

U.P. Industrial Undertakings (Special Provisions For Prevention Of Unemployment) Act, 1966

UTTAR PRADESH

India

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Act 25 of 1966

- Published on 14 October 1966
- Commenced on 14 October 1966
- [This is the version of this document from 14 October 1966.]
- [Note: The original publication document is not available and this content could not be verified.]

U.P. Industrial Undertakings (Special Provisions For Prevention Of Unemployment) Act, 1966U.P. Act No. 25 of 1966Statement of Objects and Reasons.-A number of industrial undertakings in this State have closed down during the last one year or so and it is apprehended that a few others may also have to close down before long. These large-scale closures or impending closures of industrial units, besides affecting production, have created unemployment and a sense of insecurity and consequential unrest among industrial workers. In order to enable such undertakings to be run either by or on behalf of Government or with reasonable financial assistance provided by Government, it is necessary that Government should have the power to defer the liabilities and suspend certain provisions of Labour laws according to the exigencies of each case.[Dated 14th October, 1966](As passed by the Uttar Pradesh Legislature)Received the assent of the President on 4th October, 1966, published in the U. P. Gazette (Extraordinary), dated 15th October, 1966.An Act to enable the State Government to make special provisions for a limited period in respect of industrial relations, financial obligations and other like matters in relation to those industrial undertakings the running of which is considered essential as a measure of preventing, or of providing relief against unemployment.It is hereby enacted in the Seventeenth Year of the Republic of India as follows :

1. Short title and extent.

(1)This Act may be called the Uttar Pradesh Industrial Undertakings (Special Provisions for Prevention of Unemployment) Act, 1966.(2)It extends to the whole of Uttar Pradesh.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a)"industry" means any business, trade, undertaking, manufacture, or calling of employers, and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen, and the word "industrial" shall be construed accordingly; (b)"relief undertaking" means an industrial undertaking, in respect of which a declaration under Section 3 is in force.

3. Declaration as to relief undertaking.

(1) Where the State Government is satisfied in relation to an industrial undertaking -(a) which is started or which or the management of which is acquired or otherwise taken over by the State Government under any law or agreement and is run or proposed to be run by or under the authority of such Government; or (b) to which a loan, advance or grant has been given, or in respect of whose loans a guarantee has been given, by the State Government, that it is necessary or expedient so to do in the public interest, with a view to enabling the continued running or restarting of the undertaking as a measure of preventing or of providing relief against unemployment, the State Government may, by notification in the Gazette, declare that with effect from such date as may be specified, the undertaking shall be a relief undertaking. (2) A declaration under sub-section (1) shall have effect for such period not exceeding one year, as may be specified in this behalf: Provided that the State Government may, by notification in the Gazette extend the operation of the declaration for further periods not exceeding one year at a time and four years in the aggregate.

4. Consequences of declaration under Section 3.

(1) Where the State Government is satisfied that it is necessary or expedient so to do for the purposes specified in Section 3, it may, by notification in the Gazette, direct in relation to any relief undertaking -(a) that all or any of the enactments specified in the Schedule shall not apply or shall apply with such adaptations, whether by way of modification, addition or omission, as may be specified in this behalf; (b) that all or any of the contracts, assurances of property, agreements, settlements, awards, standing orders or other instruments in force under any law whatsoever to which the undertaking is a party or which may be applicable to the undertaking, immediately before the date with effect from which the undertaking was declared a relief undertaking, shall be suspended in operation, or that all or any of the rights, privileges, obligations, and liabilities accruing or arising thereunder before the said date, shall be determined and be enforceable with such modifications and in such manner as may be specified in this behalf. (2) A notification under sub-section (1) shall have effect notwithstanding anything to the contrary contained in any other law, agreement or instrument, and any remedy for the enforcement of any right, privilege, obligation or liability referred to in clause (b) of sub-section (1) and suspended or modified by such notification shall, in accordance with the terms of the notification, be suspended or modified and all proceedings relating thereto pending before any Court, Tribunal, Officer or authority shall accordingly be stayed or be continued subject to such modification, so, however, that on the notification ceasing to have effect, all rights, privileges, obligations or liabilities so suspended or modified shall revive or review in their unmodified form and be enforceable and all such

proceedings as aforesaid shall thereafter be continued from the stage they were stayed, and in computing the period of limitation for the enforcement of any such right, privilege, obligation or liability, the period during which it or the remedy for the enforcement thereof was suspended, shall be excluded.

Schedule

[See Section 4(1) (a)]

- 1. The Industrial Disputes Act, 1947 (Central Act 14 of 1947).**
- 2. The Industrial Employment (Standing Orders) Act, 1946 (Central Act 20 of 1946).**
- 3. The U.P. Industrial Disputes Act, 1947 (U.P. Act 28 of 1947).**
- 4. The U.P. Dookan Aur Vanijya Adhistan Adhiniyam, 1962 (U.P. Act 26 of 1962).**