

# **The Industrial Disputes (Rajasthan Amendment) Act, 1970**

RAJASTHAN

India

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### **Act 14 of 1970**

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The Industrial Disputes (Rajasthan Amendment) Act, 1970 Rajasthan Act No. 14 of 1970 [Received the assent of the President on the 18th day of July, 1970] An Act further to amend the Industrial Disputes Act, 1947 (Central Act 14 of 1947), in its application to the State of Rajasthan. Be it enacted by the Rajasthan State Legislature in the Twenty-first Year of the Republic of India as follows:-

#### **1. Short title and commencement.**

(1) This Act may be called the Industrial Disputes (Rajasthan Amendment) Act, 1970.

#### **2. Amendment of section 9D, Central Act 14 of 1947.**

- In the Industrial Disputes Act, 1947 (Central Act 14 of 1947). as amended by the Industrial Disputes (Rajasthan Amendment) Act, 1958 (Rajasthan Act. 34 of 1958), in its application to the State of Rajasthan, hereinafter referred to as the principal Act. in section 9-D. for the words "three months next preceding the date of its so applying", the words "at least three months during the period of six months immediately preceding the calendar month in which it so applies" shall be substituted.

#### **3. Amendment of section 9E, Central Act 14 of 1947.**

- In section 9E of the Principal Act, the existing section shall be numbered as sub-section (1) and after sub-section (1) so re-numbered, the following new sub section shall be inserted, namely:- "(2) Once a union has been registered as a representative union under this Act, the registration of the union shall be held valid for a period of two years from the date of its registration and shall continue to hold valid unless the registration is cancelled under section 9F of this Act or another union is registered in its place according to section 9G of this Act."

#### **4. Amendment of section 9F, Central Act 14 of 1947.**

- In sub-clause (ii) of clause (a) of section 9F of the Principal Act, after the words "continuous period of three months", the words "at any time after two years from the date of its registration" shall be inserted.

#### **5. Amendment of section 9G, Central Act 14 of 1947.**

- In section 9G of the Principal Act-(a)in sub-section (1)-(i)the words "at any time", occurring after the word "if" shall be deleted; and(ii)after the words "for a suit of an industry", the words "at any time after a lapse of two years from the date of registration of the representative union" shall be inserted; and(b)in sub-section (3), for the words "three months immediately preceding the date of the application", the words "at least three months during the period of six months immediately preceding the calendar month in which it so applied" shall be substituted.

#### **6. Insertion of new section 10K in Central Act 14 of 1947.**

- After section 10J of the principal Act. the following new section shall be inserted, namely:-"10K. State Government may lay down terms and conditions of employment and prohibit strikes etc.- (1) Notwithstanding anything contained in the Act, if in the opinion of the State Government, it is necessary or expedient so to do, for securing the public safety or convenience or the maintenance of public order or supplies and services essential to the life of the community or for maintaining employment or maintaining industrial peace, it may by a general or special order, make provision-(a)for requiring employers, workmen or both to observe for such period as may be specified in the order, such terms and conditions of employment as may be determined in accordance with the order; and(b)for prohibiting, subject to the provision of the order, strikes or lockouts generally or a strike or lockout in connection with any industrial dispute.(2)In case any industrial dispute is raised in respect of any provisions in the order of the State Government made under subsection (1) within a period of three months of the order, it shall be referred by the State Government for adjudication to an Industrial Tribunal and the order shall lapse when the award of the Tribunal becomes enforceable:Provided, however, that the reference of the industrial dispute to adjudication shall not have the effect of staying the operation of the order."

#### **7. Insertion of new section 30A in Central Act 14 of 1947.**

- After section 30 of the principal Act the following new section shall be inserted namely:-"10A. Penalty for contravention of an order made under section 10K.- Any person who contravenes an order issued by the State Government in pursuance of section 10K of the Act shall, on conviction, be punishable with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both.";

## **8. Amendment of section 33C, Central Act 14 of 1947.**

- In sub-section (1) of section 33C of the principal Act, after the expression "Chapter V A", the expression "or under an order issued by the State Government under section 10K of the Act" shall be inserted.

## **9. Saving.**

(1) Notwithstanding the lapse of the Industrial Disputes (Rajasthan Amendment) Ordinance, 1969 (Rajasthan Ordinance 13 of 1969) and the Industrial Disputes (Rajasthan Amendment) Ordinance, 1970 (Rajasthan Ordinance 2 of 1970), anything done or any action taken by or under the said Ordinances shall be deemed to have been done or taken by or under this Act. (2) The provisions of sub-section (1) shall be without prejudice to the provisions of the Rajasthan General Clauses Act, 1955 (Rajasthan Act 8 of 1955), which shall apply to the expiry of the Laws mentioned in sub-section (1). (3) Notwithstanding anything contained in this Act, no person shall be convicted of an offence under section 30-A of the principal Act for having committed the same on or after the Twenty-sixth day of February 1970 and before the day of publication of this Act.