) the appropriate Government may, by notification and subject to such conditions as may be specified in the notification, exempt any employee or class of employees employed in any establishment, factory, mine, oilfield, plantation, port, railway, company or shop to which this Act applies from the operation of the provisions of this Act, if, in the opinion of the appropriate Government, such employee or class of employees are in receipt of gratuity or pensionary benefits not less favourable than the benefits conferred under this Act

Registered No. D-(D)-72.

4. THE GAZETTE OF INDIA EXTRAORDINARY PART II

Section 1

PUBLISHED BY AUTHORITY

No. 30 New Delhi, Monday, May 14, 1984-Vaisakha 24, 1906

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 14th May 1984.

The following Act of Parliament received the assent of the President on the 12th May, 1984, and is hereby published for general information :-

THE WORKMEN'S COMPENSATION (AMENDMENT) ACT, 1984

No. 22 OF 1984

(12th May 1984).

AN ACT FURTHER TO AMEND THE WORKMEN'S COMPENSATION ACT, 1923.

Be it enacted by Parliament in the Thirty-fifth year of the Republic of India as follows :-

1. *Short title and commencement.*—(1) This Act may be called the Workmen's Compensation (Amendment) Act, 1984.

(2) It shall come into force on such date as the Central Government may by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*—In Section 2 of the Workmen's Compensation Act, 1923 (8 of 1923) (hereinafter referred to as the principal Act,) in subsection (1), in sub-clause (ii) of clause (n), the words " on monthly wages not exceeding one thousand rupees " shall be omitted.

3. *Substitution of new section for Section 4.*—For section 4 of the principal Act, the following section shall be substituted, namely :-

*Amount of compensation.*—(1) Subject to the provisions of this Act, the amount of compensation shall be as follows, namely :-

(a) where death results from the injury an amount equal to forty per cent of the monthly wages of the deceased workman multiplied by the relevant factor ;

Or

an amount of twenty thousand rupees, whichever is more;

R. V. PERIASASTRI,  
Secretary to the Government of India.

(2) The half-monthly payment referred to in clause (d) of sub-section (1) shall be payable on the sixteenth day—

(i) from the date of disablement where such disablement lasts for a period of twenty-eight days or more, or

(ii) after the expiry of a waiting period of three days from the date of disablement where such disablement lasts for a period of less than twenty-eight days; and thereafter half monthly during the disablement or during a period of five years, whichever period is shorter :

Provided that—

(a) there shall be deduction from any lump sum or half-monthly payments to which the workman is entitled the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lump sum or of the first half-monthly payment, as the case may be; and

(b) no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident.

*Explanation.*—Any payment or allowance which the workman has received from the employer towards his medical treatment shall not be deemed to be a payable or allowance received by him by way of compensation within the meaning of clause (a) of the proviso.

(3) On the ceasing of the disablement before the date on which any half-monthly payment falls due there shall be payable in respect of that half-month a sum proportionate to the duration of the disablement in that half-month.

4. *Amendment of Section 15.*—In Section 15 of the principal Act, in sub-section (3), for the words " His Majesty's Dominions or in any other foreign country ", the words " in any foreign country " shall be substituted.

5. *Amendment of Section 35.*—In section 35 of the Principal Act, in sub-section (1),—

(i) for the words " to any part of His Majesty's Dominions or to any other country " the words " to any foreign country " shall be substituted.

(ii) for the words " such part or country " the words " such foreign country " shall be substituted;

(iii) for the words " in any part of His Majesty's Dominions or in any other country " the words " in any foreign country " shall be substituted.

... half-monthly payment of the sum-equivalent to twenty per cent of monthly wages of the workman, to be paid in accordance with the provisions of sub-section (7).

Substitution of Schedule for Schedule III.—For Schedule III of the Act, the following Schedule shall be substituted, namely:—

SCHEDULE III

(See Section 3)

List of Occupational Diseases

Occupational disease	Employment
PART-A	
Infectious and parasitic diseases contracted in an occupation where there is a particular risk of contamination.	(a) All work involving exposure to health or laboratory work. (b) All work involving exposure to veterinary work : (c) Work relating to handling animals, animal carcasses, part of such carcasses, or merchandise which may have been contaminated by animals or animal carcasses : (d) Other work carrying a particular risk of contamination.
Diseases caused by work in compressed air.	All work involving exposure to the risk concerned.
Diseases caused by load or its toxic compounds.	All work involving exposure to the risk concerned.
Poisoning by nitrous fumes	All work involving exposure to the risk concerned.
Poisoning by organo phosphorus compounds.	All work involving exposure to the risk concerned.
PART-B	
Diseases caused by phosphorus or its toxic compounds.	All work involving exposure to the risk concerned.
Diseases caused by mercury or its toxic compounds.	All work involving exposure to the risk concerned.
Diseases caused by benzene or its toxic homologues.	All work involving exposure to the risk concerned.
Diseases caused by nitro and amino derivatives of benzene or its homologues.	All work involving exposure to the risk concerned.
Diseases caused by chromium or its toxic compounds.	All work involving exposure to the risk concerned.
Diseases caused by arsenic or its toxic compounds.	All work involving exposure to the risk concerned.
Diseases caused by radio active substances and ionising radiations	All work involving exposure to the action of radioactive substances or ionising radiations.
Primary epitheliomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracene or the compounds products or residues of these substances	All work involving exposure to the risk concerned.
Diseases caused by the toxic halogen derivatives of hydro-carbons (of the aliphatic and aromatic series).	All work involving exposure to the risk concerned.

Serial No.	Occupational disease	Employment
10	Diseases caused by carbon disulphide	All work involving exposure to the risk concerned.
11	Occupational contract due to infra-red radiations.	All work involving exposure to the risk concerned.
12	Diseases caused by manganese or its toxic compounds.	All work involving exposure to the risk concerned.
13	Skin diseases caused by physical, chemical or biological agents not included in other items.	All work involving exposure to the risk concerned.
14	Hearing impairment caused by noise ..	All work involving exposure to the risk concerned.
15	Poisoning by dinitrophenol or a homologue or by substituted dinitrophenol or by the salts of such substances.	All work involving exposure to the risk concerned.
16	Diseases caused by beryllium or its toxic compounds.	All work involving exposure to the risk concerned.
17	Diseases caused by cadmium or its toxic compounds.	All work involving exposure to the risk concerned.
18	Occupational asthma caused by recognised sensitising agents inherent to the work process.	All work involving exposure to the risk concerned.
19	Diseases caused by flourine or its toxic compounds.	All work involving exposure to the risk concerned.
20	Diseases caused by nitroglycerine or other nitroacid esters.	All work involving exposure to the risk concerned.
21	Diseases caused by alcohols and ketones	All work involving exposure to the risk concerned.
22	Diseases caused by asphyxiants : carbon monoxide, and its toxic derivatives, hydrogen sulfide.	All work involving exposure to the risk concerned.
23	Lung cancer and mesotheliomas caused by asbestos.	All work involving exposure to the risk concerned.
24	Primary neoplasm of the epithelial lining of the urinary bladder or the kidney or the ureter.	All work involving exposure to the risk concerned.
PART C		
1	Pneumoconioses caused by sclerogenic mineral dust (silicosis, anthraosilicosis, asbestosis) and silico-tuberculosis provided that silicosis is an essential factor in causing the resultant incapacity or death.	All work involving exposure to the risk concerned.
2	Bagassosis	All work involving exposure to the risk concerned.
3	Bronchopulmonary diseases caused by cotton, flax hemp and sisal dust (Byssinosis).	All work involving exposure to the risk concerned.
	Extrinsic allergic alveolitis caused by the inhalation of organic dust.	All work involving exposure to the risk concerned.
5	Bronchopulmonary diseases caused by hard metals.	All work involving exposure to the risk concerned.

LABOUR GAZETTE - SEPTEMBER 1984

Substitution of new bracket in Schedule IV of the principal Act, the following schedule shall be substituted, namely:-

SCHEDULE IV

(See Section 1)

Factors for working on normal basis of continuous amount in case of permanent disability per year.

Completed years of age in the last month of the month immediately preceding the one in which the compensation fell due

	1	2
Not more than 16	..	229.24
17	..	227.49
18	..	226.35
19	..	225.22
20	..	224.00
21	..	222.74
22	..	221.37
23	..	219.95
24	..	218.47
25	..	216.91
26	..	215.28
27	..	213.57
28	..	211.79
29	..	209.92
30	..	207.98
31	..	205.95
32	..	203.85
33	..	210.66
34	..	199.40
35	..	197.06
36	..	194.64
37	..	192.14
38	..	189.36

	1	2
39	..	186.90
40	..	184.17
41	..	181.37
42	..	178.49
43	..	175.34
44	..	172.52
45	..	169.00
46	..	166.28
47	..	163.07
48	..	159.80
49	..	156.47
50	..	153.09
51	..	149.67
52	..	146.20
53	..	142.68
54	..	139.13
55	..	135.56
56	..	131.95
57	..	128.33
58	..	124.70
59	..	121.05
60	..	117.41
61	..	113.77
62	..	110.14
63	..	106.52
64	..	102.93
65 or more	..	99.37

R. V. S. PERI SASTRI,  
Secretary to the Government of India.



THE INDUSTRIAL DISPUTES (AMENDMENT) ACT, 1982  
46 OF 1982

(31st March 1982)

Enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Industrial Disputes (Amendment) Act, 1982.

(2) It shall come into force on such date as the Central Government may, in consultation with the States, appoint.

2. Amendment of section 2.—In section 2 of the Industrial Disputes Act, 1947 (17 of 1947) (hereinafter referred to as the principal Act), (a) in clause (j) sub-clause (i) for the portion beginning with the words "the Industrial Finance Corporation of India" and ending with the words "the Regional Rural Banks Act, 1976" (21 of 1976), the following shall be substituted, namely:—

A Dock Labour Board established under section 5A of the Dock workers (Regulation of Employment) Act, 1948 (9 of 1948), or the Industrial Finance Corporation of India established under section 3 of the Industrial Finance Corporation Act, 1948 (15 of 1948), or the Employees' State Insurance Corporation established under section 3 of the Employees' State Insurance Act, 1948 (34 of 1948), or the Board of Trustees constituted under section 5A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), or the Central Board of Trustees and the State Boards of Trustees constituted under section 5A and section 5B, respectively, of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), or the "Indian Airlines" and "Air India" Corporations established under section 3 of the Air Corporations Act, 1953 (27 of 1953), or the Life Insurance Corporation of India established under section 3 of the Life Insurance Corporation Act, 1956 (31 of 1956), or the Oil and Natural Gas Commission established under section 3 of the Oil and Natural Gas Commission Act, 1959 (43 of 1959), or the Deposit Insurance and Credit Guarantee Corporation established under section 3 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), or the Central Warehousing Corporation established under section 3 of the Warehousing Corporations Act, 1962 (58 of 1962), or the Unit Trust of India established under section 3 of the Unit Trust of India Act, 1963 (52 of 1963), or the Food Corporation of India established under section 3, or a Board of Management established for two or more contiguous States under section 16, of the Food Corporations Act, 1964 (37 of 1964), or the International Airports Authority of India constituted under section 3 of the International Airports Authority of India Act, 1971 (43 of 1971), or a Regional Rural Bank established under section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), or the Export Credit and Guarantee Corporation Limited or the Industrial Reconstruction Corporation of India Limited;

(b) after clause (c), the following clause shall be inserted, namely:—  
“(cc) ‘closure’ means the permanent closing down of a place of employment or part thereof;”;

(c) for clause (j), the following clause shall be substituted, namely:—  
“(j) ‘industry’ means any systematic activity carried on by co-operation between an employer and his workmen (whether such workmen are employed by such employer directly or by or through any agency, including a contractor) for the production, supply or distribution of goods or services with a view to satisfy human wants or wishes (not being wants or wishes which are merely spiritual or religious nature), whether or not,—  
(i) any capital has been invested for the purpose of carrying such activity; or  
(ii) such activity is carried on with a motive to make any gain profit, and includes—  
(a) any activity of the Dock Labour Board established under section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948);  
(b) any activity relating to the promotion of sales or business or both carried on by an establishment,  
but does not include—  
(1) any agricultural operation except where such agricultural operation is carried on in an integrated manner with any other activity (being any such activity) as is referred to in the foregoing provisions of this clause and such other activity is the predominant one.  
*Explanation.*—For the purposes of this sub-clause ‘agricultural operation’ does not include any activity carried on in a plantations defined in clause (f) of section 2 of the Plantations Labour Act, 1951 (69 of 1951); or  
(2) hospitals or dispensaries; or  
(3) educational, scientific, research or training institutions;  
(4) institutions owned or managed by organisations wholly or substantially engaged in any charitable, social or philanthropic service; or  
(5) khadi or village industries; or  
(6) any activity of the Government relating to the sovereign functions of the Government including all the activities carried on by the departments of the Central Government dealing with defence research, atomic energy and space; or  
(7) any domestic service; or  
(8) any activity, being a profession practised by an individual or body of individuals, if the number of persons employed by the individual or body of individuals in relation to such profession is less than ten; or

(b) after clause (c), the following clause shall be inserted, namely:—

“(cc) ‘closure’ means the permanent closing down of a place of employment or part thereof;”;

(c) for clause (j), the following clause shall be substituted, namely:—

“(j) ‘industry’ means any systematic activity carried on by co-operation between an employer and his workmen (whether such workmen are employed by such employer directly or by or through any agency, including a contractor) for the production, supply or distribution of goods or services with a view to satisfy human wants or wishes (not being wants or wishes which are merely spiritual or religious nature), whether or not,—

(i) any capital has been invested for the purpose of carrying such activity; or

(ii) such activity is carried on with a motive to make any gain profit, and includes—

(a) any activity of the Dock Labour Board established under section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948);

(b) any activity relating to the promotion of sales or business or both carried on by an establishment,

but does not include—

(1) any agricultural operation except where such agricultural operation is carried on in an integrated manner with any other activity (being any such activity) as is referred to in the foregoing provisions of this clause and such other activity is the predominant one.

*Explanation.*—For the purposes of this sub-clause ‘agricultural operation’ does not include any activity carried on in a plantations defined in clause (f) of section 2 of the Plantations Labour Act, 1951 (69 of 1951); or

(2) hospitals or dispensaries; or

(3) educational, scientific, research or training institutions;

(4) institutions owned or managed by organisations wholly or substantially engaged in any charitable, social or philanthropic service; or

(5) khadi or village industries; or

(6) any activity of the Government relating to the sovereign functions of the Government including all the activities carried on by the departments of the Central Government dealing with defence research, atomic energy and space; or

(7) any domestic service; or

(8) any activity, being a profession practised by an individual or body of individuals, if the number of persons employed by the individual or body of individuals in relation to such profession is less than ten; or

(k) for clause (s), the following clause shall be substituted, namely—

“(s) “workman” means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purpose of any proceeding under this Act in relation to an industrial dispute includes any such person who has been dismissed, discharged or retrenched in connection with or as a consequence of, that dispute whose dismissal, discharge or retrenchment has led to that dispute but does not include any such person—

(i) who is subject to the Air Force Act, 1950 (45 of 1950), or Army Act, 1950 (46 of 1950), or the Navy Act, 1957 (62 of 1957) ; or

(ii) who is employed in the police service or as an officer or other employee of a prison ; or

(iii) who is employed mainly in a managerial or administrative capacity or

(iv) who, being employed in a supervisory capacity, draws wages exceeding the thousand six hundred rupees per mensem or exercises, either by the nature, of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature

3. Amendment of section 7.—In section 7 of the principal Act, in sub-section (3), clause (c) shall be omitted.

4. Amendment of section 7A.—In section 7A of the principal Act.—(a) in sub-section (1), after the words “the Third Schedule”, the words “and for performing such other functions as may be assigned to them under this Act” shall be inserted ;

(b) in sub-section (3),—

(i) in clause (aa), the word “or” at the end shall be omitted ;

(ii) clause (b) shall be omitted.

5. Amendment of section 7B.—In section 7B of the principal Act, sub-section (3), for the portion beginning with the word “unless” and ending with the words “not less than two years”, the words “unless he is, or has been a Judge of a High Court” shall be substituted.

6. Amendment of section 9A.—In the proviso to section 9A of the principal Act, in clause (a), for the words, brackets and figures “settlement, awards or decision of the Appellate Tribunal constituted under the Industrial Dispute, (Appellate Tribunal) Act, 1950” the words “settlement or award” shall be substituted.

7. Insertion of new chapter II B.—After section 9B of the principal Act the following Chapter shall be inserted, namely :—

## CHAPTER II-B

REFERENCE OF CERTAIN INDIVIDUAL DISPUTES TO  
GRIEVANCE SETTLEMENT AUTHORITIES

9C. Setting up of Grievance Settlement Authorities and reference of certain individual disputes to such authorities.—(1) The employer in relation to every industrial establishment in which fifty or more workmen are employed or have been employed on any day in the preceding twelve months, shall provide for, in accordance with the rules made in that behalf under this Act, a Grievance Settlement Authority for the settlement of industrial disputes connected with an individual workman employed in the establishment.

(2) Where an industrial dispute connected with an individual workman arises in an establishment referred to in sub-section (1), workman or any trade union of workmen of which such workman is a member, refer, in such manner as may be prescribed such dispute to the Grievance Settlement Authority provided for by the employer under that sub-section for settlement.

(3) The Grievance Settlement Authority referred to in sub-section (1) shall follow such procedure and complete its proceedings within such period as may be prescribed.

(4) No reference shall be made under Chapter III with respect to any dispute referred to in this section unless such dispute has been referred to the Grievances Settlement Authority concerned and the decision of the Grievance Settlement Authority is not acceptable to any of the parties to the dispute.

8. *Amendment of section 10.*—In section 10 of the principal Act ;—

(a) in sub-section (1), after the second proviso, the following proviso shall be inserted, namely :—

“ Provided also that where the disputes in relation to which the Central Government is the appropriate Government, it shall be competent for that Government to refer the disputes to a Labour Court or an Industrial Tribunal, as the case may be, constituted by the State Government ;

(b) after sub-section (2), the following sub-section shall be inserted, namely :—

(2A) An order referring an industrial dispute to a Labour Court Tribunal or National Tribunal under this section shall specify the period within which such Labour Court, Tribunal or National Tribunal shall submit its award on such dispute to the appropriate Government ;

Provided that where such industrial dispute is connected with an individual workman, no such period shall exceed three months ;

Provided further that where the parties to an industrial dispute apply in the prescribed manner, whether jointly or separately to the Labour Court, Tribunal or National Tribunal for extension of such period or for any other

reason, and the presiding officer of such Labour Court, Tribunal or National Tribunal considers it necessary or expedient to extend such period, he may for reasons to be recorded in writing, extend such period, by such further period as he may think fit ;

Provided also that in computing any period specified in this sub-section, the period, if any, for which the proceedings before the Labour Court, Tribunal or National Tribunal had been stayed by any injunction or order of a Civil Court shall be excluded ;

Provided also that no proceedings before a Labour Court, Tribunal or National Tribunal shall lapse merely on the ground that any period specified under this sub-section had expired without such proceedings being completed.”

(c) after sub-section (7), the following sub-section shall be inserted, namely :—

“(8) No proceedings pending before a Labour Court, Tribunal or National Tribunal in relation to an industrial dispute shall lapse merely by reason of the death of any of the parties to the dispute being a workman, and such Labour Courts, Tribunal or National Tribunal shall complete such proceedings and submit its award to the appropriate Government.”.

9. *Amendment of section 11.*—In section 11 of the principal Act (a) in sub-section (4),—

(i) for the words “ may call for ” the words “ may enforce the attendance of any person for the purpose of examination of such person or call for ” shall be substituted ;

(ii) for the words “ in respect of compelling, the production of documents ”, the words “ in respect of enforcing the attendance of any person and examining him or of compelling the production of documents ” shall be substituted ;

(b) in sub-section (8), for the words and figures “ section 480, 482 and 484 of the Code of Criminal Procedure, 1898 (5 of 1898), the words and figures “ section 345, 346 and 348 of the Code of Criminal Procedure 1973 (2 of 1974) ” shall be substituted.

10. *Amendment of section 15.*—In section 15 of the principal Act, for the words “ as soon as it is practicable on the conclusion thereof ” the words, brackets, figures and letter “ within the period specified in the order referring such industrial dispute or the further period extended under the second proviso to sub-section (2A) of section 10 ” shall be substituted.

11. *Insertion of new section 17B.*—After section 17A of the principal Act, the following section shall be inserted namely :—

“ 17B. Payment of full wages to workman pending proceedings in higher Courts.—Where in any case, a Labour Court, Tribunal or National Tribunal by its award directs reinstatement of any workman and the employer prefers any proceedings against

award in a High Court or the Supreme Court the employer shall be liable to pay such workman, during the period of pendency of such proceedings in the High Court or the Supreme Court, full wages last drawn by him inclusive of any maintenance allowance admissible to him under any rule if the workman had not been employed in any establishment during such period and an affidavit by such workman has been filed to that effect in such Court :

Provided that where it is proved to the satisfaction of the High Court or the Supreme Court that such workman had been employed and had been receiving adequate remuneration during any such period or part thereof, the Court shall order that no wages shall be payable under this section for such period or part, as the case may be "

12. *Amendment of section 25K.*—In section 25K of the principal Act, in sub-section (1), for the words " three hundred ", the words " one hundred " shall be substituted.

13. *Amendment of section 25M.*—In section 25M of the principal Act,—  
(a) in sub-section (1), after the words " or to natural calamity the words ", and in the case of a mine, such lay-off is due also to fire, flood, excess of inflammable gas or explosion " shall be inserted.

(b) after sub-section (2), the following sub-section shall be inserted, namely :—

" (2A) Where the workmen (other than badli workmen or casual workmen) of an industrial establishment being a mine have been laid off under sub-section (1), for reasons of fire, flood or excess of inflammable gas or explosion, the employer in relation to such establishment shall, within a period of thirty days from the date of commencement of such lay-off, apply to the authority specified under sub-section (1) for permission to continue the lay-off. "

(c) in sub-sections (3), (4) and (5) after the words, brackets and figure " under sub-section (2) ", the words, brackets, figure and the letter or sub-section (2A) " shall be inserted.

14. *Substitution of new section for section 25-O.*—For section 25-O of the principal Act, the following section shall be substituted, namely :—

" 25-O. Procedure for closing down an undertaking.—(1) An employer who intends to close down an undertaking of an industrial establishment to which this Chapter applies shall, in the prescribed manner, apply, for prior permission at least ninety days before the date on which the intended closure of the undertaking and a copy of such application shall also be served simultaneous, on the representatives of the workmen in the prescribed manner :

Provided that nothing in this sub-section shall apply to an undertaking set up for the construction of buildings, bridges, roads, canals, dams or for other construction work.

(2) Where an application for permission has been made under section (1), the appropriate Government, after making such enquiry as it thinks fit and after giving a reasonable opportunity of being heard to the employer, the workmen and the persons interested in such closure may, having regard to the genuineness and adequacy of the reasons stated by the employer, the interests of the general public and all other relevant factors by order and for reasons to be recorded in writing, grant or refuse to grant such permission and a copy of such order shall be communicated to the employer and the workmen.

(3) Where an application has been made under sub-section (1) and the appropriate Government does not communicate the order granting or refusing to grant permission to the employer within a period of sixty days from the date on which such application is made the permission applied for shall be deemed to have been granted on the expiration of the said period of sixty days.

(4) An order of the appropriate Government granting or refusing to grant permission shall, subject to the provisions of sub-section (5) be final and binding on all the parties and shall remain in force for one year from the date of such order.

(5) The appropriate Government may, either on its own motion on the application made by the employer or any workmen, review its order granting or refusing to grant permission under sub-section (2) or refer the matter to a Tribunal for adjudication ;

Provided that where a reference has been made to a Tribunal under this sub-section it shall pass an award within a period of thirty days from the date of such reference.

(6) Where no application for permission under sub-section (1) is made within the period specified therein, or where the permission for closure has been refused, the closure of the undertaking shall be deemed to be illegal from the date of closure and the workmen shall be entitled to all the benefits under any law for the time being in force as if the undertaking had not been closed down.

(7) Notwithstanding anything contained in the foregoing provisions of this section, the appropriate Government may, if it is satisfied that owing to such exceptional circumstances as accident in the undertaking or death of the employer or the like it is necessary so to do., by order, direct that the provisions of sub-section (1) shall not apply in relation to such undertaking for such period as may be specified in the order.

(8) Where an undertaking is permitted to be closed down under sub-section (2) or where permission for closure is deemed to be granted under sub-section (3), every workman who is employed in that undertaking immediately before the date of application for permission under this section shall be entitled to receive compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months

15. *Amendment of section 25R.*—In section 25R of the principal Act—  
(a) in sub-section (2), for the words, brackets, figures and letters “ a direction given under sub-section (2), of section 25-O or section 25P ” the words, brackets, figures and letters “ an order refusing to grant permission to close down an undertaking under sub-section (2) of section 25-O or a direction given under section 25P ” shall be substituted ;

(b) sub-section (3) shall be omitted.

16. *Insertion of new Chapter VC.*—After Chapter VB of the principal Act, the following Chapter shall be inserted, namely:—

#### CHAPTER VC

##### Unfair Labour Practices

25T. *Prohibition of unfair labour practice.*—No employer or workman or a trade union whether registered under the Trade Union Act, 1926 (16 of 1926), or not, shall commit any unfair labour practice.

25U. *Penalty for committing unfair labour practices.*—Any person who commits any unfair labour practice shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.”

17. *Amendment of section 33.*—In section 33 of the principal Act, in sub-section (5),—

(a) for the words “ as expeditiously as possible ”, the words “ within a period of three months from the date of receipt of such application ” shall be substituted :

(b) the following provisos shall be inserted, namely:—

“ Provided that where any such authority considers it necessary or expedient so to do, it may, for reasons to be recorded in writing extend such period by such further period as it may think fit:

“ Provided further that no proceedings before any such authority shall lapse merely on the ground that any period specified in this sub-section had expired without such proceedings being completed.

18. *Amendment of section 33A.*—In section 33A of the principal Act,

(a) for the words “ before a Labour Court, Tribunal or National Tribunal ”, the words “ before a conciliation officer, Board, an arbitrator, a Labour Court, Tribunal or National Tribunal ” shall be substituted,

(b) for the portion beginning with the words “ in the prescribed manner to such Labour Court ” and ending with the words “ apply accordingly ”, the following shall be substituted, namely:—

“ In the prescribed manner,—

(a) to such conciliation officer or Board, and the conciliation officer or Board shall take such complaint into account in mediating in, and promoting the settlement of, such industrial dispute ; and

(b) to such arbitrator, Labour Court, Tribunal or National Tribunal and on receipt of such complaint, the Arbitrator, Labour Court, Tribunal or National Tribunal as the case may be, shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit his or its award to the appropriate Government and the provisions of this Act shall, apply accordingly—

19. *Amendment of section 33C.*—In section 33C of the principal Act, in sub-section (2),—

(a) after the words “ the appropriate Government ”, the words “ within a period not exceeding three months ” shall be inserted ;

(b) the following proviso shall be added at the end, namely:—

“ Provided that where the presiding officer of a Labour Court considers it necessary or expedient so to do, he may, for reasons to be recorded in writing, extend such period by such further period as he may think fit ”,

20. *Amendment of section 34.*—In sub-section (2) of section 34 of principal Act, for the words “ a Presidency Magistrate or a Magistrate of the first class ”, the words “ a Metropolitan Magistrate or a Judicial Magistrate of the first class ” shall be substituted.

21. *Insertion of new section 36B.*—After section 36A of the principal Act, the following section shall be inserted, namely:—

“ 36B. *Power to exempt.*—Where the appropriate Government is satisfied in relation to any industrial establishment or undertaking or any class of industrial establishments or undertakings carried on by a department of that Government that adequate provisions exist for the investigation and settlement of industrial disputes in respect of workmen employed in such establishment or undertaking or class establishments or undertakings, it may, by notification in the *Official Gazette*, exempt conditionally or unconditionally such establishment or undertaking or class of establishments or undertakings from all or any of the provisions of this Act

22. *Amendment of section 38.*—In sub-section (2) of section 38 of the principal Act, after clause (aaa), the following clause shall be inserted, namely:—

“ (aa) the constitution of Grievance Settlement Authorities referred to in section 9C, the manner in which industrial disputes may be referred to such authorities for settlement, the procedure to be followed by such authorities in the proceedings in relation to disputes referred to them and the period within which such proceedings shall be completed

23 *Insertion of new Fifth Schedule.*—After the Fourth Schedule to the principal Act, the following Schedule shall be inserted, namely:—

### THE FIFTH SCHEDULE

[See section 2(ra)]

#### Unfair Labour Practices

1. On the part of employers and trade unions of employers.

1. To interfere with, restrain from, or coerce, workmen in the exercise of their right to organise, form, join or assist a trade collective bargaining or other mutual aid or protection, that is to say,—

(a) threatening workmen with discharge or dismissal, if they join a trade union;

(b) threatening a lock-out or closure, if a trade union is organised;

(c) granting wage increase to workmen at crucial periods of trade union organisation, with a view to undermining the efforts of the trade union organisation.

2. To dominate, interfere with or contribute support, financial or otherwise to any trade union, that is to say:—

(a) an employer taking an active interest in organising a trade union of his workmen; and

(b) an employer showing partiality or granting favour to one of several trade unions attempting to organise his workmen or to its members, where such a trade union is not a recognised trade union.

3. To establish employer sponsored trade unions of workmen.

4. To encourage or discourage membership in any trade union by discriminating against any workman, that is to say:—  
workmen to join or organise a trade union;

(a) discharging or punishing a workman, because he urged other workmen to join or organise a trade union;

(b) discharging or dismissing a workman for taking part in any strike (not being a strike which is deemed to be an illegal strike under this Act);

(c) changing seniority rating of workmen to higher posts on account of their trade union activities;

(d) refusing to promote workmen to higher posts on account of their trade union activities;

(e) giving unmerited promotions to certain workmen with a view to creating discord amongst other workmen, or to, undermine, the strength of their trade union;

(f) discharging office-bearers or active members of the trade union on account of their trade union activities.

5. To discharge or dismiss workmen,—

(a) by way of victimisation;

(b) not in good faith, but in the colourable exercise of the employer's rights;

(c) by falsely implicating a workman in a criminal case on false evidence or on concocted evidence;

(d) for patently false reasons;

(e) on untrue or trumped up allegations of absence without leave;

(f) in utter disregard of the principles of natural justice in the conduct of domestic enquiry or with undue haste;

(g) for misconduct of a minor or technical character, without having and regard to the nature of the particular misconduct or the past record or service of the workman, thereby leading to a disproportionate punishment.

6. To abolish the work of a regular nature being done by workmen, and to give such work to contractors as a message of breaking a strike.

7. To transfer a workman *mala fide* from one place to another, under the guise of following management policy.

8. To insist upon individual workmen, who are on legal strike to sign a good conduct bond as a pre-condition to allowing them to resume work.

9. To show favouritism or partiality to one set of workers regardless of merit.

10. To employ workmen as "badlis", casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent workmen.

11. To discharge or discriminate against any workmen for filing charges or testifying against an employer in any enquiry or proceeding relating to any industrial dispute.

12. To recruit workmen during a strike which is not an illegal strike

13. Failure to implement award, settlement or agreement.

14. To indulge in acts of force or violence.

15. To refuse to bargain collectively, in good faith with the recognised trade unions.

16. Proposing or continuing a lock-out deemed to be illegal under this Act.

II.—On the part of workmen and trade unions of workmen.

1. To advise or actively support or instigate any strike deemed to be illegal under this Act.

2. To coerce workmen in the exercise of their rights to self-organisation or to join a trade union or refrain from joining any trade union, that is to say,—

(a) for a trade union or its members to picketing in such a manner that non-striking workmen are physically debarred from entering the work places ;

(b) to indulge in acts of force or violence or to hold out threats of intimidation in connection with a strike against non-striking workmen or against managerial staff.

3. For a recognised union to refuse to bargain collectively in good faith with the employer.

4. To indulge in coercive activities against certification of a bargaining representative.

5. To stage, encourage or instigate such forms of coercive actions as wilful "go slow", squatting on the work premises after working hours or "gherao" of any of the members of the managerial or other staff.

6. To stage demonstrations at the residence of the employers or the managerial staff members.

7. To incite or indulge in wilful damage to employer's property connected with the industry.

8. To indulge in acts of force or violence or to hold out threats of intimidation against any workman with a view to prevent him from attending work.

24. *Amendment of Act 11 of 1976*—In section 6 of the Sales Promotion Employees (Condition of Service) Act, 1976, sub-section (2) shall be omitted.

Published in *Maharashtra Government Gazette*, Part VI, dated 13th January 1983, No. 79-91 and also *Labour Gazette* for the month of March 1983, at pages Nos. 381-393.

#### THE INDUSTRIAL DISPUTES (AMENDMENT) BILL, 1984

A Bill further to amend the Industrial Disputes Act, 1947.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Industrial Disputes (Amendment) Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

2. *Amendment of section 2.*—In section 2 of the Industrial Disputes Act, 1947 (hereinafter referred to as the principal Act), 14 of 1947, in clause (oo), after sub-clause (b), the following sub-clause shall be inserted, namely:—

"(bb) termination of the service of the workman as a result of the non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein ; or".

3. *Amendment of section 25F.*—In section 25F of the principal Act, in clause (a), the proviso shall be omitted.

4. *Amendment of section 25M.*—In section 25M of the principal Act,—

(a) in sub-section (1), for the words, "with the previous permission of such authority as may be specified by the appropriate Government by notification in the *Official Gazette*, unless such lay-off is due to shortage of power or to natural calamity", the words and brackets "with the prior permission of the appropriate Government or such authority as may be specified by that Government by notification in the *Official Gazette* thereafter in this section referred to as the specified authority, obtained on an application made in this behalf, unless such lay-off is due to shortage of power or to natural calamity, and in the case of a mine, such lay-off is due also to fire, flood, excess of inflammable gas or explosion" shall be substituted ;

(b) for sub-sections (2) to (5), the following sub-sections shall be substituted, namely:—

"(2) An application for permission under sub-section (1) shall be made by the employer in the prescribed manner stating clearly the reasons for the intended lay-off and a copy of such application shall also be served simultaneously on the workmen concerned in the prescribed manner.

(3) where the workmen (other than *badli* workmen or casual workmen) of an industrial establishment, being a mine, have been laid-off under sub-section (1) for reasons of fire flood or excess of inflammable gas or explosion, the employer, in relation to such establishment, shall, within a period of thirty days from the date of commencement of such lay-off, apply, in the prescribed manner, to the appropriate Government or the specified authority for permission to continue the lay-off.

(4) where an application for permission under sub-section (1) or sub-section (3) has been made and the appropriate Government or the specified authority, after making such enquiry as it thinks fit and after giving a reasonable opportunity of being heard to the employer, the workmen concerned and the persons interested in such lay-off, may, having regard to the genuineness and adequacy of the reasons for such lay-off, the interests of the workmen and all other relevant factors, by order and for reasons to be recorded in writing, grant or refuse to grant such permission and a copy of such order shall be communicated to the employer and the workmen.

(5) where an application for permission under sub-section (1) or sub-section (10) has been made and the appropriate Government or the specified authority does not communicate the order granting or refusing to grant permission to the employer within a period of sixty days from the date on which such application is made, the permission applied for shall be deemed to have been granted on the expiration of the said period of sixty days.

(6) An order of the appropriate Government or the specified authority granting or refusing to grant permission shall, subject to the provisions of sub-section (7), be final and binding on all the parties concerned and shall remain in force for one year from the date of such order.

(7) The appropriate Government of the specified authority may, either on its own motion or on the application made by the employer or any workman, review its order granting or refusing to grant permission under sub-section (4) or refer the matter or as the case may be, cause it to be referred, to a Tribunal for adjudication:

Provided that where a reference has been made to a Tribunal under this sub-section, it shall pass an award within a period of thirty days from the date of such reference.

(8) Where no application for permission under sub-section (1) is made, or where no application for permission under sub-section (3) is made within the period specified therein, or where the permission for any lay-off has been refused, such lay-off shall be deemed to be illegal from the date on which the workmen had been laid-off and the workmen shall be entitled to all the benefits under any law for the time being in force as if they had not been laid-off.

(9) Notwithstanding anything contained in the foregoing provisions of this section, the appropriate Government may, if it is satisfied that owing to such exceptional circumstances as accident in the establishment or death of the employer or the like, it is necessary so to do, by order, direct that the provisions of sub-section (1), or, as the case may be, sub-section (3) shall not apply in relation to such establishment for such period as may be specified in the order."

(c) sub-section (6) shall be re-numbered as sub-section (10).

5 *Substitution of new section for section 25N.*—For section 25N of the principal Act, the following section shall be substituted, namely:—

"25N. *Conditions precedent of retrenchment of workmen.*—(1) No workman employed in the any establishment to which this Chapter applies, who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until,—

(a) the workman has been given three months' notice in writing indicating the reasons for trenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice; and

(b) the prior permission of the appropriate Government or such authority as may be specified by that Government by notification in the *Official Gazette* (hereafter in this section referred to as the specified authority) has been obtained on an application made in this behalf.

(2) An application for permission under sub-section (1) shall be made by the employer in the prescribed manner stating clearly the reasons for the intended retrenchment and a copy of such application shall also be served simultaneously on the workmen concerned in the prescribed manner.

(3) Where an application for permission under sub-section (1) has been made, the appropriate Government or the specified authority, after making such enquiry as it thinks fit and after giving a reasonable opportunity of being heard to the employer, the workmen concerned and the persons interested such retrenchment, may, having regard to the genuineness and adequacy of the reasons stated by the employer, the interests of the workmen and all other relevant factors, by order and for reasons to be recoded in writing, grant or refuse to grant such permission and a copy of such order shall be communicated to the employer and the workmen.

(4) Where an application for permission has been made under sub-section (1) and the appropriate Government or the specified authority does not communicate the order granting or refusing to grant permission to the employer within a period of sixty days from the date on which such application is made, the permission applied for shall be deemed to have been granted on the expiration of the said period of sixty days.

(5) An order of the appropriate Government or the specified authority granting or refusing to grant permission shall, subject to the provisions of sub-section (6), be final and binding on all the parties concerned and shall remain in force for one year from the date of such order.

(6) The appropriate Government or the specified authority may, either on its own motion or on the application made by the employer or any workman, review its order granting or refusing to grant permission under sub-section (3) or refer the matter or, as the case may be, cause it to be referred, to a Tribunal for adjudication:

Provided that where a reference has been made to a Tribunal under this sub-section, it shall pass an award within a period of thirty days from the date of such reference.

(7) Where no application for permission under sub-section (1) is made, or where the permission for any retrenchment has been refused, such retrenchment shall be deemed to be illegal from the date on which the notice of retrenchment was given to the workman and the workman shall be entitled to all the benefits under any law for the time being in force as if no notice had been given to him.

(8) Notwithstanding anything contained in the foregoing provisions of this section, the appropriate Government may, if it is satisfied that owing to such exceptional circumstances as accident in the establishment or death of the employer or the like, it is necessary so to do, by order, direct that the provisions of sub-section (1) shall not apply in relation to such establishments for such period as may be specified in the order.



(To be published in Part II, section 3, sub-section (ii) of the Gazette of India (Extra Ordinary) dated the 21st August 1984).

GOVERNMENT OF INDIA/BHARAT SARKAR  
MINISTRY OF LABOUR AND REHABILITATION

(Shram aur Punarvas Mantralaya)

Department of Labour/Shram Vibhag.

New Delhi 110 001, dated the 21st August 1984

NOTIFICATION

S. O.

In exercise of powers conferred by sub-section (2) of section 1 of the Industrial Disputes (Amendment) Act, 1982 (46 of 1982), the Central Government hereby appoints the 21st day of August 1984 as the date on which clauses (a), (b) and (d) to (k) of section 2 and sections 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of the said Act shall come into force.

(Sd.) KARNAIL SINGH,

Joint Secretary to the Government  
of India.

F. No. S-11013/2/84-D. I(A).

To

The Manager,  
Government of India Press,  
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New Delhi 110 064.

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- Chief Labour Commissioner (Central), New Delhi, (with 50 spare copies).
- All Desks and I. and E. Division.
- Director, Labour Bureau, Simla.
- Shri C. L. Kalsi, Information Officer (Labour), Press Information Bureau, Shastri Bhavan, New Delhi.
- Bureau of Public Enterprises, CGO Complex, Lodi Road, New Delhi.

(Sd.) S. H. S. IYER,

Under Secretary.

## Gist of Important Notifications under Various Labour Laws

### I. INDIAN BOILERS ACT, 1923

(A) *Exemption under the Act.*—(1) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-3569 belonging to the Shreeniwas Cotton Mills Ltd, 402 Senapati Bapat Marg, Post Bag No. 6303, Bombay 400 013 from the operation of clause (c) of Section 6 of the said Act, for a period of one month from the 30th May 1984 to 29th June 1984 (both days inclusive).

(Vide Government Order I, E. and L.D. No. IBA-1084/72869/921/Lab-9, dated 28th May 1984, published in *M.G.G.*, Part I-L, dated 12th July 1984, Page No. 2536).

(2) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-8543 and belonging to the Bombay Tyres International Ltd., Bombay 400 033, from the operation of clause (c) of Section 6 of the said Act, for the period from the 15th March 1984 to 30th April 1984 (both days inclusive).

(Vide Government Order I, E. & L.D. No. IBA-1084/66703/837/Lab-9, dated 14th March 1984, published in *M.G.G.*, Part I-L, dated 12th July 1984, Page No. 2536).

(3) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9111 and belonging to Messrs National Rayon Corporation Limited, Post Machine Kalyan, District Thane, from the operation of clause (c) of section 6 of the said Act, for the period of 12 months from the 30th March 1984 to 29th March 1985 (both days inclusive).

(Vide Government Order I, E. & L.D. No. IBA-1084/66215/836/Lab-9, dated 14th March 1984, published in *M.G.G.*, Part I-L, dated 12th July 1984, page No. 2536).

(4) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10836 belonging to Deepak Fertilisers and Petrochemicals Corporation Ltd., Plot K-1, Maharashtra Industrial Development Corporation Industrial Area, Taleja, A. V. 41.208, District Raigad, from the operation of Regulation 380 of the Indian Boiler Regulations, 1950.

(Vide Government Order I, E. & L. D. No. IBA-1084/73393/925/Lab-9, dated 7th June 1984, published in *M.G.G.*, Part I-L, dated 12th July 1984, page No. 2537).

(5) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9594 and belonging to the Maharashtra State Electricity Board, Nashik Thermal Power Station Eklahare, from the operation of clause (c) of Section 6 of the said Act, for the period of six months from the 25th April 1984 to 24th October 1984 (Both days inclusive).

(Vide Government Order I, E. & L.D. No. IBA-1084/70175/(877)/Lab-9, dated 23rd April 1984, published in *M.G.G.*, Part I-L, dated 12th July 1984, Page No. 2537).

(6) In exercise of the powers conferred by sub-section (2) of Section 34 of the Said Act, the Government of Maharashtra has exempted the boiler No. MR-Z10606 and belonging to the Hindustan Organic Chemicals Ltd., Rasayani, District Raigad from the operation of clause (c) of section 6 of the said Act, for the period of twelve months from the 10th April 1984, to 9th April 1985 (both days inclusive).

(Vide Government Order I, E. & L.D. No. IBA-1084/67228/848/Lab-9, dated 7th April 1984, published in *M.G.G.*, Part I-L, dated 19th July 1984, Page No. 2652).

(13) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9019 and belonging to the Ballarpur Industries Limited, Ballarpur, District Chandrapur from the operation of clause (c) of section 6 of the said Act, for a period of five months from the 30th April 1984 to 29th September 1984 (both days inclusive).

(Vide Government Order I., E. & L. D. No. IBA-1084/70383/899/Lab-9, dated 24th April, 1984 published in *Maharashtra Government Gazette*, Part I-L, dated April 1984, published in the *Maharashtra Government Gazette*, Part I-L, dated 19th July 1984, Page No. 2654).

(14) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9236, and belonging to the Maharashtra State Electricity Board, Paras Thermal Station, P. O. Vidyutnagar, Paras (C.R.), 444 109 from the operation of clause (c) of section 6 of the said Act, for a period of one hundred and seventeen days from the 7th May 1984, to 31st August 1984 (both days inclusive).

(Vide Government Order I., E. & L. E. No. IBA/1084/70384/873/Lab-9, dated 26th April 1984, Page No. 2654).

(15) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10615 and belonging to the Rashtriya Chemicals and Fertilizers Limited, Trombay, Amonia Plant, from the operation of clause (c) of section 6 of the said Act for the period of six months from the 1st July 1984 to 31st October 1984 (both days inclusive).

(Vide Government Order I., E. & L. D. No. IBA-1084/70243/897/Lab-9, dated 23rd April 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 19th July 1984, Page No. 2657).

(16) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-8889 and belonging to the Khaperkheda Thermal Power Station, via Nagpur from the operation of clause (c) of section 6 of the said Act, for a period of six months from the 3rd May 1984 to 2nd November 1984 (both days inclusive).

(Vide Government Order I., E. & L. D. No. IBA-1084/69965/872/Lab-9, dated 23rd April 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 19th July 1984, Page No. 2657).

(B) *Cancellations of exemption under the Act.*—(1) Orders issued under Order I., E. & L. D. No. IBA-1084/64350/807/Lab-9, dated 21st February 1984, has been cancelled.

(Vide Government Order I., E. & L. D. No. IBA-1084/65631/807/Lab-9, dated 13th March 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 12th July 1984, Page No. 2537).

## II. BOMBAY SHOPS AND ESTABLISHMENTS ACT, 1948.

(A) *Appointments under the Act.*—(1) In exercise of the powers conferred by sub-section (2) of Section 48 of the said Act, read with first proviso to sub-rule (1) of rule 17 of the aforesaid rules, the Government of Maharashtra has notified

the whole of the Nagpur, Amrawati, Wardha, Bhandara, Akola, Chandrapur, Buldhana and Yavatmal Districts, excluding the areas which are subject to the jurisdiction of any local authority.

(Vide Government Notification I., E. & L. D. No. BSE-1883/CR-652/Lab-9, dated 20th February 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 12th July 1984, Page No. 2538).

(B) Amendments to the Act.—(1) In exercise of the powers conferred by the proviso to section 4 of the said Act, the Government of Maharashtra has amended the Schedule II to the said Act, as follows namely —

304. The United Western Bank Limited, Bombay in its branches at Mulund (E), Mulund (West), Prabhadevi and Thane.
- Section 17 subject to the condition that—
- (i) these branches are not opened earlier than the times specified in column 2 in the table given below,
  - (ii) they are not closed later than the time given in column 3 of the table given below, and
  - (iii) the total amount hours of work of an employee do not exceed 6½ hours in a day.

Name of the Branch	Opening hour	Closing hour.
(1)	(2)	(3)
Thane	8-30 A.M.	12-30 P.M.
Mulund (W)	8-30 A.M.	12-30 noon.
Prabhadevi	8-30 A.M.	12-30 P.M.
Mulund (E)	9-00 A.M.	12-30 P.M.

(Vide Government Notification I., E. & L. D. No. BSE-1481/CR-214/Lab-9, dated 13th February 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 12th July 1984, Page No. 2538).

(2) In exercise of the powers conferred by the proviso to section 4 of the said Act the Government of Maharashtra has amended the Schedule II to the said Act as follows namely,

307. Employees of the Cake Shops belonging to the Taj Trade and Transport Company Limited, Bombay 400 039 and situated at (i) Colton Court, Bandra (West), Bombay 400 050, (ii) 120, S. V. Road, Andheri (West), Bombay 400 58 and (iii) Beach Heaven, Near Palm-grove Hotel, Juhu, Bombay
- Section 11(i) and section 43 subject to the following conditions :—
- (i) The Shops shall not be closed later than 10-30 p.m.
  - (ii) Employees concerned are given one day in a week as a holiday without making deduction in wages on account thereof.
  - (iii) Female employees employed in the shops are not required to work after

(3) In exercise of the powers conferred by the proviso to section 4 of the said Act, the Government of Maharashtra has amended the Schedule II to the said Act, as follows, namely :—

310. Establishment of the Cotton Corporation of India Limited, Air India Building, 12th floor, Nariman Point, Post Box No. 1350, Bombay 400 021. All the provisions except the provision of section 7 thereof.

(Vide Government Notification I., E. & L. D. No. BSE-1483/CR-582/Lab-9, dated 18th February 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 12th July 1984, Page No. 2539).

(4) In exercise of the powers conferred by the proviso to section 4 of the said Act, the Government of Maharashtra has amended the Schedule II to the said Act, as follows, namely :—

- 311—National Bank of Agriculture and Rural Development, Poonam Chambers, Shivsagar Estate, Dr. Annie Besant Road, P. B. No 6552, Worli, Bombay 400 018. All provisions.

(Vide Government Notification, I., E. & L. D. No. BSE-1483/CR-561/Lab-9, dated 9th March 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 19th July 1984, Page No. 2659).

(5) In exercise of the powers conferred by the proviso to section 4 of the said Act, the Government of Maharashtra has amended the Schedule II to the said Act, as follows, namely :—

- 312—Algemane Bank Nederland N. V. situated (1) at 44, Veer Nariman Road, Bombay 400 0023 and (2) at Zaveri Bazar, Bombay-400 003. Section 62 subject to the condition that the prevailing system in the establishment of maintaining muster rolls in respect of the said officers etc. (as on 31st December 1980) should be continued.

(Vide Government Notification I., E. & L. D. No. BSE-1481/CR-39), (Lab-9, dated 28th May 1984, published in *Maharashtra Government Gazette* Part I-L, dated 19th July 1984 Page No. 2659).

III. EMPLOYEES STATE INSURANCE ACT.

(A) Exemption under the Act.—(1) In exercise of the powers conferred by section 87 read with section 91-A of the said Act, the Government of Maharashtra has exempted the Maharashtra Elektrosmet Limited, Mal Road, Chandrapur from the operation of the said Act retrospectively from the 1st October 1983 till the date of issue of this notification and prospectively upto and inclusive of 30th September 1984. (Vide Government Notification I., E. & L. E. No. SIA-1584/4295/Lab-11, dated 16th May 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 19th July 1984, Page No. 2659).

(2) In exercise of the powers conferred by section 87 read with section 1-A of the said Act, the Government of Maharashtra has exempted for a period of one year

(3) In exercise of the powers conferred by section 87, read with section 91-A of the said Act, the Government of Maharashtra has exempted Messrs. Paramount Sinters Private Limited, Chandrapur, from the operation of the said Act, retrospectively till the date of issue of this notification and prospectively upto and inclusive of 30th September 1984, subject to the condition that contributions already paid will not be refunded.

(Vide Government Notification I., E. & L. D. No. SIA-1184/4282/Lab-11, dated 5th March 1984, published in *Maharashtra Government Gazette*, Part 1-L, dated 19th July 1984, Page No. 2661).

#### IV FACTORIES ACT :

(A) *Restriction on Employment of Women.*—(1) In exercise of the powers conferred by the proviso of sub-section (1) of section 66 of the said Act, the Government of Maharashtra has restricted employment of women beyond certain hours in fish processing factory of Konkan Sea Foods Limited, in village Satpati, District Thane varies the limit laid down in clause (b) of the said sub-section (1), so that no women shall be employed in this factory except between the 6-00 a.m. to 10-00 p.m. for the period of upto 6 months from the date of issue of notification under the conditions mentioned in the said notification.

(Vide Government Notification, I., E. & L. D. No. FAC-1684/9190/Lab-4, dated 13th March 1984, published in *Maharashtra Government Gazette*, Part 1-L, dated 19th July 1984, Page No. 2661).

(B) *Amendment under the Act.*—(1) In exercise of the powers conferred by sub-section (1) of section 6 and section 112 of the said Act, the Government of Maharashtra has made the following rules further to amend the Maharashtra Factories Rules, 1963, the same having been previously published namely.

1. These rules may be called the Maharashtra Factories (Second Amendment) Rules, 1984.

2. In the Maharashtra Factories Rules, 1963, after rule 3 the following new rule shall be inserted, namely :—

“3-A. *Certificate of stability.*—(1) No manufacturing process shall be carried out in any premises of a factory constructed, reconstructed or extended or in any premises which has been taken into use as a factory or part of a factory until a certificate of stability issued by a competent person in respect of every work of engineering construction in the Form 1-A has been sent by the Occupier of the factory to the Chief Inspector of Factories, and approved by him :

Provided that, for the factories which are in existence on the date of the notification of these rules, the certificate of stability in Form 1-A, may be sent to the Chief Inspector of Factories within 3 months from the date of notification :

Provided further that no manufacturing process shall be carried out in any premises of a factory unless a fresh certificate of stability in Form 1-A is obtained from a competent person once in each period of 5 years or after extension, alteration, repairs or addition of any work of engineering construction or replacement or addition of machinery, plant, etc. and sent to the Chief Inspector :

Provided also that the foregoing provisions are without prejudice to the provisions

*Explanation (1).*—For the purpose of this rule competent person means—

(i) A Member or Associate Member of Institute of Civil Engineers, or

(ii) A Member of Institute of Structural Engineers

(iii) A Full Member or Associate Member of Institute of Engineers (India), in the branch of Civil Engineering or Structural Engineering ;

(iv) A Civil Engineer of Public Works, not below the rank of Executive Engineer.

*Explanation (2).*—“Work of Engineering Construction” means “any building, tank silo, scaffold, platform, chimney, bridge, supporting structural work; retaining wall or any similar structure”.

FORM No. 1A.

(RULE 3A)

*Certificate of Stability*

1. Name of the factory.
2. Village, town and district in which the factory is situated.
3. Full Postal address of the factory.
4. Name of the Occupier of the factory.
5. Nature of manufacturing process to be carried on in the factory.
6. Number of floors on which workers will be employed.

I certify that I have inspected the premises, the plans of which have been approved by the Chief Inspector in his letter No. ...., dated ..... and examined the various parts including the foundations with special reference to the machinery, plant, etc. that have been installed. I am of the opinion that all the works of engineering construction in the premises is/are structurally sound and that its/their stability will not be endangered by its/their use as a factory/part of a factory for the manufacture of ..... for which the machinery, plant, etc. installed are intended.

Signature

Qualification

Address

Date

If employed by a Company or Association, name and address of the Company or Association.

(Vide Government Notification I., E. & L. D. No. FAC-2081/8294/Lab-4, dated 13th March 1984, published in *Maharashtra Government Gazette*, Part 1-L, dated 19th July 1984, Page No. 2661).

## THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946.

(A) *Date of enforcement of the amendments.*GOVERNMENT OF INDIA  
MINISTRY OF LABOUR

New Delhi, dated 17th May 1982

## NOTIFICATION

S.O.—In exercise of the powers conferred by sub-section (2) of Section 1 of the Industrial Employment (Standing Orders) (Amendment) Act 1982 (18 of 1982) the Central Government hereby appoints the 17th day of May, 1982, as a date on which the said Act shall come into force.

(Notification No. IEA, 1082/6269/Lab-9, dated 2nd June 1982, published in M.G.G. Part I-L, dated 22nd July 1982, Page No. 5030).

## VI. THE PAYMENT OF WAGES ACT, 1936 :—

(A) *date of enforcement of the amendments.*THE PAYMENT OF WAGES (AMENDMENT) ACT, 1982 (ACT No. 38 OF 1982)  
[G.S.R. 612(E)—New Delhi, dated the 15th October 1982].

In exercise of powers conferred in sub-section (2) of Section 1 of the payment of Wages (Amendment) Act, 1982 (No. 38 of 1982), the Central Government hereby appoints the 15th day of October 1982, as the date on which the said Act, except Section 13 thereof incorporation therein a new section 25 A to the principal Act (No. 4 of 1936), shall come into force.

—Gaz. of India, 15th October 1982,  
Pt. II Section 3(i), Extra, P. 2 (No. 301).

## VII THE PAYMENT OF GRATUITY ACT, 1972.

(A) *Date of enforcement of the amendments.*

S.O. In exercise of powers conferred by sub-section (2) of section 1 of the payment of Gratuity (Amendment) Act, 1984 (25 of 1984), the Central Government hereby appoints the 1st July 1984, as the date on which the provisions of the said Act shall come into force.

## VIII THE WORKMEN COMPENSATION ACT, 1923.

(A) *Date of enforcement of the amendments.*

"In exercise of powers conferred by sub-section (2) of Section 1 of the Workmen's Compensation (Amendment) Act, 1984 (22 of 1984), the Central Government hereby appoints the 1st July 1984, as the date on which the provisions of the said Act, shall come into force.

A. K. BHATTARAI,  
Under Secretary."

## IX THE INDUSTRIAL DISPUTES ACT, 1947.

(A) *Date of enforcement of the amendments.*GOVERNMENT OF INDIA/BHARAT SARKAR  
MINISTRY OF LABOUR AND REHABILITATION

(SHRAM AUR PUNARVAS MANTRALAYA)

DEPARTMENT OF LABOUR/SHRAM VIBHAG

New Delhi 110 001, dated the 21st August 1984.

## NOTIFICATION

(i)

S.O. In exercise of powers conferred by sub-section (2) of section 1 of the Industrial Disputes (Amendment) Act, 1982 (46 of 1982), the Central Government hereby appoints the 21st day of August, 1984 as the date on which clauses (a) (b) (d) to (k) of section 2 and sections 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of the said Act, shall come into force.

KARNAIL SINGH,

Joint Secretary to the Government of India.  
F. No. S-11013/2/84-D. I(A).

GOVERNMENT OF INDIA/BHARAT SARKAR.  
MINISTRY OF LABOUR AND REHABILITATION

(SHRAM AUR PUNARVAS MANTRALAYA)

DEPARTMENT OF LABOUR/SHRAM VIBHAG

New Delhi 110 001, the 18th August 1984.

## NOTIFICATION

(ii)

S.O. In exercise of powers conferred by sub-section (ii) of section 1 of the Industrial Disputes (Amendment) Act, 1984 (49 of 1984), the Central Government hereby appoints the 18th day of August 1984, as the date on which the said Act shall come into force.

KARNAIL SINGH,

Joint Secretary to the Government of India.  
No. S-11012/11/83-D. I(A)

## Consumer Price Index Numbers for Industrial workers for July 1984

### BOMBAY\*

#### A rise of 7 points

In July 1984, the Consumer Price Index Number for Working Class (New Series) for the Bombay Centre with base January to December 1960 equal to 100 was 611 being 7 points higher than that in the preceding month.

The index relates to the standard of life ascertained during the year 1958-59 family living survey at Bombay Centre.

The index number for the food group increased by 10 points to 682 due to a rise in the average prices of rice, wheat, grinding charges, arhar dal, gram dal, edible oils, fish fresh, dry chillies, onion and tea leaves.

The index number for the Pan, Supari and Tobacco, etc. group increased by 6 points to 649 due to a rise in the average price of Pan leaf.

The index number for the Fuel and Light group increased by 1 point to 798 due to a rise in the average price of char-coal.

Six monthly house rent index compiled by the chain method on the basis of the house rent survey, conducted by N. S. S. O. The index number for the housing increased by 13 points to 184.

The index number for clothing, bedding and footwear group increased by 4 points to 562 due to a rise in the average prices of shirting, mulmul, markin, shoes gents and chappal ladies.

The index number for the miscellaneous group increased by 2 points to 468 due to a rise in the average prices of hair oil, washing soap and tailoring charges.

#### CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS (NEW SERIES) FOR BOMBAY CENTRE (Average prices for the calendar year 1960=100)

Group	Weight proportional to the total expenditure.	Group Index Numbers	
		June 1984	July 1984
I-A. Food	57.1	672	682
I-B. Pan, Supari, Tobacco, etc.	4.9	643	649
II. Fuel and Light	5.0	797	798
III. Housing	4.6	111	184
IV. Clothing, Bedding and Foot-Wear	9.4	558	562
V. Miscellaneous	19.0	466	468
Total	100.0	604	611
Consumer Price Index Number		604	611

\*Details regarding the scope and method of compilation of the index will be found on pages 598 to 605 of December 1965 issue of Labour Gazette, For Bratta (see) page 867 of January 1966 issue.

Note.—To obtain the equivalent old index number on base 1933-34=100, the general

### Payment of Bonus Act, 1965

(A) Date of enforcement of the amendments.

(A) Sections 1 to 10 of the Act No. PBA-1275 of 1965 (L.A.B. 42) Government of Maharashtra in the appropriate manner in relation to sub-clause (b) of clause (4) of section 1 of the Payment of Bonus Act, 1965 (23 of 1965) Section after referred to as the said Act.

And whereas the Government of Maharashtra is of the opinion that the said Act shall apply with effect from the accounting year 1983, to the following classes of establishments namely:

(a) Every establishment which is a concern where ten or more full-time workers are employed on any day during that accounting year in an any part of which a Manufacturing process is being carried on with the aid of power or is ordinarily so carried on, and

(b) Every other establishment in which ten or more full-time workers are employed on any day during that accounting year.

Now therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 1 of the Payment of Bonus Act, 1965, (23 of 1965), the Government of Maharashtra, after giving not less than two months notice of its intention so to do, hereby applies all the provisions of the said Act to the classes of establishments aforesaid from the accounting year, 1983, the notice of intention of the Government apply all the provisions of the said Act to the classes of establishments aforesaid having been previously published as required under the said proviso.

By order and in the name of the Governor of Maharashtra,

G. S. MUZUMDAR,

Under Secretary to Government

Source M.G.G., Part H, dated 14th June 1984, at Page 2269-70.

**SOLAPUR\***

597—A rise of 4 points

In July 1984 the Consumer Price Index Number for Industrial Workers (New Series) Solapur Centre with base January to December 1960 equal to 100 was 605 being 4 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group increased by 2 points to 655 due to a rise in the average prices of arhaldal, gramdal, edible oil, chillies dry, turmeric, onions, gur and tea leaf.

The index number for the pan, supari and tobacco etc. group increased by 3 points to 532 due to a rise in the average prices of pan leaf, pan washed and cigarettes.

The index number for the fuel and light group increased by 3 points to 730 due to a rise in the average prices of fire wood and coal.

Six monthly house rent index compiled by the chain method on the basis of the house rent survey, conducted by N. B. S. O. The index number for housing increased by 11 points to 266.

The index number for clothing, bedding and footwear group increased by 15 points to 572 due to a rise in the average prices of saree, dhoti (ii) and shirts.

The index number for the miscellaneous group increased by 5 points to 466 due to a rise in the average price of toilet soap and laundry charges.

**CONSUMER PRICE INDEX NUMBERS (NEW SERIES) FOR WORKING CLASS FOR SOLAPUR CENTRE.**

(Average prices for the calendar year 1960=100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		June 1984	July 1984
I A. Food	63.0	653	655
I B. Pan, Supari, Tobacco, etc.	3.4	521	532
II. Fuel and Light	7.1	727	730
III. Housing	5.2	255	266
IV. Clothing, Bedding and Footwear	9.0	561	572
V. Miscellaneous	12.3	461	466
Total	100.00		
Consumer Price Index Number		601	605

\*Details regarding the scope and method of compilation of the index may be seen on pages 687 to 613 December 1963 issue of Labour Gazette. For Errata (see) page 897 of January 1966 issue.

Note.—For arriving at the equivalent of the old index number 1927-28=100, the new index number should be multiplied by the linking factor of 3.82.

**NAGPUR\***

597—A rise of 12 points

In July 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 597 being 12 points higher than that in the preceding month. The index relates to the standard of life ascertain during the year 1958-59 family living survey at Nagpur Centre.

The index number for the food group increased by 15 points to 643 due to a rise in the average prices of rice, gramdal, edible oils, goatmeat, ghee, turmeric, dry chillies and onions.

The index number for the pan, supari and tobacco, etc., group increased by 3 points to 575 due to a rise in the average prices of supari and bidi.

The number for the fuel and light group remained steady at 848.

Six monthly house rent index compiled by the chain method on the basis of the house rent survey, conducted by N. S. S. O. The index number for the housing increased by 19 points to 316.

The index number for clothing, bedding and footwear group increased by 15 points to 618 due to a rise in the average prices of dhoti, shirting and chappal.

The index number for the miscellaneous group remained steady at 448.

**CONSUMER PRICE INDEX NUMBER (NEW SERIES) FOR WORKING CLASS FOR NAGPUR CENTRE**

(Average prices for the calendar year 1960=100)

Groups	Weights proportional to the total expenditure	Group Index Numbers	
		June 1984	July 1984
I A. Food	57.2	628	643
I B. Pan, Supari, Tobacco, etc	3.8	575	575
II. Fuel and Light	5.7	848	848
III. Housing	6.6	297	316
IV. Clothing, Bedding and Footwear	10.9	603	618
V. Miscellaneous	15.8	448	448
Total	100.0	.....	.....
Consumer Price Index Number	.....	585	597

\*Details regarding the scope and method of compilation of the index may be seen on pages 771 to 779 of January 1968 issue of Labour Gazette.

Note.—For arriving at the equivalent of the old Index Number (1939=100), the new Index Number should be multiplied by the linking factor viz., 5.22.



PUNE

A rise of 6 points

In July 1984 the consumer Price Index Number for Industrial Workers (New series) for Pune centre with base year 1961 equal to 100 was 574 being 6 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Pune centre.

The index number for the food group increased by 8 points to 650 due to a rise in the average prices of wheat, jowar, bajra, tur dal, gramdal groundnut oil, karad oil, dry chillies and banana.

The index number for the fuel and light group remained steady at 732.

Six monthly house rent survey was conducted by the office of the Commissioner of Labour, Bombay in the month of June 1983. Accordingly the index number for housing has increased by 2 points to 146.

The index number for clothing and footwear increased by 7 points to 538 due to a rise in the average price of coloured poplin only.

The index numbers for the miscellaneous group increased by 1 point to 467 due to a rise in the average price of washing soap only.

CONSUMER PRICE INDEX NUMBERS FOR WORKING

CLASS FOR PUNE CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		June 1984	July 1984
I. Food .. .. .	55.85	642	650
II. Fuel and light .. .. .	6.89	732	732
III. Housing .. .. .	6.65	144	146
IV. Clothing and Footwear .. .. .	10.31	531	538
V. Miscellaneous .. .. .	20.30	466	467
Total	100.00	....	....
Consumer Price Index Number .. .. .		568	574

\*Details regarding the scope and method of compilation of the index will be found on pages 1727 to 1730 of the August 1965 issue of *Labour Gazette*. For Errata thereto, see page 217 of September 1965 issue.

JALGAON\*

587—A rise of 6 points

In July 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Jalgaon Centre with base year 1961 equal to 100 was 587 being 6 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Jalgaon Centre.

The index number for the food group increased by 8 point to 646 due to rise in the average prices of gramdal, moogdal, oil and fats, ghee, chillies dry, vegetables, banana and gur.

The index number for fuel and light group increased by 1 point to 714 due to a rise in the average prices of kerosene only.

The index number for housing remains steady at 183 being a six monthly item.

The index number for clothing and footwear increased by 4 points to 569 due to a rise in the average prices of saree and shoes.

The index number for the miscellaneous group increased by 1 point to 466 due to a rise in the average prices of supari and toilet soap.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS (NEW SERIES)  
FOR JALGAON CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		June 1984	July 1984
I. Food .. .. .	60.79	638	646
II. Fuel and Light .. .. .	7.20	713	714
III. Housing .. .. .	6.11	183	183
IV. Clothing and Footwear .. .. .	10.29	565	569
V. Miscellaneous .. .. .	15.61	465	466
Total .. .. .	100.00	....	....
Consumer Price Index Number .. .. .	....	581	587

\*Details regarding the scope and method of compilation of the index will be found on pages 758 to 760 of the January 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1939=100, the new index number on base 1961=100 should be multiplied by the linking factor viz. 5.29.

**AURANGABAD\***

**A rise of 9 points**

In July 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Aurangabad Centre with base year 1961 equal to 100 was 608 being 9 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Aurangabad centre.

The index number for the food group increased by 13 points to 667 due to a rise in the average prices of jowar, turdal, moongdal, chillies dry, vegetables and bananas.

The index number for the fuel and light group remained steady at 771.

Six monthly house rent survey was conducted by the office of the Commissioner of Labour, Bombay in June 1984. The housing index for July 1984 works out 325.99 which remained unchanged at the figure which was utilised in the previous half yearly period ending June 1984.

The index number for clothing and footwear increased by 14 points to 558 due to a rise in the average prices of saree, long cloth and drill.

The index number for the miscellaneous group remained steady at 474.

**CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR AURANGABAD CENTRE**

(Average prices for the calendar year 1961=100)

Groups	Weight, proportional to total expenditure	Group Index Number	
		June 1984	July 1984
I. Food	60.72	654	667
II. Fuel and Light	7.50	771	771
III. Housing	8.87	326	326
IV. Clothing and Footwear	9.29	544	558
V. Miscellaneous	13.62	474	474
<b>Total</b>	<b>100.00</b>		
<b>Consumer Price Index Number</b>		<b>608</b>	<b>617</b>

\*Details regarding scope and method of compilation of the index will be found on pages 1130 to 1134 of March 1966 issue of *Labour Gazette*.

Note—To obtain the equivalent old index number on base August 1943 to July 1944=100 the new index number on base 1961=100 should be multiplied by the linking factor viz 2.22.

(O.C.P.) Ra 4478-5 (535-1-85)

	Weight to total expenditure	June Index Numbers	July Index Numbers
I. Food	61.46	654	667
II. Fuel and Light	7.50	780	771
III. Housing	4.62	310	310
IV. Clothing and Footwear	12.22	518	518
V. Miscellaneous	15.82	504	504
<b>Total</b>	<b>100.00</b>		
<b>Consumer Price Index Number</b>		<b>633</b>	<b>647</b>

\*Details regarding scope and method of compilation of the index will be found on pages 1130 to 1134 of March 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1943 to July 1944=100 the new index number of base 1961=100 should be multiplied by the linking factor viz 2.45.

### ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS

The statistics for the last 12 calendar months from August 1983 to July 1984 are given in the following table :-

TABLE

Month	Base 1960=100	*Base 1949=100
	2	3
August 1983 .. .. .	549	667
September 1983 .. .. .	554	673
October 1983 .. .. .	558	678
November 1983 .. .. .	561	682
December 1983 .. .. .	559	679
January 1984 .. .. .	563	684
February 1984 .. .. .	561	682
March 1984 .. .. .	558	678
April 1984 .. .. .	559	679
May 1984 .. .. .	562	683
June 1984 .. .. .	574	698
July 1984 .. .. .	585	711

\* Base numbers under this column are derived from the 1980 based index.

### THE STATEMENT SHOWING THE CONSUMER PRICE INDEX NUMBER FOR (INDUSTRIAL WORKERS) GROUPS FOR SEVEN CENTRES OF MAHARASHTRA STATE FOR THE MONTH OF JULY 1984

Centre	Base	Food	Pan, Supari Tobacco etc.	Fuel and lighting	Housing	Clothing and footwear	Miscellaneous	Consumer Price Index 1960=100	Equivalent Old Index No.	Consumer Price Index June 1984	Equivalent Old Index No.
Bombay .. .. .	1960-100	682	649	798	184	562	468	611	2713	604	2682
Solapur .. .. .	1960-100	655	532	730	266	572	466	605	2311	601	2296
Nagpur .. .. .	1960-100	643	575	848	316	618	448	597	3116	585	3054
Pune .. .. .	1961-100	650	....	732	146	538	467	574	....	568	....
Jalgaon .. .. .	1961-100	646	....	714	183	569	466	587	3105	581	3073
Nanded .. .. .	1961-100	723	....	780	310	518	504	647	1585	633	1551
Aurangabad .. .. .	1961-100	667	....	771	326	558	474	608	1350	599	1330

Note.—For arriving at the equivalent Old Index Numbers the new Index Numbers may be multiplied by the linking factors mentioned against the respective centres as follows :—  
BOMBAY : 4.44 SHOLAPUR : 3.82 NAGPUR : 5.22  
JALGAON : 5.29 NANDED : 2.45 AURANGABAD : 2.22

# Labour Intelligence

## INDUSTRIAL RELATIONS IN MAHARASHTRA REVIEW FOR THE MONTH OF JUNE 1964 Industrial Courts, Tribunals and Labour Courts

In all 2,591 applications were received by the Industrial Courts, Tribunals and Labour Courts during the month. Their break-up are as under:—

Serial No.	Name of the Industrial Court/Tribunal and Labour Court	No. of applications, etc. received during the month under the—			Total
		B.I.R. Act, 1946	I.D. Act, 1947	Other Acts	
1	2	3	4	5	6

L. Industrial Courts/Tribunals—					
1	Industrial Court, Bombay	8	1	111	132
2	Industrial Tribunal, Bombay	1	1	41	43
3	Industrial Court, Nagpur	1	1	131	143
4	Industrial Tribunal, Nagpur	2	2	71	75
5	Industrial Court, Pune	1	1	12	15
6	Industrial Tribunal, Pune	1	1	12	15
7	Industrial Court, Thane	1	1	37	38
8	Industrial Tribunal, Thane	2	2	10	12
9	Industrial Court, Kolhapur	1	1	30	31
10	Industrial Tribunal, Kolhapur	1	1	1	2
11	Industrial Court, Amravati	3	1	43	47
12	Industrial Tribunal, Amravati	1	1	1	2
13	Industrial Court, Nashik	1	1	1	2
14	Industrial Tribunal, Nashik	1	1	1	2
15	Industrial Court, A'bad	1	1	1	2
16	Industrial Tribunal, A'bad	1	1	1	2
Total		48	70	504	622

H. Labour Courts—					
1	Labour Court, Bombay	161	154	507	642
2	Labour Court, Pune	8	77	117	117
3	Labour Court, Nagpur	7	59	151	158
4	Labour Court, Thane	2	26	35	38
5	Labour Court, Kolhapur	3	35	4	46
6	Labour Court, Solapur	3	41	150	156
7	Labour Court, Akola	4	19	1	24
8	Labour Court, Nashik	4	5	28	37
9	Labour Court, Aurangabad	1	6	22	29
10	Labour Court, Sangli	2	24	4	30
11	Labour Court, Dhule	2	4	42	48
12	Labour Court, Amravati	2	32	26	60
13	Labour Court, Jalgaon	1	1	21	23
14	Labour Court, Bhandara	1	1	1	2
15	Labour Court, Ahmadnagar	3	42	26	71
Total		196	525	1,007	1,728

Wage Boards—42 references was received by the Wage Board for certain textile industry during the month under review.

### Conciliation

An analysis of disputes handled by the Conciliation machinery in the State during June 1964 under various Acts is given below:—

#### (a) Cause-wise analysis of the cases received during the month.—

Act	Issues relating to pay, allowances and Bonus	Employment, leave, hours of work and Miscellaneous causes	Total
1	2	3	4
(1) Industrial Disputes Act, 1947	200	74	274
(2) Bombay Industrial Relations Act, 1946	6	4	10
(3) Bombay Industrial Relations (Extensions and Amendment) Act, 1964.			
Total	206	78	284

#### (b) Result-wise analysis of the cases dealt with during the month.—

Act	Pending at the beginning of the month	No. of cases received during the month	Settled amicably	Ended in failure	Withdrawn or not pursued by parties	Closed	Total (4 to 7)	Pending at the end of the month
1	2	3	4	5	6	7	8	9
I. D. Act 1947	563	274	107	45	40	211	626	
B. I. R. Act, 1946	154	10	13	1	30	352		
B.I.R. (Ext. and Amdt.) Act, 1964.								
Total	717	284	21	121	41	241	978	

LABOUR GAZETTE—SEPTEMBER 1964

Industry-wise and Disputes-wise statistics of the cases reported during the month under, Districts, Industries, Sections, Divisions, and Branches (Disputes) are given below.

Act	Custom Trade	SILK Industry	Chemical	Sugarcane Processing	Milk Processing	Machinery	Sugar	Mines	Transport	Trade Unions	Total
B. I. R. Act, 1946	2	3	4	5	6	7	8	9	10	11	12
B. I. R. (Extension and Amendment) Act, 1948	3	4	5	6	7	8	9	10	11	12	13
Act	5	7	9	11	13	15	17	19	21	23	25
B. I. R. Act 1946	3	4	5	6	7	8	9	10	11	12	13
Act	6	8	10	12	14	16	18	20	22	24	26
B. I. R. (Extension and Amendment) Act, 1948	3	4	5	6	7	8	9	10	11	12	13
Act	6	8	10	12	14	16	18	20	22	24	26

LABOUR GAZETTE—SEPTEMBER 1984  
INDUSTRIAL DISPUTES IN MAHARASHTRA STATE DURING JUNE 1984

	June 1984	May 1984	June 1983
No. of Disputes	52	55	92
No. of Workers involved	29,895	29,736	1,05,771
No. of Man-days lost	4,90,202	5,47,854	11,71,656

Industry-wise classification is given below

Name of the Industry Group	No. of Disputes in 1984			Total	No. of Workers involved	No. of Man-days lost
	June 1984	May 1984	June 1984			
Textile	6	..	6	14,702	2,71,000	
Engineering	20	8	28	1,235	1,24,317	
Chemical	9	..	9	3,607	1,14,000	
Miscellaneous	7	2	9	911	18,297	
Total	42	10	52	29,895	4,30,282	
MAY 1984	Total	46	9	55	29,736	5,47,854

Of the 52 disputes, 42 were reported during the month of June 1984 and 10 during May 1984. The total number of workers involved in these disputes was 29,895 and the total number of man-days lost was 4,90,202.

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THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION ON IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MANDAYS LOST DURING THE MONTH OF JUNE 1984

No	Name of the Concern	Sector	S/L	Reason	Date of work stoppages		No. of workers involved	Mandays lost		Result
					Began	Ended		During the month	Till the close of the month	
1	2	3	4	5	6	7	8	9	10	11
1	Thane— Teksons Ltd., Thane.	Pvt.	S	Reinstatement	18-1-83	...	400	17,000	4,100	Continued
2	Bombay— The Pudar Mills Ltd., Bombay 400 011.	Pub.	S	General demands Wages, D.A. etc.	18-1-83	...	200	20,000	13,000	Do.
3	Bombay— The Tata Mills Ltd., Bombay 400 014.	Pub.	S	Do.	18-1-83	...	5,110	2,000	6,000	Do.
4	Bombay— Calico Dyeing Printing Mills Ltd., Bombay 400 012.	Pvt.	L	Labour trouble	21-12-83	...	300	10,200	2,500	Do.
5	Bombay— M/s. Devidayal Stainless Steel Industries Pvt. Ltd., Bombay 400 078.	Pvt.	S	Wages	1-1-83	...	600	17,100	17,000	Do.
6	Bombay— Estrella Batteries Ltd., Bombay 400 019.	Pvt.	L	Unfair Labour Practices	1-11-83	...	1,100	20,400	24,000	Do.

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Serial No.	Name of the Concern	Sector	S/L	Reason	Date of work stoppages		No. of workers involved	Mandays lost		Result
					Began	Ended		During the month	Till the close of the month	
1	2	3	4	5	6	7	8	9	10	11
7	Thane— The National Rayon Corporation, Thane.	Pvt.	L	Go-slow	24-11-83	...	5,985	1,48,337	11,54,496	Continued
8	Thane— M/s. Mukund Iron and Steel Works Ltd., Thane.	Pvt.	L	Do.	27-11-83	...	1,358	35,308	2,51,230	Do.
9	Thane— Winco Ltd., Amber- nath, Thane.	Pvt.	L	Do.	12-1-84	...	1,176	30,576	1,65,816	Do.
10	Bombay— Advani Oerliken Ltd., L. B. S. Marg, Bhandup, Bombay 400 078.	Pvt.	L	Labour unrest	21-3-84	...	557	14,482	49,016	Do.

GAZETTE SUPPLEMENT 1984