

The Industrial Disputes Tamil Nadu (Amendment) Act, 1963

9 of 1963

Keyword(s):

Central Act Amendment, The Industrial Disputes Act, 1947

Amendments appended: 36 of 1982, 5 of 1988, 45 of 2008, 7 of 2015

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¹[TAMIL NADU] ACT No. 9 OF 1963.²**THE INDUSTRIAL DISPUTES (¹[TAMIL NADU] AMENDMENT)
ACT, 1963.**

*[Received the assent of the President on the 26th May 1963,
first published in the Fort St. George Gazette on the
29th May 1963 (Jyaistha 8, 1885).]*

*An Act further to amend the Industrial Disputes Act, 1947,
in its application to the ³[State of Tamil Nadu].*

**BE it enacted by the Legislature of the ³[State of Tamil Nadu]
in the Fourteenth Year of the Republic of India as follows :-**

1. (1) This Act may be called the Industrial Disputes **Short title and
(⁴[Tamil Nadu] Amendment) Act, 1963. extent.**

(2) It extends to the whole of the ³[State of Tamil Nadu].

2. In the First Schedule to the Industrial Disputes **Amendment of
Act, 1947 (Central Act XIV of 1947), after item 10, the the First
following items shall be added, namely :— Schedule
to Central Act
XIV of 1947.**

“11. Leather.

12. Oxygen and acetylene.”.

¹These words were substituted for the word “Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

²For Statement of Objects and Reasons, see Fort St. George Gazette Extraordinary, dated the 27th March 1963, Part IV—Section 3, page 62.

³This expression was substituted for the expression “State of Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

1982 : T.N. Act 36] *Industrial Disputes (Tamil Nadu Amendment)* 865

TAMIL NADU ACT NO. 36 OF 1982.*

THE INDUSTRIAL DISPUTES (TAMIL NADU AMENDMENT) ACT, 1982.

[Received the assent of the President on the 12th July 1982, first published in the Tamil Nadu Government Gazette Extraordinary on the 16th July 1982 (Agni 32, Thunthubi, Thiruvalluvar Aandu—2013).]

An Act further to amend the Industrial Disputes Act, 1947, in its application to the State of Tamil Nadu.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty third Year of the Republic of India as follows:—

1. (1) This Act may be called the Industrial Disputes (Tamil Nadu Amendment) Act, 1982.

Short title,
extent
and
commence-
ment.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

2. After section 10-A of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) (hereinafter referred to as the principal Act) the following section shall be inserted, namely;—

Insertion of
new section
10-B in Central
Act XIV of
1947.

“10-B. *Power to issue order regarding terms and conditions of service pending settlement of disputes.*—

(1) Where an industrial dispute has been referred by the State Government to a Labour Court or a Tribunal under sub-section (1) of section 10 and if, in the opinion of the State Government, it is necessary or expedient so to do for securing the public safety or convenience or the maintenance of public order or supplies and services essential to the life of the community or for maintaining employment or industrial peace in the establishment concerning which such reference has been made, they may, by general or special order, make provision—

(a) for requiring employers or workmen or both to observe such terms and conditions of employment as may be specified in the order or as may be determined in accor-

*For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette* Extraordinary, dated the 27th March 1982, Part IV Section 1, page 176.

866 *Industrial Disputes (Tamil Nadu Amendment)* [1982 : T. N. Act 36]

dance with the order, including payment of money by the employer to any person who is or has been a workman ;

(b) for requiring any public utility service not to close or remain closed and to work or continue to work on such terms and conditions as may be specified in the order ; and

(c) for any incidental or supplementary matters which appears to them to be necessary or expedient for the purpose of the order:

Provided that no order made under this sub-section shall require any employer to observe terms and conditions of employment less favourable to the workmen than those which were applicable to them at any time within three months immediately preceding the date of the order.

Explanation.—For the purpose of this sub-section, “public utility service” means—

(i) any section of an industrial establishment on the working of which the safety of the establishment or the workmen employed therein depends ;

(ii) any industry which supplies power, light or water to the public ;

(iii) any industry which has been declared by the State Government to be a public utility service for the purpose of this Act.

(2) An order made under sub-section (1) shall cease to operate on the expiry of a period of six months from the date of the order or on the date of the award of the Labour Court or the Tribunal, as the case may be, whichever is earlier.

(3) Any money paid by an employer to any person in pursuance of an order under sub-section (1) may be deducted by that employer from out of any monetary benefit to which such person becomes entitled under the provisions of any award passed by the Labour Court or the Tribunal, as the case may be.”

3. After section 29 of the principal Act, the following section shall be inserted, namely :—

“ 29-A. *Penalty for failure to comply with an order issued under section 10-B.*—Any person who fails to comply with any provision contained in any order made under sub-section (1) of section 10-B, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year and with fine.”

Insertion
of new
section 29-A
in Central
Act XIV of
1947.



TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 258

MADRAS, TUESDAY, JULY 19, 1988

AADI 4, VIBHAVA, THIRUVALLUVAR AANDU - 2019

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislature received the assent of the President on the 25th June 1988 and is hereby published for general information :—

ACT No. 5 OF 1988.

An Act further to amend the Industrial Disputes Act, 1947, in its application to the State of Tamil Nadu.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-second Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Industrial Disputes (Tamil Nadu Amendment) Act, 1981.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

2. *Amendment of section 2-A, Central Act XIV of 1947.*—In the Industrial Disputes Act, 1947 (Central Act XIV of 1947) (hereinafter referred to as the principal Act) section 2-A shall be re-numbered as sub-section (1) of that section and after the said sub-section (1) as so re-numbered, the following sub-section shall be added, namely :—

“(2) Where no settlement is arrived at in the course of any conciliation proceeding taken under this Act in regard to an industrial dispute referred to in sub-section (1), the aggrieved individual workman may apply, in the prescribed manner, to the Labour Court for adjudication of such dispute and the Labour Court shall proceed to adjudicate such dispute, as if, such dispute has been referred to it for adjudication and accordingly all the provisions of this Act relating to adjudication of industrial disputes by the Labour Court shall apply to such adjudication.”

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

3. *Amendment of section 11, Central Act XIV of 1947.*—For sub-section (4) of section 11 of the principal Act, the following sub-section shall be substituted, namely :—

“(4) A conciliation officer may, if he considers that any document or the testimony of any person is relevant or necessary for the settlement of an industrial dispute or for the purpose of verifying the implementation of any award or carrying out any other duty imposed on him under this Act, call for and inspect such document or summon and examine such person. For the aforesaid purposes, the conciliation officer shall have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (Central Act V of 1908), in respect of the following matters, namely :—

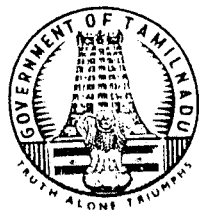
- (i) summoning and enforcing the attendance of any person and examining him on oath ;
- (ii) compelling the production of documents ;
- (iii) issuing commissions for examination of witnesses.”.

(By order of the Governor)

P. JEYASINGH PETER,
*Secretary to Government,
Law Department.*

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2008

[Regd. No. TN/CCN/117/2006-08]
[Price: Re. 0.80 Paise.]



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EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 292]

CHENNAI, MONDAY, SEPTEMBER 29, 2008
Purattasi 13, Thiruvalluvar Aandu-2039

Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 18th September 2008 and is hereby published for general information:—

ACT No. 45 of 2008.

An Act further to amend the Industrial Disputes Act, 1947 in its application to the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Industrial Disputes (Tamil Nadu Amendment) Act, 2008.
- (2) It extends to the whole of the State of Tamil Nadu.
- (3) It shall come into force on such date as the State Government may, by notification, appoint.

Short
title, exte
and
commen
ment.

Central Act
XIV of 1947.

2. After section 11-A of the Industrial Disputes Act, 1947, the following section shall be inserted, namely:—

Insertion of
new sec
11-B.

"11-B. Power of a Labour Court or Tribunal to execute its award by decree.—A Labour Court or a Tribunal shall have the power of a civil court to execute its own award as a decree of a civil court and also to execute any settlement as defined in clause (p) of section 2 as a decree."

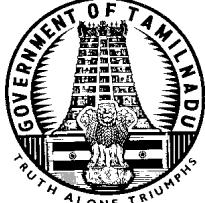
(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

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2015

[Regd. No. TN/CCN/467/2012-14.
[R. Dis. No. 197/2009.
[Price: Re. 0.80 Paise.



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 140]

CHENNAI, TUESDAY, JUNE 23, 2015
Aani 8, Manmadha, Thiruvalluvar Aandu-2046

Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 16th June 2015 and is hereby published for general information:—

ACT No. 7 OF 2015.

An Act further to amend the Industrial Disputes Act, 1947, in its application to the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Industrial Disputes (Tamil Nadu Amendment) Act, 2013.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Central Act
XIV of 1947.

2. In section 2 of the Industrial Disputes Act, 1947, in clause (s), after the expression "technical," the expression "sales promotion," shall be inserted.

Amendment
of section 2.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government-in-charge,
Law Department.