

# **MADHYA PRADESH INDUSTRIAL RELATIONS RULES, 1961**

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1. These rules may be called the Madhya Pradesh Industrial Relations Rules, 1961.

2. In these Rules unless the context otherwise requires, -

- (a) "Act" means the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960);
- (b) "Form" means a form appended to these rules;
- (c) "Schedule" means a schedule appended to the Act;
- (d) "Section" means a section of the Act.

3.(1) For the purpose of preparing the panels of members representing the interests of employers and employees under subsection (2) of section 11, the State Government shall invite representatives of employers and employees and such other bodies and persons, as it may deem fit to recommend the names of suitable persons to be included in the panels. The State Government after considering all recommendations received by it, shall prepare two separate panels, one of members representing the interest of employers and the other of members representing the interests of employees.

(2) The State Government may, from time to time, revise the panels prepared under sub-rule (1) in the manner provided therein.

4. No person who has been adjudged bankrupt or has been declared to be of unsound mind by a competent court or has been convicted in a criminal proceeding for an offence involving moral turpitude shall be eligible for inclusion in the panels prepared under rule 3 and if any person incurs any such disqualification after his name has been included in any such panel his name shall be removed from the panel by the State Government.

5. The panels prepared under rule 3 shall be published in the official Gazette.

6. (1) If any person whose name is included in a panel prepared under rule 3 dies or tenders his resignation his name shall be removed from the panel and the name of any other person eligible therefore may be included in the panel in the manner provided in sub-rule (1) of rule 3.

(2) The removal and the inclusion of the name of every person from or in a panel shall be notified in the official Gazette.

7. For the purpose of constituting a Board under section 11, the Commissioner of Labour or any officer authorized by him in this behalf, shall by a written notice in Form 'A' call upon each party to a dispute -

- (i) to submit panel of not less than five persons representing its interest; and
- (ii) to propose jointly a person to be appointed as Chairman of the Board within fifteen days of the receipt of the notice.

8. (1) If a vacancy occurs in the office of the Chairman jointly nominated under rule 7, it shall be filled in the same manner as is provided in sub-section (4) of section 11, read with the said rule.

(2) If the President or a member of the Industrial Court has been appointed Chairman of the Board under paragraph (ii) of the proviso to sub-section (4) of section 11, any vacancy in the office of the Chairman shall be filled in by the State Government by appointing the successor in office of the President or such member or any other member of the Industrial Court to be Chairman of the Board.

9. If a vacancy occurs in the office of a Member of the Board appointed from a panel-

- (i) submitted by a party under sub-section (3) of section 11, it shall be filled by the State Government by nominating any other person from such panel;
- (ii) if no such person is available, it shall be filled by appointing any person from the appropriate panel prepared under rule 3.

10. An application by a Union for recognition under sub-section (1) or section 13 shall be submitted in Form 'B'.

11. The fee payable under sub-section (2) of section 13 shall be rupees five to be paid in cash.

12. The certificate of recognition issued by the Registrar under sub-section (2) of section 13 shall be in Form 'C'.

13. (1) On receipt of an application for recognition from a union under subsection (1) of section 13 and on payment of a fee of Rs.5. prescribed in rule 11, the Registrar shall cause a notice to be put up on the premises of all the undertakings in the industry of the local area concerned at such conspicuous place or places, as he may deem fit, inviting objections to the recognition of the union as a representative union within a period to be specified in the notice, which shall not be less than 15 days.

(2) If no objection is received within the period specified under sub-rule (1) the Registrar may, before passing any order on the application and taking any action under sub-section (2) of section 13, inquire and call for further information from the union for the purpose of ascertaining whether the union is entitled to recognition under the said sub-section.

(3) If any objection is received from any person within the period specified in the notice referred to in sub-rule (1) the Registrar shall fix the date, time and place for hearing the objection and give notice of such date, time and place to the applicant and the objector. On the date so fixed or any other date to which the enquiry may be adjourned, the Registrar shall hear the parties and proceed to enquire into the objections which any person has stated pursuant to the notice given under sub-rule (1) and into the claims of the union for being recognized as a representative union under the Act.

(4) On hearing the applicant union and the objector and if necessary after collecting any relevant information and/or recording any evidence, the Registrar is satisfied that the applicant union fulfils all the conditions necessary for recognition he shall recognize and register such union in the manner prescribed in section 15.

(5) The result of the enquiry made under sub-rule (2) or (3) shall be communicated to the applicant union as soon as may be practicable.

14. The register of representative unions to be maintained under section 15 shall be in Form D.

15. For the purpose of clause (b) of section 16, the Registrar shall fix a date, time and place for hearing and shall cause a notice of the same to be served on the union. and shall afford such union an opportunity of being heard. On the date so fixed or on, any other date to which the hearing may be adjourned, the Registrar shall proceed to enquire into the statements, if any submitted by the union pursuant to the notice given under the said clause. He shall take down in writing all statements made by the union and shall inquire into all grounds specified in the notice. He may call for any information from the union and consider any evidence that may be produced in support by such union.

16. An application under sub-section (1) of section 17 shall be accompanied by a fee of rupees ten, to be paid in cash.

17. (1) On the expiry of the period of notice under sub-section (1) of section 17, the Registrar shall call for necessary information from the union making the application for recognition under subsection (1) of the said section and the representative union in Form E and may call for such registers and other documents as he may consider necessary in this behalf.

(2) On receipt of the information called for under sub-rule (1) and after giving both the parties an opportunity of being heard, the Registrar shall pass orders accepting or rejecting the application giving reasons therefore.

(3) The Registrar shall communicate his decision to the applicant union and also to the representative union as soon as practicable.

18. The fee payable in respect of an application for re- recognition under section 18 shall be rupees ten, to be paid in cash.

19. Every representative union shall on or before the 20th day of each month deliver personally in office or forward by registered post to the Registrar a periodical return of its membership in Form F as required by section 21.

20. Every employer in any industry in the local area to which the Act applies shall before the tenth day of every month forward to the Registrar a statement in Form G showing correctly the number of persons employed on the first working day of the month.

21. The Registrar may call upon any employer or any union to produce such documents and supply such further information as he may deem fit to prove that the information supplied under rules 19 and 20 is correct.

22. (1) The Registrar shall forward in the months of January, April, July and October every year a consolidated statement for the three previous months for every industry separately to the Labour Officer of each local area containing—

- (a) the numbers of members of the representative union in the industry in the local area; and
- (b) the total number of employees in the industry in the local area. (2) Such statements shall be open to inspection by any employer or any union in the industry in the local area.

23. The application for legal aid by an approved anion under sub-section (1) of section 23 to the Industrial Court shall be in writing and shall be accompanied by an affidavit duly sworn in and signed by any responsible officer of the union, together with a statement of accounts and audit report of the preceding year, if any, showing the current financial position of the union.

24. On receipt of the application mentioned in rule 23 the Industrial Court may call for a report from the Registrar on the financial condition of the union.

25. After considering the application and the report of the Registrar and after making such further enquiry as it may deem fit, the Industrial Court may refuse the legal aid or grant it in accordance with the scale specified in the Table below :-

Table	
(a) In a proceeding before the Labour Court	Rs. 30 for each hearing up to the maximum of Rs. 200
(b) In a proceeding before the Industrial Court	Rs. 40 for each hearing up to a maximum of Rs. 250
(c) In a proceeding before the High Court	Rs. 50 for each hearing up to a maximum of Es. 300
(d) in a proceeding before the Supreme Court	Such amount, not exceeding Es. 500 for each hearing

Provided that for the purpose of computing the amount of legal aid in accordance with the Table, the hearing at which proceedings are adjourned without transacting any substantial work shall be excluded:

Provided further that if the legal aid prescribed in the above Table for each court is found to be inadequate, taking into consideration the issues and the quantum of work involved, the Industrial Court may grant such further legal aid as it may deem fit but not exceeding Rs.300, Rs.500, Rs.700 and Rs.1,500 in the aggregate in a proceeding before a Labour Court, the Industrial Court, the High Court and Supreme Court, respectively.

26. Any combination of employers desiring recognition as an association of employers under the Act shall apply in duplicate to the Registrar in Form H. On receipt of such application the Registrar shall forward a copy of the application to the Government with such remarks as he may deem fit.

27. (1) An association of employers which has been recognized by the State Government under section 24 shall notify to the Registrar every change which occurs in its name, memorandum of association or constitution or membership within fifteen days of such change.

(2) Any such change in the name of an association of employers may be notified in the Gazette.

28. Any employer in an industry, not being a member of an association of employers connected with such industry, who has agreed to be represented in any proceeding under the Act, by such association, shall send intimation in writing to that effect to the Registrar and shall send copies of such intimation to the Labour Officer for the local area, to the authority holding the proceeding and to the representative union for the industry, if any.

29. (1) Where more employers than one are affected or under any of the provision of the Act deemed to be affected and no association of employers under sub-section (1) of section 25 is entitled to represent all of them, the following shall act as their representative:

- (a) Where there is an association of employers and two-thirds or more of the employers who are not members of the association agree to be represented by the association, then such an association;
- (b) Where there is an association of employers but less than two-thirds of the employers who are not members of the association are in favor of their being represented by the association, not more than five representatives elected from among all the employers at a meeting held by the Labour Officer for the purpose: Provided that at least one of the representatives shall be from among the employers who have not agreed to be represented by the association;
- (c) In all other cases, not more than five representatives elected by the employers at a meeting held by the Labour Officer for the purpose: Provided that where the number of employers affected or deemed to be affected does not exceed five, no election shall be held and all the employers concerned shall be entitled to act as the representatives;
- (d) and vacancy in the office of a representatives elected under clause (b) or (c) shall be filled by election at a meeting of the employers held by the Labour Officer for the purpose.

(2) The names of persons elected as representatives shall be communicated by the Labour Officer to the Registrar and the authority holding the proceeding.

30. Where the Labour Officer is the representative of employees, he shall, before entering into any agreement under section 33 or settlement under section 43, place the terms of such agreement or settlement before a meeting of the employees concerned. Such meeting shall be convened by the Labour Officer or any person deputed by him for the purpose at such time and place as the Labour Officer may determine and in such manner as he deems fit. If a majority of the employees present at the meeting accept the terms of agreement or settlement, all the employees affected shall be deemed to have accepted the terms of such agreement or settlement.

31. Any employer intending to effect any change in respect of an industrial matter specified in Schedule I, shall give notice of such intention to the representative of employees in Form I and shall send a copy of such notice to the Chief Conciliator, the Conciliator for the industry concerned in the local area, the Registrar, and the Labour Officer of the industry for the local area concerned.

32. A representative of employees desiring a change in respect of an industrial matter which is neither covered by Standing Orders nor specified in Schedule II, shall give notice to the employer in Form J and shall send a copy of such notice to the Chief Conciliator, the Conciliator for the industry concerned in the local area, the Registrar, and the Labour Officer of the industry for the local area concerned.

33. Every application under sub-section (3) of section 31 shall be made in Form K to the Labour Court having jurisdiction by registered post or be presented to the Head Clerk of the Court or any other official authorized by the Court in this behalf.

34. (1) The representative of employees or an employee desiring a change in respect of an industrial matter specified in Schedule II or any other matter arising out of such change, may make an application in writing to an employer. A copy of the application shall be forwarded to the Commissioner of Labour and the Labour Officer of the industry for the local area concerned.

(2) Where an application has been made by an employee or representative of employees under sub-rule (1), the employer and the employee may arrive at an agreement within fifteen days of the receipt of the application by the employer or within such further period as maybe mutually fixed by the employer and the employee or the representatives of the employees concerned, as the case may be.

35. Where the employer and the representative union agree to constitute a joint committee in an undertaking, they shall jointly forward their consent in writing to the Commissioner of Labour.

36. Within fifteen days of forwarding the consent referred to in rule 35, a joint committee consisting of the members of whom five shall be nominated by the employer and five nominated by the representative union, shall be appointed by the employer concerned.

37. Where there is no representative union and the State Government is of the opinion that the constitution of a joint committee will be conducive to the betterment of industrial relations between the employer and the employees, the State Government may direct the employer to constitute a joint committee within thirty days of the communication of the direction.

38. The employer who has been directed under rule 37 to constitute a joint committee, shall constitute such a committee consisting of ten persons, of whom five nominated by him and five shall be employees of that undertaking:

Provided that where there is more than one registered union, the employees' representatives in the joint committee shall be in proportion to their membership in an undertaking as may be determined by the Registrar.

39. In the event of a member of the joint committee ceasing to be employed in the undertaking or retiring or ceasing in any other way to be a member of such committee the vacancy shall be filled by nomination by the representative union or the registered union, as the case may be, in case the vacancy is caused from among the members representing employees. In the case the vacancy is caused from amongst the members nominated by the employer, it shall be filled by other nominee to be nominated by the employer.

40. (1) The chairman of a joint committee shall be appointed by the members of the committee from among themselves at its first meeting which will be convened by the employer.

(2) If the members cannot agree upon the person to be appointed as chairman, the employer and the representative union or the registered union, as the case may be, which nominated the members of the Joint committee shall be entitled to appoint by agreement the chairman from among the members.

(3) Failing agreement between the employer and the union, the chairman shall be appointed by the employer and the union respectively in rotation for a period of six months.

41. The chairman, who shall convene and preside over the meeting of the joint committee, shall circulate the agenda of the meeting to the members along with the notice of the meeting at least forty-eight hours before the meeting except in the case of a special meeting. He shall cause the minutes of every meeting to be recorded and get them confirmed at the next meeting. He shall also communicate the decisions of the joint committee to the union and the employer as well as the Labour Officer and the Commissioner of Labour.

42. (1) The joint committee may meet as often as convenient but not less than once a month. In cases of urgency, a special meeting of the committee may be called by giving not less than six hours' notice at the request of either side. The meetings shall be held during working hours unless otherwise agreed upon between the two sides.

(2) No business other than that appearing on the agenda, shall be transacted at any meeting unless both sides agree to its introduction.

(3) The presence of three-fifths of the members from each side of the committee shall be necessary to form a quorum.

(4) The decision of the Committee shall be arrived at by agreement between the two parties, but if no such agreement is possible the decision shall be taken by vote of the majority of the members present. The chairman shall have one vote and in case of a tie, a casting vote.

**Explanation.**— For the purpose of this rule, the nominees of the employer shall be deemed to be as one party of the Committee and the nominees of the employees as the other side of the Committee.

43. (1) The statement of the case referred to in sub-section (a) of section 39 shall be in Form L.

(2) A copy of the statement of the case referred to in sub-rule (1) shall be forwarded to the Conciliator of the industry in the local area and the industry concerned and the Registrar.

44. The memorandum of the settlement referred to in sub-section (1) of Section 43 shall be drawn up in Form M.

45. A representative union desiring to refer an industrial dispute under section 52 for arbitration to a Board shall apply in writing to the Commissioner of Labour expressing its desire to refer the dispute to the Board. The application shall be accompanied by a statement of facts of the dispute and the proposed terms of reference together with a certificate in Form N. A copy of such application shall be forwarded to the Chief Conciliator, the Conciliator and the Labour Officer of the industry for the local area concerned.

46. On receipt of the application referred to in rule 45 the Commissioner of Labour shall forward it to the State Government for constituting a Board. A copy of such application shall also be, forwarded to the Chief Conciliator, the Conciliator of the local area concerned and the Registrar and Labour Officer.

47. A representative union desiring to refer an industrial dispute under section 52 for arbitration to the Industrial Court or the Labour Court, as the case may be, shall make an application in writing to such Court in Form O. A copy of such application shall be forwarded to the Chief Conciliator, the Conciliator for the local area concerned and the Registrar.

48. (1) A Labour Court, the Industrial Court or a Board shall fix a date for pronouncing the award.

(2) A Labour Court, the Industrial Court or a Board shall publish its award by pronouncing it in open court and also by exhibiting it on a notice board or table at its office specified for this purpose.

(3) The State Government may, if it deems necessary, publish the award in the official gazette:

48-A. Execution.— (1) Any person in whose favour an award or determination of decision of a Labour Court or the Industrial Court is made may apply within one year from the date of order in Form "00" to the court which made the order for its execution.

(2) On such application being made to the labour court or the Industrial Court, the court shall follow the procedure laid down in order xxi under the Code of Civil Procedure, 1908 (No. V of 1908) for its execution."]

49. A Labour Court, the Industrial Court or a Board shall fix the time and place of its sitting and inform the parties concerned;

Provided that the presiding officers of the Labour Court shall fix such place within its territorial jurisdiction.

50. A Labour Court, the Industrial Court or a Board shall call upon the parties in such order, as it thinks fit, to state their case.

51. A Labour Court, the Industrial Court or Board may accept, admit or call for evidence at any stage of the proceeding as it thinks fit.

52. The Labour Court, the Industrial Court or a Board shall as the examination of each witness proceeds record a memorandum of the substance of what the witness deposes. Such memorandum or statement shall be signed by the witness and the presiding officer of the Labour

Court, the President/Member of the Industrial Court, or the Chairman of the Board, as the case may be:

Provided that such Court or Board may, if it thinks fit to do so, record the statement of any witness in full.

53. A summons issued by a Labour Court, the industrial Court or a Board shall be in Form P and may require any person to produce before it any book or document and article in possession of such person.

["The postal expenses for sending summons, to the witnesses and their diet money shall be borne by the party, who applies for calling the witnesses as per rules applicable to the Civil Courts in Madhya Pradesh."]

54. (1) The Labour Court, the Industrial Court or a Board, as the case may be, shall issue a notice in Form Q to the opposite party or parties to file the Written statement.

(2) Subject to the provisions of sub-rule (1), any notice, summons, process or order issued by a Labour Court, the Industrial Court or a Board empowered to issue such notice, summons, process or order may be served either personally or by registered post.

["The postal expenses for sending such notice, summons, process or order to the opposite party shall be borne by the applicant or the appellant. The Court may in exceptional cases exempt him from paying such expenses."]

(3) Where there are numerous persons as parties to any proceeding before a Labour Court, the Industrial Court or a Board and such persons are not members of any trade union or an association, the service of notice, summons, or order on the Secretary or the principal officer or the trade union of the association shall be deemed to be sufficient service on such persons.

(4) Where there are numerous persons as parties to any proceeding before Labour Court, the Industrial Court or a Board and such persons are not the members of a trade union or an association, a Labour Court, the Industrial Court or a Board as the case may be, shall cause the service of any notice, process, summons or order to be made by affixing the same at or near the main entrance of the undertaking concerned. A notice, process, summons or order served in such manner shall be deemed to be duly served on such employees as cannot be ascertained, found or served otherwise.

55. If, without sufficient cause being shown, any party to the proceedings, before a Labour Court, the Industrial Court or a Board thus to attend or represent the Labour Court, the Industrial Court or the Board may pass such order as it may think fit or may proceed as if the party had duly attended or represented.

56. A Labour Court, the Industrial Court or a Board may for the purposes of any investigation, enquiry or arbitration pending before it under the Act at any time during working hours and in the case of any person authorized by the Labour Court, the Industrial Court or the Board after he has given the reasonable notice, enter any building, undertaking, workshop or other place or premises whatsoever and inspect the same or any work, machinery, appliance or article therein or any matter relevant to the subject matter pending before the Labour Court, the Industrial Court or the Board...

57. In addition to the powers conferred by the Act, a Labour Court, the Industrial Court or a Board shall have the same powers as are vested in civil court under the Code of Civil Procedure, 1908, when trying a suit in respect of the following matters :-

- (a) Granting adjournments.
- (b) Joiner and adding of parties.
- (c) Amendment of Pleadings.

58. (1) An arbitrator, a Labour Court, the Industrial Court or a Board shall furnish a copy of an award, order or any document filed in any proceeding before it on payment of the charges at the following rates -

- (a) Copying fees for 100 words or part thereof at the rate of 25 nP.:

Provided that where an award or order or document exceeds three foolscap size of the paper, the approximate number of words to the nearest 100 for the purpose of copying fees:

Provided further that the Labour Officer, the Registrar, the Commissioner of Labour and the parties to the dispute, shall be supplied with one copy of an award, order, free of charge.

(b) For certifying a copy of award, order or document a fee of 25 shall be payable

1((c) An arbitrator, a Labour Court, the Industrial Court or a Board may supply a certified copy of an order or an award at a flat rate of Re. 1 (Rupee one) to a journal approved by the Industrial Court, if such order or award is found reportable and a request for the supply of its copy has been made by the publisher of such Journal).

(2) Copying and certifying fee shall be payable in cash in advance.

(3) Where a party applies for immediate delivery of a copy of any such award, order or document, an additional fee equal to one-half fees livable shall be payable.

(4) Fees for inspection of any record of a Labour Court, the Industrial Court or a Board shall be Re. 1:

Provided that no fee shall be payable by a party to a pending proceeding for the inspection of the record of such proceeding:

Provided further that no notes of any file before a Labour Court, the Industrial Court or a Board shall be taken in ink.

59. All questions answering for decision at any meeting of a Board, shall be decided by majority of the members present. In the event of equality of votes, the Chairman shall have a second or casting vote.

60. A party or its representative in any proceeding before a Labour Court, the Industrial Court or a Board shall have the right of examination, cross-examination and re-examination of the witnesses called for by such party or the opposite party as the case may be.

61. A Labour Court, the Industrial Court or a Board may at any stage of the proceeding recall any witness already examined.

62. The proceedings before a Labour Court, the Industrial Court or a Board shall be held in public:

Provided that the Labour Court, the Industrial Court or the Board may direct that any witness shall be examined or its proceeding shall be held in camera.

63. Any person who is examined and has duly attended or otherwise appeared as a witness before a Labour Court, the Industrial Court or a Board or examined on commission, shall be entitled to an allowance for expenses according to the called or summoned scale for the time being in force with respect to witnesses in Civil Court in Madhya Pradesh.

64. The Labour Court and the Industrial Court shall ordinarily sit on week days from 11 a.m. to 5 p.m. with interval from 1 p.m. to 2 p.m. subject to such alterations as the Industrial Court or the Labour Court may think fit.

65. (1) Subject to the approval of the State Government, the Industrial Court shall prepare a list of holidays to be observed in such year as the holidays in the Industrial Court.

(2) This list shall be published in the Official Gazette.

66. The Registrar of the Industrial Court and the Head Clerk of the Labour Court shall have the custody of the record of the Industrial Court and the Labour Court, respectively.

67. The industrial Court and the Labour Court shall have an official seal of its own which shall be kept in custody of the Registrar of the Industrial Court or the Head Clerk of the Labour Court as the case may be.

68. A petition for revision against the order of the Labour Court shall set out clearly how and in what manner the subordinate court has exercised jurisdiction not vested in it by law or has failed to exercise the jurisdiction so vested or the particular illegality or irregularity complained of

69. A memorandum of appeal and petition for revision to the Industrial Court shall be accompanied by a certified copy of the order appealed from or sought to be revised.

70. A memorandum of appeal and petition for revision to the Industrial Court shall be headed "In the Industrial Court Madhya Pradesh at....."

71. An application for stay order, granting of bail or for other matter, shall be separately attached with the petition for revision or memorandum of the appeal as the case may be.



72. A memorandum of appeal or a petition for revision and other application referred in rule 84 shall be presented to the Registrar of the Industrial Court either personally or through authorized representative or be sent by registered post.

73. The Registrar of the Industrial Court with the previous approval of the President, shall in all cases fix a date for motion hearing by the appropriate bench. Intimation of the date shall be given to the party or counsel and its signature taken on the order sheet in token of the receipt of the intimation.

74. An application for stay order or grant of bail and other application of urgent nature shall be placed before the motion bench without records in the first instance and without delay. Other cases will be placed before the appropriate motion bench with record and the date fixed should be such as to permit the receipt of records.

75. If a party desires any particular revision, petition or appeal to be disposed of expeditiously it should present a separate application in that behalf. The Registrar of the Industrial Court shall thereupon place the application before the appropriate bench immediately.

76. If an application for stay of execution or for grant of bail is accompanied by an application for early disposal, the record of the Labour Court, or the subordinate authority as the case may be shall be sent for and the case will be placed before the appropriate motion bench as soon as practicable.

77. Appeals and revision petition for motion hearing shall be distributed by the Registrar of the Industrial Court under instructions of the President to the appropriate motion bench two days before the due date. The distribution list shall be initiated by him. The cases in which the same counsel appear shall, as far as possible, be placed together in the list. A copy of the list shall be supplied to the Judge's reader and displayed on the notice board of the Industrial Court.

78. At the conclusion of the motion hearing, the reader shall send the cases to the Registrar of Industrial Court; provided that in cases where the court has ordered stay of execution or granted an order for bail or an injunction, the Registrar of the Industrial Court shall immediately after the hearing in which the order is passed, prepare a copy of the order granting the stay of execution or bail and send or cause it to be sent under the signature of the member of the Industrial Court who passed such order to the parties concerned and are affected thereby.

79. A copy of the order granting stay of execution or bail shall be issued to the subordinate court over the signature of the President or the members and the order and envelop in which it is contained shall be marked "Immediate order for bail or immediate order for stay of execution" as the case may be in red ink.

80. Separate registers shall be maintained of civil cases and criminal cases and also of single bench and division bench in such manner as to show when the cases are ripe for hearing. From these registered cases shall ordinarily be taken up according to the order of institution. The Registrar of the Industrial Court shall prepare a monthly cause list under instruction of President showing cases likely to be taken up during the month. A copy of such cause list shall be sent also to the Government or such officer as may be specified by the Government in this behalf and shall be displayed on the notice board of the Industrial Court kept for that purpose.

81. In each matter coming up before the Industrial Court, a notice shall be given to the Labour Officer of the local area concerned requiring him or his deputy to attend the Court at the time and place mentioned therein.

82. A writ, summons, warrant or other mandatory process or a certified copy of a document except stay order, granting of bail, an order granting injunction, the judgment and an award shall be signed by the Registrar of the Industrial Court with the day, month and year of signing and shall be sealed with an official seal of the Court.

83. The Registrar of the Industrial Court shall be the taxing officer.

84. The Registrar of Industrial Court, with the previous approval of the President may receive the application for-

(i) certified copies of documents;

(ii) issue of summons to witnesses and parties and for notices for appearing in Court;

- (iii) extension of time to file a written statement, statement of claim and any other document;
- (iv) inspection of documents filed in the court;
- (v) return of exhibits and other documents;
- (vi) verification of affidavits.

The applications referred to above shall be placed by the Registrar before the President, Industrial Court or the member as the case may be, for orders.

85. Nothing in these rules shall be deemed to limit or otherwise affect the powers of a Labour Court, the industrial Court or the Board to make such orders as may be necessary for the ends of justice or to prevent an abuse of the process of such Labour Court, the industrial Court or the Board.

86. (1) The State Government may, by special or general order notified in the Official Gazette, require any employer, or employee generally, in any industry to-

- (i) maintain records of employment and data relating to plant, premises and manufacture and particulars relating to other industrial transactions and dealings likely to affect the matters specified in clause (a) of section 94 in such of brings or in the Appendix to these rules as it may consider appropriate for such industry; and
- (ii) submit copies thereof to the Deputy Commissioner of Labour or such other officer as may be authorized in this behalf by the State Government at such times as may be specified in the order.

(2) The Deputy Commissioner of Labour or the Officer authorized under sub-rule (1) may then obtain similar data and particulars from any other person who, in his opinion, is competent to furnish such data and particulars

87. (1) Before holding an enquiry under section 95 the officer authorized under the said section shall indicate to the employer concerned particulars in respect of which the accuracy of the records maintained by him is to be verified and the officer shall allow him or his representative to be present during the inquiry if the employer so desires.

(2) The officer holding the inquiry shall, on demand, give the person concerned a written receipt for any record or document produced by him if the officer considers it necessary to retain such record or document in his possession.

(3) Any record or document retained under clause (b) shall be returned to the person concerned as soon as practicable and in any case on completion of inquiry.

(4) Before proceeding to hold an inquiry under sub-section (1) of section 95, the officer authorized by the State Government shall give at least three clear days' intimation to the employer concerned. He shall also specify in the intimation the particular records which he desires to verify.

88. The notice under section 99 shall be given in Form R and shall be sent by registered post.

89. Certified copies of the agreements, settlements and awards registered by the Registrar and the copies of other documents which he is entitled to receive under the Act and has received such shall be given by him on payment of copying fee of 25 np per hundred words or part thereof.

90. Whenever any letter, notice, statement or intimation is required to be forwarded or sent under any of these rules by registered post to any person it shall be deemed to be sufficient compliance with these rules if such letter, notice, statement or intimation is delivered by hand and an acknowledgment in writing by or on behalf of such person, is obtained in respect of such delivery.

91. The Central Provinces and Bharat Industrial Disputes Settlement Rules, 1949, and the Madhya Bharat Industrial Relations Rules, 1952, are hereby repealed:

Provided that anything done or any action taken under any of the rules so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

## FORM A

(See Rule 7)

Whereas a Board of Arbitration has to be constituted under section 11 of Madhya Pradesh Industrial Relations Act, 1960, for the Industrial dispute between ..... and .....you are hereby required to intimate to the undersigned within fifteen days of the receipt of this notice by you the names and addresses of persons as required by sub-section (3) of section 11 of the said Act.

*Signature of the Commission of Labour  
or an authorized official.*

**FORM B**

(See Rule 10)

**Application for Recognition of Union**

Name of the Union .....  
..... Address ..... Dated the ..... Day of .....  
.....

To  
The Registrar,  
Madhya Pradesh Industrial Relations Act, 1960

Dear Sir.

I beg to inform you that at a general meeting of the members/meeting of the executive of the above union which was held at.....on the .....day of....., it was decided that the union should apply to you for recognition as a representative union for the .....industry in the local area of.....

2. A copy of the resolution signed by the President/Chairman of the Union is attached and I have to request that the union may be recognized accordingly.

3. The Union has .....members in the industry/in the industry in the local area of....., and represents ... per cent, of the total number of employees employed in the .... industry/in the local area.

4. A copy of the constitution/rules of the union is attached.

5. The address of the Head Office of the Union to which all communications and notices may be addressed is as follows -

Address of the Head Office of the Union .....

Yours faithfully.  
General Secretary/Secretary

**FORM C**  
(See Rule 12)

**MADHYA PRADESH INDUSTRIAL RELATIONS ACT, 1960**

**Certificate of Recognition**

Name of the Union : .....

Registration No : .....

Office of the Registrar,  
Madhya Pradesh Industrial Relations Act, 1960

It is hereby certified that the ..... Union has been recognized under the Madhya Pradesh Industrial Relations Act, 1960, this ..... day of ..... as a representative union for the ..... industry, in the local area of .....

Registrar  
Madhya Pradesh Industrial Relations Act.

**FORM D**  
(See Rule 14)

**Register of Representative Unions**

Name	Address of Head Office	Date of recognition	Industry	Local Area	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

**FORM E**

[See sub-rule (1) of rule 171]

**Particulars to be sent by a Union applying for recognition as a Representative Union in place of. .... Union.**

1. Date of application
2. Name of the Union applying for recognition in place of an already recognized representative Union.
3. Address of Head Office.
4. Address of Local office.
5. Names and addresses of the office bearers.
6. Whether the Union had applied for recognition to the Registrar at any time if so, the result of the application.
7. Name of the representative union in whose place the recognition is applied for .....
8. The address of the Head Office on Local Office to the representative union.....
9. The total number of members of the union applying for recognition on the date shown in clause I above.

The details of the membership of the union are given in the annexure to this form,

General Secretary/Secretary  
of the .....Union)

#### ANNEXURE OF FORM E

S.No.	Name of the undertaking	Shift	Department or occupation	Name of the member	Father's name	Age of the member	whether membership subscription paid for the preceding months
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Whether membership subscription paid for the month next to the preceding month	Receipt No. for member subscription mentioned in column Nos. (8)and(9)	The date of subscription	Remarks
(9)	(10)	(11)	(12)

General Secretary/Secretary of the  
..... Union.

#### FORM F (See rule 19)

1. Name of the Representative Union.
2. The local area under the Jurisdiction of the union.
3. The description of the undertaking.
4. The number of the member on the 1st day of the last calendar month for each undertaking.
5. The total number of members for the whole industry on the 1st day of the last calendar month.
6. Documents in support of the information given above are enclosed.

General Secretary/Secretary of the  
..... Union.

**FORM G**  
(See rule 20)

Office of The Registrar of Unions Madhya Pradesh Industrial  
Relations Act, 1960

**Form of the statements to be submitted to the Registrar of  
Unions, every month as required under rule 20 of the Madhya  
Pradesh Industrial Relations Rules**

*Monthly statement under rule 19 of the Madhya Pradesh Industrial Relations Rules, 1960.*

Name of the undertaking : .....

Name of the trade : .....

Local area : .....

.....Month..... Actual number of employees employed  
on the first working day of this month as shown below:-

Serial No.	Name of the occupation	First Shift				
		Permanent	Substitute	Temporary	Others	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Second Shift				
Permanent	Substitute	Temporary	Others	Total
(8)	(9)	(10)	(11)	(12)

Third Shift						
Permanent	Substitute	Temporary	Others	Total	Grand total	Remark
(8)	(9)	(10)	(11)	(12)		

By Registered Post.

No ... .. Date ... ..

Forwarded to the Registrar of Unions, Madhya Pradesh, on... ..

Signature of employer.

**FORM H**  
(See rule 26)

**Application for recognition of Association of Employers**

Name of Association ..... Address ..... Dated, the  
..... day of.....

To,

The Registrar,  
Madhya Pradesh Industrial Relations Act.

Dear Sir,

I beg to inform you that at a meeting of the Managing Committee of this Association which was held at ..... on the day of..... it was decided that this Association should apply to the State Government for recognition as an association of employers for the ..... industry for the local area/areas of ..... for the purposes of the Madhya Pradesh Industrial Relations Act, 1960.

2. The Association has for one of its objects the regulation of the conditions of employment in the industry conducted or carried on by its members. The names of the members in the industry in the local area/areas for which the application is made together with their addresses are given in the Annexure attached to this application.

3. I enclose a copy of the Constitution/Memorandum of the Association.

Yours faithfully,  
Secretary.

**FORM I**  
(See rule 31)

**Notice of change to be given by an employer**

Name of employer..... Address.....

Dated, the ..... day of .....

To,

(The representative of employees)

Dear Sir/Madam,

In accordance with the provisions of sub-section ..... of section..... of the Madhya Pradesh Industrial Relations Act, 1960, I/We beg to inform you that it is my/our intention to effect the change/changes specified in the annexure to this letter.

Yours faithfully,

**Annexure Statement of the case.**

**FORM J'**  
(See rule 32)

**Notice of change to be given by employee to employer**

Name of the representative of employees .....

Address

Dated the ..... day of

To,

(The name of the employer)

Dear Sir/Sirs.

In accordance with the provisions contained in sub-section (2) of section 31 of the Madhya Pradesh Industrial Relations Act, 1960, I/we hereby beg to give you notice that I/we desire a change/changes specified in the Annex were to this letter.

Yours faithfully.  
Representative of employees

**Annex-Statement of the case.**

**FORM K**  
**(See rule 33)**

**IN THE LABOUR COURT AT...**

Application No.....of.....

Employer  
Name of the registered Union  
employee  
Labour Officer

Postal address.....

Applicant

Versus

Employer  
Name of the registered Union  
employee  
Labour Officer

Postal address.....

Opponent

In the Matter of.....

The applicant respectfully submits :-

- (1) That
- (2) That
- (3) That

The applicant, therefore, prays that the Court may be pleased to decide -

- (1)
- (2)
- (3)

The applicant begs leave to amend or add to or make alterations in the application if and when necessary.

Dated.....

Signature or thumb-impression of applicant.

The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information.

This verification is signed at.....on

Signature or thumb-impression of applicant.

**FORM L**  
**[See sub-rule (1) of rule 431**  
**Report of Industrial Dispute**

Name of employer.....

Name of the representative of employees.....

Address..... Dated the ..... day of.....

To,

The Conciliator for the local area for the industry concerned.



The Chief Conciliator, Madhya Pradesh Industrial Relations Act, The Registrar, Madhya Pradesh Industrial Relations Act,

Dear Sir,

In continuation of the copy of the notice which I/we forwarded to you on the.....day of..... I/we beg to inform you that it has not been possible to reach an agreement with the representative of employers (the name of the employer concerned) and that I/we still desire that the change/changes proposed by that notice should be effected.

2. A full statement of the case is given in the Annexure.

3 The number of employees likely to be affected by the dispute is

Yours faithfully,  
Representative of employees

Here insert the position which the person who signs this letter holds with the employer or association of employers.

**Annex-Full statement of the case.**

**FORM M**  
**(See rule 44)**

**Memorandum of Settlement**

(1) Representing Employers .....

(2) Representing Employees ..... Short recital of the case

Terms of settlement

Signature of the Conciliator

Signature of the parties with date.

**FORM N**  
**(See rule 45)**

This is to certify that there exists a dispute between-

.....Party No. 1

And

.....Party No. 2

in respect of the following matters -

(1)

(2)

(3)

(4)

(5) and that the dispute was submitted to me in Conciliation, and I am satisfied that the same is not capable of being settled by conciliation.

Conciliator  
Local area of.....

**FORM O**  
**(See rule 47)**

**IN THE HON'BLE INDUSTRIAL/LABOUR COURT, MADHYA**

## PRADESH AT MORE

In the matter of Arbitration under section 52.

Name of the parties to the dispute-

.....Representative Union Party 1

..... Party 2

Whereas Party No. 1 is the representative Union for the ..... Industry for the local area.....and whereas an Industrial dispute of the nature stated below exists between party Nos. 1 and 2, and whereas the said dispute cannot be settled in conciliation and whereas the said dispute is desired by part No. 1 to be referred to the Arbitration of the Hon'ble Industrial/Labour Court under Section 52 of the Act, party No. 1 states as under.

Nature of the dispute

Terms of reference

(1)

(2)

(3)

(4)

It is, therefore, prayed that the Hon'ble Court be pleased to give its award on the terms referred to above.

The certificate of conciliators is enclosed,

Secretary I Principal Officer of the  
Union, Party No. 1

Copy to the Chief Conciliator.

Copy to the Conciliator for the local area.

Copy to the Registrar. Trade Unions at.

['FORM 00'

[See sub-rule (1) of rule 48- A]

### Application for the Execution of a Decree

In the court of.....the undersigned decree holder, hereby apply for execution of the decree herein below set forth :-

No. of proceeding	Name of Party/Parties	Date of decree	Whether any appeal	Payment or adjustment made if any	Previous Application if any with
(1)	(2)	(3)	(4)	(5)	(6)

Amount of costs if any awarded	Against whom to be executed	Mode in which the assistance the Court is required
(7)	(8)	(9)

I pay that the total amount of (together within interest if any on principal sum up to date of payment) and the costs of taking Out of this execution be realized by the attachment and sale of opposite party's immovable property specified at the foot of this and paid to me.

I ..... declare that what is stated herein is true to the best of my knowledge and belief.  
Dated the ..... Day of.....

Signatures of Decree holder]

**FORM P**  
**(See rule 53)**  
**Summons to Witness**

**BEFORE THE LABOUR COURT INDUSTRIAL  
COURT/OR BOARD**

No. .... of .....

.....  
In the matter of  
**SUMMONS**

Whereas the above matter will be taken up for hearing at.....on .....in and whereas  
your presence is necessary; you are hereby **SUMMONED TO** appear in person before me at the  
aforesaid time and place and to give evidence, to answer all material questions and to produce all  
books, documents, etc., which may be in your possession or under your control and in any way  
relating to the matters in dispute, and to continue to remain present until you are discharged.

Seal

Presiding Officer of the Labour Court/  
Registrar, Industrial Court/Chairman, the  
Board of Arbitration.

No.....  
Office of the.....  
.....day of.....  
To,

**FORM Q**  
**[See Sub-rule (I) of rule 54]**  
**(Notice to file Written Statement in Application or Petition)**  
**BEFORE THE LABOUR COURT /INDUSTRIAL COURT/BOARD**  
**Application/Petition No ..... of 19 Reference**

(1) A  
(2) B  
(3) C

Applicants)  
Petitioner(s)

Address.....

Versus

(1) X  
(2) Y  
(3) Z

Opponent(s)

Address.....  
In the matter of.....

### NOTICE

Whereas ..... above named has filed.....in this Court/Board copy whereof is enclosed therewith, Notice is hereby given to you that if you so desire, two copies of your written-- statement of claim may be filed in this off icon or before ..... and that a copy thereof may be supplied to the above named and to inform the undersigned that this has been done.

2. The time and place of hearing will be announced later today, dated

Presiding Officer of the Labour Court/  
Registrar of industrial Court, Chairman, the  
Board of Arbitration.

### FORM R

(Sac rule 88)

#### Notice of Termination of Agreement/Settlement/Award

To,

Date.....

Dear Sir/Sirs.

I/We hereby give you notice that I/we propose to tenninate the Agreement/ Settlement/ Award dated .....regarding .....on the expiry of two months from the date of the notice.

Yours faithfully,

### APPENDIX

(To Industrial Relation Rules)

[See Sub-rule (1) of rule 86]

### FORM I

(Working Reduction and Addition of Department, Shifts and Workers)

1. Year and month
2. Name and Address of the Undertaking

#### Part I-Normal Working

1. Names of departments
2. Number of Shifts-
  - (a) departments having only one
  - (b) departments having two
  - (c) departments having three
3. Starting times of shifts
4. Closing times of shifts
5. Rest interval in each shift

#### Part II-Actual Working

6. Departments closed (give dates and reasons)
7. Departments re-opened or newly started (give dates and reasons).
8. Number of operative affected by 6 above.
9. Number of operatives acted by above

10. Shifts closed or partially closed (specify department, sections, dates • and reasons).
11. Shifts re-opened or partially reopened, or newly started (specify departments, sections, dates and reasons).
12. Number of operatives affected by 10 above
13. Number of operatives affected 11 above

### Part III

14. Operatives permanently or semi-permanently reduced (specify departments sections, shifts and reasons)
15. Operatives permanently or semi-permanently added (specify departments, sections, shifts and reasons).

(Signature)

Date

Designation.

Note.- For the purposes of this Form 'Operative' means an employee other than a clerk.

### FORM II (Stoppages)

Month.....year Name and Address of the Undertaking.....

Department (s) affected	Dates from	(inclusive) to	Number of working days in the period covered by column(3) red with column(2)	Reason
(1)	(2)	(3)	(4)	(5)

Number of operative affected			Increased (x) decreased(-) in the number of operative affected as shown in columns (6)&(7) date of which it occurred (according to shifts)
Directly	Indirectly	Total	
(6)	(7)	(8)	(9)

Compensation Paid		Number of operatives	Operatives laid off Reasons
Number of operative receiving	Amount		
(10)	(11)	(12)	(13)

Date

(Signature)

(Designation)

Note:- For the purpose of this Form operative means an employee other than a clerk.

\*This information should relate to the first day of the stoppage. Give variation, if any, in the numbers recorded in column (6) & (7) and specify the dates of these variations.

**FORM III**  
**(Attendance and Absenteeism)**

For the fortnight ending Saturday, the..... Name and Address of the Undertaking.....

Total number of operative by department and shifts	Total number of working day for the fortnight by department and shifts	Total number of holidays during the fortnight(including Sundays)	Number of operatives on leave of any kind including leave granted respectively	Total number of leave days during the fortnight excluding sundays and holidays
(1)	(2)	(3)	(4)	(5)

Daily muster of Attendance and Absenteeism						
Date	Attendance					
	permanent operatives	Badlis given work	Badlis not given work	Temporary operatives	Probationers	Apprentices
(6)	(7)	(8)	(9)	(10)	(11)	(12)

Daily muster of Attendance and Absenteeism-contd				
Leave				
Permanent operatives	Badlis	Temporary operatives	Probationers	Apprentices
(13)	(14)	(15)	(16)	(17)

Daily muster of Attendance and Absenteeism-contd				
Absent				
Permanent operatives	Badlis operatives	Temporary	Probationers	Apprentices
(18)	(19)	(20)	(21)	(22)

Date

(Signature)

(Designation)

Note(1).- In column (5) enter the total number of days for which each operative was on leave during the fortnight.

Note(2)-For the purpose of this Form 'Operative' means an employee other than a clerk.

### FORM W (Employment)

Name and address of the Undertaking.....

Year and Month	Total number of operatives on the muster roll	Total number of operatives required to run the undertaking at full capacity	Total number of operatives at the beginning of the month(1st day)according to shifts
(1)	(2)	(3)	(4)
			1st 2nd 3rd

Total number of operatives discontinued	Number of operatives recruited roll	Total number of operatives reinstated	Total number of operatives at the end of the month (last day) according to shift
(1)	(2)	(3)	(4)
			1st 2nd 3rd

Date

(Signature)

(Designation)

Note 1-For the purpose of this Form, 'operative' means an employee other than a clerk.

Note 2,-Here enter the number of operative required for optimum production irrespective of availability of Material, Trade reasons and other circumstances that the undertaking is capable of.

### FORM V (Wages)

Month..... Year.....

Name and Address of the Undertaking.....

Total number of operatives on muster roll	Date of pay days	Number of employees who actually received wages	Cash	Total wage paid in otherwise than in cash (grain, cloth, accommodation etc.) (state kind & value)
(1)	(2)	(3)	(4)	(5)

Details and Dates of wage payment-contd Wages due but not paid or not claimed		Total wage bill for the month (total of column (4), (5), (6) and (7), (8))	Remarks
Cash	Otherwise than in cash		
(6)	(7)	(8)	(9)

Date

(Signature)

(Designation)

Note.-In columns (5) and (7) if accurate figures are not available, enter approximate ones. Method of calculation adopted should be indicated in column (9).

### FORM VI (Welfare)

Mouth ..... Year.....

Name and Address of the Undertaking .....

1. Medical attention—
  - (a) Average daily attendance at dispensary
  - (b) Medical Officer-
    - (i) Full time
    - (ii) Part time
    - (iii) Total number of hours during the month put in by the Medical Officer at dispensary.
  - (c) Whether fees charged; if so mention rates and total amount collected during the month.
  - (d) Details of any industrial health enquiries conducted by the Medical Officer.  
(These may be given on a separate sheet attached to this Form)
2. Safety measures Introduced\* Discontinued\* \*Give details
3. Amenities-
 

	Working order	Actual use
(a) Drinking water taps		
(b) Washing water taps		
(c) Dining sheds		
(d) Rest sheds		



- (e) Latrine seats (i) for males (11) for females
- (f) Urinals-
  - (i) for male
  - (ii) for female
- 2. Aggregate daily attendance at creche  
Staff attending to your creche-
  - (i) (ii) (iii) (iv) (v)
- 3. Aggregate daily attendance at your school (if any) :-  
Total teaching staff
- 4. Library, (if any)-
  - (i) Total number of books
  - (ii) Number of books borrowed during the month
  - (iii) Number of periodicals available-
    - (a) Dailies (b) Weeklies (c) Monthlies
- 5. Other amenities (Give details)
- Date

(Signature)

(Designation)

### FORM VII (Canteens)

Year.....

Name and address of the Undertaking .....

- 1. Total floor area
- 2. Kitchen area
- 3. Total seating capacity
- 4. Number of chairs
- 5. Number of benches
- 6. Average number of persons using the canteen each month
- 7. List of eatables and drinks normally supplied(mention amount charged for each)—
  - (a).... ....
  - (b).... ....
  - (c).... ....
  - (d).... ....
  - (e).... ....
  - (f).... ....
  - (g).... ....
  - (h).... ....
  - (i).... ....
- 8. Do you supply regular means ? If so, indicate the dishes below—
  - (a).... ....
  - (b).... ....
  - (c).... ....
  - (d).... ....
  - (e).... ....
- 9. Cost of a regular meal
- 10. Number of meals that be supplied by .  
your canteen per hour

Date

(Signature)

(Designation)

**FORM VIII**  
**(Premises)**

Name and Address of the Undertaking

Quarter ending ..... Year.....

- i. Total area covered by your industrial premises.
- ii. Total area occupied by factory structures,
- iii. Total area not built upon
- iv. Total area occupied by.
  - (a) Dispensary
  - (b) Canteen
  - (c) Wash-places
  - (d) Toilet facilities
  - \*(e) Library and Reading Room
  - \*(f) School
  - (g) Creche
  - (h) Any other amenities (specify)
- v. Housing, (provided by employer/s)-
  - (a) Number of chawis and distance from factory.
  - (b) Whether electricity provided: if so, what extra rent or charge, if any, is levied-
    - (i) per one-room tenement
    - (ii) per two-room tenement
  - (c) Sanitary arrangements : type of latrines provided.
  - (d) Total area of all accommodation
  - \*(e) Number of two-room tenements and area thereof.
  - \*(f) Number of one-room tenement and area thereof,
  - (g) Rate per month
    - (i) per single room
    - (ii) per two-room
  - (h) Total number of persons occupying two-room tenements,
    - (i) Total number of persons occupying one-room tenements,
  - (j) Number of outsiders other than your-

- own workers residing in your chawis.
- (k) Number of-  
 Latrines      Urinals Water taps Washing  
 places  
 (i) Single-room tenements  
 per floor,  
 (ii) Two-room tenements

Date

(Signature)

(Designation)

\*If any

### FORM IX (Rationalization, Usages Rules)

Name and Address of the Undertaking

Quarter ending ..... Year.....

During the quarter under reference

- (1) Have you introduced any reference:-  
 or efficiency methods in the  
 undertaking ? If so, give details.
- (2) Have any customary concessions or  
 privileges been withdrawn or any  
 changes in usages been introduced in  
 the undertaking? If so, give details.
- (3) Have any new rules of discipline been  
 introduced or any alteration in existing  
 rules made, if so, give details.

Date

(Signature)

(Designation)

### FORM X (Machinery)

Year .....

Name and address of the Undertaking .....

Departments	Types of Machine(Give full details)	Number of Manufacture	Year of	Remarks
(1)	(2)	(3)	(4)	(5)

Date

(Signature)

(Designation)

### FORM XI (Machinery Production)

Year.....

Name and Address of the Undertaking

#### I

Department	Number of Machines	Number of Machines not working	Reasons for remaining idle	Remarks
(1)	(2)	(3)	(4)	(5)

#### II

If any change has occurred during the year in any of the items specified in Form XI, give fill details of each such change.

#### III

State the strength of the special leaning staff, if any, employed to clean your machines, and give brief details of their duties.

#### IV

How many looms per weaver?

How many sides per sider?

Date

(Signature)

(Designation)

### FOR XII (Production, Transactions and Dealings)

[For Textile Industry only]

Name and address of the undertaking

- A.-State (1) Number of counts spun during the month  
(2) Varieties of counts spun during the month, in form below: -

Varieties of count spun	Production (quantity)	Cost of Production upto spindle point	Cost of mixing per lb. upto spindle spun
(1)	(2)	(3)	(4)

- (a) Warp  
(b) Weft

B. State—

- (a) Total poundage of yarn sold in th.-open market for-  
(i) Gray  
(ii) Bleached  
(iii) Dyed  
(b) Total poundage consumed in the Weaving Department Cost per lb. of dyed and bleached yarn in the each count produced.

C. State— the varieties of cloth produced, the total poundage of each varieties and cost of production per lb. in the form shown below:-

Varieties of cloth	Amount of production in lb	Cost of production per lb. upto bailing
(1)	(2)	(3)

D. Have you a system of selling your production through guaranteed brokers for

- (a) yarn, and  
(b) cloth ? If so, please give their names and address.

E. (i) What is your system in making purchases of -

- (a) Machinery  
(b) Cotton  
(c) Stores

(ii) Is there any commission or rebate received against any of these purchases ? If so, please state the amount received during the month and the manner in which it is credited.

- (a) Total waste produced from Blow room to spinning.  
(b) Total waste produced from winding to weaving.  
(c) Total fonts and rags produced in weaving, dying and finishing.  
(d) Total weight of all varieties of waste produced.

F. Particulars of Managing Agency terms.

G. Details and percentages of overhead charges which are not included in the cost of production.

Date

(Signature)

(Designation)

FORM XIII

**(Production, transaction and dealings)  
(For other Industries)**

Name and address of the undertaking

A- Give information in the following proforma-

Serial No.	Varieties of articles produced including bye-products, if any	Quantity of the product during the month	Cost of production
(1)	(2)	(3)	(4)

- B. Have you a system of selling your production through guaranteed • brokers? If so, please give their names and addresses.
- C. (1) What is your system in making purchases of-
- (a) Machinery
  - (b) Raw Material
  - (c) Other material for Stores
- (2) Is there any commission or rebate received against any of these purchases? If so, please state the amounts received during the month and the manner in which it is credited.
- D. Particulars of Managing Agency terms
- E. Details of percentages of overhead charges which are not included in the cost of production.

Date

(Signature)

(Designation)

**FORM XIV**

Page No.

**List of Permanent\*/Badli/Temporary**

Operatives employed in the ..... Mill in the month of

Occupation.....

Serial No.	Name of worker	Age	Sub-occupation	Ticket No.
(1)	(2)	(3)	(4)	(5)

Shift in	Remarks [Not to be filled by Mills]	Muster Register No. (not to be filled by Mills)
(6)	(7)	(8)

\* Separate statement should be submitted for each category of workers.

**FORM XV**

**List of Permanent\*/Badli/Temporary  
Operatives in respect of change in the rolls that have been effected.**

Undertaking.....

Name.....

Address.....

Details regarding changes for the Week/fortnight/Month ending the..... 19.....

Page No.	Serial No.	Name of the employee and Local Address	Occupation and Sub-occupation	Ticket No.
(1)	(2)	(3)	(4)	(5)

Shift No. in month of	Nature of change	Date of change	Service certificates issued or not	Remarks
(6)	(7)	(8)	(9)	(10)

\*Separate statement should be submitted for each category of workers.

#Occupation should be shown in symbols.

Use following symbols :-

Discharged: I. Dismissed: D. Left of His own accord-

L. Retrenched: R. Sent away: S. Died: Died.

**FORM XVI  
(Anticipated closure)**

- (1) Name and address of the undertaking
- (2) Number of shifts for which each department is being worked at present together with the number of employees.
- (3) Stock of coal (in tons and Kwts)
  - (i) held on the date of report
  - (ii) average monthly consumption
- (4) Supply of electric power (state briefly whether the supply is adequate for running the usual number of shifts).
- (5) Supply position of raw material (if there is shortage of any raw material, it should be specified clearly stating reasons for the shortage and the quantity required immediately to maintain continuous production).
- (6) Stock of cotton in bales of 400 lb.-
  - (i) Held on the date of report
  - (ii) Average monthly consumption.

**INDUSTRIAL COURT FORMATION OF  
BENCHES RULES 1964**

*[Notfn. Published in MR Rajpatra Pt.4 (Ga), dated 14.8.1964. p.329 as amended by Industrial Court on 27th July, 1964 which came into force on 1. 8.1964]*

In exercise of the powers conferred by sub-section (6) of section 9 of the Madhya Pradesh Industrial Relations Act, 1960 (Act No. 27 of 1960), the Industrial Court for the State of Madhya Pradesh, hereby makes the following rules:

1. These rules may be called the "Industrial Court Formation of Benches Rules, 1964".

2. (1) In these rules unless the subject or context otherwise requires,—

- (a) 'Act' means the Madhya Pradesh Industrial Relations Act, 1960 (Act No. 27 of 1960);
- (b) 'Bench' means a bench constituted under these Rules;
- (c) 'Court' means the Industrial Court as constituted under section 9 of the Act;
- (d) 'Matter' means any application, appeal, petition, references submission filed in or made to the Industrial Court under the provisions of the Act;
- (e) 'Member' means a member of the Industrial Court and includes the President;  
'Party' means the applicant, petitioner, appellant, opponent, respondent, any employer or employee concerned in any application, petition, appeal, submission or reference;
- (g) 'Petition' means any petition made to the Court under the Act or these rules;
- (h) 'President' means the President of the Industrial Court;
- (i) 'Section' means a section of the Act.

(2) Words and expressions not defined in these rules shall have the meanings assigned to them under the respective Acts.

3. The President may constitute a Bench of one or more members to decide any of the matters filed in or referred to the Court and the Bench so constituted shall exercise the jurisdiction and the powers vested in the Court.

4. The following matters shall ordinarily be heard and disposed of by Bench consisting of two members-

- (i) appeal under clause (a) of sub-section (1) of section 65;
- (ii) appeal under clause (b) of sub-section (1) of section 65;
- (iii) appeal under clause (c) of sub-section (1) of section 65;
- (iv) references on point of law or interpretation of the Act and rules under section 70;
- (v) contempt of Industrial Court and of Labour Court under section 105.

5. Save as otherwise provided by law or these rules or of the President, all matters shall be heard: she/ Men.

6. Notwithstanding anything contained in these Rules and sitting alone in the long vacation as vacation Judge may exercise any or all the powers of the Industrial Court.

- 7. (i) A member sitting alone may refer any proceeding pending before him to the President with a recommendation that it be placed before a Bench of more than one Member when it involves a question of law or difficulty or importance.  
(ii) In the proceedings referred to in sub-rule (1) the referring member may refer a stated question or questions or may ask that the proceedings be heard and decided by the Bench to which it is referred. If he refers a stated question or questions he shall dispose of the proceedings in accordance with the decision of the Bench on the question or questions referred to it.

- 8. (i) A member sitting alone may refer any proceeding pending before him to the President with a recommendation that it be placed before a Bench of more than one member, if he considers that the decision in the proceeding involves reconsideration of a former decision of a member sitting alone.  
(ii) In the proceedings referred to in sub-rule (1) the referring member shall refer a stated question or questions and shall dispose of the proceedings in accordance with the decision of the Bench on the question or questions referred to it.

9. If at any time the President or the member is unable to function for any reason whatsoever then notwithstanding anything contained in these rules, the President or the member alone, as the case may be, shall have all the powers vested under these Rules in a Bench of more than one member.

10. An application for review under section 71 shall ordinarily be disposed of by the same Bench which heard the original matter sought to be reviewed, provided, however, that if any member or members of the Bench which disposed of the original matters has or have ceased to be a



member or members of the Court, it shall be disposed of by a Bench consisting of the same number of members as the Bench which made the order sought to be reviewed.

11. The President may by order in writing direct that any matter, dispute or business cognizable by the Court, or pending before the Court shall be distributed amongst him and the member or members in such manner as he thinks fit.

#### NOTIFICATIONS

*Notification No. 4(e)-8-95-XVI-A dated the 2nd September 1995-* In exercise of the powers conferred by sub-section (1) of Section 3 and sub-section (1) of Section 4 of Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960) and in suppression of all the previous notifications in this respect, the State Government hereby appoints Shri Amar Singh to be the "Commissioner, of Labour" and "Chief Conciliator" respectively for the State of Madhya Pradesh.

[Published in MR Rajpatra Part I dated 15-9-95 Page 1513].

*Notification No. 4(E)-12-95-XVI-A dated the 4th March, 1997-* In has become necessary to appoint the Additional Presiding Officers for the various Labour Courts Constituted under Section 8 of the powers conferred under Industrial Relation Act, 1960 the State Government hereby appoints the following Additional Presiding Officers as shown in column No.3 of the table below as Additional Presiding Officers of the Labour Courts shown in column No. 2 of the table below against their names, with retrospective effect from the date of taking over the charge by them of the Labour Court concerned:

Provided that these Additional Presiding Officers will perform the Judicial work as Additional Presiding Officers of the Labour Courts as shown in Column No. 2 of the table only as per the direction of the President, Industrial Court Madhya Pradesh, Indore issued from time to time and will hear and decide only those cases which have been made over to them under the orders of the President, Industrial Court, Madhya Pradesh, Indore.

Table

S.No.	Name of Labour Court	Name of Additional President Officers appointed on contract basis
1.	Labour Court No. 1&2, Bhopal	Shri A.V.S Choudhary, Retd. District & Session Judge
2.	Labour Court No. 1,2&3, Gwalior	Shri Shanti kumar Jain, Retd. District & Session Judge
3.	Labour Court, Ujjain & Labour Court, Indore	Shri R.N Shirpurkar , Retd. District & Session Judge
4.	Labour Court, Jabalpur	Ku. Prabha Sharma, Retd. District & Session Judge

*Notification No. F 4(E)-1-98-XVI-A dated the 20th January, 1999—* In exercise of the powers conferred by clause (2) of Section 2 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government hereby, makes the following amendment in this department Notification Number 4(E)-8-75-Labour-XVI, dated the 30th June, 1975, namely

#### Amendment

In the said notification, for the word "Khachrod" wherever it occurs the word Nagda" shall be substituted.

[Published in MR Rajpatra Part I dated 29-1-99 Page 156-57].

*Notification No. F 4(E)-1-98-XV7-A dated the 24th March, 1999—* In exercise of the powers conferred by clause (23) of Section 2 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government hereby, makes the following amendment in this Department

Notification Number F. 4(E)-i -98-XVI-A, dated the 20th January, 1999 published in Part I of the "Madhya Pradesh Gazette" dated the 29th January 1999, namely  
[Published in MR Rajpatra Part I dated 9-4-99 Page 591].

Notification No. F-4(E)-2-XVI-A-2002 dated the 7th December, 2002— In exercise of the powers conferred by sub-section (1) of Section 8 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government hereby makes the following amendment:  
Notification No. 4073-1960-83-SVI-A, dated the 11th August, 1983

#### Amendment

In the said notification for the words and figure "Labour Court. No. 3 Gwalior" wherever they occur the words "Labour Court, Guna" shall be substituted.

[Published in MP Rajpatra Part I dated -12-20302P 1111].

Notification No. F 4(E)-8-2001-XVJ-A dated the 14th June, 2002— In exercise of the powers conferred by sub-section (1) of Section 3 and sub-section (1) of section 4 of Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960) and in supersession of all previous notifications on the subject. State Government hereby appoint Shri A.P. Shrivastava to be the "Commissioner of Labour" and "Chief Conciliator" respectively for the State of Madhya Pradesh.

[Published in MR Rajpatra Part I dated 14-06-2002 Page 505]

Notification No. F4 (E) 1-2002-XVI-A dated the 19th May, 2003— In exercise of the powers conferred by sub-section (1) of Section 8 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government withdraws the local area comprised within the limits of Harda Revenue District from the Jurisdiction of Labour Court No. 2, Bhopal and includes it in the Jurisdiction of Labour Court, Hoshangabad.

[Published in MR Rajpatra Part I dated 19-05-2003 Page 551].

Notification No. 1(A) 10-2004-A-XVJ dated the 12th July, 2004- In exercise of the powers conferred by sub-section (1) of Section 9 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government hereby appoints Justice Shri S.P. Khare, Judge of the Madhya Pradesh High Court, as President of the Madhya Pradesh Industrial Court with effect from the date, he takes over charge.

[Published in MR Rajpatra Part I dated 12-07-2004 Page 579].

Notification No. F 4-E-2004-A-XV dated the 27th May, 2005- in exercise of the powers conferred by sub-section (6) of Section 9 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the Industrial Court for the State of Madhya Pradesh, hereby makes the following Rules, namely:-

1. Short title and commencement.- (1) These Rules may be called the "Industrial Court Formation of Benches Rules, 2005."

(2) They all come into force with effect from the date of their publication in the Madhya Pradesh Gazette.

2. Definitions.- In these rules, unless the subject or context otherwise requires,-

- (a) "Act" means the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960);
- (b) "Bench" means a bench constituted under these rules;
- (c) "Court" means the Industrial Court as constituted under Section 9 of the Act;
- (d) "Matter" means any application, appeal, petition, reference case or submission filed in or made to the Industrial Court under the provision of the Act;
- (e) "Member" means a member of the Industrial Court and includes the President;
- (f) "Party" means the applicant, petitioner, appellant, opponent, respondent any employer or employee concerned in any application petition, appeal, submission or reference;
- (g) "Petition" means any petition made to the court under the Act of Rules;
- (h) "President" means the President of the Industrial Court;
- (i) "Section" means a section of the Act;

- (j) Words and expressions not defined in these Rules, so have the meanings assigned to them under the respective Act,

3. The President may constitute a Bench of one or more members to decide any of the matters filed in or referred to the Court and the Bench so constituted shall exercise the jurisdiction and the powers vested in the Court.

4. The following matters shall ordinarily be heard and disposed of by a Bench consisting of two or more members:-

- (i) appeal under clause (b) of sub-section (1) of Section 65;
- (ii) appeal under clause (c) of sub-section (1) of Section 65;
- (iii) appeal under clause (d) of sub-section (1) of Section 65;
- (iv) reference on point of law or interpretation of the Act or rules under Section 70 of the Act;
- (v) contempt of Industrial Court and "Labour Court under Section 105";

5. Save as otherwise provided by law or these Rules or by general or special order of the President, all matters shall be heard and disposed of by a Bench of one member.

6. Notwithstanding anything contained in these Rules, a member sitting alone in the long vacation as vacation Judge may exercise any or all of the powers of the Industrial Court.

7. (1) A member sitting alone may refer any proceedings pending before him to the President with a recommendation that it be placed before a Bench of more than one Member when it involves a question of law of difficulty or importance.

(2) In the proceedings referred to in sub-rule (1) the referring member may refer stated question or questions or may ask that the proceedings be heard and decided by the Bench to which it is referred. If he refers a stated question or questions he shall dispose of the proceedings in accordance with the decision of the Bench on the question or questions referred to it.

8. (1) A member sitting alone may refer any proceeding pending before him to the President with a recommendation that it be placed before a Bench of more than one member, if he considers that the decision in the proceeding involves reconsideration of former decision of a member sitting alone.

(2) In the proceedings referred to in sub-rule (1) the referring member shall refer stated question or question and shall dispose of the proceeding in accordance with the decision of the bench on the question or question referred to it.

9. If at any time the President or the member is unable to function for any reason whatsoever, then notwithstanding anything in these Rules the President or the member alone, as the case may be, shall have all the powers vested under these Rules in a Bench of more than one member.

10. An application for review under Section 71 shall ordinarily be disposed of by the same Bench which heard the original matter sought to be reviewed however that if any member or members of the Bench which disposed of the original matter has or have ceased to be member or members of the court by retirement, transfer or otherwise, it shall be disposed of by a Bench consisting of the number of members as the Bench which made the order sought to be reviewed.

11. The President shall have powers to distribute the work amongst the Member Judges and shall have all such powers to make over or recall or transfer any case suo moto or on application for disposal in accordance with law.

12. Repeal and Saving.— Industrial Court Formation of Bench Rules, 1964, are hereby repealed in respect of matters covered by these rules;

Provided that any order made or action taken under the Rules so repealed; shall be deemed to have been made or taken under the corresponding provisions of these rules.

[Published in M.P Rajpatra (Asadharan) dated 27-05-2005 Pages 444 (1-2)].

Notification No F 6-15-04-A-XT17 dated the 10th October, 2005— In exercise of the powers conferred by sub-section (3) of Section 1 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government hereby makes the following amendment in this department's Notification No. 9952-XVI, dated the 31st December, 1960, namely

### **Amendment**

In the said notification, in the schedule, the serial numbers 1, 2, 3, 4, 7, 10, 15 and 16 and entries relating thereto shall be omitted.

[Published in M.P. Rajpatra Part I dated 10-10-2005 Page 1015].

**Notification No. F. 6-5-07-A-XVI, Dated the 14th August, 2007**— In exercise of the powers conferred by sub-section (4) of section 1 of the Madhya Pradesh—Industrial Relations Act, 1960 (No. 27 of 1960), the state government hereby directs that the provision of said Act shall not apply to the industries specified in the schedule below, however the said omission shall not affect the cases pending before the Labour Court, industrial court or before and other court of law and such cases shall be disposed of or proceeded with as such items had not been omitted namely

### **Schedule**

<b>S.No.</b>	<b>Name of Industries</b>
<b>1.</b>	<b>Textiles, including cotton, silk, artificial silk, staple fibre, jute and carpet.</b>
<b>2.</b>	<b>Iron and Steel.</b>
<b>3.</b>	<b>Electrical goods.</b>
<b>4.</b>	<b>Sugar and its by product including:- (i) The growing of sugar cane on farms belonging to or attached to concern engaged in manufacture of sugar, and. (ii) All agriculture and industrial operations connected with the growing of sugar cane or the said manufacture.</b>
<b>5.</b>	<b>Cement.</b>
<b>6.</b>	<b>Electricity generation transmission and distribution.</b>
<b>7.</b>	<b>Public Motor Transport.</b>
<b>8.</b>	<b>Engineering including manufacture of motor vehicle.</b>
<b>9.</b>	<b>Potteries including refractory, goods fire bricks, sanitary wares, insulators tiles stone, ware pipes, furnace lining bricks and other ceramic goods.</b>
<b>10.</b>	<b>Chemical and chemical products industry.</b>
<b>11.</b>	<b>Leather and tanneries, including leather products.</b>

The Notification shall come into force from the date of its publication in the official Gazette.

[Published in M.P. Rajpatra Part I dated 17-8-2007 Page 2137]

**Notification No. 2180-1414-07-A-XVI, dated the 9th October, 2007**— In exercise of the powers conferred under section 8-A of the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960) the State Government hereby appoints the presiding officers of the 'Labour Courts to be Additional presiding officers for all the other Labour Courts except the Labour Courts to which they are posted as—presiding officers. These Additional presiding officers will do the judicial and others work assigned to them by the president of the industrial court.

[Published in M.P. Rajpatra Part I dated 2-11-2007 Page 2626]