

THE INDUSTRIAL DISPUTES (BIHAR AMENDMENT) ACT, 2020

BIHAR

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Act 15 of 2020

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(An Act further to amend the Industrial Disputes Act, 1947)Whereas, the Covid-19 pandemic has deteriorated the Industrial and Economic activities in the State of Bihar and for providing impetus to the Industrial and Economic activities in the State, it is important to provide new opportunities for Industrial investment in the State;And whereas, the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;And whereas, it has been promulgated as an Ordinance in the light of the instruction received from the President :Be it enacted by the Legislature of the State of Bihar in the Seventy First year of the Republic of India as follows :-

1. Short Title, Extent and Commencement.—

(1)This Act may be called the Industrial Disputes (Bihar Amendment) Act, 2020.(2)It shall extent to the whole of the State of Bihar(3)It shall come into force at once.

2. Amendment of the Industrial Disputes Act, 1947.—

(1)In the Industrial Disputes Act, 1947, in section 25 K, for the words "one hundred", the words "three hundred" shall be substituted.(2)In the Industrial Disputes Act, 1947, after the sub section 36 (B), the following section shall be added, namely:-"36-C (Power to exempt new industries in public interest)- Where the State Government in satisfied in relation to any new industrial establishment or new undertaking or class of new industrial establishments or new undertaking that it is necessary in the public interest to do so, it may, by notification in the official Gazette, exempt, conditionally or unconditionally, any such new establishment or new undertaking or class of new establishments or new undertaking from all or any of the provisions of this Act for a period of one thousand days from the date of the establishment of such new industrial establishment or new undertaking or class of new establishments or new undertakings, as the case may be"Explanation:- For the puposes of this section, the expression "new industrial establishment or new undertaking or class of new industrial establishment or new undertakings"means such industrial establshment or undertaking or class of

industrial establishments or undertakings which are established within a period of one thousand days after the commencement of the Industrial Disputes (Bihar Amendment) Act, 2020.

3. Validation.— Notwithstanding such amendment in section 25 K and the section 36 of the Act, anything done and decision and action taken prior to it shall be deemed to have been validly done or taken and shall not be questioned on the ground of amendment of section 25 K and the section 36 of the Act.

4. Repeal and Savings.—

(i) The Industrial Disputes (Bihar Amendment) Ordinance, 2020. (Bihar Ordinance No-07- 2020 is hereby repealed. (ii) Notwithstanding such repeal, any thing done or any action taken in exercise of any power conferred by or under the said ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act were in force on the days on which such thing was done or action taken. By Order of the Governor of Bihar, P.C. Choudhary, Secretary to the Government.