

THE RAJASTHAN INDUSTRIAL DISPUTES

RULES. 1958

(AS AMENDED UP-TO-DATE)

CONSPECTUS

NOTIFICATION

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THE RAJASTHAN INDUSTRIAL DISPUTES RULES, 1958.

[Notification, No. F. 1 (44) Lab./56. dated 4-6-1958, published in Rajasthan Gazette, Part IV-C, dated 17-7-1958]

NOTES

Section 38 of the Industrial Disputes, Act, 1947 authorizes the appropriate Government to make rules for the purpose of giving effect to the provisions of the Act. Sub-section(2) of section 38 requires that, without prejudice to the Generality of this power, such rules may provide for all or any of the following matters:—

(2) In particular and without prejudice to the generality. of the foregoing power, such rules may provide for all or any of the following matters, namely :

(a) the powers and procedure of Conciliation Officers, Boards, Courts, Labour Courts, Tribunals and National Tribunals including rules as to the summoning of witnesses,

the production of documents relevant to the subject matter of an inquiry or investigation, the number of members necessary to form a quorum and the manner of submission of reports and awards;

(aa) the form of arbitration agreement, -the manner in which it may be signed by the parties, the powers of the arbitrator named in the arbitration agreement and the procedure to be followed by him; -

(aaa) the appointment of assessors in proceedings under this Act;

(b) the constitution and functions of and the filling of vacancies in Works Committees and the procedure to be followed by such Committees in the discharge of their duties;

(c) the allowances admissible to members of Courts and Boards and presiding officers of Labour Courts, Tribunals and National Tribunals and to assessors and witnesses;

(d) the ministerial establishment which may be allotted to a Court, Board, Labour Court, Tribunal. or National Tribunal and the salaries and allowances payable to members of such establishments;

(e) the manner in which and the persons by and to whom notice of strike or lockout may be given and the manner in which such notices shall be communicated:

(f) the conditions subject to which parties may be represented by legal practitioners in proceedings under this Act before a Court, Labour Court Tribunal or National Tribunal;

(g) any other matter which is to be or may be prescribed. :

Sub-section (3) of section 38 of the Act further provides that rules framed under this section may provide that a contravention thereof shall be punishable with fine not exceeding fifty rupees.

The words "appropriate Government" have been defined, in clause (a) of section 2 of the Act, as under: —

(a) "appropriate Government" means—

(i) in relation to any industrial concerning any industry carried-on by or under the authority of the Central Government or by a railway company or concerning any such controlled industry as may be specified in this behalf by the Central Government or in relation to an industrial dispute concerning a banking or an insurance company, a mine, an oil field, or a major port, the Central Government, and

- (ii) in relation to any other industrial dispute, the State Government:

The present rules have been framed by the State Government of Rajasthan in exercise of the powers conferred on the appropriate Government as above.

In exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the State Government hereby makes the following Rules the same having been previously published, namely :—

THE RAJASTHAN INDUSTRIAL DISPUTES RULES, 1958.

Preliminary

1. Title and application — (1) These rules may be called the Rajasthan Industrial Disputes Rules, 1958.

(2) They shall come into force on such *date as the State Government may be notification in the Official Gazette appoint in this behalf.

Notification No. F..1. (44) Lab./56 dated November 8, 1968.

In pursuance of sub-rule (2) of rule 1 of the Rajasthan Industrial disputes Rules. 1958 the Government of Rajasthan hereby appoints 1st December, 1958, as the date on which the said rules shall come into force. ,

[Pub. in Raj. Gaz., Part IV-C, dated 27-11-1958 at page 1226.)

2. Interpretation.—in these rules. unless there is anything repugnant in the subject Or Context:—

(a) "Act means the Industrial Disputes Act, 1947 (14 of 1947);

(b) "Chairman" means the Chairman of a Board or Court or if the Court consists of one person only, such ¹(person);

(c) 'Committee' means a Works Committee constituted under sub- Section (1) of section 3 of the Act:

*Came into force w.e.d. 1-7-1960 vide Notification No 516/F. 3(21) Lab. 50 dated 24-6-1960, published in Raj Gaz. part IV-C, Extraordinary, dated 27-6-1960

¹Substituted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

(d) "Form" means a form in the Schedule to these rules:.

(e) "Section" means a section of the Act;

²((f) "Schedule" means a Schedule annexed to the Act.)

²[(g)] With reference to clause (g) of section 2 it is hereby prescribed that in relation to an industry carried on by or under the authority of a Department of the State Government, the Officer-in-charge of the Industrial Establishment shall be the "employer" in respect of that establishment.

PART I

NOTES

Sub-sec. (1) of sec. 10 of the Act requires the reference of industrial disputes to Boards, Courts or Tribunals. The sub-section reads as under—

(1) Where the appropriate Government is of Opinion that any industrial dispute exists or is apprehended, it May at any time, by order in writing—

(a) refer the dispute to a Board for promoting a settlement thereof; or

(b) refer any matter appearing to be connected with or relevant to the dispute to court for inquiry; or

(c) refer the dispute or any matter appearing to be connected with, or relevant to the dispute, if it relates to any matter specified in the second schedule, to a labour court for adjudication: or

(d) refer the dispute or any "matter appearing to be connected with or relevant to, the dispute, whether it relates to any matter specified in the second schedule or the third schedule to a tribunal for adjudication:

Provided that where the dispute relates to any matter specified in the Third Schedule and is not likely to affect more than one hundred workmen, the appropriate Government may, if it so thinks fit, make the reference to a Labour Court under clause (c) :

²Renumbered & ins.vide Notification No F. 3(31) Lab/ 62 dated 21-10-1963, published in Raj Gaz. Part IV-C, ordinary, dated 5-12-1963.

Provided further that where the dispute relates to a public utility service and a notice under section 22 has been given, the appropriate Government shall, unless it considers that the notice has been frivolously or frivolously given or that it would be inexpedient so to do. make a reference under this sub-section notwithstanding that any other proceedings under this Act in respect of the dispute may have commenced.

Sub-section (2) of the same section requires that

(2) When the parties to an industrial dispute apply in the prescribed manner, whether jointly or Separately, for a reference of the dispute to a Board, Court, Labour Court, Tribunal or National Tribunal the appropriate Government, if satisfied that the persons applying represent the majority of each party, shall make the reference according.

Rules 3 and 4 in this part Prescribe the procedure for making applications under sub-section (2) of section 10 of the Act. The rules 5 and 6 in this part prescribe the steps to be taken by the Government while making a reference as required under sub-section (1) of section 10 of the Act.

¹**(2A. Register of representative Unions.**—The Register Of representative unions shall be in Form 1, Appended to these rules.

(2) The application for registration of UNION as a representative union shall be in Form 2, appended to these rules.

2B. Union's approach to Registrar.—Every union approaching 'the Registrar appointed under section 3A of the Act, for registration as a representative union under section 9D of the Act, shall be required to deposit s fee of Rs. 10/- alongwith such application for registration.

2c. Ascertaining the membership of Unions.—(1) For ascertaining the membership of unions for the Purposes of Ss. 9E, 9F, 9G or 9H, the Registrar shall hold an inquiry in the manner hereafter provided.

(2) The Registrar shall fix a date for holding an. inquiry to ascertain such membership and shall give fifteen day's notice thereof to the union or unions concerned.

(3) On receipt of such notice, such union may submit its objections, if any, to the Registrar in writing in duplicate and shall also produce before the Registrar, the following documents:

(a) Membership Register;

¹Inserted by Notification No D. 4638/F. 3(21)/59/ dated 24-6-1960, published in Raj Gaz. Part IV-C, Ext.ordinary, dated 27-6-1960.

- (b) Counterfoils of receipts of subscription for three calendar months immediately preceding the calendar month, in which the application is made;
- (c) Minute Book;
- (d) Cash Book;
- (e) Bank Pass Book, if any;
- (f) An audited statement of membership for each of the three calendar months, immediately Preceding the calendar months, in which the application is made: and
- (g) Such other documents as the Registrar may, from time to time, direct the course of an inquiry.

(4) Every such objection shall be accompanied by 8 deposit of Rs. 5/- . -

(5) Where the union, to whom notice has been given under sub-rule (2), fails to be present before the Registrar on the date fixed for the inquiry or fails to produce the documents, as required by sub-rule (3), then:—

- (a) If such union is an applicant, the Registrar may dismiss the application; and
- (b) If such union is not an applicant the Registrar may produce with the inquiry ex- parte:

Provided that on sufficient cause being shown by the union, whose application has been dismissed, the Registrar may set aside the order of dismissal and fix a date for holding the inquiry.

(6) The documents produce at the inquiry, by the union shall be opened to inspection to other unions, who may be party to the inquiry, for a period of ten days from the date of their production or for such other period as the Registrar may allow.

(7) The Registrar may adopt such sampling method as he may deem fit in verifying the membership register of union.

(8) Where in respect of objections raised against the membership of union, the number of witnesses to be examined is very large, the Registrar may, examine such number of witnesses as he may determine: by adopting such sampling method as the Registrar may deem fit. The Registrar may, with the consent of the parties; examine the witnesses in camera.

(9) If, in the course of the inquiry, the Registrar comes to a conclusion that an objection raised against the membership of 'the: union was frivolous or vexatious, he may impose a fine not exceeding Rs. 5/- for every such objection.

2-D. Application for Registration of Union—On being satisfied that the application submitted by an applicant union is perfectly in order, the Registrar shall issue a certificate to such union in Form 3 appended to these rules.

2-E. Fee for—The application and fee under section 9-G of the Act, shall be the same, as Prescribed under rule 2-A(2) and 2-8 above.

2-F. Publication.—An application made under section 9-G shall be sent for publication in the State Gazette immediately on receipt in the office of the Registrar in Form 4 Appended to these rules, so that its brought to the notice of all concerned, not less than fourteen days before the expiry of the period of notice prescribed, under sub-section (1) of section 9-G.

2-G. Order and procedure—Every order passed under section 9-E or section 9-F or section 9-G and every order passed in appeal under section 9-1 shall be published in the State Gazette, for information of the concerned persons.

Procedure for reference of industrial disputes to Board of Conciliation Courts of Enquiry, Labour Courts, Industrials or National Tribunals.

3. Application.—An application under sub-section (2) of section 10 for the reference of an industrial dispute to a Board, Court, Labour Court, Tribunal or National Tribunal shall be made in Form A and shall be delivered personally or forwarded by registered post in triplicate to the Secretary to the Government of Rajasthan Labour Department, Jaipur. The application shall be accompanied by a Statement setting forth—

- (a) the parties to the dispute. :
- (b) the specific matters in dispute.
- (c) the total number of workmen employed in the undertaking affected;
- (d) an estimate of the number of workmen affected or likely to be affected by the dispute; and -
- (e) the efforts made by the parties themselves to adjust the dispute.

4. Attestation of application.— The application and the statement accompanying it shall be signed

- (a) in the case of an employer by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of the Corporation.

(b) in the case of workmen, either by 'the President and Secretary of State union of the workmen, or by five representatives of the workmen duly authorised in this behalf at a meeting of the workmen held for the purpose.

5. Notification of appointment of Board Court, Labour Court Tribunal or National Tribunal.-- The appointment of a Board Court, Labour. Court of Tribunal together with the names of person constituting the Board, Court or Tribunal shall be notified in the Official Gazette.

6. Notice to parties to nominate representative.— (1) If the Government proposes to appoint a Board, it shall send a notice in Form B to the parties 'requiring them to nominate within a reasonable time persons to represent them on the Board.

(2) The notice to the employer shall be sent to the employer personally, or if the employer is an incorporated company or 8 body corporate, to the agent; manager or other principal officer of such company or body.

(3) The notice to the workmen shall be sent—

(a) in the case of workmen who are members of a trade union, to the President or Secretary of the trade union; and

(b) in the case of workmen who are not members of a trade union, to any of the five representatives of workmen who have attested the application made under rule 3; and in this case a Copy of the notice shall also be sent to the employer who shall display copies thereof on notice boards in a conspicuous manner at the main entrance to the premises of the establishment.

¹**[6A.** (1) The Registrar shall maintain a register for registering submission (Agreements) sent to him, under sub-section (2) of section 10-8.

(2) The Registrar shall cause such submissions to be published in the official Gazette after it has been registered with him.

²**(6B)** The Registrar shall maintain a register for entering awards received under sub-section (1) of section 101 of the Act, in Form 5 appended to these rules.

¹Inserted by Notification No D. 46/8/F3(21) Lab. 59, dated 24-6-1960, published in Raj Gaz. Part IV-C, Extraordinary, dated 27-6-1960.

²Renumbered vide Notification No GSR 309/F. 3(14) Lab. 63 dated 7-1-1972, published in Raj Gaz. Part IV-C (1) ordinary, dated 23-1-1975.

PART II

Arbitration Agreement

NOTES

The rules in this part have been framed for putting into effect “the requirement of sub-section (1) and (2) of section 10 A of the Act. The sub-sections read as under:—

(1) Where any industrial dispute exists or is apprehended and the employer and the workmen agree to refer the dispute to arbitration, they may, at any time before the dispute has been referred under Section 10 to a Labour Court or Tribunal or National Tribunal by a written agreement, refer the dispute to arbitration and the reference shall be to such person or persons (including the presiding officer of a Labour Court or Tribunal or National Tribunal) as an arbitrator or arbitrators as may be specified in the arbitration agreement.

(2) An arbitration agreement referred to in sub-section (1) shall be in such form and shall be signed by the parties thereto in such manner as may be prescribed.

7. Arbitration Agreement.—An arbitration agreement for the reference of an industrial dispute to an arbitrator or arbitrators shall be made in Form C and shall be delivered personally or forwarded by registered post in triplicate to the Secretary to the Government of Rajasthan, Labour Department, Jaipur, the Labour Commissioner, Rajasthan, Jaipur and the Conciliation Officer concerned. The agreement shall be accompanied by the consent, in writing of the arbitrator or Arbitrators.

8 (i) Arbitration Agreement.—¹[(1) An Arbitration agreement referred to in section 19B (1) of the Act shall be made in Form C and shall be delivered Personally or forwarded by registered post to the Registrar (in triplicate) mentioned in sub-section (2) of section 10B, by the signatories to the agreement or any of them.

8. ²((2) Attestation of the Arbitration Agreement.—The Arbitration agreement shall be signed—

[(a) in the case of an employer—

(i) by the employer himself or

¹Inserted by Notification No D. 46/8/F3(21) Lab. 59, dated 24-6-1960, published in Raj Gaz. Part IV-C, Extraordinary, dated 27-6-1960.

²Renumbered vide Notification No GSR 309/F. 3(14) Lab. 63 dated 7-1-1972, published in Raj Gaz. Part IV-C (1) ordinary, dated 23-1-1975.

(ii) if any group or association of-employers is a party to the agreement by & person authorised in writing in this behalf by such group or association, or

(iii) if the employer is an incorporated company or other body corporate, by the Agent. Manager or other Principal officer of the corporation. if so authorised in writing by the employers.]

(b) in the case of workmen, either by the President and Secretary of a trade union of the workmen or by the five representatives of the workmen duly authorised in this behalf at a meeting of the workmen held for the purpose,

³[Explanation.—In this rule, 'officer' means any of the following officers of the trade union, namely :—

(a) President:

(b) Vice-President: .

(c) Secretary (including the General Secretary); a

(d) Joint Secretary; and

(e) any Other officer of the trade union authorised in this behalf by the President and Secretary of the Union.]

PART III

Powers, Procedure and Duties of Conciliation Officers, Board Courts, Labour Courts, Tribunals and Arbitrators

NOTES

Rules 9, 10, 11 and 12 in this part prescribe the procedure for proceedings before Conciliation Officers while performing duties under Section 2 of the Act. Section 12 reads as under:—

- (1) Where any industrial dispute exists or is apprehended, the Conciliation Officer may, or where the dispute relates to a public utility service and a notice under section 22 has been given, shall hold conciliation proceedings in the prescribed manner

³Renumbered inserted and added vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

- (2) The Conciliation Officer shall, for the purpose of bringing about a settlement of the dispute, without delay investigate the dispute and all matters affecting the merits and the right settlement thereof, and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute.
- (3) If settlement of the dispute or of any of the matters in dispute is arrived at in the course of the conciliation proceedings, the Conciliation Officer shall send a report thereof to the appropriate Government together with a memorandum of the settlement signed by the parties to the dispute,
- (4) If no such settlement is arrived at, the Conciliation Officer shall, as soon as practicable after the close of the investigation, send to the appropriate Government a full report setting forth the steps taken by him for ascertaining the facts and circumstances relating to the dispute and for bringing about a settlement thereof, together with a full statement of such facts and circumstances, and the reasons on account of which, in his opinion, a settlement could not be arrived at.
- (5) If, on a consideration of the report referred to in sub-section (4), the appropriate Government is satisfied that there is a case for reference to a Board, Labour Court, Tribunal or National Tribunal it may make such reference. Where the appropriate Government does not make such a reference it shall record and communicate to the parties concerned its reasons therefore.
- (6) A report under this section shall be submitted within fourteen days of the commencement of the conciliation proceedings or within such shorter period as may be fixed by the appropriate Government :

Provided that the time for the submission of the report may be extended by such period as may be agreed upon in writing by all the parties to the dispute.

Sub-section (1) of Section 11 requires that,—

- (1) Subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National shall follow such procedure as the arbitrator or other authority concerned may think fit.

The rules 13 to 30 prescribe the procedure which such authorities as referred in this sub-section are to follow in the proceedings under this section.

Sub-section (3), (4) and (5) of section II of the Act, reading as under also prescribe the procedure and powers of such authorities.

- (3) Every Board, Court, Labour Court, Tribunal and National Tribunal shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (V of 1908), when trying a suit in respect of the following matters, namely—

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents and material objects;
- (c) issuing commissions for the examination of witnesses;
- (d) in respect of such other matters as may be prescribed;

and every inquiry or investigation by a Board, Court, Labour Court, Tribunal and National Tribunal, shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code (XIV of 1850).

- (4) A Conciliation Officer may call for and inspect any document which he has ground for considering to be relevant to the industrial dispute or to be necessary for the purpose of verifying the implementation of any award or carrying out any other duty imposed on him under this Act, and for the aforesaid purposes, the Conciliation Officer shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure (Act V of 1908), in respect of compelling the production of documents.
- (5) A court, Labour Court, Tribunal or National Tribunal may, if it so thinks fit, appoint one or more persons having special knowledge of the matter under consideration as assessor or assessors to advise it in the proceeding before it.

¹[9] (1) **Conciliation proceedings in public utility service.**—The Conciliation Officer, of receipt of a notice of lock-out given under rule 71 of 72 rule shall forthwith arrange to interview both the employer and the workmen concerned with the 'dispute at such places and at such times as he may deem fit and shall endevour to bring about a settlement of the dispute in question.

¹[(2) Where the Conciliation Officer receives no notice of a strike or lock out under rule 71 or 72 but he considers it necessary to intervene in the dispute, he may give formal

¹Renumbered inserted and add vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

intimation in writing to the parties concerned, declaring his intention to commence conciliation proceedings with effect from such date as may be specified herein.

10. Conciliation proceedings. in non-public utility, service—Where the Conciliation Officer receives any information about an existing or apprehended industrial dispute which does not relate to public utility service and he considers necessity to intervene in the dispute, he shall give formal intimation in writing to the parties concerned declaring his intention to commence conciliation proceedings with effect from such date as may be specified therein.

¹**[10A. Parties to submit statement**—The employer or the party re-presenting workmen involved in an industrial dispute shall forward a statement setting forth the specific matter in dispute to the Conciliation Officer concerned wherever his intervention in the dispute is required.

10B. Proceedings before the, Labour Court or Tribunal—(1) Where the State Government refers any industrial dispute for adjudication to a Labour Court or Tribunal, within two weeks of the date of receipt of the order of reference party representing workmen and the employer involved in the dispute shall file with the Labour Court or the Tribunal, as the case may be a statement of the demands relating only to the issues as are included in the order of reference and shall also forward a copy of such statements, to each one of the opposite parties involved in the said dispute:

Provided that where the Labour Court or Tribunal as the case may be considers it necessary, it may extend the time limit for filing of such statements.

(2) Within two weeks of the receipt of the statements referred to in sub rule (1) the opposite party shall file its rejoinder with the Labour Court or Tribunal, as the case may be and simultaneously forward a copy thereof to the other party:

Provided that such rejoinder shall relate only to such of the issues as are included in the order for reference:

Provided further that where the Labour Court or Tribunal, as the case may be, considers it necessary, it may extend the time limit for the filing of such rejoinder.

¹Renumbered inserted and add vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

(3) The Labour Court or Tribunal, as the case may be, shall ordinarily fix the date for the first hearing of the dispute within six weeks of the date on which it was referred for adjudication

Provided that the Labour Court or Tribunal, as the case may be, for reasons to be recorded in writing, fix a later date for the first hearing of the dispute.

(4) The hearing shall ordinarily be continued: from day-to-day and arguments shall following immediately after the closing of evidence.

(5) The Labour Court or Tribunal, as the case may be, shall not ordinarily grant an adjournment for a period exceeding a week at a time and not more than three adjournments in all at the instance of any one of the parties to the dispute:

Provided that the Labour Court or Tribunal, as the case may be, may, for reasons to be recorded in writing, grant an adjournment exceeding a week, or more than three adjournments at the instance of any, one of the parties to the dispute.

(6) The Labour Court or Tribunal, as the case may be, shall, as the examination of such witness proceeds, make a memorandum of the substance of what he deposes, and such memorandum shall be written and signed by the presiding officer :

Provided that the Labour Court or Tribunal, as the case may be, may follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908, if it considers necessary so to do, in view of the nature of the particular industrial dispute pending before it.]

11. The Conciliation Officer may hold a meeting of the representatives Of both parties jointly or of each party separately.

12. The Conciliation Officer shall conduct the proceedings expeditiously and in such manner as he may deem fit.

13. Place and time of hearing—¹[Subject to the provisions contained in rules 10A and 10B). The sitting of a Board, Court, Labour Court. Tribunal or of an Arbitrator shall be held at such times and places as the Chairman or the Presiding Officer or the Arbitrator, as the case may be, shall inform the parties of the same in such manner as he thinks fit.

¹ Inserted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

14. Quorum for Boards and Courts—The quorum necessary to constitute a sitting of a Board or Court shall be as follows :—

- (i) In the case of a Board –
Where the number of members is 3.
- (ii) In the case of a Court—
where the number of members is not more than 2
where the number of members is more than 2 but
less than five.

15. Evidence—A Board, Court, Labour Court, Tribunal or an Arbitrator may accept, admit or call for evidence at any stage of the proceedings before it /him and in his manner as it/he may think fit.

¹[15 A x x x]

16. Administration of oath—Any member of a Board or Court or Presiding Officer of a Labour Court, Tribunal or an Arbitrator may administer a oath.

17. Summons—A summon issued by a Board, Court, Labour Court or Tribunal shall be in Form D and May require any person to produce before it any books, papers or other documents and things in the possession of or under the control of such person in any way relating to the matter under investigation or adjudication by the Board, Court, Labour Court or Tribunal which the Board, Court, Labour Court or Tribunal thinks necessary for the purposes of such investigation or adjudication.

18. Service of summons or notice—Subject to the provisions contained in rule 20, any notice, summons, process or order issued by a Board, Court, Labour Court, Tribunal or an Arbitrator empowered to issue such notice summons, process or order, may be served either personally or by registered post.

19. Description of parties in certain cases—Where in any proceeding before a Board, Court, Labour Court, Tribunal or an Arbitrator there are numerous person arrayed on any side such person shall be described as follows:—

- (1) All such persons as are members of any trade union or association shall be described by the name of such trade union or association;

¹Deleted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

(2) All such persons as are not members of any trade union or association shall be described in such manner as the Board, Court, Labour Court, Tribunal or arbitrator, as the case may be, determine.

20. Manner of service in the case of numerous persons as parties to dispute—(1)

Where there are numerous persons as parties to any proceeding before a Board, Court, Labour Court, Tribunal or an Arbitrator and such persons are members of any trade union or association, the service of notice on the Secretary or where there is no Secretary, on the Principal officer of the trade union or association shall be deemed to be service on such person.

(2) Where there are numerous Persons as parties to any proceeding before a Board, Court, Labour Court, Tribunal or an Arbitrator and such persons are not members of any trade union or association, the Board, Court, Labour Court, Tribunal or Arbitrator, as the case may be, shall, where personal services not practicable, cause the service of any notice to be made by affixing the same at or near the main entrance of the establishment concerned.

(3) A notice served in the manner specified in sub-rule (2) shall also be considered as sufficient in the case of such workmen as cannot be ascertained and found.

21. Procedure at the first sitting—At the first sitting of a Board, Court, Labour Court or Tribunal the Chairman or the Presiding Officer, as the case may be, shall call upon the parties in such order as he may think fit to state their case.

22. Board, Court, Labour Court, Tribunal or Arbitrator may proceed ex parte—If without sufficient cause being shown, any party to a proceeding before a Board, Court, Labour Court, Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal or Arbitrator may proceed as if the party had duly attended or had been represented.

¹**[22-A. Setting aside ex parte decision.—**(1) On an application made within fifteen days of the ex parte decision, the Board, Court, Labour Court, Tribunal or Arbitrator may, on sufficient cause being shown after notice to the opposite party set aside either wholly or in part an ex parte decision.

(2) The Board, Court, Labour Court, Tribunal or Arbitrator may on an application extend the time of fifteen days as prescribed in sub-rule. (1) on sufficient cause being shown.

¹.Inserted vide Notification No. G.S.R. 6/F 1 (2) (28)/Shram/72, dated 1-5-1973. Published in Rajasthan Gaz. Part IV-C (1), Extraordinary dated 3-5-1973.

(3) Application under sub-rules (1) and (2) shall be 'supported by an affidavit.]

23. Power of entry and inspection:—A Board or Court, or any member thereof or a Conciliation Officer, a Labour Court, Tribunal or any person authorized in writing by the Board, Court, Labour Court or Tribunal in this behalf may, for the purposes of any conciliation, investigation, enquiry or adjudication entrusted to the Conciliation Officer, Board, Court, Labour Court and Tribunal under the Act. at any time between the hours of sunrise and Sunset and the case of a person authorized in writing by 4 Board, Court, Labour Court or Tribunal after he has given reasonable notice, enter any building, factory, workshop or other place or premises Whatsoever, and inspect the same or any work machinery, appliance or article herein or interrogate any person . therein in respect of anything situated therein or any matter relevant to the subject-matter of the conciliation, investigation, enquiry or adjudication.

24. Power to Boards, Courts, Labour Courts and Tribunals— In addition to the powers conferred by the Act, Boards, Labour Courts –and Tribunals shall have the same powers as. are vested in a Civil Court under the Code of Civil Procedure, 1908, when trying a suit, in .respect of the following matters, namely: —

- (a) discovery and inspection:
- (b) granting adjournment:
- (c) reception of evidence taken on affidavit.

and the Board, Court, Labour Court or Tribunal may summon and examine any person whose evidence appears to it to be material and shall be deemed to be Civil Court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898.

25. Assessors.—Where assessors are appointed to advise a Tribunal under sub-section (4) of section 7-A or by the Court, Labour Court or Tribunal under sub-section (5) of section 711, the Court, Labour Court or Tribunal as the case may, shall in rotation to proceeding before it.' obtain the advice of such assessors, but such advice shall not be binding on it.

26. Fees for copies of awards etc.—(1) Fees for making a copy of an award or an order of a Labour Court.. Tribunal or an Arbitrator of the report of the Board of Conciliation or of any other document filed in any proceeding before such Labour, Court, Tribunal, Arbitrator of Board of Conciliation shall be charged as follows-

- (a) for the first 200 words or less, seventy five paise, .
- (b) for every additional 100 words or fraction thereof, thirty seven paise:

Provided that where an award or order or document exceeds five pages, the approximate number of words per page shall be taken as the basis for calculating the total number of words to the nearest hundred, for the purpose of assessing the copying fee:]

¹[Provided further that in relation to an industry carried on by or under the authority of any department of the State Government, no fees for making copy of such award order or document shall be chargeable, if application therefore is made by employer of such industry or by a legal practitioner representing such employer.]

(2) For-certifying a copy of any such award or order or document, a fee of Re. 1/- shall be payable –

²[Provided that no fees for certifying such copy shall be chargeable from the employer of an industry referred to in second proviso to sub-rule (1) and from his legal practitioner.]

(3) Copying and certifying fees shall be payable in cash in advance.

(4) Where a party applies for immediate delivery of a copy of any such award or order of document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

27. Decision by majority.—All questions arising for decision at any meeting of a Board or Court, save where the Court consists of one person shall be decided by a majority of the votes of the members thereof (including the Chairman) present at the meeting. In the event of an equality of votes, the Chairman shall also have & casting vote.

28. Correction of errors.—The Labour Court, Tribunal or Arbitrator may correct any clerical mistake or error arising from an accidental slip or omission in any award it he issues.

29. Right of representatives.—The representatives of the parties appearing before a Board, Court, Labour Court, Tribunal or an Arbitrator shall have the right of examination, cross-examination and of addressing the Board, Court, Labour Court, Tribunal or Arbitrator when an evidence has been called.

30. Proceedings before a Board, Court, Labour Court or Tribunal.— The proceedings before a Board, Court, Labour Court or Tribunal shall be held in public :

¹Added vide Notification No GSR 309/F. 3(14) Lab. 63 dated 7-1-1972, published in Raj Gaz. Part IV-C (1) ordinary, dated 23-1-1975.

²Substituted vide Notification No GSR 311(29)/F. 1(2)(28)/shram/72, dated 6-3-1975, published in Raj Gaz. Part IV-C (1) ordinary, dated 6-3-1975.

Provided that the Board, Court, Labour Court or Tribunal may at any stage direct that. any witness shall be examined or its. proceedings shall be held in camera.

PART IV

Remuneration of Chairman and members of Courts, Presiding Officers of Labour Courts, Tribunals, Assessors and Witnesses

31. Travelling Allowance.—The Chairman or a member of a Board or Court or the Presiding Officer or an Assessor of Labour Court or Tribunal if a non-official shall be entitled to draw travelling allowance and halting allowance for any journey performed by him in connection with the performance of his duties, at the rates admissible and subject to the conditions applicable to a Government servant of the first grade under the Rajasthan Travelling Allowance Rules & Audit Accounts, issued by the Government from time to time.

32. Fees.—The Chairman and member of a Board or Court, the Presiding Officer and an Assessee of a Labour Court of Tribunal wherever he is not a salaried officer of Government may be granted such fees as may be sanctioned by the Government in each case.

33 Expenses of witnesses.—Every person who is summoned and duly attends or otherwise appears as a witness before a Board, Court, Labour Court, Tribunal or an Arbitrator shall be entitled to an allowance for expenses according to the scale for the time being in force with respect to witnesses in civil courts in this state where the investigation, enquiry, adjudication or arbitration is being conducted.

PART V

Notice of Change

Notes

The rules in this part have been framed to put into effect the requirements of Section 9A of the Act which reads as under:—

No employer, who proposes to effect any change In the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule; shall effect such change:-

(a) without giving to the workmen likely to be affected by such change a notice in the prescribed manner of the nature of the change proposed to be effected; or .

(b) within twenty-one days of giving such notice:

Provided that no notice shall be required for effecting any such change.

(a) where the change is effected in pursuance of any. Settlement award or decision of the Appellate Tribunal constituted under the Industrial Disputes (Appellate Tribunal) Act, XLVIII of 1950; or

(b) where the workmen likely to be effected by the change are persons to whom the Fundamental and Supplementary Rules, Civil Services (Classification, Control and Appeal) Rules, Civil Services (Temporary Service) Rules, Revised Leave Rules, Civil Service Regulations. Civilians in Defence Services (Classification, Control and Appeal) Rules or the Indian Railway Establishment Code or any other rules or regulations that may be notified in this behalf by the appropriate Government in the official Gazette, apply.

34. Notice of Change.—Any employer intending to effect any change in the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule shall give notice of such intention in Form E.

¹[The notice shall be displayed conspicuously by the employer on a notice board at the main entrance of the establishment and in the Manager's office

Provided that where a registered union exists a copy of the notice shall also be served on the Secretary of the union.

35. ²[xxx]

PART VI

Representation of Parties

Notes

Section 36 of the Act reading as under provides for the representation of parties. Rules 36 and 37 under this part deal with the same subject.

(1) A workman who is a party to a dispute shall be entitled to be represented in any proceeding under this Act by-

(a) an officer of a registered trade union of which he is a member;

¹Added by Notification No F. 3(31) Lab/ 62 dated 21-10-1963, published in Raj Gaz. Part IV-C, ordinary, dated 5-12-1963

² Deleted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

(b) an officer of a federation of trade unions, to which the trade union referred to in clause (a) is affiliated;

(c) Where the worker is not a member of any trade union, by an officer of any trade union connected with, or by any other workmen employed in the industry in which the worker is employed and authorised in such manner as may be prescribed.

(2) An employer who is a party to a dispute shall be entitled to be represented in any proceeding under this Act by—

(a) an officer of a federation of employers of which he is a member;

(b) an officer of a federation of associations of employers to which the association referred to in clause (a) is affiliated;

(c) where the employer is not a member of any association of employers by an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is employed and authorised in such manner as may be prescribed.

(3) No party to a dispute shall be entitled to be represented by a legal practitioner in any conciliation proceeding under this Act or in any proceedings before a Court.

(4) In any proceeding before a Labour Court; Tribunal or National Tribunal a party to dispute may be represented by a legal practitioner with the consent of the other parties to the proceeding and with the leave of the Labour Court, Tribunal or National Tribunal as the case may be.

36. Form of authority under section 35.—The authority in favour of a person of persons or represent a workmen or group of workmen or an employer in any proceeding under the Act shall be in form F, :

37. Parties bound by acts of representative.—A party appearing by a representative shall be bound by the acts of that representative.

PART VII

Works Committee

Notes :

Rules in this part have been framed to provide for the matters referred to in section 3 of the Act reading as under:-

(1) In the case of any Industrial establishment in which one hundred or more workmen are employed or have been employed on any day in preceding twelve months, the appropriate Government may by general or special order require the employer to constitute in the prescribed manner a Works Committee consisting of

representatives of employers and workmen engaged in the establishment so how ever that the number of representatives of workmen on the Committee shall not be less than the number of representatives of the employer. The representatives of the workmen shall be chosen in the prescribed manner from among the workmen engaged in the establishment and in consultation with their trade union, if any, registered under the Indian Trade Unions Act, 1926 (XVI of 1926).

(2) It shall be the duty of the Works Committee to promote measures for securing and preserving amity and good relations between the employers and workmen and, to that end to comment upon matters of their common Interest of concern and endeavour. to compose any material difference of Opinion in respect of such matters.

38. Constitution - Any employer to whom an order made under sub-section (1) of section 3 relates shall forthwith proceed to constitute a Works Committee to the manner prescribed in this part. :

39. Number of members.—The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and Classes of workmen engaged in, and to the sections, shops or departments of the establishment:

Provided that the total number of members shall not exceed twenty :

Provided further that the number of representatives of the workmen shall not be less than the number of representatives of the employers.

40. Representatives of employer.—Subject to the provisions of these rules. the representatives of the employer shall be nominated by the employer and shall as far as possible. be official in direct touch with or associated with the working of the establishment.

41. Consultation with trade unions —(1) Where any workman of an establishment are members of a registered trade union, the employer shall ask the union to inform him in writing—

- (a) how many of the workmen are members of the union ; and
- (b) how their membership is distributed among the sections, shops or departments of the establishment.

(2) Where an employer has reason to believe that the information furnished to him under sub-rule (1) by any trade union is false, he may, after informing the union, refer the matter to the Conciliation officer concerned for his decision and the conciliation Officer after hearing the parties shall decide the matter and his decision shall be final.

42. Groups of workmen's representative.—On receipt of the information called for under rule 41, the employer shall provide for the election of workmen's representatives on the Committee in two groups—

- (1) those to be elected by the workmen of the establishment who are members of the registered trade union or unions, and
- (2) those to be elected by the workmen of the establishment who are not members of the registered trade union or unions.

bearing the same proportion to each other as the union members in the establishment bear to the non-members:

Provided that where more than half the workmen are members of the union or any one of the unions, no such division shall be made:

Provide further that where a registered trade union, neglects or fails to furnish the information called for under sub-rule(1) of rule 41 within one month of the date of the notice requiring it to furnish such information, such union shall for the purpose of this rule be treated as if it did not exist:

Provided further that where any reference has been made by the employer under sub-rule(2) of rule 41, the election shall be held on receipt of the decision of the Conciliation Officer.

43. Electoral Constituencies. – Where under rule 42 the workmen's representatives are to be elected in two groups the workmen entitled to vote shall be divide into two electoral constituencies, the one consisting of those who are members of a registered trade union and the other of those who are not:

Provided that the employer may if he thinks fit, sub-divide the two electoral constituencies and direct that workmen shall vote in either by groups, sections, shops or departments.

44. Qualification of candidates for election- Any workman of not less than 19 years of age and with a service of not less than one year in the establishment may if nominated as provided in these rules be a candidate for election as a representative of the workmen on the Committee:

Provided that the service qualification shall not apply to the first election in an establishment which has been in existence for less than a year.

45. Qualifications for voters – All workmen, other than casual employers who are not less than 18 years of age and those who have put in not less than 6 months service in the establishment shall be entitled to vote in the election of the representative of workmen.

46. Procedure for election – (1) The employer shall fix a date as the closing date for receiving nominations from candidates for election as workmen's representatives on the committee.

(2) For holding the election, the employer shall also fix a date which shall not be earlier than three days and later than ten days after the closing date for receiving nominations.

(3) The dates so fixed shall be notified at least seven days in advance to the workmen and the registered trade union or unions concerned. Such notice shall be affixed on the notice board or given adequate publicity amongst the workmen. The notice shall specify the member of seats to be elected by the groups, sections: shops or departments and the number to be elected by the members of the registered trade union or unions and by the non-members.

(4) A copy of such notice shall be sent to the registered trade union or unions concerned.

47. Nomination of candidates for election- (1) Every nomination shall be made on a nomination paper in form G copies of which shall be supplied by the employer to the workmen requiring them.

(2) Each nomination paper shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group section, shop or department, the candidate seeking election will represent and shall be delivered to the employer.

48. Scrutiny of nomination papers.—(1) On the day following the last day fixed for filling 'nomination papers, the nomination papers shall be scrutinised by the employer in the presence of the candidates and the attesting persons and those which are not valid shall be rejected.

(2) 'For the purpose of sub-rule (1), a nomination paper shall be held to be not valid if—(a) the candidate nominated is. ineligible for membership under rule 44 or (b) the requirements of rule'47 have not been complied with:

- Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorised nominee for the purpose.

49. Voting in election.—(1) If the number of candidates who have been validly nominated is equal to the number of seats, the candidates shall be forthwith declared duly elected.

(2) If in any constituency the number of candidates is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(3) The election shall be held in such manner as may be convenient for each electoral constituency.

(4) The voting shall be conducted by the employer and if any of the candidates belong to a union such of them as the union may nominate shall be associated with the election.

(5) Every workman entitled to vote at an electoral constituency shall have as many votes as there are seats to be filled in the constituency :

Provided that each voter shall be entitled to cast only one vote in favour of any one candidate.

¹[50. Arrangements for election.— The employer shall be responsible for all arrangements in connection with the election.) .

51. Officers of the Committee.—(1) The Committee shall have among its office-bearers a Chairman. Vice-Chairman, a Secretary and a Joint Secretary. The Secretary and the Joint Secretary shall be elected every year.

(2) The committee shall elect the Chairman and the Vice-Chairman provided that where the Chairman is elected from amongst the representatives of the employers, the Vice-Chairman shall be elected from amongst the representatives of workmen and vice versa :

Provided further that the post of the Chairman or the Vice-Chairman, as the case may be, shall not be held by a representative of the employee or the workmen, for two consecutive terms. 7

(3) The Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workmen and vice-versa .

Provided further that the post of the Secretary or the Joint Secretary as the case may be shall not be held by a representative of the employer of the workmen for two consecutive years.

52. Term of office.—(1) The term of office of a workmen's representative on the Committee other than a member chosen to fill a casual vacancy shall be two years.

¹Inserted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

(2) A member chosen to fill & casual vacancy shall hold office for the unexpired term of his predecessor.

(3) A member who, without obtaining leave from the Committee fails to Attend, three consecutive meetings of the Committee shall forfeit his membership.

53. Vacancies—In the event of workmen's representative ceasing to be a member under sub-rule (3) or rule 52 or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be elected, in accordance: with the Provisions of this part from the same group, section, shop or department to which the member vacating the seat belonged.

54. Power to co-opt.—The Committee shall have the right to co-opt a consultative capacity person employed in the establishment having particular or "special knowledge of a matter under discussion, such co-opt member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Committee.

55. Meetings —(1) The Committee may meet as often as necessary but not less often than once in three months (a quarter).

(2) The Committee shall at its first meeting regulate its own procedure.

56. Facilities for meeting, etc.—The employer shall provide accommodation for holding meetings of the Committee. He shall also provide all necessary facilities to the Committee The Committee shall ordinarily meet during working hours of the establishment concerned on any working day and the representative of the workmen shall be deemed to be on duty while attending the meeting.

57. Dissolution of Works Committee.—The Government, or where the power under section 3 has been delegated to any officer or authority under section 39 such officer or authority may, after making such inquiry as it or he may deem fit, dissolve any Works Committee at any time, by an order in writing. if he or it is satisfied that the Committee has not been constituted in accordance with these rules or that not less than two-thirds of the number of representatives of the workmen have, without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where a Works Committee is dissolved under this rule, the employer may and if so required by the Government Of, as the case may be by such officer or authority shall, take steps to reconstitute the Committee in accordance with these rules.

PART VII

Miscellaneous

58. Memorandum of settlement.—(1) A settlement arrived at in the course of conciliation proceedings of otherwise, shall be in Form 'H'

(2) The settlement shall be signed by—

(a) in the case of an employer, by the Employer. himself or by his authorized agent, or when the employer is an incorporated company or other body corporate by the agent, manager or Other principal officer of the corporation;

(b) in the case of workmen, either by the President and Secretary of a trade union of workmen, or by five representatives of the workmen duly authorized in this behalf at a meeting of the workmen held for the Purpose.

¹[*Explanation* —In this rule, 'officer' means any of the following officers namely ;—

(a) the President,

(b) the Vice-President,

(c) the Secretary (including the General Secretary),

(D) A Joint Secretary,

(e) any other officer of the trade union.

(3) Where a settlement is arrived at in the course of conciliation proceeding the Conciliation Officer shall send a report there of to the ¹(State Government together with a copy of the memorandum of settlement signed by the parties to the dispute.

(4) Where a settlement is arrived at between an employer and his workmen otherwise than in the course of conciliation proceeding before a Board or a Conciliation Officer the Parties to the settlement shall jointly send a Copy thereof to the ²[State] Government and the Labour Commissioner, Rajasthan and to the Conciliation Officer concerned.

59 Complaints regarding change of conditions of service etc.— (1) Every complaint under Section 33 A of the Act shall be presented in triplicate in Form I and shall be accompanied by as many copies of the complaint as there are opposite parties the complaint.

¹Added and substituted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967. ² Inserted and substituted--ibid

(2) Every complaint under sub-rule (1) shall be verified at the foot by the workmen making it or by some other person Proved to the satisfaction of the Labour Court or Tribunal to be acquainted with the facts of the case.

(3) The person verifying shall specify, by references to the numbered paragraphs of the complaint, what he Verifies of his own knowledge and what he verifies upon information received and believed to be true.

(4) The verification shall be Signed by the person making it and shall state the date on which it was signed.

60. Application under section 33—(1) An employer intending to obtain the express Permission in writing of the Conciliation Officer, Board, Labour Court or Tribunal as the case may be under sub-section (1) or sub-section (3) of section 33 shall present an application in Form J in triplicate to such Conciliation Officer, Board, Labour Court or Tribunal and shall file along with the application as many copies thereof, as there are Opposite parties.

(2) An employer seeking the approval of the Conciliation Officer, Board Labour Court or Tribunal, as the case may be, of any action taken by him Under clause (a) or clause (b) of sub-section (2) of section 33 shall present an application in Form K in triplicate to such conciliation Officer, Board, Labour Court or Tribunal and shall file along with the application as many copies thereof, as there are opposite parties.

(3) Every application under Sub-rule (1) or sub-rule (2) shall be verified at the foot by the Employer making it or some other person proved to the satisfaction of the Conciliation Officer, Board, Labour Court or Tribunal to be acquainted with the facts of case.

(4) The person verifying shall Specify by reference to the numbered paragraphs of the application, what he verifies of his own knowledge and what he verifies upon information received and believed to be true.

(5) The verification shall be signed by the person making it and shall state the date on which and the place at which it was verified.

61. Protected workmen.—(1) Every registered trade union connected with an industrial establishment, to which the Act applies, shall communicate to the employer before the 30th September every year, the names and addresses of such of the Officers of the union who are employed in that establishment and who, in the Opinion of the union, should be recognised as 'protected workmen. Any change in the incumbency of any such officer shall be communicated to the employer by the union within fifteen days of such change.

(2) The employer shall, subject to section 33, sub-section (4) recognize such workmen to be "protected workmen" for the purposes of sub-section (3) of the said section

and communicate to the union, in writing, within fifteen days of the receipt of the names and addresses under sub-rule (1) the list of workmen recognised as protected workmen.

(3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workmen, admissible for the establishment under section 33, sub-section (4) the employer shall recognize as protected workmen only such examine only such maximum number of workmen.

"Provided that, where there is more than one registered: trade union in the establishment the maximum number shall be so distributed by the employer among the unions that the numbers of recognised protected workmen in individual unions bear roughly the same proportion to one another, as the membership figures of the unions. The employer shall in that case intimate in writing to the President or the Secretary of the union, the number of protected workmen allotted to it.

Provided further that where the number of protected workmen allotted to a union this sub-rule falls short of the number of officers of the union seeking protection, the union shall be entitled to select the officers to be recognised as protected workmen. Such selection shall be made by the union and communicated to the employer within five days of the receipt of the employer.

(4) When a dispute arises between an employer and any registered trade union in any matter connected with the recognition of 'protected workmen' under this rule, the dispute shall be referred to the Conciliation Officer concerned, whose decision thereon shall be final.

Notes

The rules 59, 60 and 61 prescribe the matters referred to in sections 33 and 33-A of the Act. The sections read as. under :—

(1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall,—

- (a) in regard to any matter concerned with the dispute, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding; or
- (b) for any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise, any workmen concerned in such dispute.

save with the express permission in writing of the authority before which the proceeding is pending.

(2) During the Pendency of any such proceeding In respect of an industrial dispute, the employer may. in accordance with the standing orders applicable to a workman concerned in such dispute,—

- (a) alter in regard to any matter not connected with the dispute, the conditions of service applicable to that workman immediately before the commencement of such proceeding; or
- (b) for any misconduct connected with the dispute, discharge, or Punish, whether by dismissal or otherwise, that workman :

Provided that no such workman shall be discharged or dismissed, unless he has been paid Wages for one month and an application has been made by the employer to the authority before which the Proceeding is pending for approval of the action taken by the employer.

(3) Notwithstanding anything contained In sub-section (2). no employer shall, during the Pendency of any such proceeding in respect of an industrial dispute, take any action against any protected workmen concerned in such dispute—

- (a) by altering, to the Prejudice of such protected workman, the conditions of service applicable to him immediately before the commencement of such Proceedings; or
- (b) by discharging or Punishing, whether by dismissal or otherwise, such protected workman.

save with the express permission in writing of the authority before which the proceeding is pending.—

Explanation—For the propose of this sub-section, a 'protected workman', in relation to an establishment, means a workman who, basing an-officer of a registered trade union connected with the establishment, Is recognised as such in accordance with rules made in this behalf.

(4) In every establishment, the number of workman to be recognised as protected workman for the Purposes of sub-section (3) shall be one per cent of the total number of workmen employed therein subject to a minimum number of five protected workmen and a maximum number of one hundred protected workmen and for the aforesaid Purpose the appropriate Government may make rules providing for the distribution of such protected workmen among various trade unions, if any, connected with the establishment and the manner in which the workmen may be chosen and recognised as Protected workmen.

(5) Where an employer make an application to a Conciliation Officer, Board, Labour Court Tribunal or National Tribunal under the proviso to sub section (2) for approval of the

action taken by him, the authority concerned shall without delay, hear such application and Pass, as expeditiously as possible, such order in relation thereto as it deems fit.

Where an employer contravenes the Provisions of section 33 during the pendency of proceedings before a Labour Court. Tribunal or National Tribunal any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such Labour Court. Tribunal or National Tribunal and on receipt of such complaint that Labour Court, Tribunal or National Tribunal shall adjudicate upon the complaint as if it were a dispute referred to or pending before it in accordance with the provisions. of this Act and shall submit its award to the appropriate Government and the Provisions of this Act shall apply accordingly

¹[**62. Application for recovery of dues.**-(1) Where any money is due to a workman from any employer under a settlement or under the provisions of Chapter V-A, the workman concerned may apply in Form K-1 for the recovery of the money due to him.

(2) Where any workman is entitled to receive from the employer any benefit which is capable of being computed in terms of money, the workman concerned may apply to the specified Labour Court in Form K-2 for the determination of the. amount at which such benefit Should be Computed.

(3) Where the Labour Court has determined the amount of the benefit under sub-rule (2), the workman concerned may apply in Form K-3 for the recovery of the money due to him.

63. Appointment of Commissioner— Where it is necessary to appoint a Commissioner under sub-section (3) of section -33-C of the Act, the Labour Court may appoint a person with experience in the particular industry, trade or business involved in the industrial dispute or a Person with experience as a Judge of a Civil Court, or as a stipendiary Magistrate or as 4 Registrar or Secretary of a Labour Court or Tribunal constituted under the Act or of the Labour Appellate Tribunal constituted under the Industrial Disputes (Appellate Tribunal) Act, 1950.

64. Fees for the Commissioner.—(1) The Labour Court shall. after consultation with the parties, estimate the probable duration of the enquiry and fix the amount of Commissioner's fees and other incidental expenses and direct the payment thereof into the nearest treasury, within a specified time by such party or parties and in such proportion, as it may consider fit. The Commission shall not issue until satisfactory evidence of the deposit into the treasury of the sum fixed is filed before the Labour Court:

¹Substituted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

Provided that the Labour Court may from time to time direct that any further sum or sums be deposited into the treasury with in such time and by such Parties, as it may consider fit:

Provided further that the Labour Court may in its discretion, extend the time for depositing the sum into the treasury.

(2) The Labour Court may, at any time for reasons to be recorded in writing vary the amount of The Commissioner's fee in consultation with the parties.

(3) The Labour Court may direct that the fees shall be disbursed to the Commissioner in such instalments and on such dates, as it may consider fit.

(4) The undisbursed balance, if any, of the sum deposited shall be refunded to the party or parties who deposited the sum in the same proportion as that in which it was deposited.

65. Time for submission of report.—(1) Every order for the issue of a Commission shall appoint a date following sufficient time, for the Commissioner to submit his report.

(2) If for any reason the commissioner anticipates that the date fixed for the submission of his report is likely, to be exceeded, he shall apply, before and the Labour court shall take such grounds in to consideration in passing orders on the applications.

Provided that the Labour Court may grant extension of time notwithstanding that no application for such extension has been received from the Commissioner within the prescribed time limit.

Notes

The rule 62, 63, 64 and 65 are meant to put into effect the requirements of section 33 C. of the Act. The section is reproduced below:-

(1) Where any money is due to a workman from an employer under a settlement or an award or under the provisions of Chapter V-A, the workman may, without prejudice to any other mode of recovery, make an application to the appropriate Government for the recovery of the money due to him, and if the appropriate Government is satisfied that any money is so due, it shall issue a certificate for that amount to the Collector who shall proceed to recover the same in the same manner as an arrear of land revenue.

(2) Where any workman is entitled to receive from the employer any benefit which is capable of being computed in terms of money, the amount at which such benefit should be computed may subject to any rules that may be made under this Act, be determined by such Labour Court as may be specified in this behalf by the appropriate

Government, and the amount so determined may be recovered as provided for in subsection (1).

(3) For the purposes of computing the money value of a benefit, the Labour Court may, if it so thinks fit, appoint a Commissioner who shall after taking such evidence as may be necessary, submit a report to the Labour Court and the Labour Court shall determine the amount after considering the report of the Commissioner and other circumstances of the case.

66. Local Investigation.—In any industrial dispute in which the Labour Court deems a local investigation to be requisite or proper for the purpose of computing the money value of a benefit, the Labour Court may issue a Commission to a person referred to in rule 63 directing him to make such investigation and to report thereon to it.

67. Commissioner's report.—The Commissioner after such local inspection, as he deems necessary and after reducing to writing the evidence taken by him, shall return such evidence together with his report in writing signed by him to the Labour Court.

(2) The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the industrial dispute and shall form part of the record of the proceedings in the industrial dispute; but the Labour Court, of with the permission of the Labour Court, any of the parties to the industrial dispute may examine the Commissioner personally before the Labour Court regarding any of the matters referred to him or mentioned in his report or as to his report or as to the manner in which he has made the investigation.

(3) Where the Labour Court is for any reason dissatisfied with the proceeding of the Commissioner, it may direct such further enquiry to be made as it shall think fit.

68. Powers of Commissioner.—Any Commissioner appointed under these rules may unless otherwise directed by the order of appointment—

- (a) examine the parties themselves and any witnesses whom they or any of them may produce, and any other person whom the Commissioner thinks proper to call upon to give evidence in the matter referred to him;
- (b) call for and examine documents and other things relevant to the subject of enquiry;
- (c) at any reasonable time enter upon or into any premises mentioned in the order.

69. Summoning of witnesses etc.—(1) The provisions of the Code of Civil Procedure, 1908 (Act V of 1908) relating to the summoning, attendance examination of witnesses and penalties to be imposed upon witnesses, shall apply to persons required to give evidence or to produce documents before the Commissioner under these rules.

(2) Every person: who is summoned and appears as a witness before the Commissioner shall be entitled to payment by the Labour Court out of the sum deposited under rule 64, of an allowance for expenses incurred by him in accordance with the scale for the time being in force for payment of such allowance to witnesses appearing in the Civil Courts.

70. Representation of Parties before the Commissioner.—The parties to the industrial dispute shall appear before the Commissioner. either in person or by any other persons who is competent to represent them in the proceedings before the Labour Court.

71. Notice of Strike: —(1) The Notice of strike to be given by work. Men in a public utility service shall be in Form 1.

(2) On receipt of a notice of a strike under sub-rule (1), the employers shall forthwith intimate the fact to the Conciliation Officer having jurisdiction in the matter.

72. Notice of lock-out.—The Notice of lock-out to be given by an employee on a public Utility service shall be in Form M. ¹[The notice shall be displayed conspicuously by the employer on a notice board at the main entrance to the establishment and in the Manager's Office :

Provided that where a trade union exists, a copy of the notice shall also be served on the Secretary of the Union .

73. Report of lock-out or strike.—The notice of lock-out or strike in a public utility service to be submitted by the employer under sub-section (2) of Section 22, shall be in Form N. a.

74. Report of notice of strike or lock-out.—The report of notice of a strike or lock-out to be submitted by the employer under sub-section (6) of Section 22, shall be sent by registered post or given personally to the Conciliation Officer appointed for the local area concerned, with copy by registered post to :—

(1) The Secretary to the Government, Labour Department, Government of Rajasthan, Jaipur.

(2) The Labour Commissioner, Rajasthan, Jaipur,

(3) The District Magistrate concerned.

¹Added by Notification No. F5(5)/ Lab/59, dated 28-10-1960, published in Raj. Gaz. part IV-C, Ordinary, dated 17-11-1960

NOTES

Rules 77 to 74 prescribe the Matters referred to in sec. 22 of the Act which reads as under :

- (1) No person employed in a public utility service shall go on strike in breach of contract—
 - (a) without giving to the employer notice of Strike, as herein after provided, within six weeks before striking; or
 - (b) within fourteen days of giving such notice; or
 - (c) before the expiry of the date of strike specified in any such Notice as aforesaid: or
 - (d) during the pendency of any conciliation Proceeding before a conciliation Officer and seven days after the conclusion of such proceedings.
- (2) No employer carrying on any public utility service shall lock-out any of his workmen—
 - (a) without giving them notice of lock-out.as hereinafter Provided, with in six weeks before locking out; or

 - (b) within fourteen days of giving such notice; or
 - (c) before the expiry of the date of lock-out specified in any such notice as aforesaid; or
 - (d) during the pendency of any conciliation proceedings before a conciliation officer and seven days after the conclusion of such proceedings.
- (3) The notice of lock-out or strike under this. section shall not be necessary where there is already in existence a strike of 85 the case may be, lock-out in the public utility service, but the employer shall send intimation of such Lock-out or strike on 'the day on which it is declared, to such authority as may be specified by the appropriate Government either generally or for a particular area for a particular class of public utility services.
- (4) The notice of strike referred to in sub-section (1) shall be given by such number of persons to such person or persons and in such number as may be prescribed.
- (5) The notice of lock-out referred to in sub-section (2) shall be given in such manner as may be prescribed.
- (6) If on any day an employer receives from any. Persons employed by him any such notices as are referred to in sub-section (1) or gives to any Persons employed by him any

such notices as are referred to in sub-section (2), he shall within five days thereof report to the appropriate Government or to such authority as that Government may prescribe the number of such notices received or given on that day.

75. Register of settlements.—The Conciliation Officers shall file all settlements effected under this Act in respect of disputes in the area within his jurisdiction in a register maintained for the purpose as in Form.

¹**[75-A. Notice of lay off.**— (1) If any workman employed in an industrial establishment as defined in the explanation to section 25 of the Act, not being an industrial establishment referred to in sub-section (1) of that section, is laid off then the employer concerned shall give notice of the commencement and the termination of such lay off in Forms O-1 and O-2 respectively within three-days of such commencement or termination, as the case may be.

(2) Such notice shall be given by an employer in every case irrespective of whether in his opinion the workman laid off is or is not entitled to compensation in' section 25-C of the Act.)

²**[75-B. Application for permission to lay off under section 25-M.**— (1) Application for permission to lay off any workman under sub-section (1) or for permission to continue a lay off under sub-section (2). of section 25-M, shall be made in Form (O-3) and delivered to the authority specified under sub-section (1) either personally or by registered post acknowledgement due and where the application is sent by registered post the date on which the same was delivered to the said authority shall be deemed to be the date on which the application was made, for the purposes of sub-section (4) of the said section.

(2) The application for permission shall be made in triplicate and sufficient number of copies of the application for service on the workmen concerned shall also be submitted along with the application.

(3) The employer concerned shall furnish to the authority to whom the application for permission has been made such further information as the authority considers necessary for arriving at a decision on the application, as and when called for by such authority as to enable the authority to as to enable the authority to communicate the permission or refusal to grant permission within the period specified in sub-section (4) of section 25-M.

¹ Inserted vide Notification No F. 3(31) Lab/ 62 dated 21-10-1963, published in Raj Gaz. Part IV-C, ordinary, dated 5-12-1963.

²Rule 75B inserted by Amending Rules, 1976 by Notification No.F1 (2)(),shram/78, dated 27-5-1976 vide G.S.R. 28, pub.in Raj. Gaz. Extra-ordinary,part IV-C(1),dated27-5-1976 at page 121 to143

(4) Where the permission to lay-off has been granted by the said authority, the employer concerned shall give to the Regional Dy/Asstt. Labour Commissioner, concerned, a notice of commencement and termination of such lay off in Form O-1 and O-2 respectively and where permission to continue a Jay off has been granted by the said authority, the employer shall: give to the Regional Deputy (Assistant Labour Commissioner concerned, a notice of commencement of such lay-off in Form O-1, in case such a notice has not already been given under sub-rule (1) of rule 75-A, and a notice of termination of such lay off in Form O-2,"

(5) The notice of commencement and termination of lay-off referred to in sub-rule (4) shall be given within the period specified in sub-rule (1) of rule 75A)

¹[76. **Notice of retrenchment.**—If any employer desires to retrench any workman employed in his industrial establishment, who has been in continuous service for not less than one year under him (hereinafter referred to as “workman” in this rule and in rules 77 and 78, he shall be given notice of such retrenchment as in Form P-G to the State Government, the Labour Commissioner, the Regional Dy. Labour Commissioner, Assistant Labour Commissioner and the Employment Exchange concerned and such notice shall be served on the State Government, the Labour Commissioner, the Regional Dy. Labour Commissioner/Assistant Labour Commissioner, and the Employment Exchange concerned by registered post in the following manner—

(a) where notice is given to the workman, notice of retrenchment shall be sent within three days from the date on which notice is given to the workman;

(b) where no notice is given to the workman and he is paid one month's wages in lieu thereof retrenchment shall be sent within three days from the date on which such wages are paid; and

(c) Where retrenchment is carried out under an agreement which Specifies a date for the termination of service, notice of retrenchment shall be sent so as to reach the State Government, the Labour Commissioner, Regional Deputy Labour Commissioner, Assistant Labour Commissioner and the Employment Exchange concerned at least one month before such date:

Provided that if the date of termination of service agreed upon is within 30 days of the agreement, the notice of retrenchment shall be sent to the State Government, the Labour Commissioner, the Regional Deputy Labour Commissioner, the Assistant Labour Commissioner and the Employment. Exchange concerned, within 3 days of the agreement.

¹ Substituted vide notification G.S.R. 61/F1(2)(28) Shram/72.dated 18-6-1974, published in Raj. Gaz. Part IV-C (I),ordinary, dated 22-8-1974

¹[76A. Notice of, and application for permission for retrenchment.—(1) Notice under clause(c) of sub-section(1) of section 25N, for retrenchment shall be served in Form PA and served on the State Government or such authority as may be specified by that Government under the said clause either personally or by registered post acknowledgement due and where the notice is serviced by registered post, the date on which the same was delivered to the State Government or the authority shall be deemed to be the date of service of the notice for the purposes of sub-section (3) of the said section.

(2) Application for permission for retrenchment under sub-section (4) of section 25N shall be made in Form PB (with attested copy of the notice given by the employer under clause (a) of section 25F appended thereto) and delivered to the State Government or to such authority as may be specified by that Government either personally or by registered post acknowledgement due and where the application is sent by registered post the date on which the same was delivered to State Government or the authority shall be deemed to be the date of which the application was made for the purposes of sub-section (5) of the said section.

(3) The notice or as the case may be, the application shall be served or made in triplicate and sufficient number of copies of the application for service on the workmen concerned shall be submitted along with the notice or as the case may be the application.

(4) The employer concerned shall furnish to the State Government or the authority to whom the notice for retrenchment has been given or the application for permission for retrenchment has been made, under clause (c) of sub-section (1) or as the case may be, sub-section (4) of the said section 25N such further information as the State Government or, as the case may be, the authority considers necessary for arriving at decision on the notice or as the case may be, the application as and when called for by such authority so as to enable the State Government or the authority to communicate its permission or refusal to grant permission within the period specified in sub-section (3) or as the case may be, as section (5) of the said section 25N.

¹[76B] ²[Notice of closure.—If an employer intends to close down an undertaking, he shall give notice of such closure in Form Q, to the State Government, the Labour Commissioner, the Regional Dy. Labour Commissioner, the Assistant Labour Commissioner and the Employment Exchange concerned by registered post.

¹Rule 76A and 76C inserted and expression 76B substituted by the Rajasthan Industrial Disputes (Amending) Rules, 1976 by Notification No.F1 (2)(8), Shram/76, dated 27-5-1976 vide G.S.R. 28, published in Raj. Gaz. Extra-ordinary, part IV-C, dated 27-5-1976 at page 121 to 143.

² Substituted vide notification G.S.R. 61/F1(2)(28) Shram/72, dated 18-6-1974, published in Raj. Gaz. Part IV-C (I), ordinary, dated 22-8-1974

¹[76C. Notice of, and application for permission for, closure— (1) Notice under sub-section (1) of section 25-O of intended, closure shall be given to Form QA and served on the State Government either personally or by registered post acknowledgement due.

(2) Application for permission to close down as undertaking, under sub- section (3) of section 25O. shall be made in Form QB (with attested copy of the notice served by the employer under sub-section (1) of section 25FFA appended thereto) and delivered to the State Government either personally or by registered Post acknowledgement due and where the application to sent by registered post the date on which the same was delivered to the State Government shall be deemed to be the date on which the application was made for the purposes of sub-section (4) of the said section.

(3) The notice, or, as the case may be, the application shall be made in triplicate.

(4) The employer concerned shall furnish to the State Government to whom the notice of intended closure has been given or the application for permission to close down has been made such further information as that Government considers necessary for arriving at a decision on the notice, or, as the case may be, the application, and calls for from such employer.

77. Maintenance of seniority list of workmen.— The. Employer shall prepare a list of all workmen in the particular category from which retirement is contemplated arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on & notice board in a conspicuous place is the premises of the industrial establishment at least seven days before the actual date of retrenchment.

78. Re-employed of retrenched workman—(1) At least ten days before the date on which vacancies are to be filled, the employer shall arrange for the display of a notice board in a conspicuous place in the premises of the industrial establishment details of those vacancies and shall also give intimation of those vacancies by registered post to everyone of all the retrenched workmen eligible to be considered there for to the address given by him at the time of retrenchment or at any time ²[thereafter] :

¹Rule 76A and 76C inserted and expression 76B substituted by the Rajasthan Industrial Disputes (Amending) Rules, 1976 by Notification No.F1 (2)(8),shram/76, dated 27-5-1976 vide G.S.R. 28, pub.in Raj. Gaz. Extra-ordinary ,part IV-C,dated27-5-1976 at page 121 to143.

²Substituted vide Notification No F. 3(14) Lab. 63 dated 4-4-1967, published in Raj Gaz. Part IV-C, ordinary, dated 27-7-1967.

Provided that where the number of such vacancies is less than the number of retrenched workmen, it shall be sufficient, if intimation is given by the employer individually to the senior most retrenched workman in the list referred to in rule 77 the number of such senior most workman being double the number of such vacancies:

Provided further that where the vacancy is of duration of less than one month there shall be no obligation on the employer to send intimation of such vacancy to individual retrenched workman.

(2) Immediately after complying with (the provisions of sub-rule (1), the employer shall also inform the trade unions connected with the industrial establishment, of the number of vacancies to be filled & names of the retrenched workmen to whom intimation has been sent under that sub-rule:

Provided that the provisions of this sub-rule need not be complied with the employer in any case where intimation. is sent to every one of the workmen mentioned in the list prepared under rule 77.

Notes

Rules 76. 77 and 78 deal with the retrenchment of the workmen. The matters referred to in Section 26 F. of the Act, reading as under, have also been prescribed in these rules:—

No workman. employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until-

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice:

Provided that no such notice shall be necessary if the retrenchment is under an agreement which specifies a date for the termination: of service;

(b) the workman has been paid at the time of retrenchment, compensation which shall be equivalent to fifteen day's average pay for every completed year of service or any part thereof in excess of six months; and

(c) notice in the prescribed manner is served on the appropriate Government.

79. Penalties.—Any breach of these rules shall be punishable with fine not exceeding fifty rupees.

80. Repeal—The Industrial Disputes (Central) Rules, 1947 adopted so far in this State are hereby repealed :

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.

FORM A

(See Rule 3)

Form of application for the reference of a industrial dispute to a Board of Conciliation under section 10 (2) of the—

Court of Enquiry :

Labour Court

Tribunal

Industrial Disputes Act, 1947.

Whereas an industrial dispute is apprehended/exists between and and it is expedient that the matters specified in the enclosed statement which are connected that the dispute investigation and settlement with or relevant to the dispute should be referred for enquiry by a Board of Conciliation, an application is hereby made under sub-section(2)of section 10 of adjudication.

a Court of Enquiry

a Labour Court

a Tribunal

of the Industrial Disputes Act, 1947, that the said matters should be referred to said dispute.

a Board of Conciliation

a Court of Enquiry.

a Labour Court.

a Tribunal

This application is made by the undersigned who have/has been duly authorised to do so by virtue of a resolution (copy enclosed) adopted by a majority of the members present at a meeting of the held on the 19

A statement giving the particulars required under Rule 8 of the Rajasthan Industrial Disputes: Rules, 1957, is attached.

Dated the Signature of the Applicant

To

The Secretary to the Government.

Labour Department

Government of Rajasthan. Jaipur

Statement required under rule 3 of the Rajasthan Disputes Rules, 1957, to accompany the form of application prescribed under sub-section of section 10 of the Industrial Disputes Act, 1947—

(a) Pasties to the Dispute including the games of establishment or undertaking involved :

(b) Specified matters in dispute.

(c) Total number of workmen employed in the undertaking affected. _ .

(d) Estimated number of workmen affected or likely to be affected by dispute:

(e) Efforts made by the parties themselves to adjust the dispute. 1732 Raj. Industrial Disputes

FORM B .

(See Rule 6)

Whereas an industrial dispute has arisen/is apprehended between... and and it is expedient to refer the said dispute under section 10 of the Industrial Disputes Act, 1947 (o a Board of Conciliation for the purpose of investigating the same and for promoting a settlement thereof, you are hereby required (o intimate to the undersigned not later than the the name and address of one (two) person (s) whom you wish to recommend for appointment as your representative (s) on the said Board.

If you fail to make the recommendation by the date specified above, the - Government will select and appoint such Person (3), as it thinks fit to represent you.

Secretary to the Government,

Labour Department,

Government of Rajasthan, Jaipur.

FORM C

(See Rule 7)

(Under section 10A of the Industrial Disputes Act, 1947)

between

Names of parties.

Representing employers:

Representing workmen;

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of..... (here specify the same (s) and address (es) of the arbitrator (s);

- (i) Specify matters in dispute, .
- (ii) Details of the parties to the dispute including the name and address of the establishment or Undertaking involved.
- (iii) Name of the union, if any representing the workmen in question.
- (iv) Total number of workmen employed in undertaking affected.
- (v) Estimated number of workmen affected or likely to be affected by the dispute.

¹We further agree that the majority decision of the arbitrators shall be binding on us.

Witnesses:

Signature of the Parties

- | | |
|-----|-------------------------|
| (1) | Representing employers. |
| (2) | Representing workmen. |

Copy to:—

(i) The Conciliation Officer, (here enter office address of the Conciliation Officer in local area concerned). :

(i) The Labour Commissioner, Rajasthan, Jaipur.

(iii) The Secretary to the Government, Labour Deptt, Government of Rajasthan, Jaipur.

¹ Where applicable

FORM D
(See Rule 17)

Whereas an industrial dispute between andhas been referred to this Board of Conciliation for investigation and settlement Court of Enquiry of investigation.

Labour Court/Tribunal for adjudication,

Under section 10 of the Industrial Disputes Act, 1947, you are hereby summoned to appear before the Board/Court/Labour Court/Tribunal in person on the..... day of at o' clock in the noon to answer all material questions relating to the said dispute and you are directed to produce on that day all the books, papers and other documents and things in your possession or under your control in any way relating to the matter under investigation by this Board/Court/Labour Court/Tribunal.

Dated.....

Board of Conciliation .

Chairman/Secretary

Court of. Enquiry

Presiding. Officer/Secretary. co ,

Labour Court

Tribunal

FORM E
(See Rule 34)

Notice of change of service conditions prescribed by an employer.

Name of employer.....

Address

Dated the day of

In accordance with section 9A of the Industrial Disputes Act, 1947, I/we hereby give notice to all concerned that it is my/our intention to effect the change/ changes specified in the annexure, With effect Fromin the conditions of service applicable to workmen in respect of the matters specified to the Fourth Schedule to the said Act.

Signature

Designation

(Here specify the change/changes intended to be effected)

FORM F

(See Rule 36)

Before [here mention the authority concerned]

Reference No of workmen

Versus

..... Employer.

In the matter of I/we hereby authorise Shri/Sarvashri..... to represent me/us in the above matter.

Dated this..... day of 19

Signature of person (s) nominating the representative.

Accepted

Address

Signature of representative (s)

Address

FORM G

(see Rule 47)

Form of Nomination Paper

Name of industrial Establishment

Group/Section/Shop/Department.

I nominate (here enter the name of the workmen's representative eligible for election) as a candidate for election to the Works Committee. He is eligible as a voter in the constituency for which he is nominated.

Dated

Signature of Proposer.

I agree to the proposed nomination.

Date

Signature of Candidate.

Date

Attested by: (1) - .

(2)

(To be signed by any two voters belonging to the electoral constituency) .

FORM H

(See Rule 58)

Form of Memorandum for Settlement.

Names of Parties

Representing employer (s)

Representing workmen

Short recital of the case

Terms of settlement

Witness.

Signature of the Parties

(1)

(2)

Signature of Conciliation Officer/Board of Conciliation.

Copy to:—

(1) Conciliation Officer

(Here enter the office address of the conciliation Officer in the local area concerned.)

(2) The Labour Commissioner, Rajasthan, Jaipur.

(3) The Secretary. to Government, Labour Department, Government of Rajasthan, Jaipur.

FORM I

(See rule 59)

Before the Labour Court/Tribunal Complaint under section 33 A of the Industrial Disputes Act, 1947.

A Complainant (s)

Address:—

Versus

B Opposite Party (ies)

Address:—

In the matter of Reference No.

The petitioner (s) beg/begs to complaint that the Opposite Party (ies) has/ have been guilty of a contravention of the provisions of section 33 of the Industrial Disputes Act, 1947 (14 of 1947) as shown below:—

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the Grounds on which the order or act of the Management is challenged.)

The complainant (s) accordingly prays/pray that the

Labour Court.

may be pleased to decide the complaint set out above and Pass such order or orders thereon as it may deem fit and proper.

Tribunal

The number of copies of the complaint and its annexure required under rule 59 of the Rajasthan industrial Disputes Rules, 1957 are submitted herewith.

Signature of the complaint(s).

Dated this day of 19

Verification

I do solemnly declare that what is stated in Paragraphs.....above is true to my knowledge and that what is stated in paragraphs..... above is stated upon information received and believed by me to be true. This verification is signed by me at on day of 19

Signature or thumb impression

of the person verifying

FORM J

[See rule 60 (1)]

Before (here mention the: Conciliation Officer/Board/Labour Court or Tribunal.) Application for Permission under sub-section (1) or sub-section 3 of section 33 of the industrial Disputes Act, 1947 (14 of 1947), in the matter of Reference No.....A
..... Applicant

Address:

Versus

B Opposite Party (ies).

Address (es):

The above mentioned applicant begs to state as follows:—

[Here mention the action specified in clause (a) or clause (b) of subsection , (I) grounds on which the permission is sought for],

The applicant: therefore, prays that express permission may kindly be granted to him to take the following action, namely: —

[Here mention the action specified in clause (a),

of clause (b) of

sub-section (1)

sub-section (3)

of section(33)) -

Signature of the applicant

Date this day of 19

Space for verification,

(Signature of the Person verifying)

Date (on which the Verification was signed)

Place (at which the Verification was signed).....

[FORM K-I]

[See rule 62 (1)-]

The Secretary to the Government of Rajasthan, Labour Department, Jaipur. (2) The Presiding Officer, Labour Court, Rajasthan, Jaipur.

Sir,

I have to state that I am entitled to receive from masers a Sum of RS on account of under the provision of Chapter V-A of the Industrial Disputes Act, 1947/in terms of award dated..... given by in terms of settlement dated the dated the arrived at between the said masers and their workmen through the duly elected representatives.

I further state that I served the management with a demand notice by registered post on for the said sum which (he management has neither paid nor offered to pay to me even through a fortnight has since elapsed. The details of the amount have been mentioned in the statement thereto annexed.

I request that the said sum may kindly be recovered from the management under subsection (1) of section 33 of the Industrial Disputes Act, 1947 and paid to me as early as possible.

Station

Signature of the applicant

Dated

Address

ANNEXURE

(Here indicate the details of the amount claimed.)

FORM K-2

[See rule 62 (2)]

Application under sub-section (2) of section 33 of the Industrial Disputes Act. 1947.

Before the Labour Court, Rajasthan, Jaipur.

between

(1) Name of the applicant.

(2) Name of the employer.

The petitioner a workman of messers of is entitled to receive from the said Messers.....the benefits mentioned in the statement hereto annexed.

It is prayed that the Court be pleased to determine the amount due to the petitioner.

ANNEXURE

(Herein set out the details of the benefits together with the case for their admissibility.)

FORM K-3

{See rule 62(3)}

Application under sub-section (2) of section 33 of the Industrial Disputes Act, 1947.

To

(1) The Secretary to the Government of Rajasthan, Labour Department, Jaipur.

(2) The Presiding Officer, Labour Court, Rajasthan, Jaipur.

Sir,

I have to state that I am entitled to receive From messers PO District (With Whom I am/was employed) a sum of Rs. under the award dated the given by/ the settlement dated the under Chapter V-A of the Industrial Disputes Act. 1947, according to the determination of the Labour Court A certified copy of the said Labour Court's finding is enclosed, I request that the said sum of money may kindly be recovered from Messers under sub-section (1) of section 33 of the said Act and paid to me.

Station

Dated

Signature or thumb impression

Address... ..

FORM L
(See rule 71)

Form of notice of strike to be given by '(Workman/Workmen)
in a public utility service

Name Of Union... ..

{Names of five elected representatives of workmen} -

Address.

Dated The day of19

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 22 of the Industrial Disputes Act, 1947. we hereby give you notice that I propose to call a strike/we propose to go on strike on 19 for the reasons explained in the annexe

yours faithfully,

Secretary of the Union

[Five representatives of the workmen duly. elected at a meeting held on Vide resolution attached.)

ANNEXE

Statement of the case.

Copy to (1) Conciliation Officer

(Here enter office address of the Conciliation Officer in the local area concerned')

(2) The Labour Commissioner, Rajasthan, Jaipur.

FORM M

(See rule 72)

Form of notice of lockout to be given by an employer carrying
on a public utility service

Name of employer..... address..... date the day of19

To,

[Dear Sirs)

[All workmen employed in the Industry. Workmen ofdeptt/ section.

(Here by specify the department or section affected by the lockout)

The workman concerned (here specify the names of the workmen affected by the
lockout)

In accordance with the provisions of sub-section (2) of sec. 22 of the Industrial
Disputes Act, 1947, I/we hereby inform you that it is my/our intention to effect a lockout
with effect from the reasons explained in the annexe.

your faithfully

Here insert the position which the person who signs the letter holds with the
employer issuing this letter.

ANNEXE

Statement of the case

Copy to:—(1) Conciliation Officer.

(Here enter office address of the Conciliation in the Local area concerned).

(2) The Labour Commissioner, Rajasthan, Jaipur.

FORM N

(See rule 73)

(Form of Report of Strike of Lockout In 8 public utility service)

Information to be supplied in this form immediately of the occurrence of a strike of lookour in a public utility service to the Conciliation Officer in the local area concerned and to the Labour Commissioner. Rajasthan, Jaipur.

Name of under taking	Station and district	Normal working strength	number of workers involved		strike or lockout	date of commencement of striker or lockout	Cause	Was notice of strike or lockout given, if so, on what date and for what period?	Is there any permanent Agency or agreement in the undertaking for the settlement of disputes between the employer and workmen? If any exist, particulars thereof	Any other information
			Directly	Indirectly						
1	2	3	4	5	6	7	8	9	10	11

Noe—Column (3) Give the average number of workmen employed during the month previous to the day 08 which 3 the strike OF lockout occurred. While reckoning the average, omit 'the days 0° which the attendance was not normal for reasons other than individual reasons of particular workman. TbN3 days on which strike or lockout occurs of communal holiday 15 enjoyed by a large action of workers should be omitted.

Column (4) If say, 200 workers in factory strike work. and in consequence the whole factory employs 1,000 workers has to be closed the 200 should be shown under 'directly' and be remaining under indirectly If the strike of 200 workers goes not affect the working of the other departments of the factory, the number of workers involved would only be 300 which figure should appear under directly and column and directly would be blank.

Column (8) Give the main causes of the dispute a well as the immediate cause that led to the strike or lockout.

FORM O

(See rule 75)

Register

PART I

S. No.	Industry	Parties to settlement	Date of settlement	Remarks

Whether the settlement Was affected at the invention of the conciliation machinery of by mutual negotiations between the part may be indicated here.

PART II

(Should contain one copy each of the settlement in the serial order indicated in Part-I)

FORM O- 1

(See rule 75A)

To
The Labour Commissioner,
Rajasthan, Jaipur

Sir

Under rule 75A of the Rajasthan industrial Disputes Rule, 1958. I/we hereby inform You that I/we have laid-off out of a total of... workmen employed in the establishment with effect from for the reasons explained in the annexure.

2. Such of the workmen concerned as are entitled to compensation under to thee 25C of the Industrial Disputes Act, 1947, will be paid compensation due to them.

Yours faithfully,

Copy to:—

Conciliation officer (Here enter the office address of the conciliation officer of the local area concerned.)

ANNEXURE

Statement of reasons

FORM O-2

(See rule 75A)

To

The Labour Commissioner

Rajasthan Jaipur

Sir,

As required by rule 754 of the Rajasthan Industrial Disputes Rules, 1958.

and in continuation of thy/our notice dated in Form O-1. I/we hereby inform you that the lay off in my/our establishment has ended

Yours faithfully

Copy to :-

Conciliation Officer.....(Here enter the office address of the Conciliation Officer of the local area concerned)

Form O-3

[To be submitted in triplicate with additional number of copies for service the workmen concerned)

[See rule 75B(1)]

Form of application for permission to lay Off workmen in industrial Dispute Act, 1947 (4 of 1947) apply.

To

.....

.....

(The authority specified under sub-section (1) of section 25M of the Act.)

Sir

Under sub-section (1)/sub-section (2) of section.25M of Industrial Disputes Act, 1947 (14 of 1947) read with sub-r. (1) of s. 75B of the Rajasthan Industrial Disputes Rules, 1958 I/we hereby apply for permission to lay off/permission to continue the lay off workmen of a total of workman employed in/our establishment with effect from for the reasons set out in the annexure.

Permission is solicited 1 for the lay-off/to continue the lay-off of the said workmen.

Such of the workmen permitted to be laid off will be-paid such compensation, if any to which he is entitled under sub-section (6) of section 25M read with section 25C, of the Industrial Disputes Act, 1947 (14 of 1947),

Yours faithfully

(Signature)

ANNEXURE

(Please give replies against each item) .

Item No.

1. Name of the: undertaking with complete postal address, including telegraphic addresses and telephone number.
2. (a) Names and addressed of the affected workmen proposed to be laid-off names and addresses of the. Workmen laid-off before the commencement of the Industrial Disputes (Amendment) Act, 1976(32 of 1977) and the dates from which each of them have Been laid-off
(b) The nature of the duties of the workmen referred to in sub-item (a) the units/section/shops where they ate working and the wages drawn by them.
3. Product/products of the undertaking,
4. Details relating to installed capacity, licensed capacity and utilized Capacity.
5. (i) Annual production, item-wise for preceding three years.
(ii) Production figures, month-wise, for the preceding twelve months.
6. work -in-progress, item-wise and value-wise.
7. Any arrangements regarding off loading or sub-contracting of products or any components thereof.
8. Position of the order book, item-wise and value-wise for a period of six months, and one year, next followings and for the period after the expiry of the said one year.
9. Number of working days in a week with the number of shifts per day and the strength of workmen per each shift.
10. Balance-sheets, profit and loss accounts and audit reports for the last three years.
11. Financial position of the company.

12. Names of the inter-connected companies or companies under the same management.

13. (i) The total number of workmen and the number of. Employees other than workmen as defined under the industrial Disputes: Act, 1947 (14 of 1947), employed in the undertaking.

(ii) Percentage of wages of workmen to the total cost of production.

14. Administrative, general and selling cost in absolute terms per year in the fast three years percentage thereof to the total cost.

15. Details of lay-offs resorted to in the last three years (other than the lay-off for which permission is sought). including the periods of such lay-offs, the number of workmen involved in each such lay-off and the reasons thereof.

16. Anticipated savings due to the proposed lay-off/lay-off for the continuance of which permission is sought.

17. Any proposal for effecting savings on account of reduction in —

(i) managerial remuneration,

(ii) sales promotion cost and

. (iii) general administration expenses.

18. Position of stock on last day of the month in the preceding twelve months.

19. Annual sales figures for the last three years and month wise sales figures for the preceding twelve months, both item-wise and value-wise.

20. Reasons for the proposed lay-off/lay-off for the continuance of which permission is sought.

21. Any specific attempts made so far to avoid the proposed Jay-off/lay-off for the continuance of which permission is sought.

22. Any other relevant factors with details thereof.

FORM P
(See rule 76)

Form of Notice of Retrenchment to be given by Employer under clause (c) of Section 23F of the Industrial Disputes Act, 1947.

Name of Employer.....

Address

Dated the... ..day of 19

To

The Secretary,

To the Government, .

Labour Department,

Government of Rajasthan, JAIPUR

Sir

Under clause (c) of section 25F of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) I/we hereby inform you that I/we have decided to retrench workmen with effect from.....for the reasons explained in the annexure.

2. The workmen concerned were given on the 19 one month's notice in writing as required under clause (a) of section 25F of the Act. Retrenchment is being effected in Pursuance of an agreement, a copy of which is enclosed. The workmen were given on the 19 one month's pay in lieu of notice as required under clause (a) of section 25F of the Act.

3. The total number of workmen employed in the industrial establishment is ...
....and the total number of those who will be affected by the retrenchment is given below :

Category of designation of workmen to be retrenched	Number of workmen employed	To be retrenched
1	2	3

4. I/We hereby declare that the workman/workmen concerned has/have been/will be paid compensation due to them under section 25F of the Act on Sense expiry of the notice period.

Yours faithfully,

ANNEXE

Copy to :—

1. Conciliation Officer. (Here enter office address of the Conciliation Officer in local area concerned).
2. The Labour Commissioner, Rajasthan, Jaipur.
3. Employment Officer Employment Exchange.....(enter the full address of the Employment Exchange concerned).

[FORM P-A]

(To be made in triplicate with additional number of copies for service on the workmen concerned)

[See rule 76 A (I)]

Form of notice for permission for retrenchment .of workmen to be given by an — employer. under clause (c) of subsection (1) of section 25N of the Industrial Disputes Act, 1947 (14 of 1947).

Date...

To

.....

.....

(The State Government/authority specified under clause (c) of sub-section (1) of section 25N of the Act.)

Under clause (c) of sub-section (1) of section 25N of the Industrial Disputes Act 1947'(14 of 1947). I/we hereby inform you that I/we propose to retrench..... workmen (being workmen to whom sub-section (1) of section 25N applied with effect from..... for the reasons set out in the Annexure.

2. The workmen concerned have been given notice in writing as required under clause (a) of sub-section (1) of section 25N of the Act/have not been given notice since the retrenchment being propose to be affected under an agreement (a copy of which is enclosed) as provided in the proviso to the said clause.

3. The total number of workmen employed in the Industrial establishment is and the total member of those who will be affected by the proposed retrenchment is as given below:-

(Category and Designation of workmen to be retrench)	Number of workmen	
	(Employed)	(to be retrenched)
1	2	3

4. Permission is solicited for the proposed retrenchment, under clause (c) of sub-section (1) of section 25N of the Industrial Disputes Act, 1947 (14 of 1947).

5. I/we hereby declare that the workmen permitted to be retrenched will be paid compensation due to them wader clause (b) of sub-section (1) of section 25N of the Act. :

Yours faithfully,

(Signature)

ANNEXURE

(Please give replies against each- item) :

Item No.

1. Name of the undertaking with complete postal address, including telegraphic address and telephone number.
2. Names and addresses of the workmen proposed to be retrenched and the nature of their duties the units/sections/shops where they are working. and the wages drawn by them.
3. Product/products of the undertaking.
4. Details relating to installed capacity, licensed capacity and utilized capacity.
5. (i) Annual production, item-wise for preceding three years. -
(ii) production figures; month-wise, for the preceding twelve months.
6. Work-in progress, item wise-and value wise.
7. Any arrangement regarding off loading or sub-contracting of products of any components thereof.
8. Position of the order book, item-wise and value-wise for a Period of six months, and one year, next following and for the period after the expiry of the Said one year.
9. Number of Working days in a week with number of shifts per day and the strength of workmen per each shift.
10. Balance-sheets, profit and loss account and audit reports for the last three years.
11. Financial, Position of the company.
12. Names of the inter-connected companies or companies under the same management.
13. (i) The total number of workmen and the number of employees other than workmen as defined in the Industrial Disputes Act, 1947 (14 of 1947) employed in the undertaking. Se mo ne mo
(ii) Percentage of wages of workmen to the total cost of production.
14. Administrative general and selling cost in absolute terms per year for the last three years and Percentage thereof-to the total cost.

15. Details of retrenchment resorted to in the last three years, including date or recent the number of workmen involved in each case, and the reasons therefore.

16. Has any of the retrenched workmen been given re-employment and if so when? Give details

17. Are Seniority lists maintained in respect of the Categories of workmen proposed to be retrenched and if so, the details and the Position of the workmen affected indicating either length of Service, including broken periods of service.

18. Anticipated savings due to the proposed retrenchment.

19. Any proposal for effecting savings on account of reduction in—

(i) managerial remuneration:

(ii) sales promotion cost; and

(iii) sales administration expenses,

20. Position of Stock on the last day of month in the Preceding twelve Months.

21. Annual sales figures for the last three years and month wise Sales figures for the Preceding twelve months both item-wise and value-wise.

22. Reasons for the Proposed retrenchment.

23. Any specific attempt made so far to avoid the proposed retrenchment.

24. Any other relevant factors with details 'thereof.

[FORM PB

(To be made in triplicate with 'additional number of copies for service on the workman Concerned)

[See Rule 76 A (2))

Form of application for Permission for retrenchment of workmen in cases where at the Commencement of the Industrial Dispute (Amendment) Act, 1976 (Act 32 of 1976), the Period of notice given under clause (a) of section 25F for the retrenchment has expired.

To .

(The State Government/authority referred to in sub-section (2) of section 25N of the Act).

Sir,

I/We have given notice On..... under clause (v) of section 25F for the retrenchment of the workmen/workmen specified below (Attested copy/copies of the notice is/are appended hereto):—

Name and addresses of workmen	Category and designation
1	2

2. The period of notice referred to above has not-expired. :

3. We hereby solicit permission for the retrenchment of workmen referred to above under sub section (4) of section 25N of the Industrial Disputes Act, 1947 (14 of 1947) for the reasons set out in the Annexure. :

ANNEXURE

(Please give replies against each item)

Item No. .

1. Name of the undertaking with complete postal address, including telegraphic addresses and telephone number.
2. (a) Names of the workmen proposed to be retrenched and the nature of their duties the units/sections/shops where they are 'working and the wages drawn by them.
(b) Date of the notice of retrenchment given to the workman concerned under section 25F (a) and the dates on which the said notice was served on each workman concerned.
- 3, Product/ products of the undertaking.
4. Details relating to installed capacity, licensed capacity and utilized capacity.

- (i) Annual production, item-wise for preceding three years'
 - (ii) Production figures, month-wise, for the preceding twelve months.
- 6. Work-in-progress, item-wise and value-wise.
- 7. Any arrangement regarding off loading or sub-contracting of products or any components thereof.
- 8. Position of the order book, item-wise and value-wise for a period of six months, and one year next following and for the period 'after the expiry of the said one year.
- 9. Number of working days in a week with number of shifts per. day and strength of workmen per each shift.
- 10. Balance-sheets, profit & loss accounts & audit reports for the last 3 years.
- 11. Financial position of the company.
- 12. Names of the inter-connected companies or companies under the. same management.
- 13.
 - (i) The total number of workmen and the number of employees other than workmen as defined under the Industrial Disputes Act, 1947 (14 of 1947), employed in the undertaking.
 - (ii) Percentage of wages of workmen (to the total cost of production.
- 14. Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
- 15. Details of retrenchment resorted to in the last three years including the dates of retrenchment, the number of workmen involved in each case, and the reasons therefore.
- 16. Has any of the retrenched workmen been given re-employment and if so, when? Give details.
- 17. Are seniority lists maintained in respect of the categories of workmen proposed to be retrenched and if so, the details and the position of the workmen affected indicating their length of service including broken periods of service ?
- 18. Anticipated savings due to the proposed retrenchment.
- 19. Any proposal for effecting savings on account of reduction in-
 - (i) managerial remuneration,
 - (ii) sales promotion cost, and
 - (iii) general administration expenses.
- 20. Position of stock on the last day of the month in the preceding twelve months.
- 21. Annual sales figures for the last three years and month-wise sales figures for the preceding twelve months both item-wise and value-wise.
- 22. Reasons for the proposed retrenchment.
- 23. Any specific attempt made so far to avoid the proposed retrenchment.
- 24. Any other relevant factors with details thereof.

[FORM Q]
(See rule 76-A)

Form of notice of closure to be given by an employer

Name of employer address date the
day of 19

To

Under rule 76-A of the Rajasthan Industrial Disputes Rules, 1958 I/We hereby inform you that I/We have decided to close down..... (Name of the undertaking) with effect from.....for the reasons explained in the annexure. The number of workmen whose services would be terminated on account of closure of the undertaking is (Number of workmen).

Yours faithfully

.....

(Here insert the position which the person who signs this letter hold with the employer issuing this letter).

ANNEXURE

‘Statement of Reasons’

FORM QA

(To be submitted in triplicate)

[See Rule 76C(I)]

Form of notice for permission of closure to be given by an employer under Sub-section (1) of section 25-O of the Industrial Disputes Act, 1947 (14 of 1947). |

Date.....

To

The Secretary to the Government of Rajasthan,
Department of Labour, Jaipur.

Sir,

Under section 22-O of the Industrial Disputes Act, 1947 {44 of 1947}, I/We hereby inform you that I/We proposed to close down-the undertaking specified below of...
.....(name of the industrial establishment)
(Give details of the undertaking).

.....
.....

with effect from for the reasons explained in the Annexure.

2. The number of workmen whose Services will be terminated on account of the closure of the undertaking is..... (number of workmen).
3. Permission is solicited for the proposed closure.
4. I/we hereby declare that in the event of Approval for the closure being granted every workmen in the undertaking to whom sub-section (7) of the said section 25-O applies will be given notice and paid compensation as specified Section 25N of the industrial Disputes Act, 1947 (14 of 1947) as if the workmen had been retrenched under that Section.

Yours faithfully,
(Signature)

ANNEXURE

(Please give replies against each item)

Item No.

1. Name of the industrial establishment with complete postal address including telegraphic address and telephone number.
2. The total number and categories of workmen affected by the proposed Closure, along with the addresses of the workmen and the details of wages drawn by them.
3. Product/products of the undertaking. |

4. Details relating to licensed capacity, installed capacity and the utilised capacity.
5. (i) Annual production, item-wise for preceding three years.
(ii) Production figures month-wise for the preceding twelve months.
6. Work-in-progress item-wise and Name-wise.
7. Any arrangement regarding offloading or sub-contracting of products or any Component thereof.
8. Details of persons or the organisations to whom the job (s) is (are) being entrusted relationship/interest of the persons/organizations with the directors or the officer (s) of the company.
9. Position of the order book item-wise and value-wise for a period of six months, and one year, next following and for the period after the expiry of the said one year.
10. Number of working days in a week with the number of shifts per day and the strength of workmen per each shift
11. Balance sheet and profit and loss account and audit reports for the fast three years.
12. Financial position of the company.
13. (i) Names of any inter-connected company or companies under the same management.
(ii) Details about inter-corporate investments and changes during the last one year.
(iii) Interest of any of the directors/officers of the undertaking producing same or similar type of product.
14. Percentage of wages of workmen to the total cost of production.
15. Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
16. Inventory position item-wise and value-wise for the preceding twelve months (Inventories to be shown in respect of finished products, components and raw-materials to be shown separately item wise and value wise). :
17. Selling arrangement for the last three years and any change io then.
18. Full details of the interests of the directors and officers of the company in the organisation/persons involved in selling products of the undertaking.
19. Buying arrangements for raw materials and components.
20. Interest of the directors and officers with the organizations/persons involved in buying raw materials and components for the undertaking.
21. Annual sales figures for the last three years and month-wise sales figures for the preceding twelve months both item-wise and value wise.
22. Reasons for the proposed closure.
23. Any specific attempts made so far to avoid the closure. :
24. Any other relevant factors with details thereof.

FORM QB
(To be submitted in triplicate)
[See rule 76 B (2)]

Form of application for permission to close down an undertaking in case where at the commencement of the Industrial Disputes (Amendment) Act, 1976 (Act 32 of 1976), the period of notice given under sub-section (1) of section 25 FFA of intention to close down an undertaking has not expired.

Date

To
The Secretary to the Government of Rajasthan,
Labour Department, Jaipur
Sir,

I/We have given notice on....., under sub-section (1) of section 25 FFA of our intention to close down and undertaking specified below of.....

(Name of industrial establishment)

(Attested copy of the notice is appended there to)

(Give a details of the undertaking)

2. The period of notice referred to above has not expired.
3. I/We hereby solicit permission to close down the said undertaking under sub-section (3) of section 25-O of the Industrial Disputes Act, 1947 (14 of 1947) for the reason set out in the Annexure.
4. I/We hereby declare that in the event of permission for the closure being granted every workman in the undertaking to whom sub-section (7) of the said section 25-O applies will be given notice and paid compensation as specified in section 25N of the Industrial Disputes Act, 1947 (14 of 1947) as if the workman had been retrenched under that section.

Yours faithfully,
(Signature)

ANNEXURE
(Please give replies against each item)

Item No.

1. Name of the industrial establishment with complete postal address, including telegraphic address and telephone number.
2. Date of the notice under sub-section (1) of section 25 FFA and the date on which the said notice was served on the appropriate Government.
3. The total number and categories of workmen affected by the proposed closure alongwith the addresses of the workmen and the details of wages drawn them.
4. Product/products of the undertaking.
5. Details relating to licensed capacity, installed capacity and the utilised capacity.
6. (i) Annual production, item wise for preceding three years.

- (ii) Production figures, month-wise, for the preceding twelve months.
7. Work-in-progress, item-wise and value wise.
 8. Any arrangement regarding off-loading or sub-contracting of products or any components thereof.
 9. Details of persons or the organisations to whom the job (s) is (are) being entrusted relationship/interest of the person/organisation with the director (8) or the officer (s) of the company) .
 10. Position of the order book item-wise and value-wise; for a period of six months and one year, next following and for the period after the expiry of the said one year.
 11. Number of working days in a week with the number of shifts per day and the strength of workmen per each shift.
 12. Balance sheet and profit and loss account and audit reports for the last three years.
 13. Financial position of the company.
 14. (i) Name of any inter-connected company or companies under the same management.
(ii) Details about inter-corporate investments and changes during the last one year.
(iii) Interest of any of the directors/officers of the undertaking producing same or similar type of product.
 15. Percentage of wages of workmen to the total cost of product.
 16. Administrative, general and selling cost in absolute terms per year for the last three years und percentage thereof, to the total cost
 17. Inventory position item-wise and value-wise for the preceding twelve months (Inventories to be shown in respect, of finished products, components and raw-materials to be shown separately item-wise and value wise).
 18. Selling arrangement for the last three years and any change in the Selling arrangement in preceding twelve months.
 19. Full details of the interests of the directors and officers of the company in the organisation/persons involved in selling products of the undertaking.
 20. Buying arrangement for raw materials and components.
 21. Interest of the directors and officers with the organisations/persons involved in buying raw materials and components for the undertaking.
 22. Annual sales figures for the last three years and month-wise sales figures for the preceding twelve months, both item-wise and value-wise.
 23. Reasons for the proposed closure.
 24. Any specific attempts made so far to avoid the closure.
 25. Any other relevant factors with details thereof.

FORM 1

[Section 9C and rule 2A (2)]

Register of Representative Trade Union

Serial NO..... Dated the

Name Of the Union Affiliated to

Address of

No. and date of registration under the Indian Trade Unions Act, 1926... ..

List of persons applying for registration	Total number of workmen employed in the Factory/ Industry	Total union membership applying for registration	Percentage of members applying for registration to the total labour employed	Any other information which the registrar may require for the purpose	remarks
1	2	3	4	5	6
1					
2					
3					
4					
5					
6					
7					
8					

FORM 2
[rule 2A (2)]

Name of union..... Address.....
Dated the.....day of.....19

To

The Registrar,
Industrial Disputes (Rajasthan Amendment) Act,
Jaipur

Dear Sir

I beg to state that at a general meeting of the members/ meeting of the executive of the above union, which was held at..... on the Day.....19. It was decided that the union should apply to you for being entered in the Register of Representative unions under section 9C of the Industrial Disputes (Rajasthan Amendment) Act 1958 (Act No. 34 of 1958) A copy of the resolution signed by the President and Secretary of this union is attached.

2.The union was registered under the Indian Trade union act 1926 on the day of.....19. under certificate No..... issued by the Registrar of Trade Unions for the state of Rajasthan.

3.The Union has..... members in the (factory/ establishment) in the local area of

4.The constitution of union is herewith attached.

5.The address of the union, to which all communications and notices may be addressed is as follows;-

yours faithfully,
general Secretary/ secretary

FORM 3
(rule 2D)

Certificate of registration copper represented Union

state emblem

No.....

It is hereby certify that..... with its head office at has been registered under the Industrial Disputes (Rajasthan Amendment) Act 1958 (Act No. 34 of 1958) this day of 19.....

Registrar of Representative
union Rajasthan

FORM 4

(rule 2F)

It is hereby published for the information of union/ unions concerned engaged in the trade union activities in the..... (Factory/ industry) that a union styled as..... Bearing registration No..... dated the..... under the Indian Trade Unions Act 1926, has approached this office for registration as a represented Union, under the Industrial Disputes (Rajasthan Amendment) Act 1958 (Act No. 34 of 1958) on the ground that it has (a) membership of workmen employed in the above stated factory/ industry and accordingly a notice in writing has been issued on..... to the representative Union registered with his office under Registration No..... dated..... to show cause within one month of the date of receipt of such notice by Such Union, why the applicant union should not be registered in its place.

Registrar of Representative

unions rajasthan

FORM No. 5

(rule 6 C)

S.No.	Name/Names Of arbitrator	Name of the disputant Parties		Date of giving award	Date of Publication in the State Gazette	Remark
		Employers	Employees			
1	2	3		4	5	6

Notifications under Industrial disputes Act, 1947

(1)

Jaipur, August 4/1950

No. 1614/Lab/(ii)-In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 of the Central Legislation as adapted by the Rajasthan Adaption of Central Law Ordinance, 1950 the Government of Rajasthan is pleased to appoint the Labour Commissioner, Rajasthan by virtue of his office, as conciliation officer for Rajasthan

(Published in Raj. Raj-para Vol.2 No. 43 dated 12.8.50 part at Page 345)

(2)

Labour Department

Notification

Jaipur, August 6, 1952

No. F. 25(5) Lab/50.- In exercise of the powers conferred by section (1) of section 34 of the Industrial Disputes Act, 1947 (XIV of 1947) the Government of Rajasthan is pleased to order that the Labour officer, Jaipur shall prosecute under sub-section (2) of Section 31 of the aforesaid Act, the Industrial establishment whose names are given below (in accordance with section 32 of the said Act) for having contravened the provisions of section 3 of the aforesaid Act.

- M/s Guhamal & Co. Jaipur
- M/s Udaibhan Industries Limited, Dholpur.
- M/s Alwar Paint, Oil and Varnish Works Limited, Alwar.

(Published in Raj. Raj-patra Vol. 4 No. 90 dated 30.8.52 part I at page 487)

(3)

Appointments department

order

Jaipur, August 2, 1953

No. 4253/Apptts.(A)/53- In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947). The Government of Rajasthan is pleased to constitute, for the adjudication of industrial disputes in Rajasthan in Industrial Tribunal

consisting of one member only and to appoint Shri Shardool Singh Mehta, R.J.S. Legal Remembrancer and Ex-officio Secretary to Government as such member.

By order of His Highness the Rajpramukh,

Chief Secretary to the Government,

(Published in Raj. Raj-patra Vol. 5 No. 37 Dated 2.6.53 part at page 211)

(4)

Appointments department (A)

To be substituted for the order bearing the same No. and date

ORDER

Jaipur, June 2, 1953

No. 4253/Appts.(A)/53- In exercise of the powers conferred by section 7 of the Industrial Disputed Act, 1947 (Act No. XIV of 1947). The Government of Rajasthan is pleased to constitute, for the adjudication of industrial disputes in Rajasthan in Industrial Tribunal consisting of one member only and to appoint Shri Shardool Singh Mehta, R.J.S. Legal Remembrancer and Ex-officio Secretary to Government as such member.

2. This order comes into force with effect from 3rd June 1953. The appointment is at present sanctioned for the financial year 1953-54.

3. With effect from 3rd June, 1953, the post of Legal Remembrancer and Ex-officio Secretary to Government is abolished and its functions merged with those of the Law Secretary.

By Order of

His Highness the Rajpramukh,

Chief Secretary to the Government.

(Published in Raj. Raj- patra. Vol. 5 No. 39 Dated 8-6-53 part I at page 229)

(5)

NOTIFICATION

Jaipur, May 26, 1954

No. 4253/Appts' (A) 53 —In exercise of the powers conferred by section 7 of the Industrial Disputes Act 1937 (No. X{V of 1947), the Government of. Rajasthan 'is pleased to direct' that the following amendment shall be made in Appointments Department (A) Order of even

number notified in the Rajasthan Gazette, Extraordinary, Part I dated June 2, 1953, namely
:—

AMENDMENT

The Words The appointment is at present sanctioned for the financial Year 1953-54, appearing in para 2 of the said Order. shall be deleted.

By Order of

His Highness the Rajpramukh

Chief Secretary to the Government.

(Published in Raj Raj-patra dated June 5, 1954 part 1(0) at page 52)

(6)

Jaipur, September 13, 1954

No. F. 15 (3) Lab./52.—In exercise of the Power conferred -by section 4 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), and in supersession of Government Notification' No. F. 15 (3) Lab./52, dated. J1th July, 1952, the Government of Rajasthan is pleased to Appoint the following Officers to be Conciliation Officers for the areas noted against them.

Designation	Area.
1. Labour Officer, Jaipur	Jaipur Division.
2. Labour Officer, Kotah	Kotah Division.

[Published in Raj Raj-patra Dated September 25, 1954, part [(a) at pages 154 to 155] "

(7)

Jaipur, September 13, 1954,

No. F. 15 (3) Lab {52.—1n exercise of the power conferred by section 4 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) and in supersession of Government Notification No. 1406/- Lab. dated 8th June. 1950, the Government of Rajasthan is pleased to appoint the following Officers to be Conciliation Officers or the area noted against them.

1. Labour Officer, jodhpur Jodhpur Division.
2. Labour Officer, Bikaner Bikaner Division.

Jaipur, September 13, 1954

No. F. {6 (3) Lab./52—In exercise of the Power conferred. by section 4 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947). and (XIV of 1947) of Government Notification No. F. 15 (3) Lab./52, dated, 6th . January, 1953, the Government of Rajasthan is pleased to appoint the Labour Officer, Bhilwara, to be Conciliation Officer for Udaipur Division.

By Order of

His Highness the Rajpramukh,

Secretary to the Goverainent.

(Published in Raj Raj-patra, Dated September 25, 1954 part J (a) page 155 7

(8)

NOTIFICATION ,

Jaipur, March 22, 1956.

No. D.1434/F. | (18) Lab./55.— exercise of the Powers conferred by section 7 read with section 8 (2) of the Industrial Disputes Act, 1947 (XIV of 1947) the Government of Rajasthan is pleased to appoint with effect from the 22nd March, 1956, Shri Anand Nareio Kaul R. J. S. (Higher) as the sole member of the Industrial Tribunal constituted by appointments Department Order No. 4253/Apptts. (A) 53, dated the 2nd June, 1953 as amended by the Notification No. S283/A pptts (A)/53, dated the 26th May, 1954} in the vacancy caused by the retirement of Shri S. S Mehta.

By Order of

His Highness the Rajpramukh,

Secretary to the Goverament.

(Published in Raj. Raj-patra Dated April 14. 1956 part I (a)-at page 23}

(9)

Jaipur, October 26, 1956.

No. D-16043/F. -J (40) 1/36.—Whereas the Government is satisfied that public interest requires that Sugar Industry should be declared to be a public utility service.

Now therefore, in exercise of powers vested by sub-clause (vi) of clause (a) of Section 2 of the Industrial Disputes Act, 1947 (XIV of 1947); the Government of Rajasthan 'hereby declares Sugar Industry to be a public' utility Service for the purposes of the said Act for a period of six months with effect from 1st November, 1956.

By Order of

His Highness the Rajpramukh,

Deputy Secretary to the Government,

[Published in Raj. Raj-patra Dated November 8, 1956 part I (5) at page 653.]

(10)

LBAOUR DEPARTMENT

NOTIFICATION

Jaipur, November 10, 1956

No. D-5337/F. 25 (5) Lab./50/10406.—In exercise of the powers conferred by section 39 of the Industrial Disputes Act, 1947 (XIV of 1947), the Government \$758 Notifications under Industrial Disputes Act, 1947 of Rajasthan is pleased to direct that the powers of the State Government under Section 3 of the said Act shall, with immediate effect, be exercised by the Officers mentioned below within the areas noted against each :—

- | | | |
|------|--|-----------------------|
| 1. | The, Labour Commissioner, Rajasthan Jaipur | Throughout Rajasthan. |
| 2. | The Labour Officer Jaipur Division, Jaipur | Jaipur Division. |
| 3. | The Labour Officer, Jodhpur Division, Jodhpur. | Jodhpur Division. |
| 4 | The Labour Officer, Kotah Division. Kotah. | Kota Division. |
| 5. | The Labour Officer, Division Bikaner | Bikaner Division |
| 6. - | The Labour Officer, Division Bilwara | Udaipur Division |

By Order of the Governor

Secretary to the Government.

(Published in-Raj. Raf patra Dated November 22, 1956)

part IV (e) at page 645)

Jaipur, January 1957

No. F. 1 (18) Lab./55.—In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government hereby orders that the 1 member Industrial Tribunal constituted under order of the Government of the pre-Reorganisation State of Rajasthan in the Appointment (A) Department. No. 4253/Appts. (A) 53, dated the 22nd June, 1953 shall also be the Industrial Tribunal. for the Ajmer area the Abu area and the Sunel area and the person for the time being holding the office of the sole member of the first mentioned Tribunal shall also be the sole member of the last mentioned Tribunal.

Jaipur, January 1957

No. F.9 (47) Lab. [56 Whereas By Notification No. 12/5/55-Lab., dated the 10th February, 1956, the Chief Commissioner, Ajmer constituted an Industrial Tribunal consisting of Shri C. Jacob, District and sessions Judge. Ajmer under section 7 read with section 8(2) of the Industrial Disputes, 1947 (Central Act XIV of 1947) for deciding certain matters the Rashtriya Mill Mazdoor Sangh and the Textile Labour Union Beawar on the one side and the Edward Mills Co. Ltd. Beawar. Krishana Mills Co. Ltd. and Mabaalkshmi Mills Co. Ltd. Beawar on the other side (which were referred back by the Labour Appellate Tribunal in the circumstance mentioned in the said Notification.

And whereas the services of Shri C. Jacob as an Industrial Tribunal ceased to be available on his appointment as the Judicial Commissioner, Ajmer. from 14th February, 1956 to 3rd April 1956 and whereas therefore a vacancy arose under section 8 of the Industrial Disputes Act, 1947.

And whereas in Civil (Writ) petition No. 22 of 1956 the Judicial Commissioner Ajmer allowed the petition and issued a writ of certiorari quashing the further issuing a writ of prohibition, directed Shri C. Jacob not to proceed further with that particular adjudication of the dispute.

Now, therefore, the State Government in exercise of the powers conferred on it by section 8 (4) of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) hereby fills the aforesaid vacancy caused by the appointment of Shri C. Jacob as Judicial Commissioner, Ajmer and appoints Shri A. N. Kaul of the Rajasthan Higher Judicial Service with effect from the date of issue of this notification as a sole member of the said Industrial Tribunal.

Note:—The Annexure to the said Notification is reproduced below.

Annexure

1. Fixing up Rs: 35/- per month as the minimum basic wage of the lowest paid worker and relative increment, to all category of workers including piece Workers, rates of wages payable to. all classes of workers and all classes of work should be revised and standardized to secure a living wage standard and ensure Proper remuneration in suitable recognition of the strain and skill required different processes of the industry.
 2. Dearness allowance should be paid at the flat rate of Rs. 60/- per month per worker with provisions to increase or decrease with the rise or fall of the cost of living index. Dearness should be paid separately on different dates.
 3. Unconditional and lump sum amounting to 1/4 of the total earnings in a year (including dearness allowance) be given as bonus every year to an employee.
 4. Increase of 12½ % of in piece work rates.
 5. Reduction in 'working' hours from 9 to 8; and
 6. Workers in night shifts be paid 15% extra as night allowance on the basic wage.
- (Published in Ray Raj- patra Dated January 24 1958 p-rt 1 (8) at page 751),

(12)

INDUSTRIES (C) DEPARTMENT, LABOUR SECTION, RAJASTHAN

NOTIFICATIONS

Jaipur, February 4; 1957

No. F. 25 (5) Lab 50/885- In supersession of the Department Notification No. D. 5337/F. 25(50. dated 10.11.56 and in exercise of the powers conferred by Section 39 of the Industrial Dispute Act, 1947 (XIV of 1947) the Government of Rajasthan due to the formation of New State of Rajasthan from 1st November, 1956, directs that the powers vested in the State Government under Section 3 of the aforesaid Act for formation of works committees and other matters pertaining hereto shall, with effect from 1st November, 1956, be exercised by the officers mentioned below within their Jurisdiction as noted against each:-

1.	The Labour Commissioner Rajasthan	Throughout the New State of Rajasthan
2.	The Labour Officer, Jaipur	Ajmer Division excluding Ajmer District.
3.	The Labour Officer, Ajmer	Ajmer District.
4.	The Labour Officer, Jodhpur	Jodhpur Division including Abu Road Taluka
5.	The Labour Officer, Kota	Kota Division including Sunel Tappa and excluding Sironj Sub-District.
6.	The Labour Officer. Bikaner	Bikaner Division
7.	The Labour Officer Bhilwara	Udaipur Division.

(Published in Raj. Raj-patra dated February 21, 1957 1(b) at page 807)

Notifications under Industrial Disputes Act, 1947

(13)

INDUSTRIES (C) DEPARTMENT

(Labour Section)

NOTIFICATION

Jaipur, July 13, 1957

No: F.:9/64/Lab;56/4522 —In exercise of the powers' conferred "by section 39 of the Industrial Disputes Act, 1947. (Central Act XIV of 1947), the Government of Rajasthan is pleased to direct that the powers exercisable by it under section 33C of the said Act shall be exercisable also by the Labour Commissioner, Rajasthan, Jaipur for the dispute between the management and the workers of the Bijaya Cotton Mills, Bijainagar.

By Order of the Governor,

Deputy Secretary to the Government.

[Published in Roj. Raj-patra Dated July 25, 1957 part 1 (b) at page 18])

(14)

INDUSTRIES (C) DEPARTMENT.

(Labour Section)

NOTIFICATIONS

Jaipur, January 12, 1959

No. D. 14380/F. 9 (43)/Lab.{57.—In pursuance of the powers conferred by section 39 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Rajasthan hereby cancels its Notification No. F. 9 (43) Lab./56 dated the 7th August, 1958 with effect from the 10th October. 1958.

Jaipur, January 12, 1959

No. D. 88 F. 5 (28) /Lab 58.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947) the Governor of Rajasthan is pleased to publish the following Award of the Industrial Tribunal, Jaipur in the Industrial dispute between the Management of the Lokwani Society, Jaipur and its workmen represented by Rajasthan Vyapar Karamchari Sangh, Jaipur.

[Published in Raj. Raj-patra, part 1 (b) dated March 12, 1959. at page 1273]

NOTIFICATION

Jaipur, January 15, 1959

No. D, 17238 F. 5 (72) Lab. 58.—In exercise of the powers conferred. by the proviso (6) to section 9A of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Government of the State of Rajasthan hereby notifies that no notice shall be required for effecting any change in the conditions of service of the Workmen to whom the Indian Airlines Corporation Employees' Service Regulations, 1955, apply.

By Order of the Governor,

Secretary to the Government.

[Published in Raj 'Raj-patra, part I(b) dated March 12, 1959 at page 1275)

(15)

INDUSTRIES (C) DEPARTMENT

NOTIFICATIONS

Jaipur, April 16, 1959

No. D. ANB F. 4 (2) Ind.(C) 59 2767 — In exercise of the powers conferred by section '7 of the industrial Disputes Act, 1947 (Act, XIV of 1947), as amended by Notifications under Industrial Disputes Act, 1947 1761 Act No. XXXVI of 1956 and No. XLI of 56, the Government of Rajasthan hereby constitutes with immediate effect, a Labour Court for the adjudication of Industrial Disputes relating to the matters specified in the Second Schedule of the said Act, arising in Rajasthan, and appoints Shri A. N. Kaul, Judge, Industrial Tribunal, as the Presiding Officer of the said Court.

Jaipur, April 16, 1959

No. D. 2585/F. 4 (2) Ind. (C) 1\$9/2770.—In exercise Of the power conferred by section 7-A of the Industrial Disputes .Act, 1947 (Centres Act 14 of 1947), the Government of Rajasthan hereby constitutes with immediate effect, for the adjudication of industrial Disputes arising in the State of Rajasthan an Industrial Tribunal consisting of Shri Anand Narain Kaul.

By Order. of the Governor,

Secretary to the Government,

{Published in Raj. Raj-patra, part, IV(G) dated April 16)

(16)

Jaipur, May 3, 1959

Nos. 3171 F. 9 (93) Lab /5—In supersession of Government 'Notification No. F. 9 (93) Lab./58, dated the 30th September, 1958, and in exercise of the powers conferred by section 39-of.the Industrial Disputes Act, 1947, (Central Act XIV of 1947) the Government of Rajasthan is pleased. to direct that the powers exercisable by it under sub-section (1) of section 33C of the said Act, shall now be exercisable by the Labour Court constituted vide Government Notification No. D.2585/F. 4 (2) /lad. (C)/59, dated the 16th April. 1959.

By Order of the Governor,

Secretary to the Government.

[Published in Raj. Raj-patra. part 1 (b) dated July 2, 1959 at page 196) -

(17)

INDUSTRIES (C) DEPA RTMENT

NOTIFICATIONS:

Jaipur, July, 23, 1959

No: D. 318/F. 5 (40) Ind (C)/59.—In exercies of the powers conferred by section 4 of the industrial Disputes Act, 1947\ (Central Act No. XIV of 1947) and in constitution of this Department Notification. No. F. | (12)/Lab./57 dated the 29th April. 4957, the State Government hereby. further: appoints the under mentioned officers by virtue of their office to be Conciliation officers for carrying out the purposes of the said section, for the area specified against each;—

	Name of the officer	Jurisdiction
1.	Regional 'Assistant Labour Commissioner with head-quarters at Jaipur	Ajmer and Kotah Divisions
2.	Regional Assistant Labour – Commissioner with head quarters at Jodhpu	Bikaner, Jodhpur and Udaipur Divisions.

Jaipur; July 23, 1959.

No, D. 4376/F.'5 (29) /Ind. (C)/59.—Whereas an Industrial Dispute specified below has arisen between the Management of M/s Krishna Mills Ltd, Beawer and the Rashtriya Mill Mazdoor Sangh, Beawar;

Whereas the Conciliation Officer Beawar has 'reported that on settlement could be arrived at

Whereas upon a consideration of the report of the said Conciliation. Officer the State Government is satisfied that there is a case for reference to Tribunal;

Now therefore; in exercise of the powers conferred by sub-section (5) of section 12 read with clause (d) of sub-section (j) of section 10 of the industrial Disputes Act, 1947 (Act No. XIV of 1947), the State Government does hereby refer the aforesaid dispute for adjudication to the Industrial Tribunal, Rajasthan, Jaipur duly constituted by the State Government under the Industrial Disputes Act, 1947 (Act No. XIV of 1947)

DISPUTE

- (1) Whether the out affected the wages of the piece-rated workers contrary to the provisions of the notification dated 8-10-52 should be stopped and the difference so far deducted during the last two years be paid to the workers?
- (2) Whether the workers (including watch and ward staff) who had resigned on and from 1-9-56 did so under coercion or under pressure or compelling circumstances? If so whether this amounts to illegal retrenchment?
- (3) Whether the rates of wages of piece-rated workers have been fixed contrary to the provisions contained in the Notification dated 8-10-52? The rates be so fixed as-to enable (hens to get minimum basic, wages ,prescribed under the said notification.
- (4) Whether for appointment and promotions etc rules be framed on the model of Badli Rules framed by the erstwhile State of Ajmer.
- (5) Whether every worker (including members of watch and ward staff) should de entitled to get 50% of the total monthly emblements as advance from employers without payment of any interest.
- (6) Whether workers 'working. on permanent posts be made permanent on those posts and they should not be allowed to be kept vacant for more than 4 months The unhappy practice of causing breaks in their services be stopped.

(Published in Raj. Raj-patra Vol. 5 No: 39 dated 8-5-53 part I at page 299}

(18)

Jaipur May 12, 1960.

No. D. 5176/F. 5 (11)/ Ind. (C)/90.—In exercise of the powers conferred by section 9B of the Industrial Disputes Act. 1947 (Central Act No., XIV of 1947), the Government of Rajasthan is of the opinion that the public interest so requires that the application of the provisions of section 9A of the said Act is likely to affect the employers in relation thereto so prejudicially that such application may cause serious repercussions on the industry, hereby directs that the provisions of the said section shall not apply to the Edward Mills Co. Ltd. Beawar

By Order of the Governor

Secretary to the Government.

{Published in Raj: Raj-patra part; IV (c) dated May 12, 1960 at page 23-24] —

(19)

INDUSTRIES (c) DEPARTMENT

Labour Section

NOTIFICATION

Jaipur, May24, 4963,

No.D. 5196/F, 5 (II) Ind. (C)/60—In exercise of the powers conferred by section 9B of the Industrial Disputes Act. 1947 (Central Act No. XIV of 1947), the Government of Rajasthan is of the opinion that the public-interest so requires that the application of the provisions of section 9A of the said Acts is likely to affect the employers in relation thereto so prejudicially that such application: may cause serious repercussions on the industry, hereby directs that the provisions of the said section shall not apply to the Mewar Textile Mills Ltd., Bhilwara.

By Order of the Governor,

Secretary to the Government.

(Published in Raj. Raj-patra, Part 1V(C) dated May 24, 1960 at page 37)

(20)

INDUSTRIAL DISPUTES (RAJASTHAN: AMENDMENT) ~

ACT, 1958

INDUSTRIAL (C) DEPARTMENT

NOTIFICATIONS

Jaipur, June 24, 1960

No. D. 816/F. 3 (21) (Lab/59).—In exercise of the powers conferred by sub-section (2) of section 1 of the Industrial Disputes (Rajasthan Amendment) Act, 1958 (34 of 1958) the State Government hereby appoints 1st day of July, 1960, as the date on which the provisions of the said Act, shall come into force in the State of Rajasthan.

[Published in Raj. Raj-patra, Part IV (C) dated June 27, 1960 at page 91]

(21)

INDUSTRIES 'C' DEPARTMENT

NOTIFICATION

Jaipur, July 19, 1960.

No. D. 5590/ F. 5(62)ind (C)/60.—In exercise of the powers conferred by sub-section (2) of section 33C of the Industrial Disputes Act, 1947(Central Act No. XIV of 1947) the State Government hereby specifies the Labour Court. Rajasthan, constituted vide this Department Notification No. D. 2585/F. 4 (2) Ind. (C)/59 dated 16-4-59 to determine the money value of a benefit which any workman is entitled to receive from his employer and which is capable of being computed in terms of money.

By Order of the Governor,

Secretary to the Government.

[Published in Raj. Raj-patra, Part I (b) dated August 25, 1960 at page 276]

(22)

Jaipur, August 27, 1960 |

No. F. 3 (21) Lab./59.— In exercise of the powers conferred by sub-section (2) of section 3 A of the Industrial - Disputes Act, 1947 (Central Act XIV of 1947) the State Government hereby appoints the Assistant Labour Commission (implementation and Evaluation) as Assistant Registrar of Unions for the whole of the State and confers upon him all the powers of the Registrar of Unions for purpose of this Act.

Jaipur, August 27, 1960.

No. F. 3 (22)/Lab./59.—In exercise of the powers conferred by sub-section (1) of section 3 A of the Industrial" Disputes Act. 1947 (Central act, XIV of 1947). the State Government hereby appoints the Deputy Labour Commissioner (Laws) as the Registrar of Unions, for the purpose of this Act for the whole of the State.

[Published in Raj. Rajpatra, Part IV (c) dated September 8, 1960 at page 287]

(23)

LABOUR DEPARFMENT

NOTIFICATIONS

Jaipur, November 10, 1960.

No. F. 3 (61) Ind (c)/60— In exercise of the powers conferred by article 258 A of the Constitution the Government of Rajasthan hereby empowers the Central Government to exercise the functions of Appropriate Government for the Purposes of dealing with industrial disputes arising between the Employees State Insurance Corporation and their employees, under the Industrial Disputes Act, 1947, throughout the States of Rajasthan.

Jaipur, November 18. 1960

No. F. 3 (100) Lab/60—In exercise of the powers conferred by proviso (b) to section 9 A of the Industrial Disputes Act, 1944" (Act No. XIV of 1947) the State Government hereby notifies that no notice shall be required for affecting any change id the conditions of service of the workmen to whom the Air India International Employees Service Regulations apply.

By Order of the Governor,

Secretary to the Government.

[Published in Raj Raj-patra part 1 (hb) dated December 8, 1960 at page 451.)

(24)

Jaipur, October 15, 1962.

No. F. 3 (109)Lab./61.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act- 1947 (Central Act 14 of 1947), and in supersession of this Department Notification No. 1 (12) Lab./57 dated the 28th April, 1957, State Government hereby appoints the following-Officer in virtue of their office to be Conciliation Officers, for the area noted against each, namely:—

1.	Labour Commissioner Rajasthan, Jaipur	For whole of Rajasthan
2.	Deputy Labour Commissioner, (Laws) Rajasthan Jaipur	For whole of Rajasthan
3.	Labour Officer, Jaipur	For Jaipur Sawaimadhopur, Alwar and Bharatpur Districts
4.	Labour Officer, Ajmer	Ajmer, Sikar and Jhunjhunu Districts
5.	Labour Officer, Kota	For Kota, Bundi, Jhatawar and Tonk District
6.	Labour Officer, Jodhpur	For Jodhpur, Pate, Sirohi, Bariner, Jalore and Jaisalmer District
7.	Labour Officer, Bikaner	For Bikaner, Sriganganagar, Churu and Nagaur
8.	Labour Officer Bhilwara	For Bhilwara, Chittorgarh, Udaipur, Dungarpur and Pratapgarh Districts

(25)

Jaipur, October, 15, 1962.

No. F3 (109) Lab/61:—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (Central: Act 14-of. 1947) and in supersession of this Department Notification No. D. 3181/F. 5(40) Ind. (C1/59 dated the 3rd July, 1959, the State Government hereby appoints the following officers, in virtue of their office, to be Conciliation Officers for carrying cut the Purposes of the said section, for the area specified against each :—

1.	Regional Assistant Labour Commissioner, Jaipur	Jaipur, Sawaimadhopur, Alwar, Bharatpur, Ajmer, Sikar, Jhunjhunu, Bundi, Jhalwar and Kota Districts.
2.	Regional Assistant Labour Commissioner, Jodhpur	For Jodhpur, Pali, Sirohi, Barmer, Jalore, Jaisalmer, Bikaner, Srganpandgdr, .Churu, Nagavur, Bhilwara, 'Chittorgarh, Udaipur Dungarpur and Pratedpgarh Digriacts

(26)

Jaipur, October 15, 1962.

No. F. 3 (209) Lab./61/4305.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) and in supersession of this Department Notification No. F. 3 (32) Lab./58/ dated the 2nd November, 1958, the State Government hereby appoints, in virtue of their office, the following Labour Inspectors to be the Conciliation Officer for the areas noted against each, namely :—

1.	Labour Inspector, Jaipur	For Jaipur, Sawaimadhopur, Alwar and Bharatpur Districts.
2.	Labour Inspector, Jodhpur	For Jodhpur, Pali, Sirohi, Barnier, Jalore and Jaisalmer Districts.
3.	Labour Inspector, Bikaner.	For Bikaner, Sriganganagar, Churu and Nagaur Districts.
4.	Labour Inspector, Bhilwara.	For Bhilwara, Chittorgarh, Udaipur, Dungarpur and Pratapgarh Districts.
5.	. Labour Inspector, Kota.	For Kota, Bundi, Jbalawar and Tonk District.
6.	Labour Inspector, Ajmer.	Ajmer, Sikar aod Jhunjuou Districts.

Jaipur, October 15, 1962.

No. F: 3(109) Lab./61.—In exercise of the powers conferred by section 39 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) and in supersession of this Department Notification No. F. 25 (5) Lab/50/885 (1) dated the 14th February, 1957, the State Government hereby directs that, the powers exercisable by it under section 3 of the aforesaid Act in relation to formation of Works Committees and other matters pertaining thereto shall with effect from the date of publication of this notification in the official Gazette, be exercisable also by the following officers within their Jurisdiction as noted against each :—

1.	Labour Commissioner	For whole of Rajasthan
2.	Deputy Labour Commissioner(Laws) Rajasthan, Jaipur	For whole of Rajasthan
3.	Labour Officer, Jaipur	For Jaipur, Sawaimadbopur, Alwar and Bharatpur Districts.
4.	Labour Officer, Ajmer	For Ajmer, Sikar and: Jhunjhunu Districts.
5.	Labour Officer, Jodhpur	For Jodhpur, Pali, Sicohi, Barmer,

		Jalore and Jaisalmer Districts.
6.	Labour Officer, Kota	For Kota, Bundi, Jhalawar and Tonk Districts.
7.	Labour Officer, Bikaner	For Bikaner, Sriganganagar. Churu and Nagaur Districts
8.	Labour Officer, Bhilwara	For Bhilwara, Chittorgarh, Udaipur, Dungarpur and Prafapgarh Districts

[Notification Nos. 24.10 26 Pub. in Raj. Raj-patra, Part IV (C) Dated

November 22. 1962 at page 593-599).

(27)

LABOUR DEPARTMENT 7

NOTIFICATION

Jaipur, January 2, 1965

No. F 3.(35) Lab./62—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (Central Act 14 of a. the State Government hereby appoints the following officers, in virtue of their officers to be Conciliation Officers, for the area noted against each namely :—

1.	Deputy Labour Commissioner, (Administration) Rajasthan, Jaipur	For the whole of Rajasthan
2.	Deputy Labour Commissioner, (Welfare) Rajasthan, Jaipur	For the whole of Rajasthan
3.	Deputy Labour Commissioner, (Hadquarter) Rajasthan, Jaipur	For the whole of Rajasthan

By Order of the Governor,

Secretary to the Government,

{Pub in Raj. Gaz. Part 1 (B) Date 31-1-63 at Page 29}}

(28)

LABOUR & EMPLOYMENT DEPARTMENT

Jaipur, January 12, 1967.)

No. F 3 (8) L & E/64.--Whereas, the State Government is of the opinion that it is expedient or necessary in the public interest to add to the first schedule to the Industrial Disputes Act, 1947 (Act No. 14 of 1947), the "the Zinc Smelter".

Now therefore, in exercise of the powers conferred under sub-section (1) of section 40 of the Industrial Disputes Act, 1947 (Act No. 14 of 1947) the State Government hereby adds the following item in the first Schedule to the said Act after items 15 thereof namely :-

16. Zinc Smelter,

[Pubs: in Raj. Gaz. 4 (Ga) Dated 25-5-67,.Page 196]

(29)

Notification S. O.143, dated September 46, 1969.—Whereas the State Government is of the 'opinion that it is necessary in the public interest to add to the First Schedule to the industrial Disputes' Act, 1947 (Central Act 14 of 1947), the Industry relating to manufacture and delivery of Oxygen.gas.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 40 the Industrial Disputes Act. 1947 (Central Act 14 of 1947), the State Government hereby adds after item No. 17, the following item to the First Schedule to the said Act, namely:—

"18 Manufacture and delivery of Oxygen gas."

(Pub. in Raj. Gaz. Ex. 4 (Ga) (11) Date 26-9-69 Page J49]

Notification G. S. R. 79, dated December 24, 1969.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (Central Act XEV of 1947), the State Government hereby makes the following amendments in this Department Notification of eve: number dated the 25th May, 1967, published at pages 150 to 152, Part IV-C of the Rajasthan Gazette, Extraordinary, dated the 26th May, 1967, namely:-

AMENDMENT

In the table appended to the said Notification

(1) In column 3 against Serial No. 13, for the expression "For Jaipur City". the expression."For Jaipur District 'including Jaipur City" shall be substituted, and

(2) the entries et Serial No. 14 shall be deleted.

{ Pub. in Raj. Gaz. Ex. 4 (Ga) (1) Dr. 24-1260 Page 254)

(31)

LABOUR AND EMPLOYMENT DEPARTMENT

Notification No. F. d (f) (210) Lab/68, dated May 9, 1968. In exercise of the powers conferred by sub-section (2) of section 338 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government hereby authorise the industrial Tribunal, Rajasthan, Jaipur to transfer any proceeding under section 33 or section 33A of the said Act Pending before it to the Labour Court, Rajasthan, Jaipur for the disposal of such proceeding.
(Pub. in Raj. Gaz Ex.4 (Ga) Dt. 9-5-68 Page 121)

(32)

Notification S.O. 15] , dated September 19, 1970.— In exercise of the powers conferred by Section 8 read with Section? of the Industrial Disputes Act, 1947 (Central Act 14'of 1947), the State Government hereby appoints Shri B. L. Srivastave, Deputy Legal Remembrancer, Law Department, Secretariat, as Presiding Officer of the Labour Court constituted under this Department Notification No. F, 4 (2) Ind. (Cy/S9, dated the 16th April, 1959 vice Shri B.C. Ojba, with effect from the date le takes over charge till further orders
(Pub. in Raj. Goz. Ex. 4 (Ga) (II)—dated. 21. 9. 70— Page 298)

(33)

DUSTRIES (A) DEPARTMENT
AMENDMENT

S.O. 4, dated November 16, 970.—In this department order No. F. 2 (53) Ind. (A) 69 dated the 30th October, 1969, the words 'Areas within 20 miles (twenty miles), appearing at 1.(A) in Column 1 of the Table, (which was amended vide amendment No. F. (53) Ind. (A) 69 dated the 17th March, 1970) should be read "Areas within 30 miles (thirty miles)",
(Pub. in Raj. Cat. 4 (Ga) (II)—Dt. 15-4-71 Page 5}

(34)

No F.1(I)(I) Shrrama 67 S.O. 13 September 25, 1972, In exercise of the Powers conferred iby sub-section (3) of section 22 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the State Government hereby makes the following amendment in this Department Notification No. F. 1(1)(1) L&E/67, dated the 25th May, 1987, namely:

In the table appended to the said notification, in volume 2 against Serial No. 7, for the Words 'Regional Assistant Labour Commissioner, Udaipur" substitute the words 'Regional Deputy Labour Commissioner, Udaipur".

(Published in Raj. Gaz. 4 (Ga) (II)-D1, 2-5-74 Page 7),

(35)

No. 1(1)(I) sharma /67 5. O. 14, September 25, 1972. in exercise of the powers conferred by section 39 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947), the State Government hereby makes the following amendments in this Department Notification No. F. 1 (1) (1) L&E/67, dated the 25th May, 1967 namely:—

In the table appended to the said notification in column 2 against Serial No. 10, for the words "Regional Assistant Labour Commissioner, Udaipur" substitute the words 'Regional Deputy Labour Commissioner, Udaipur.

[Published in Raj. Gaz. 4.(Ga) (II)-Dt. 2-5-74 Page 8]

(36)

LABOUR & EMPLOYMENT DEPARTMENT

Notification No. F. I (1) L&E'67, dated March 1, 1973.—In exercise of the powers conferred by sub-section (2) of 'section 3-A of the Industrial Disputes (Rajasthan Amendment) Act, 1958 (State Act No. 34 of 1958); the State Government hereby appoints the following officers to be Assistant Registrars of Unions for the respective areas stated against each:

1.	Regional Dy. Labour Commissioner, Jaipur	For Jaipur, Tonk, Bikaner, Churu, Sriganganagar, Districts.
2.	Regional Dy. Labour Commissioner, Kota	For Kota, Bundi, Jhalawar, Ajmer, Sikar, Jhunjhunu, Bharatpur, Alwar and Sawai Madhopur Districts .
3.	Regional Dy. Labour Commissioner, Udaipur	For Udaipur, Banswara, Dungarpur, Jodhpur Jaisalmer, Pali, Barmer, Sirohi, Jalore, Nagore, Bhilwara, and Chittorgarh Districts.

[Published in Raj. Gaz. 5 (Ga)-Dt. 8-3-73 page 358].

(37)

LABOUR & EMPLOYMENT DEPARTMENT

Notification S. O. 43,-dated July, 2, 1973 —In exercise of the powers, conferred by sub-clause (vi) of clause (1) of section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government On being satisfied that public interest so requires hereby declares the Services in the following industries in the State to be public utility service, for the purposes of the said Act, for a further period of six months with effect from 3rd July; 1973, namely:—

1. Transport (other than Railways), for the carriage of passengers or goods by road,
2. Fire Brigade, :

3. Manufacture, marketing and distribution of petroleum products,
4. All the Hospitals and dispensaries

[Published in Raj. Gaz. Ex. 4 (Ga) (II); Dt. 3-7-73—Page, 100]

(38)

Notification No. F. (1) (1) Lab. 167 S. O. 324. November 29, 1973.—In exercise of the powers conferred by Section 4 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) and in supersession of the Department 'notification Issued in this respect from time to time the State Government: hereby' appoints the following officers to be the Conciliation officers for the areas mentioned against each, namely :—

S.No.	Designation	Jurisdiction
1.	Labour Commissioner, Rajasthan, Jaipur	for the whole of Rajasthan State
2.	Jt. Labour Commissioner, Rajasthan, Jaipur	for the whole of. Rajasthan State.
3.	Dy. Labour Commissioner (Head- quarters), Rajasthan, Jaipur	for the whole of Rajasthan State.
4.	Asstt. Labour Commissioner, I,II and II] (Har.) Jaipur	for the whole of Rejastban State,
5.	Regional Dy. Labour Commissioner, Jaipur	for Jaipur, Tonk Ajmer, Sikar and Jhunjhunu districts.
6.	Regional Dy. Labour Commissioner, Jodhpur	for Jodhpur, Jaisalmer, Nagaur, Pali, Barmer, Sirohi and, Jalore,, Bikaner, Churu and Sriganganagar districts.
7.	Regional Dy. Labour Commissioner, Kota	for Kota, Bundi, Shalawar, Bharatpur, Swaimadhopur and Alwar districts.
8.	Regional Dy. Labour Commissioner, Udaipur	for Udaipur, Banswara, Dungarpur, Bhilwara and Chittorgarh districts.
9.	Regional Dy. Labour Commissioner, Ajmer	for Ajmer Sikar aad Jhunjhunu districts.
10.	Regional Dy. Labour Commissioner, Bikaner	for Bikaner, Ganganagar end Churu Districts.
11.	Regional Dy. Labour Commissioner, Bharatpur	for Bharatpur, Sawaimadhopur and Alwar Districts.
12.	Regional Dy. Labour Commissioner, Bhilwara	for Bhilwara and Chittorgarh districts.
13.	Labour Welfare Officer (Head quarters), Jaipur	for the whole of Rajasthan State.
14.	Labour Welfare Officer, Jaipur	Jaipur and Tonk districts.
15.	Labour Welfare Officer, Kota	Kota, Bundi, Jhalawar districts.
16.	Labour Inspector, I, II, III, IV, Jaipur city, Jaipur	for Jaipur city.
17.	Labour Inspector, Tonk	for Tonk district.

18.	Labour Inspector, Jaipur district, Jaipur	for Jaipur district excluding Jaipur city.
19.	Labour Inspector, I, II, III Ajmer city Ajmer.	for Ajmer sub-division including Ajmer city.
20.	Labour Inspector, Kishangarh	for Kishangarh Sub-division.
21.	Labour Inspector, Beawar	for Beawar sub-division.
22.	Labour Inspector, Shunjunu	for Sikar and Jhunjunu districts.
23.	Labour Inspector, I, II, III, Jodhpur city Jodhpur	for Jodhpur city.
24.	Labour Inspector, Jodhpur, district, Jodhpur	for Jodhpur, and Jaisalmer district excluding Jodhpur city.
25.	Labour Inspector, Nagaur	for Nagaur district.
26.	Labour Inspector, Sirohi	for Sirohi and Jalore districts.
27.	Labour Inspector, I,II, Pali	For Pali and Barmer districts.
28.	Labour Inspector, Bikaner district, Bikaner	for Bikaner district excluding Bikaner city
29.	Labour Inspector Sriganganagar	for Sri-Ganganagar city.
30.	Labour Inspector, Sri Ganganagar district Sriganganagar	for Sri-Ganganagar district excluding Ganganagar city.
31.	Labour Inspector, Bikaner city, Bikaner	for Bikaner city.
32.	Labour Inspector, Churu	for Churu district.
33.	Labour Inspector, Kota district, Kota	for Kota district excluding Kota city.
34.	Labour Inspector, I, II, 'III, Kota	for Kota city.
35.	Labour Inspector, Bundi	for Bundi district.
36.	Labour Inspector, Jhalawar	for Jhalawar district.
37.	Labour Inspector, Bharatpur city, Bharatpur	for Bharatpur. city.
38.	Labour Inspector, Bharatpur district Bharatpur	Bharatpur district excluding Bharat city
39.	Labour Inspector, I and II, Sawai Madhobpur	for Sawaimadhopur district.
40.	Labour Inspector, Alwar	for Alwar district
41.	Labour Inspector, Bhilwara city, Bhilwara	for Bhilwara city.
42.	Labour Inspector, Bhilwara district, Bhilwara city	for Bhilwara district excluding Bhilwara
43.	Labour Inspector, Chittorgarh	for Chittorgarh district.
44.	Labour Inspector I, II, Udaipur, City, Udaipur	for Udaipur city.
45.	Labour Inspector Udaipur district, Udaipur city.	for Udaipur district excluding Udaipur
46.	Labour Inspector, Banswara	for Banswara and Dungarpur

(39)

Notification No. F. 3 (8) Lab./64, S. O. 149 December 28, 1973.—In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government on being satisfied that public interest so requires hereby declares the services in the following industries in the State to be public utility service, for the purposes of the said Act, for a further period of six months with effect from 3-1-1974, namely:—

1. Transport (other than Railways), for the carriage of passengers or goods by road.
2. Fire Brigade.
3. Manufacture, Marketing and distribution of petroleum products.
4. All the hospitals and dispensaries.

[Published in Raj. Gaz. Ex. Ord. 4(Ga) (11) Dt. 3-1-14 Page 428]

(40)

Notification No. F. 1 (2) (49). Sharm/74, S. O. 158, January 15, 1974.—In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (Central Act No, XIV of 1947), the State Government hereby constitutes a court to be called Labour Court with immediate effect for adjudication of Industrial Disputes relating to the matters specified in the second schedule to the Act and as arising in the State of Rajasthan and appoints Shri Updesh Narain Mathur, Presiding Officer, Industrial Tribunal Jaipur as its Presiding Officer in addition to his own duties.

{ Published in Raj. Gaz. Ex. Ord. 4 (Ga) (i/) Dt. 16-]-74 Page 445)

(41)

Notification No. F. 3 (8) Lab./64 S. O. 29. May 3, 1974.—In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government on being satisfied that public interest so requires, hereby declares the Works at Khetri Copper Project, Khetrinagar, to be a public utility service for the Purposes of the said Act, for a period of six months with effect from the date of publication of this notification in the Official Gazette.

[Published in Raj. Gaz. Ex. ord 4 (Ga) (II)-Dt. 6-5-74 Page 53]

(42)

Notification No. F. 3 (8) Lab/64 S. O III August 28, 1974. In exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government on being satisfied that public interest so requires hereby declares the services in the following industries in the State to be public utility service, for the Purposes of the said Act for a further period of six months with effect from the date of publication of this notification in the Gazette namely:—

1. Transport (other than Railway), for the carriage of Passengers or Goods by road.
2. Fire Brigade,
3. Manufacture, marketing and distribution of petroleum products,
4. All the hospitals and dispensaries.

[Published in Raj. Gaz. Ex. Ord. 4 (Ga) (II)—Dt. 29-8-74 Page 223]

(43)

No. F. 3 (8) Lab/64 S. O III August 28, 1974.—In exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government on being satisfied that public interest so requires hereby declares the Zinc Smelter Plant at Debari (Udaipur), of the Hindustan Zinc Limited, Udaipur. to be a public utility service for the purposes of the said Act for a further period of six months with effect from the date of publication of this notification in the Gazette.

[Published in Raj. Gaz. Ex. Ord. 4 (Ga) (II) Dt. 29-8-74. Page 224]

(44)

LABOUR DEPARTMENT

Notification No. F.] (2) (13) Shram/77, S. O. 25, April 25, 1977.—Where.- as, the Prantiya Vidhut Mandal Mazdoor Federation has served notice upon the Rajasthan State Electricity Board to go on Strike from 25-4-77:

And Whereas the dispute between the State Electricity Board and the said Federation is pending with the Conciliation Officer Deputy Labour Commissioner (Hqr);

And whereas, in the opinion of the State Government it is expedient so to do for securing the public safety and convenience and to maintain industrial peace and for maintenance of supplies and services essential to the life of community;

Now, Therefore the State Government, in exercise of the powers conferred by clause (b) of sub-section (1) of section 10K of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) as amended by the industrial Disputes (Rajasthan Amendment) Act, 1970 hereby orders and makes the provisions as follows ;

(1) The employer and the employees shall maintain the same terms and conditions of employment as exist on the date of this order.

(2) No workman in Rajasthan State Electricity Board shall go on strike in connections with the demands raised by the Prantiya Vidhut Mandal Mazdoor Federation which are pending with Conciliation Officer Deputy Labour Commissioner (Hqr.), Jaipur, and

(3) Period for which this order shall be in force is specified to be 6 months from the date of this order.

[Published in Raj. Gaz. Ex. Ord. 4 (Ga) (II)—Dt. 25-4-77 Page 31]

(45)

अधिसूचना सं. एफ1(1) श्रम/67,एस.ओ. 687, फरवरी 28, 1979 —औद्योगिक विवाद (राज. संशोधन) अधिनियम, 1958 (1958 का राज. अधिनियम सं. 34) द्वारा यथासंशोधित औद्योगिक विवाद अधिनियम, 1947 (1947 का केन्द्रीय अधिनियम संख्या 14 की धारा 3ए की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस विभाग की पूर्व प्रसारित विज्ञप्ति एवं अन्य पूर्व अधिसूचनाओं को अधिष्ठित करते हुये राज्य सरकार निम्नलिखित को उनके समक्ष अंकित क्षेत्रों के लिए एतद्वारा संघों का सहायक रजिस्ट्रार नियुक्ति करती है जो अपने क्षेत्र में उक्त अधिनियम के अन्तर्गत रजिस्ट्रार की सभी शक्तियों का प्रयोग करेंगे।

क्र. सं.	नाम अधिकारी	क्षेत्र जिसके लिये नियुक्त किया गया
1.	संयुक्त श्रम आयुक्त, जयपुर	जयपुर, टोंक, अजमेर, सीकर, झुन्झुनू जिले
2.	संयुक्त श्रम आयुक्त, कोटा	कोटा, बून्दी, झालावाड़ जिले
3.	प्रादेशिक उप श्रम आयुक्त, जोधपुर	जोधपुर, जैसलमेर, पाली, सिरोही, जालोर, बाड़मेर, नागौर, चूरू, बीकानेर एवं श्री गंगानगर जिले
4.	प्रादेशिक उप श्रम आयुक्त उदयपुर	उदयपुर, डूंगरपुर एवं बांसवाड़ा जिले
5.	प्रादेशिक उप श्रम आयुक्त भरतपुर	भरतपुर, सवाई माधोपुर एवं अलवर जिले
6.	प्रादेशिक उप श्रम आयुक्त, भीलवाड़ा	भीलवाड़ा एवं चित्तोडगढ़ जिले

[Pub. in Raj. Gaz. 4 (Ga) (41) Dt. 8-3-79 Page 423]

(46)

संख्या एफ.1(1) श्रम/67/एस.ओ.101, अगस्त 30, 1978— औद्योगिक विवाद अधिनियम (राजस्थान संशोधन) अधिनियम, 1958 (1958 का राज. अधिनियम सं. 34) द्वारा यथा संशोधित औद्योगिक विवाद अधिनियम, 1947 (1947 का केन्द्रीय अधिनियम संख्या 14) की धारा 3ए की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस विभाग की पूर्व प्रसारित विज्ञप्ति एवं अन्य पूर्व अधिसूचनाओं को अतिष्ठित करते हुए राज्य सरकार संयुक्त श्रम आयुक्त प्रथम (मुख्यालय) राजस्थान जयपुर को एतद्वारा राजस्थान के संघों का रजिस्ट्रार नियुक्त करती है।

[Pub. in Raj, Gaz. Ex. ord. 4(Ga) (II) Dt. 31-8-79 Page 177(15)]

LABOUR DEPARTMENT

Special Order No. F. 1 (2) (37) Shram/79, October 17, 1979,— Whereas the workmen of Sudershan Textiles, Kota represented by (1) Shree Gopal Industries Shramik Sangh. (2) Gopal Mill Mazdoor Sangh (3) Sudershan Textile Mazdoor Union and (4) Shree Gopal Mill Mazdoor Union submitted their respective Charter of Demands to the Management of Messers Sudershan Textiles, Kota, and

Whereas the aforesaid unions excluding Shree Gopal Mill Mazdoor Union formed a Shangharsh Samiti and the workmen resorted to Go Slow in work from the third shift of 29th August. 1979 in Support of their demands for bonus @ 20% plus additional ex-gratia payment for the accounting year ending 31st December, 1978, and

Whereas on account of Go Slow the average daily production in the Mills was considerably reduced, and

Whereas incidents of violence were also reported to have occurred both outside and inside the factory between the followers of rival Unions, and

Whereas the management declared lock-out on the grounds set forth in their Notice dated 10-9-1979 with effect from 5.00 P. M. on the 10th September, 1979, and

Whereas, protected negotiations and conciliation efforts were made at Regional and State levels, but no settlement could be arrived at between the Unions and the Management, and

Whereas. in the opinion of the State Government, it is expedient so to do for securing public safety and for securing the maintenance of public order and for maintaining industrial peace and for maintaining employment:

Now, therefore. the State Government, in exercise of the powers conferred by sub-section (1) of Section 10-K of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) as amended by the Industrial Disputes (Rajasthan Amendment) Act, 1970, hereby orders and provides as follows :

1. That the Management shall lift lockout forthwith and all workers on Roll on 10th Sept., 1979 shall be allowed to resume duly.
2. That the issue of the justification of lock-out & of entitlement of wages for the said period from 10th Sept., 1979 onwards shall be referred to Industrial Tribunal for adjudication.

3. That the issue of Bonus and ex-gratia amount: payable for the accounting year ending 31st Dec., 1978 shall be referred to the Industrial Tribunal for adjudication. But the Management shall in the meantime make payment of Bonus for the accounting year ending 31st Dec. 1978 to the eligible workers at the statutory minimum rate of 8.33% within three days of the lifting of lock-out.

4. That the management shall pay an advance of Rs. 350/- to each of the workers who were on rolls of the said Mill on 10th Sept., 1979 and who report for duty within a period of 7 days of the lifting of the lock-out. The amount of advance shall be paid by the Management to the workers within two days of their reporting for duty. This advance will be recovered in ten monthly instalments from their monthly wages. The first instalment will commence from the wages for the month of November, 1979 payable in December, 1979. The amount of the first two instalments will be Rs. 15/- each and of 'Subsequent eight instalments will be Rs. 40/- each.

In pursuance of and subject to the aforesaid provisions of this Order, the Management and the Workmen are directed to resume normal working on the terms and conditions of employment existing on 10th September, 1979 and to maintain industrial peace for a period of six months from the date of this order and lock out, strike and Go Slow are also prohibited during the said period.

(Pub. in Raj. Gaz. Ex. Ord 5 (Gh) dated 17-10-1979 Page 71)

(48)

LABOUR DEPARTMENT

Notification No. F.1(1) Shram 88, April 5, 1980.—Whereas the State Government is of the opinion that it is expedient and necessary in the public interest to add certain development works relating 'o Dairy Industry to the first Schedule to the Industrial Disputes Act, 1947 (Central Act XIV of 1947),

Now therefore in exercise of the powers conferred by sub-section (1) of section 40 of the industrial Disputes Act, 1947 (Central Act XIV of 1947) the State Government hereby adds, the following items to the first schedule to the said Act, after existing item No. 24, namely :—

25. Works in Dairy Plants
26. Works in Chilling Centres :
27. Works in Milk Producers Cooperative Unions.

[Published in Raj. Gaz., Ex. Ord. 5(Gh)—Dt. 7-4-80 Page 10]

Latest Central Notifications

(1)

Industrial Disputes Act, 1947 : Controlled industries engaged in
manufacture or production of mineral oils
specified for s. 2 (a) (i)

Notification No. S. O. 457 (E), dated June 21, 1984.

In pursuance of sub-clause (i) of clause (a) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby specifies for the purposes of that sub-clause, the controlled industry engaged is the manufacture or production of mineral oil (crude oil), motor and aviation sprit, diesel oil, kerosene oil, fuel oil, diverse hydrocarbon oils and their blends including synthetic fuels, lubricating oils and the like which has been declared as a controlled industry under section 2 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) This notification shall be in force for a period of two years from the date of publication in the Official Gazette.

[No. S-11025/23/83-D. 1 (A)]

{Pub. in Gaz. of India, Extry No. 287 dt. 21-6-84, PC II sec. 3 (11)}

(2)

Notification No. S. O. 606 (E), dated 21-8-1984.—In exercise of the powers conferred by sub-sec (2) of sec. 1 of the I. D. (Amendment) Act, 1982 (46 of 1982), the Central Government hereby appoints the 21st day of August, 1984, as the date on which clauses (a), (b) and (d) to (k) of sec. 2 and sections 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of the said Act shall come into force.

[F No. S-11013/2;84—O. ICA)]

(Pub. in Gaz of India, Extry, No 396, dt. 21-8-84, pt. II, sec. 3 (ii))

(3)

Notification No. S. O. 605E, dates 18th August, 1984.—In exercise of the powers conferred by sub-sec. (2) of sec. of the I. D. (Amend.) Act, 1984 (49 of 1984). the Central Govt. hereby appoints the 18th day of August, 1984 as the date on which the said Act shall come into force.

[No. S—11012/11/83—D. 1. (A)]

{Pub. in Gaz, of India, Extry., No. 395, dt. 18-8-84, pt. II sec. 3(ii)}

(4)

Notification No. S. O. 4205, dated 20th November, 1984.

Whereas the Central Government is of opinion that it is expedient in the public interest to add to the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), the industry, i. e., "manufacture or production of mineral oil (crude oil), motor and aviation spirit, diesel oil, kerosene oil, fuel oil, diverse hydrocarbon oils and their blends including synthetic fuels, lubricating oils and the like;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 40 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby adds the following item to the First Schedule to the said Act after item (25) thereof, namely :—

"(26) Manufacture or production of mineral oil] (crude oil), motor and aviation spirit, diesel oil, kerosene oil, fuel oil, diverse hydrocarbon oils and their blends including synthetic fuels, lubricating oils and the like."

[No. S11017/2/84-D. I (A) (i)]

[Pub. in Gaz. of India, dt. 1-12-1984, pt. II, sec. 3 (ii), P. 3909]

(5)

LABOUR DEPARTMENT.

Notification No. F. 13 (58) Shram/84, S. O. 133, December 22, 1984.-In exercise of the powers conferred by Section 39 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), and in supersession of the Industries Department Notification No. F. 3 (18) Ind./61 dated 15-10-62, the State Government hereby directs that the powers exercisable by it under Section 3 of the aforesaid Act in relation to formation of Works Committees and other matters pertaining thereto, shall with effect from the date of publication of this Notification in the Official Gazette be exercisable also by the following officers within their jurisdiction as noted against each :—

1, All Joint Labour Commissioner (Hqrs),

Rajasthan, Jaipur—

All Rajasthan,

2. All Deputy Labour Commissioner (Hqrs),

Rajasthan, Jaipur—

All Rajasthan.

3. Regional Joint Labour Commissioner,

Jaipur—

Jaipur & Tonk districts.

4. Regional Joint Labour Commissioner,

Kota, Bundi, Jhalawar

Kota—

5. Regional Deputy Labour Commissioner,

Jodhpur—

6. Regional Deputy Labour Commissioner,

Udaipur—

7. Regional Deputy Labour Commissioner,

Bhilwara -

8. Regional Deputy Labour Commissioner,

Ajmer -

9. Regional Deputy Labour Commissioner,

Sikar—

10. Regional Assistant Labour Commissioners,

Sriganganagar—

11. Regional Assistant Labour Commissioner,

Banswara—

12. Regional Assistant Labour Commissioner,

Pali—

districts.

13. Regional Assistant Labour Commissioner,

Bikaner—

14. Regional Assistant Labour Commissioner,

Alwar—

15. Regional Assistant Labour Commissioner,

Bharatpur—

districts.

Jodhpur Jaisalmer,

Barmer Districts.

Udaipur & Dungarpur

districts,

Bhilwara, Chittorgarh

districts,

Ajmer district and Parbat-

sar & Nawa Tehsil of

Nagaur districts

Sikar, Jhunjhunu district.s

Sriganganagar district.

Banswara district.

Pali, Sirohi, Jalore

Bikaner, Nagaur districts.

(except Parbatsar & Nawa
Tehsil).

Alwar district.

Bharatpur, Sawai Madho-

Pur. Dholpur districts.

[Published in Raj. Gaz. 4 (Ga)(II)—Dt. 10-41-85 Page 144].

(6)

Notification No. S. O. 4086, dated 18th August, 1985—In the notification of the Government of India in the Ministry of Labour S. O. No. 1282, dated the 14th March, 1985, published in the Gazette of India, Part II, sec. 3, sub-sec (ii) dated the 23rd March, 1985 in line 9 para for 1985 read 1984",

[No. S—11017/4/81—p. 1.(A)(i)]

Pub. in Gaz. of India, dt. 31-8-1985, pt. II. sec. 3 (ii), P. 4657]

RAJASTHAN LAND REVENUE

(INDUSTRIAL areas ALLOTMENT) RULES, 1959

No. F-5 (199) LSG/A59, dated 31st December, 1969—In exercise of the powers conferred by Sec. 100 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the State Government hereby makes the following rules, namely:

1. Short title and commencement.— These rules may be called the Rajasthan Industrial Areas Allotment Rules, 1959 and shall come into force with effect from 1-1-1960,

[1-A. Industrial areas defined—The Expression "Industrial areas" Shall mean an area of land which may have been reserved and set a part or may hereinafter be reserved or set apart, under Sec. 92 of the Rajasthan Land Revenue Act, 1956, for the purpose of setting up ag industry or industries].

[2. Period for which land may be allotted—Land in industrial area may be allotted on lease-hold basis for a Period of 99 years :—

(a) for Setting up of a large scale industry anywhere in the State, by the State Government in the Industries Department ; and

(b) for setting up of other industries :-

(i) in Jaipur district, by the Director of Industries, Rajasthan, Jaipur, and

(ii) in any other district, by the Collector concerned.]

3. **Development charges**—The premium to be Charged by way of development charges from the lessee shall be—

[(i) Rupees One Thousand Five Hundred per acre in an industrial area Situated within a radius of fifteen miles of Jaipur City, or Kota City.]

[(ii) Rupees Five Hundred per acre in a, city having a Population of three lakhs and above, other than the cities mentioned in the preceding clause].

[(iii) Rs. 300 Per acre in 2 town having a Population of 50,000 or above but less than 3 lakhs.

(iv) Rs. 200 per acre in a town having a population of more than 10,000 and less than 50,000; and

(v) Rs. 100 per acre in a town having a population of 10,000 and less.

4. Renewals of lease—Every such lease may be renewed for a further period of 99 years at the option of the lessee.

5. Rate of Rent to be charged.—Rent shall be charged at the rate of Rs. 50 per acre per year in a town with a population of 3 lakhs and above, Rs. 30 per acre per year in a town with a population above 10,000 but less than three lakhs & Rs. 15 per acre, per year in a town with a population below 10,000.

6. Revision of Rent—such rent shall be liable to be revised after every thirty years and the enhancement in rent at each such revision shall not exceed 25 percent of the rent payable for the period immediately preceding such revision.

[7. Setting, up of Industries—Industries shall be set up within a period of two years on the land allotted for the purpose, failing which the land shall revert to the Government unless the period of two years is extended by the allotting authorities for valid reasons.]

8. Land not to be used for other purpose—The land given for industrial purpose shall not be used any other purpose except constructing factory premises & such other residential quarter as are required for those engaged, in that industry. No constructions shall be permitted which may have the object of using it has a commercial undertaking other than the industry permitted to be established.

9. Lessee debarred from sale of land, etc.—The lessee shall have the limited ownership on the land leased till the lease, subsists and shall have the right of assignment only for the purpose, of taking a loan for the development of the industry. The lessee shall have no right to sell the land.

[Provided that once the land has been utilized for the purpose for which it was allotted within the period specified in rule 7, the lessee may, with the written permission of the State Government transfer his right or interest in the land, the conditions of lease remaining unchanged.)

[10. Intimation to Revenue Department of sanction accorded—The (Directors of Industries) shall, before 31st day of January, 1964, send to the Revenue Department a statement giving particulars (viz, date of sanction, date of allotment of land full particulars of land allotted, development charges and rent to be charged) of all sanctions accorded since the commencement of these rules, and shall inform the Revenue Department of all sections to be, accorded in future; and the Revenue Department shall issue orders to the Collector concerned for realising the development' charges under rule-3 and the rent under rule 5 and for ensuring that the conditions of the allotment particularly those mentioned in rules 7, 8 and 9, are duly observed.

11. Provisions of lands for industrial purposes in certain circumstances—(1) Where no area of land has been reserved and set apart in a town or village for the purpose of setting up an- industry or industries or where no Government land is available in an industrial area. the industrialist requiring the land for industrial purposes by negotiate for the purchase of any land approved by the Collector for the purpose and purchase the same at a reasonable price and shall after surrendering in formally to the Government apply for the allotment of the said land under these rules, subject to the condition that the reasonable price so paid shall be adjusted against the development charges payable under rule 3 and the rent payable under rule 5:

Provided that if the price paid by the industrialist is considered exorbitant by the Collector, who considers that the whole of such price should not be adjusted against the development charges and rent, the matter shall be referred for the decision of the Government in the Revenue Department.

(2) Notwithstanding anything contained in sub-rule (1), no conversion of agricultural land for a non-agricultural purpose shall be allowed within:-

- (a) the municipal limits of a copy or town, or
- (b) the master plan delimitation of a city or town, or
- (c) a radius of five miles of an area within the jurisdiction of a Panchayat Samiti in which a large industry with an investment of more than one crore of rupees is set up.

Provided that till such time as the master-plan is ready, no industrial areas within fifteen miles of the limits of the Jaipur municipality and ten miles of the limits of the Municipality of Jodhpur, Ajmer, Udaipur, Kota, Bikaner and Garganagar shall be set up.

(3) Conversion of agriculture land for the establishment of a factory or a mill shall be allowed only if an industrial area within the master-plan limits is not available. If an industrial area is available, the industry should be allowed to be set up within the area.

(4) If the person holding land for the purpose of agricultural herself wishes to set up a small industry such a chaff-cutting machine, flour-mill or the like one portion of his holding

he may, apply for using the land for such a non-agricultural Purpose under the Rajasthan Land Revenue (Conversion of Agricultural into non-agricultural Land) Rules, 1951.

[11A. Allotment of Land to the Rajasthan State Industrial Development and Investment Corporation Ltd.—Land shall be allotted to the Rajasthan State Industrial Development and investment Corporation Ltd. for setting. Up and developing Industrial Areas, on the following terms and conditions :-

- The Land shall be allotted on lease hold basis for a period of 99 years;
- The Premium to be charged for the allotment and conversion of agricultural land for industrial purposes shall be equivalent to the prevailing market Price of the. same class of agricultural land in the vicinity and, shall be determined accordingly, by the Colonisation Commissioner in the Rajasthan Canal Project Colony Area, and by the Collector concerned in other areas;
- Lease rent shall be payable at the rate of Re. 1/-per acre per annum;
- (iv) The Rajasthan State Industrial Development and Investment Corporation Ltd. may sub-lease the leased land or part thereof, for industrial purposes;
- The Rajasthan State Industrial Development and investment Corporation Ltd. may levy and recover such lease rent and other charges as may be determined by it, in respect of the lands sub-leased it;
- The periods of the sub-leases by the Rajasthan State Industrial Development and Investment Corporation Ltd. shall be determined by it, but shall not exceed 99 years, in all, in any case;
- (vii) The land shall revert to the Government free of all encumbrances and without payment of any compensation, in case the Rajasthan State Industrial Development and Investment Corporation Ltd., or any of it's sub-lessees. use it for any purpose other than industrial, or commit breach of any other condition of the lease or sub-leases; and
- The sub-lessees of the Rajasthan State Industrial Development and Investment Corporation Ltd., shall continue to be governed by all other terms and conditions prescribed in these rules, and any other analogous rules that may be promulgated or orders that may be issued, ip this behalf by the State Government.

[12. Allotment of land by Rajasthan State Industrial Development and investment Corporation—The Rajasthan Industrial Development and Investment Corporation Ltd., Jaipur shall be empowered (to make allotment, in accordance with the Rajasthan State Industrial Development and Investment Corporation Disposal of Land Rules, 1979; of vacant

plots to entrepreneurs in the Industrial Areas. notified by the State Government and transferred to and said Corporation. The Corporation shall also be authorised to execute lease deeds, realise development charges, lease rent and other dues from the entrepreneurs to whom plots have already been allotted in accordance with the provisions of these rules, and to take any consequential or residuary action in regard to the plots allotted to the entrepreneurs.]

[Provided that the Rajasthan State Industrial Development and Investment Corporation Ltd., shall be empowered to grant written permission to the lessee for transfer of rights or interest in the land in respect of the plots land Located in the Industrial Areas notified by the State Government and transferred to the said Corporation.

Provided further that any permission granted or action taken for transfer of rights or interest in the plots/land by the Rajasthan State Industrial. Development and investment Corporation Ltd, after 13-7-82 in respect of the plots/land situated in the Industrial Areas and transferred to the said Corporation shall be deemed to be valid under the first proviso to this rule.]