MADHYA PRADESH INDUSTRIAL RELATIONS RULES, 1961

MADHYA PRADESH INDUSTRIAL RELATIONS RÜLES, 1961 1. These rules may be called the Madhya Pradesh Industrial Relations Rules, 1961

2. In these Rules unless the context otherwise iequires, - (a) (b) (c) (d) "Act!' means the Madhya Pradesh Industrial Relations Act, 1960 (No.27 of 1960); "Form" means a form appended to these rules; "Schedule" means a schedule aipended to the Act; "Section" means a section of the Act. 3.(1) For the purpose of preparing the panéls of members representing the interests of employers and employees under subsection (2) of section 11, the State Government shall invite representatives of employers and employees and such other bodies and persons, as it may deem fit to recommend the names of suitable persons to be included in the panels. The State Government after considering all recommendations received by it, shall prepare two separate panels, one of members representing the interest of employers and the other of members representing the interests of employees. (2) The State Government may, from time to time, revise the panels prepared under sub-rule (l) in the manner provided therein

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

5. The panels prepared under rule 3 shall be published in the official Gazette.6. (l) If any person whose name is included in a panel prepared under rule 3 dies or tenders his resignation his name shall be removed from the panel and the name of any other person eligible therefore may be included in the panel in the manner provided in sub-rule (l) of rule 3, (2) The removal and the inclusion of the name of every person from or in a panel shall be notified in the official Gazette

7. For the purpose of constituting a Board under section I l, the Commissioner of Labour or any officer authorized by him in this behalf, shall by a written notice in Form 'A' call upon each party to a dispute - (i) to submit panel of not less than five persons representing its interest; and (ii) to propose jointly a person to be appointed as Chairman of the Board within fifteen days of the receipt of the notice.8. (l) If a vacancy occurs in the office of the Chairman jointly nominated under rule 7, it shall be filled in the same manner as is provided in sub-section (4) of section I I, read with the said rule. (2) If the President or a member of the Lndustrial Court has been appointed Chairman of the Board under paragraph (ii) of the proviso to sub-section (4) of section 1 1, any vacancy in the office of the Chairman shall be filled in by the State Government by appointing the successor in office of the President or such member or any other member of the Industrial Court to be Chairman of the Board

9. If a vacancy occurs in the office of a Member of the Board appointed from a panet- (i) submitted by a party under sub-section (3) of section 11, it shall be filled by the State Govemment by nominating any other person from such pane! ; (ii) if no such person is available, it shall be filled by appointing any person from the appropriate panel prepared under rule 3

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

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

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

Form C'.13. (l) On receipt of an application for recognition from a union under subsection (l) of section 13 and on payment of a fee of Rs.5. prescribed in rule 11, the Registrar shall cause a notice to be put up on the premises of all the undertakings in the indusüy of the local area concerned at such conspicuous place or places, as be may deem fit, inviting objections to the recognition of the union as a representative union within a period to be specified in the notice, which shall not be less than 15 days. (2) If no objection is received within the period specified under sub-rule (l) the Registrar may, before passing any order on the application and taking any action under sub-section (2) of section '13, inquire and call for further information from the union for the purpose of ascertaining whether the union is entitled to recognition under the said sub-section. (3) If any objection is received from any person within the period specified in the notice referred to in sub-rule (l) the Registrar shall fix the date, time and place for hearing the objection and give notice of such date, time and place to the applicant and the objector. On the date so fixed or any other date to which the enquiry may be adjourned, the Registrar shall hear the parties and proceed to enquire into the objections which any person has stated pursuant to the notice given under sub-rule (1) and into the claims of the union for being recognized as a representative union under the Act. (4) On hearing the applicant union and the objector and if necessary after collecting any relevant information and/or recording any evidence, the Registrar is satisfied that the applicant union fulfils all the conditions necessary for recognition he shall recognize and register such union in the manner prescribed in section 15. (5) The result of the enquiry made under sub-rule (2) or (3) shall be communicated to the applicant uniori as soon as may be practicable

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

16. An application under sub-section (l) of section 17 shall be accompanied by a fee of • rupees ten, to be paid in cash.17. (l) On the expiry of the period of notice under sub-section (l) of section 17, the Registrar shall call for necessary inforrnation from the union making the application for recognition under subsection (1) of the said section and the representative union in Form E and may call for such registers and other documents as he may consider necessary in tl•üs behalf. (2) On receipt of the information called for under sub-rule (l) and after giving both the parties an opportunity of being heard, the Registrar shall pass orders accepting or rejecting the application giving reasons therefore. (3) The Registrar shall communicate his decision to the applicant union and also to the representative union as soon as practicable

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

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

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

21. The Registrar may call upon any employer or any union to produce such documents and supply such further inforrnation as he may deem fit to prove that the information supplied under rules 19 and 20 is correct.22. (l) The Registrar shall forward in the months of January, April, July and October every year a consolidated statement for the three previous months for every industry separately to the Labour Officer of each local area containing— (a) the numbers of members of the representative union in the industry in the local area; and (b) the total number of employees in the industry in the local area. (2) Such statements shall be open to inspection by any employer or any union in the industry in the local area

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

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

25. After considering the application and the report of the Registrar and after making such further enquiry as it may deem fit, the Industrial Court may refuse the legal aid or grant it in accordance with the scale specified in the Table beloW :- Table (a) [n a proceeding before the Labour Court (b) In a proceeding before the Industrial Court (c) In a proceeding before the High Court (d) in a proceeding before the Supreme Court Rs.30 for each hearing up to the maximum of Rs. 200 Rs. 40 for each hearing up to a maximum of Rs. 250 Rs. 5() for each hearing up to a maximum of Es. 300 Such amount, not exceeding Es. 500 for each hearin Provided that for the purpose of computing the amount of legal aid in accordance with the Table, the hearing at which proceedings are adjoumed without transacting any substantial work shall be excluded: Provided further that if the legal aid prescribed in the above Table for each court is found to be inadequate, taking into consideration the issues and the quantum of work involved, the Industrial Court may grant such further legal aid as it may deem fit but not exceeding Rs.300, Rs.500, Rs.700 and Rs. 1,500 in the aggregate in a proceeding before a Labour Court, the Industrial Court, the High Court and Supreme Court, respectively

26. Any combination of employers desiring recognition as an association of employers under the Act shall apply in duplicate to the Registrar in Form H. On receipt of such application the Registrar shall

forward a copy of the application to the Government with such remarks as he may deem fit. 27. (1) An association of employers which has been recognized by the State Government under section 24 shall notify to the Registrar every change which occurs in its name, memorandum of association or constitution or membership within fifteen days of such change. (2) Any such change in the name of an association of employers may be notified in the Gazette

28. Any employer in an industry, not being a member of an association of employers connected with such industry, who has agreed to be represented in any proceeding under the Act, by such association, shall send intimation in writing to that effect to the Registrar and shall send copies of such intimation to the Labour Officer for the local area, to the authority holding the proceeding and to the representative union for the industry, if any.29. (1) Where more employers than one are affected or under any of the provision of the Act deemed to be affected and no association of employers under sub-section (1) of section 25 is entitled to represent all of them, the following Shal] act as their representative: (a) (b) (c) (d) Where there is 'an association of employers and two-thirds or more of the employers who are not members of the association agree to be represented by the association, then such an association; Where there is an association of employers but less-than two- thirds of the employers who are not members of the association are in favor of their being represented by the association, not more than five representatives elected from among all the employers at a meeting held by the Labour Officer for the purpose: Provided that at least one of the representatives shall be from among the employers who have not agreed to be represented by the association; [n all other cases, not more than five representatives elected by the employers at a meeting held by the Labour Officer forthe purpose: Provided that where the number of employers affected or deemed to be affected does not exceed five, no election shall be held and all the employers concerned shall be entitled to act as the representatives; and vacancy in the office of a representatives elected under clause (b) or (c) shall be fined by election at a meeting of the employers held by the Labour Officer for the purpose. (2) The naJnes of persons elected as representatives shall be communicated by the Labour Officer to the Registrar and the authority holding the proceeding

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

31. Any employer intending to effect any change in respect of an industrial matter specified in Schedule!, shall give notice of such intention to the representative of employees in

Form I and shall send a copy of such notice to the Chief Conciliator, the Conciliator for the industry concerned in the local area, the Registrar, and the Labour Officer of the industry for the local area concerned

32. A representative of employees desiring a change in respect of an indusü-ial matter which is neither covered by Standing Orders nor specified in Schedule 11, shall give notice to the employer in Form J and shall send a copy of such notice to the Chief Conciliator, the Conciliator for the industry concerned in the local area, the Registrar, and the Labour Officer of the industry for the local area concerned

33. Every application under sub-section (3) of section 31 shall be made in Form K to the Labour Court having jurisdiction by registered post or be presented to the Head Clerk of the Court or any other official authorized by the Court in this behalf.34. (l) The representative of employees or an employee desiring a change in respect of an industrial matter specified in Schedule 11 or any other matter arising out of such change, may make an application in writing to an employer. A copy of the application shall be forwarded to the Commissioner of Labour and the Labour Officer of the industry for the local area concerned. (2) Where an application has been made by an employee or representative of employees under sub-rule (1), the employer a.nd the employee may amve at an agreement within fifteen days of the receipt of the application by the employer or within such further period as maybe mutually fixed by the employer and the employee or the representatives of the employees concerned, as the case may be

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

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

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

38. The' employer who has been directed under rule 37 to constitute a joint committee, shall constitute such a committee consisting often persons, of whom five nominated by him and five shall be employee of that undertaking: Provided that where there is more than one registered union, the employees' representatives ih the joint c0mmittee shall be in proportion to their membership in an undertaking as may be determined by the Registrar

39. In the event of a member of the joint committee ceasing to be employed in the undertaking or retiring or ceasing in any other way to be a member of such committee the vacancy shall be filled by nomination by the representative union or the registered union, as the case may be, in case the vacancy is caused from among the members representing employees. In the case the vaCancy is caused from amongst the members nominated by the employer, it shall be filled by. other nominee to be nominated by the employer. 40. (l) The chairman of a joint comm.ittee shall be appointed by the members of the committee from among themselves at its first meeting which will be convened by the employer. (2) If the members cannot agree upon the perspn to be appointed as chairman, the employer and the representative union or the registered union, as the case may be, which nominated the members of the Joint committee shall be entitled to appoint by agreement the chairman from the members. (3) Failing agreement between the employer and the union, the chairrnan shall be appointed by the employer and the union respectively in rotation (or a period of six months, 41. The chairman, who shall convene and preside over the meeting of the joint committee, shall circulate the agenda of the meeting to the members along with the notice of the meeting at least forty-eight hours before the meeting except in the case of a special meeting. He shall cause the minutes of every meeting to be recorded and get them confirmed at the next meeting. He shall also cornrnunicate the decisions of the joint com.mittee to the union and the employer as well as the Labour Officer and the Commissioner of Labour. 42. (l) The joint committee may meet as often as convenient but not less than once a month. In cases of urgency, a special meeting of the committee may be called by giving not less than six hours' notice at the request of either side. The meetings shall be held during working hours unless otherwise agreed upon between the two sides. (2) No business other than that appearing on tfe agenda, shall be transacted at any meeting unless both sides agree to its introduction. (3) The presence of three-fifths of the members from each side of the comm.ittee shall be necessary to form a quorum. (4) The decision of the Committee shall be arrived at by agreement between the two parties, but if no such agreement is possible the decision shall be taken by vote of the majority of the members present. The chairman shall have one vote and in case of a tie,, a casting vote. Explanation.— For the purpose of this ruke, the nominees of the employer shall be deemed to be as one party of the Committee and the nominees of the employees as the other side of the Committee. 43. (I) The statement of the case referred to in sub-section (a) of section 39 shall be in

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

Form M

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

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

47. A representative union desiring to refer an industrial dispute under section 52 for arbitration to the Industrial COUIt or the Labour Court, as the ease may be, shall make an application in writing to such Court in Form O A copy of such application shall be forwarded to the Chief Conciliator, the Conciliator for the loca.l area concerned and the Registrar. 48. (l) A Labour Court, the Industrial Court or a Board shall fix a date for pronouncing the award. (2) A Labour Court, the Industrial Court or a Board shall publish its award by pronouncing it in open COM and also by exhibiting it on a notice board or table at its office specified for this purpose. (3) The State Government may, if it deems necessary, publish the award in the official gazette: 48•A. Execution.— (I) Any person in whose favour an award or determination of decision of a Labour Court or the Industrial Court is may apply within one yea.r from the date of order in Form "00" to the court which made the order for its execution. (2) On such application being made to the labour court or the Industria.l Court, the coun shall follow the procedure lain down in order xxi wider the Code of Civil Procedure, 1908 (No. V of 1908) for its execution.U] 49. A I-Abour Court, the Industrial Court or a Board shall fix the time and place of its sitting and inform the parties concerned; Provided that the presiding officers of thc Labour Court shall fix such place within its territorial jurisdiction

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

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

52. The Labour Court, the Industrial Court or a Board shall as the examination of each witness proceeds record a memorandum of the substance of what the witness deposes. Such memorandum or statement shall be signed by the witness and the presiding officer of the Labour Court, the PresidenUMember of the Industrial Court, or the Chairman of the Boa.rd, as the case may be: Provided that such Court or Board may, if it thinks fit to do so, record the statement of any . witness in full

53. A summons issued by a Labour Court, the industrial Court or a Board shall be in Form P and may require any person to produce before it any book or document and article in possession of such person.["The postal expenses for sending summons, to the witnesses and their diet money shall be borne by the party, who applies for calling the witnesses as per rules applicable to the Civil Courts in Madhya Pradesh. 54. (l) The Labour Court, the Industrial Court or a Board, as the case may be, shall issue a notice in Form Q to the opposite parry' or parties to file the Written statement. (2) Subject to the provisions of sub-rule (I), any notice, summons, process or order issued by a Labour Court, the Industrial Court or a Board empowered to issue such notice, summons, process or order may be served either personally or by registered post. ["The postal expenses for sending such notice, summons, process or order to the opposite party shall be bOrne by the applicant or the appellant. The Court may in exceptional cases exempt him from paying such expenses. "l (3) Where there are numerous persons as parties to any proceeding before a Labour Court. the Industriaf Court or a Board and such persons are not members of any trade union or an association, the service of notice, summons, or order on the Secretary or the principal officer or the trade union of the association Shall be deemed to be sufficient service on such persons. (4) Where there are numerous persons as parties to any proceeding before Labour Court, the Industrial Court or a Board and such persons are not the members of a trade union or an association, a Labour Court, the Industrial Court or a Board as the case mav be, shall cause the service of any notice, process, summons or order to be made by affixing the same at or near the main entrance of the undertaking concerned. A notice, process,

summons or order served in such manner shall be deemed to be duly served on such employees as cannot be ascertained, found or served otherwise. SS. if, without sufficient cause being shown, any arty to the proceedings, before a Lab0Lfr Court, the industrial Court or a Board thus to attend br represent the Labour Court, the Industrial COM or the Board may pass such order as it may think fit or may proceed as if the party had duly attended or 56. A Labour Court, the Industrial Court or a Board may for the purposes of any . investigation, enquiry or arbitration pending before it under the Act at any time during working hours and in the case of any person authorized by th'e Labour Court, the Industrial Court or the Board after he has given the reasonable notice, enter any building, undertaking, workshop Of other place or premises whatsoever and inspect the same or any work, machinery, appliance or article therein or any matter relevant to Lhe subject matter pending before the Labour Court, the Industrial Court or the Board... • 57. In addition to the powers conferred by the Act, a Labour Court, the Industrial Court or a Board shall have the same powers as are vested in civil court under the Code of Civil Procedure, 1908, when pying a suit in respect of the following matters :- (a) Granting adjournments. Joiner and adding of parties. (b) (c) Amendment of Pleadings. 58. (l) An arbitrator, a Labour Court, the Industrial Court or a Board shall furnish a copy of an award, ordér or any document filed in any proceeding before it on payment of the charges at the following rates (a) Copying fees for 100 words or part thereof at the rate of 25 nP.: Provided that where an award or order oc document exceeds three foolscap size of the paper, the approximate-number of words to the nearest,100 for the purpose of copying fees: Provided further that the Labour Officer, the Registrar, the Commissioner of Labour and the . parties to the dispute, shall be supplied with one copy of an award, order, free of charge. For certifying a copy of award, order or document a fee of 25 shall be payable (b) An a.rbitrator, a Labour Court, the Industrial Court or a Board may supply a certified copy of an order or an award at a flat rate of Re. I (Rupee one) to a journal approved by the Industrial Court, if such order or award is found reportable and a request for the supply of its copy has been made by the publisher of such Journal). (2) Copying and certifying fee shall be payable in cash in advance. (3) Where a party applies for immediate delivery of a copy of any such award, order or document, an additional fee equal to one- half fees livable shall be payable. (4) Fees for inspection of any record of a Labour Court, the Industrial Court or a Board shall be Re. 1: Provided that no fee shall be payable by a party to a pending proceeding for the inspection of the record of such proceeding: Provided further that no notes of any file before a Labour Court, the Industrial Court or a Board shall be taken in ink

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

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

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

62. The proceedings before a Labour Court, the Industrial Court or a Board shall beheld in public: Provided that the Labour Court, the Industrial Court or the Board may direct that any witness shall be examined or its proceeding shall be held in camera

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

64. The Laboåi Court and the Industrial Court shall ordina.rily sit on week days from I I a.-m: to 5 p.m with interval from I p.m. to 2 p.m. subject to such alterations as the Industrial Court orthe Labour Court may think fit. 65. (l) Subject to the approval of the State Government, the industrial Court shall prepare a list' of holidays to be observed in such year as the holidays in the Industrial Court. (2) This list shall be published in the Official Gazette

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

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

68. A petition for revision against the order of the Labour Court shall set out clearly how and in what manner the subordinate court has exercised jurisdiction not vested in it by law or has failed to exercise the jurisdiction so vested or the particular illegality or irregularity complained of 69.A memorandum of appeal and petition for revision to the Industrial Court shall be åccömpanied by a certified copy of the order appealed from or sought to be revised

70. A memorandum of appeal and petition for revision to the Industrial Court sha.ll be headed "In the Industrial Court Madhya Pradesh 71. An application for stay order, granting of bail or for other matter, shall be separately attached with tfie petition for revision or memorandum of the appeal as the case may be.

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

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

74. An application for stay order or grant of bail and other application of urgent nature shall be placed before the motion bench without records in the first instance and without delay. Other cases will be placed before the appropriate motion bench with record and the date fixed should be such as to permit the receipt of records. 75. if a party desires any particular revision, petition or appeal to be disposed of expeditiously it should present a separate application in that behalf. The Registrar of the Industrial Court shall thereupon place the application before the appropriate bench immediately, 76. If an application for stay of execution or for grant of bail is accompanied by an application for early disposal, the record of the Labour Court, or the subordinate authority as the case may be shall be sent for and the case will be placed before the appropriate motion bench as soon as practicable

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

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

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

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

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

82. A writ, summons, warrant or other mandatory process or a certified copy of a document except stay order, granting of bail, an order granting injunction, the judgment and an award shall be signed by the

Régistrar of the Industrial Court with the day, month and year of signing and shall be sealed with an official seal of the Court

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

84. The Registrar of Industrial Court, with the previous approval of the President may receive the application for- (i) certified copies of documents; (ii) issue of summons to witnesses and parties and for notices for appearing in Court; (iii) extension of time to file a written statement, statement of claim and any other document; (iv) inspection of documents filed in t.hé court; (v) return of exhibits and other documents; (vi) verification of affidavits. The applications referred to above shall be placed by the Registrar before the President, Industrial Court or the member as the case may be, for orders

85. Not.mlg in these rules shall be deemed to limit or otherwise affect the powers of a Labour Court, the indusu•ial Court or the Board to make such orders as may be necessary far the ends of justice or to prevent an abuse of the process of such Labour Court, the industrial Court or the Board. 86. (l) The State Govemment may, by special or general order notified in the Official Gazette, require any employer, or employee generally, in any industry to- (i) maintain records of employment and data relating to plant, premises and manufacture and particulars relating to other industrial u•ansactions and dealings likely to affect the matters specified in clause (a) of section 94 in such of brings or in the Appendix to these rules as it may consider appropriate for such industry; and (ii) submit copies thereof to the Deputy Commissioner of Labour or such other officer as may be authorized in this beha.lf by the State Government at such times as may be specified in the order. (2) The Deputy Commissioner of Labour or the Officer authorized under sub-rule (l) may then obtain similar data and particulars from any other person who, in his opinion, is competent to fumish such data and particulars 87. (l) Before holding an enquiry under section 95 the officer authorized under the said section shall indicate to the employer concerned particulars in respect of which the accuracy of the records maintained by him is to be verified and the officer shall allow him or his representative to be present during the inquiry if the employer so desires. (2) The officer holding the inquiry shall, on demand, give the person concerned a written receipt for any record or document produced by him if the officer considers it necessary to retain such record or document in his possession. (3) Any record or document retained under clause (b) shall be returned to the person concerned as soon as practicable and in any case on completion of inquiry. (4) Before proceeding td hold an inquiry under sub-section (I) of section 95, the officer authorized by the State Government shall give at least three clear days' intimation to the employer concemed. He shall also specify in the intimation the particular records which he desires to verify

88. The notice under section 99 shall be given in Form R and sha.ll be sent by registered 89. Certified copies of the agreements, settlements and awards registered by the Registrar and the copies of other documents which he is entitled to receive under the Act and has received such shall be given by him on payment of copying fee of 25 np per hundred words or part thereof

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

91. The Central Provinces and Bharat Indust.rial Disputes Settlement Rules, 1949, and the Madhya Bharat Industrial Relations Rules, 1952, are hereby repealed: Provided that anything done or any action taken under any of the rules so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules. FORM A (See Role 7) Whereas a Board of Arbitration has to be constituted under section I I of Madhya Pradesh and Industrial Relations Act, 1960, for the Industrial dispute between . „ .....,you are hereby required to intimate to the undersigned within fifteen days of the receipt of this notice by you the names and addresses of persons as required by sub-section (3) of section 11 of the said Act, Signature of the Commission of Labour FORM B (See Rule 10) Application for Recognition of Union . Dated the or an authorized official.. Day of . Name of the Union . Address ... ... • To The Registrar, Madhya Pradesh Industrial Relations Act, 1960 Dear Sir. I beg to inform you that at a general meeting of the members/meeting of the executive of it was decided that the union .....day of... the above union which

was held at.....,,....on the should apply to you for recognition as a representative union for the .....industry in the local area of...

2. A copy of the resolution signed by the PresidentJChairman of the Union is attached and I have to request that the union may be recognized accordingly......members in the indusu-y/in the industry in the local area of.....

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

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

5. The address of the Head Office of the Union to which all communications and notices may be addressed is as follows - Address of the Head Office of the Union . Yours faithfully. General Secretary/Secretary

FORM C (See Rule 12) MADHYA PRADESH INDUSTRIAL RELATIONS ACT, 1960 Certificate of Recognition Name of the Union Registration No Office of the Registrar, Madhya Pradesh Industrial Relations Act, 1960 It is hereby certified that the . Union has been recognized under the Madhya Pradesh Industrial Relations Act, 1960, this .....„.....day of..... as a representative union for the... ... industry, in the local area of . Registrar Madhya Pradesh Industrial Relations Act. FORM D (See Rule 14) Re •ster of Re resentative Unions Name Address of Head Office Date of reco nition Local Area Industry Remarks FORM E [See sub-rule (I) of rule 171 Particulars to be sent by a Union applying for recognition as a Representative Union in place 2. 3. 4. 5. 6. 7. 8. 9. Of. ...Union. Date of application Name of the Union applying for recognition in place of an already recognized representative Union. Address of Head Office. Address of Local office. Narnes and addresses of the office bearers. Whether the Union had applied for recognition to the Registrar at any time if so, the result of the application. Name of the representative union in whose place the recognition is applied for .... The address of the Head Office on Local Office to the representative union..... . The total number of members of the union applying for recognition on the date shown in clause I above. The details of the membership of the union are given in the annexure to this form. General Secretary/Secretary of the .....Union) S.N0. Name of the undertaking Shift ANNEXURE OF FORM E Department Name Father's or of the name occupation member Age of the member whether membership subscription paid for the preceding mon ths Remarks Whether membership Receipt No. for member subscription The date of subscription subscription paid for mentioned in column Nos. the month next to the recedin month 1.' 2. 3. 4. 5

6. General Secretary/Secretary of the Union.FORM F (See rule 19) Name of the Representative Union. The local area under the Jurisdiction of the union. The description of the undertaking. The number of the member on the 1st day of the last calendar month for each undertaking. Ihe total number of members for the whole industry on the 1st day of the last calendar month. Documents in support of the information given above are enclosed. General Secretary/Secretary of the .. ... Union. FORM G (Sté fülé40) Office of Thc Registrar of Unions Madhya Pradesh Industrial Relations Act, 1960 Form of the statements to be submitted to the Registrar of Unions, every month as required under rule 20 of the Madhya Pradesh Industrial Relations Rules Monthly statement under rule 19 of the Madhya Pradesh Industrial Relations Rules, 1960. Nameof the undertaking Nameof the trade Incal area . .....Month.....„... on the first working day of this month as shown belowL Serial No. Name of Permanent Substitute the „ Actual number of employees employed (1) occu ation (2) (3) First Shift Temporary (5 4 Second Shift Others Tem orar Substitute Permanent Third Shift Others Others (6) Grand total Total Total Remark Substitute Permanent (8) No ... Tem ora (10) By Registered Post. Date , Forwarded to the Registrar of Unions, Madhya Pradesh, on... Signature of employer. FORM H (See rule 26) Application for recognition of Association of Employers Name of Association . Address day of..... To, The Registrar, Madhya Pradesh Industrial Relations Act. Dear Sir, . Dated, the I beg to inform you that at a meeting of the Mänaging Committee of this Association which . on the day it was decided that this was held at Association should apply to the State Government for recognition as an association of employers :...industry for the local area/areas of .....for the purposes of the Madhya for the . Pradesh Industrial Relations Act, 1960

2. The Association has for one of its objects the regulation of the conditions of employment in the industry conducted or carried on by its memberS. The names of the members in the industry in the local area/areas for which the application is made together with their addresses are given in the Annexure attached to this application. 3. enclose copy of the Constitution/Memorandum of the Association. Yours faithfully. Secretary. Name of employer... Dated, t.hé To, Dear Sir/Madam,

FORM 1 (See rule 31) Notice of change to be given by an employer . Address... .. day of . (The representative of employees) .....of section..... of the In accordance with the provisions of sub-section . Madhya Pradesh Kndustrial Relations Act, 1960, VWe beg to inform you that it is my/our intention to effect the change/changes specified in the annexure to this letter. Yours faithfully, Annexure Statement of the case. FORM J'. (See rule 32) Notice of change to be given by employee to employer Name of the representative of employees — Address Dated the To, . day of (The name of the employer) Dear Sir/Sirs. In accordance with the provisions contained in sub-section (2) of section 31 of the Madhya Pradesh Industrial Relations Act, 1960, l/we hereby beg to give you notice that I}we desire a change/changes specified in the Annex were to this letter. Yours faithfully. Representative of employees Annex-Statement of the case. FORM K (See rule 33) m THE LABOUR COURT AT... Application „ . .of. Employer Name of the registered Union employee Labour Officer Posta] Applicant Versus Employer Name of the registered Union employee I-Abour Officer Postal address..... — Opponent In the Matter The applicant respectfully submits :- (2) That (3) That The applicant, therefore, prays that the Court may be pleased to decide - (l) (2) (3) The applicant begs leave to amend or add to or make alterations in the application if and This verification is signed at.....on when necessary. Dated. .. Signature or thumb-impression of applicant. The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information. Signature or thumb-impression of applicant. FORM L [See sub-rule (1) of rule 431 Report of Industrial Dispute Name of ..... . Name of the' representative of Dated the . .. . day of..... To, Thé Conciliator for the local area for the industry concerned. The Chief Conciliator, Madhya Pradesh Industrial Relit-ions Act, The Registrar, Madhya Pradesh Industrial Relations Act, Dear Sir, In continuation of the copy of the notice which I/we forwarded to you on the... .....day of.. .. I/we beg to inform you that it has not been possible to reach on agreement with the representative of employers (the name of the employer concerned) and that IJwe still desire that the change/changes proposed by that notice should be effected

2. A ful.l statement of the case is given in the Annexure. 3 The number of employees likely to be affected by the dispute is Yours faithfully, Representative of employees Here insert the position which the person. who signs this letter holds with the employer or association of employers. Annex-Full statement of the case.

FORM M See rile 44) Memorandum of Settlement (l) Representing Employers ..... (2) Representing Employees . Terms of settlement Signature of the Conciliator .. Short recital of the case Signature of the parties with date. FORM N (See rule 45) This is to certify that there exists a dispute between- . .....Party No. 1 And .. ...Pa.rty No. 2 in respect of the following matters - (1) (2) (3) (4) (5) and that the dispute was submitted to me in Conciliation, and i am satisfied that the sa.me is not capable of being settled by conciliation. Conciliator Local area FORM O (See rule 47) IN THE HON'BLE ROUSTRIAL/LABOUR COURT, MADHYA PRADESH AT MORE In the matter of Arbitration under section 52. Name of the parties to the dispute- .....Representative Union Party Party 2 Whereas Party No, I is the representative Union for the . . industry for the local area .....and whereas an Industrial dispute of the nature stated below exists between party Nos. I and 2, and whereas the said dispute cannot be settled in conciliation and whereas the said dispute is desired by part No. I to be referred to the Arbitration of the Hon'ble Industrial/Labour Court under Section 52 of the Act, party No. 1 states as under. Nature of the dispute Terms of reference (l) (2) (3) (4) It is, therefore, prayed that the Honble Court be pleased to give its award on the terms referred to above. The certificate of conéiliators is enclosed, Secretary I Principal Officer of the Union, Party No. I Copy to the Chief Conciliator, Copy to the Conciliator for the local area. Copy to the Registrar. Trade Unions at. '["FORM 00" [See sub-rule (1) of rule 48- A] Application for the Execution of a Decree In the court of.....the undersigned decree holder, hereby apply for execution of the decree herein below set forth :- No. of Name of proceeding Party/Parties Date of Whethe Payment or Previous Application if decree adjustment any with r any a ea.l made if an Amount of costs if any Against whom to be executed Mode in which the assistance the Court is re uired awarded (9) I pay that the total amount of (together within interest if any on principal sum up to date of payment) and the costs of taking Out of this execution be realized by the attachment and sale of opposite party's immovable property specified at the foot of this and paid to me. I .....declare that what is stated herein is tme to the best of my knowledge and belief. Dated the ...1..... Day of..... Signatures of Decree holder] FORM (See rule 53) Summons to Witness BEFORE THE LABOUR COURT INDUSTRIAL COURT/OR BOARD No .... of .... In the matter of SUMMONS ApplicationfPetition No of 19 Reference Address.... ..... Whereas the akove matter will be taken up for hearing at .....on .....in and whereas your presence 'is necessary; you are hereby SUMMONED TO appear in pörson before me at the aforesaid time and plate and to give evidence, to answer all material questions and to produce all books, documents, etc., which may be in your possession or under your control and in any way relating to the matters in dispute, and to continue to remain present until you are discharged. Sea.l Presiding Officer of the Labour CouW Registrar, Industrial Court/Chairman, the Board of Arbitration. Office of , ...day of..... FORMQ' [See Sub-rule (1) of rule 54] (Notice to file Written Statement in Application or Petition) BEFORE THE LABOUR COURT ANDUSTRIAL COURT/BOARD Applicants) Petitioner(s) Versus Opponent(s) Address.... .... In the matter NOTICE Whereas above named has filed.....in this Court/Board copy whereof is enclosed therewith, Notice is hereby given to you that if you so desire, two copies of your written-- statement of claim may be filed in this off icon or before ... . and that a copy thereof may be supplied to the above named and to inform the undersigned that this has been done

2. The time and place of hearing will be announced later today, dated Presiding Officer of the Labour Court/ Registrar of industrial Court, Chairman, the Board of Arbitration.FORM R (Sac rule 88) Notice of Termination of AgreemenVSettIemenUAward Dear Sir/Sirs. I/We hereby give you notice that Ilwe propose to tenninate the Agreement/ Settlement] Award dated . the notice. .....on the expiry of two months from the date of ...regarding . Yours faithfully, APPENDIX (To Industrial Relation Rules) [See Sub-rule (I) ot rule 86]

FORM 1 2. 1. 2 3. 4. 5. 6. 7. 8. 9. (Working Reduction and Addition of Department, Shifts and Workers) Year and month Name and Address of the Undertaking Part I-Norma' Working Names of departments Number of Shifts- (a) departments having only one (b) departments having two (c) departments having three Starting times of shifts Closing times of shifts Rest interval in each shift Part U-Actual Working Departments closed (give dates and reasons) Departments re-opened or newly started (give dates and reasons). Number of operative affected by 6 above. Number of opératives acted by above 10. 11. 12. 13. 14

15. Shifts closed or partially closed (specify depa.rtment, sections, dates • and reasons). Shifts re-opened or partially reopened, or newly started (specify departments, sections, dates and reasons). Number of operatives affected by IO above Number of operatives affected 1 1 above Part 111 Operatives permanently or manently reduced (specify departments sections, shifts and reasons) Operatives permanently or semi-per-manently added (specify departments, sections, shifts and reasons). (Signature) Date Designation.

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

FORM 11 (Stoppages) .....year Name and Address of the Undertaking..... Month..... Department (s) Dates from affected Number of o erative affected (inclusive) to Number of working days in the period covered by column(3) red with column 2 Reason (5) Directly Indirectly Com ensation Paid Total Number of operative receivin IO) Date Amount 11) Increased (x) decreased(-) in the number of operative affected as shown in columns (6)&(7) date of which it occurred accordin to shifts) Number of operatives Operatives laid off Reasons (Signature) (Designation) Note:- For the purpose of this Form operative means an employee other than a clerk. *This informat.ion should relate to the fint day:of the stoppage. Give variation, if any, in the numbers recorded in column (6) & (7) and specify the dates of these væiations. FORM 111 (Attendance and Absenteeism) For the fortnight- ending Saturday, the..... . — Name and Address of the Undertaking.....'. . Total number of Total number of working day for operative by the fortnight by department and department and shifts shifts Total number of holidays during the fortnight(including Sundays) Number of operatives on leave of any kind including leave granted respectively Total number of leave days during the fortnight excluding sundays and holida s Date (6 Dail muster of Attendance and Absenteeism Attendance Badlis not Temporary Probationers permanent o eratives 7 •ven work (8 iven work o eratives 9) 10 (11 Dail muster of Attendance and Absenteeism-contd Permanent o eratives 13 Permanent o eratives 18) Date Badlis 14 Leave Temporary o eratives 15 Probationers 16) Dail muster of Attendance and Absenteeism-contd Badlis o eratives Absent Temporary (20) Probationers Apprentices 12 Apprentices 17 Apprentices (22) (Signature) (Designation) Note(l).- In column (5) enter the total number of days for which each operative was on leave during the fortnight. Note(2)-For the purpose of this Form 'Operative' means an employee other than a clerk. FORM W (Employment) Name and address of the Undertakin . Month..... Year..... Year and Month Tota.l number of operatives discontinued Total number of operatives on the muster roll Total number of operatives required to run the undertaking at Total number of operatives at the beginning of the Number of operatives recruited roll full capacity month(lst day)according to shifts 1st 2nd 3rd Total number of Total number of operative.s reinstated operatives at the end of the month (last day) according to shift 1st 2nd 3rd Date (Signature) (Designation) Note I-For the purpose of this Form, 'operative' means an employee other than a clerk. Note 2,-Here enter the number of operative required for optimum production irrespective of availability of Material, Trade reasons and other circumstances that the undertaking is capable of. FORM V (Wages) Name and Address of the Undertaking.....,,..... ... Total number of operatives on muster roll Date of pay days Number of employees who actually received wages Cash Details and Dates of wage payment-contd Wa es due but not aid or not claimed Total wage paid in otherwise than in cash(grain, cloth, accommodation etc.)(state king & value) Remarks Cash Otherwise than in cash Total wage bill for the month (total of column (4),(S)(6)and (7)(8) Date (Signature) (Designation) Note.-ln colurnns (5) and (7) if accurate figures are not available, enter approximate ones. Method of calculation adopted should be indicated in column (9). FORM (Welfare) Mouth .... Name and Address of the Undertaking — Medical attention— (a) (b) (c) (d) Average daily attendance at dispensary Medical Officer- (i) Full time (ii) Part time (iii) Total number of hours during the month put in by the Medical Officer at dispensary. Whether fees charged; if so mention rates and total amount collected during the month. Details of any industrial health enquiries conducted by the Medical Officer. (These may be given on a separate sheet attached to this Form) 2

3. Safety measures Introduced* Discontinued* *Give details Amenities- Working order Actual use (a) (b) (c) (d) Drinking water taps Washing water taps Dining sheds Rest sheds (e) (f) Latrine seats (i) for males (l I) for females Urinals- (i) for male (ii) for female 2, Aggregate daily attendance at creche Staff attending to your creche- 3.5. (ii) Aggregate daily attendance at your school (if any) :- Total teaching staff Library, (if any)- (i) Total number of books (ii) Number of books borrowed during the month (iii) Number of periodicals available- (b) Weeklies (a) Dailies Other amenities (Give details) Date

FORM VII (Canteens) Name and address of the Undertaking — (c) Monthlies (Signature) (Designation) Year..... 2. 3. 4. 3. 6. 7. 8. 9. IO. Total floor aréä KitchéD Gea Tota.l seating capacity Number' of chairs Number of benches Average number of persons using the canteen each month List of eatables and drinks normal.ly supplied(mention amount charged for each)— (e).... (h).... Do you supply regular means ? [f so, indicate the dishes below— Cost ofa re'gular meal Number •of meals that be supplied by . your canteen per hour Date (Signature) (Designation) FORM VIII (Premiseé) Name and Address of the Undertaking Quarter ending .....Year (a) (b) (c) (d) (h) (a) (b) (c) (d) (g) (j) i. Total area covered by your industrial premises. ii. Total area occupied by factory structures, iii. Total area not built upon iv. Total area occupied by. Dispensary Canteen Wash-places Toilet facilities Library and Reading Room School Creche Any other amenities (specify) v. Housing, (provided by employer(s)- Number of chawis and distance from factory. Whether electricity provided: if so, what extra rent or charge, if any. is levied- (i) per one-room tenement (ii) per two-room tenement Sanitary arrangements : type of latrines provided. Total afea of all accommodation Number of two-room tenements and area thereof. Number of one-room tenement and area thereof, Rate per month (i) per single room (ii) per two-room Total number of persons occupying two-room tenements, (i) Total number of persons occupying one-room tenements, Number of outsiders other than your- own workers residing in your chawis. (k) Number of- Latrines places Urinals Water taps Washing Date *If any (i) Single-room tenements per floor, (ii) Two-room tenements FORM (Rationalization, Usages Rules) (Signature) (Designation) Name and Address of the Undertaking Quarter ending . „ Year..... During the quarter under reference (l) (2) (3) Date Have you introduced any reference:- or efficiency methods in the undertaking ? If so, give details. Have any customary concessions or privileges been withdrawn or any changes in usages been introduced in the undertaking? If so, give details. Have any new rules of discipline been introduced or any alteration in existing rules made, if so, give details. (Signature) (Designation) FORM X (Machinery) Year — Name and address of the Undertaking Types of Departments Machine(Give full details Date Number of Manufacture Year of Remarks (Signature) (Designation) FORM (Machinery Production) Year..... Name and Address of the Undertaking Department Number of Machines 1 Number of Machines not workin Reasons for remaining idle Remarks If any change has occurred during the year in any of the items specified in Form XI, give fill details of each such change. State the strength of the special leaning staff, if any, employed to clean your machines, and give brief details of their duties. How many looms per weaver? How many sides per sider? Date (Signature) (Designation) FOR _ xn (Production, Transactions and Dealings) [För Textile Inaustry only] Name and address of the undertaking A.-State (l) Number of counts spun during the month (2) Varieties of counts spun during the month, in form below: - Varieties of count Production (quantity) Cost of Production Cost of mixing per s un (a) (b) B. State— (a) (b) C. State— u tos indle oint lb. u tos indles un Warp Weft Total poundage of yarn sold in th.-open market for- (i) Gray (ii) Bleached (iii) Dyed Tota:l poundage consumed in the Weaving Department Cost per lb. of dyed and bleached yarn in the each count produced. the varieties of cloth produced, the total poundage of each varieties and cost of production per lb. in the form shown below:- Varieties of cloth Amount of production in lb Cost of production per lb. u to bailin D. E. Have you a system of selling your production through guaranteed brokers for (a) (b) (a) (b) (c) yam, and cloth ? If so, please give their names and address. (i) What is your system in making purchases of - Machinery Cotton Stores (ii) Is there any cornmission or rebate received against any of these purchases ? If so, please state the amount received during the month and the manner in which it is credited. G. (a) Total waste produced from Blow room to spinning. (b) Total waste produced from winding to weaving. (c) Tota.l fonts and rags produced in weaving, dying and finishing. (d) Total weight of all varieties of waste produced. Particulars of Managing Agency terrns. Details and percentages of overhead charges which are not included in the cost of production. Date (Signature) (Designation) FORM xm (Production, transaction and dealings) (For other Industries) Name and addreSs of the undenaking A:-- Give information in the following pioforma- Serial No. Varieties of articles produced including b e-roducts if an Quantity of the product during the month Cost of production B. c. D. E. Have you a system of selling your production through guaranteed • brokers? If so, please give their names and addresses. (l) What is your system in making purchases of- (a) Machinery (b) Raw .MateriaI (c) Other Ipaterial for Stores (2) Is there any commission or rebate received against any of these purchases? If so, please state the amounts received during the month and the manner in which it is credited. Particulars of Managing Agency terms Details Of percentages of overhead charges which are not included in the cost of production.

Date (Signature) (Designation) FORM XIV Page No. List of Permanent*/BadliÆemporary Operatives employed in the .....MiIl in the month of Occupation. .... Serial No. Sub-occu ation Ticket No. Name of worker Shift in Remarks [Not to be filled b Mills Muster Register No. not to be filled b Mills) * Separate statement should be submitted for each category of workers. FORM XV List of Permanent*/BadliÆemporary Operatives in respect of change in the rolls that have been effected. Undertaking... ... Address..... Details re ardin chan es for the WeeWfortni htfMonth endin 19 Page No. Shift No. in month of Serial No. Nature of change Name of the Occupation and employee and Sub-occupation Local Address Date of change Ticket No. Remarks Service certificates issued or not *Separate statement should be submitted for each category of workers. #0ccupation should be shown in symbols. Use following symbo!s :- Discharged: I. Dismissed: D. I_ßft of His own accord- L. Retrenched: R. Sent away: S. Died: Died. (1) (2) (3) (4) (5) (6) FORM (Anticipated closure) Name and address of the undertaking Numbdr of shifts for which each department is being worked at present together with the number of employees. Stock of coal (in tons and Kwts) (i) held on the date of report (ii) average monthly consumption Supply of electric power (state briefly whether the supply is adequate for running the usual numbeE df shifts). Supply position of raw material (if there is shortage of any raw material, it should be specified clearly stating reasons for the shortage and the quantity required immediately to maintain continuous production). Stock of cotton in bales of 400 lb.- (i) Held on the date of report (ii) Average montl•$' consumption. [NDUSTRIAL COURT FORMATION OF BENCHES RULES 1964 [Notfii. Published in MR Rajpatra Pt.4 (Ga), dated 14.8.1964. p.329 as amended by Industrial Court on 27th July, 1964 which came intoforce on 1. 8.1964) In exercise. of the powers conferred.by sub-section (6) of section 9 of the Madhya Pradesh Indusuia.l Relations Act, 1960 (Act No. 27 of 1960), the Industrial Court for the State of Madhya Pradesh, hereby makes the following rules: 1. These rules may be called the "Industrial Court Formatioil of Benches Rules, 1964". 2. (l) In these' rules unless the subject or context otherwise requires,— (a) (b) (c) (d) (e) (h) 'Act' means the Madhya Pradesh Industrial Relations Act. 1960 (Act No. 27 of 1960); 'Bench' means a behch constituted under these Rules; 'Court' means the Industrial Court as constituted under section 9 of the Act; Matter' means any application, appeal, petition, references submission filed in or made to the Industrial Court under the provisions of the Act; 'Member' means a member of the Industrial Coun and includes the President; 'Party' means the applicant, petitioner, appellant, opponent, respondent, any employer or employee concerned in any application, petition, appeal, submission or reference; 'Petition' means any petition made to the Court under the Act or these rules; President' means the President of the Industrial Court; 'Section' means a section of the Act. (2) Words and expressions not defined in these rules shall have the meanings assigned to them under the respective Acts

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

4. The following matters shall ordinarily be heard and disposed of by Bench consisting of two members- (i) appeal under clause (a) of sub-section (l) of section 65; (Li) appeal under clause (b) of sub-section (l) of section 65; (iii) appear under clause (c) of sub-section (1) of section 65; (iv) Geferences on point of law or interpretation of the Act and rules under section 70; (v) contempt of Industrial Coun and of Lnbour Court under section 105.S. Save as bthervise provided by law or these rules or of the President, all maters shall be hear: she/ Men

6. Notwithstanding anything contained in these Rule& a n sitting alone in the long vacation as vacation Judge may exercise any or all t)f ujc powers of the industrial Court.8. (i) A member sitting alone may refer any proceeding pending before him to the President with a recorn.rnendation that it be placed before a Bench of more than one Member when it involves a question of law or difficulty or importance. (ii) In the proceedings referred to in sub-rule (l) the refering member may refer a stated question or questions or may ask that the proceedings be heard and decided by the Bench to which it is referred. If the refers a stated question or questions he shall dispose of the pgoceedings in accordance with the decision of the Bench on the question or questions referred to it. (i) A member sitting alone may refer any proceeding pending before him to the President with a recommendation that it be placed before a Bench of more than one member, if he considers that the decision in the proceeding involves reconsideration of former decision of a member sitting alone. (ii) in the proceedings referred to in sub-rule

(l) the referring member Shal] refer a stated question or questions and shall dispose of the proceedings in accordance with the deciéion of the Bench on the question or questions referred to it

9. If at any 'time the President or t.he member is unable to function for any reason whatsoever then notwithstanding anything contained in these rules, the President or the member alone, as the case may be, shall have all the powers vested under these Rules in a Bench of more than one member

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

11. The- President may •by order in writing direct that any matter, dispute or business • cognizable by, the Court, or pending before the Court shall be distributed amongst him and the member or members in such manner as he thinks fit.NOTIFICATIONS Notification No. 4(e)-8-95-XVI-A dated the 2nd September 1995- In exercise of the powers conferred by sub-section (l) of Section 3 and sub-section (l) of Section 4 of Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960) and in suppression of all the previous notifications in this respect, the State Government hereby appoints Shri Amar Singh to be the "Commissioner, of Labour" and "Chief Conciliator' respectively for the State of Madhya Pradesh. [Published in Rajpatra Part dated 15-9-95 Page 15131. Notification No. 4(E)-12-95-XVI-A dated the 4th March, 1997- In has become necessary to appoint the Additional Presiding Officers for the various Labour Courts Constituted under Section 8 of the powers conferred under Industrial Relation Act, 1960 the State Government hereby appoints the following Additional Presiding Officers as shown in column No.3 of the table below as Additional Presiding Officers of the Labour Courts shown in column No. 2 of the table below against their.names, with retrospective effect from the date of taking over the charge by them of the Labour Court concerned: Provided that these Additional Presiding Officers will perform the Judicial work as Additional PreSiding Officers of the Labour Courts as shown in Column No. 2 of the table only as per the direction of the President, Industrial Court Madhya Pradesh, Indore issued from time to time and will hear and decide only thosr ceecsl which have been made over to them under the orders of the Besident, Industrial Court, Madhya Pradesh, Indore. S.N0. 1. 2. 3

4. Table Name of Labour Court Labour Court No.1&2, Bhopal Labour Court No. Gwalior Labour Court, Uiiain & Labour Court, indore Labour Court, Jabalpur Name of Additional President Otücers appointed on contract basis Shri A.V.S Choudhary, Retd. District& Session Jud e Shri Shanti kumar Jain, Retd. District& Session Jud e Sbri R.N Shirpurkar , Retd. District& Session Jud e Ku. Prabha Sharma, Retd. District& Sßsion Jud e Notification No. F 4(E)-1-98-XVl-A dated thé 20th January, 1999— In exercise of the powers conferred by clause (2) of Section 2 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government hereby, makes the following amendment in this department Notification Number dated the 30!h June, 1975, namely Amendment In the said notification, for the word "Khachrod" wherever in occurs the word Nagda" shall be substituted. [Published in MR Rajpatra Part I dated 29-1-99 Page 156-57]. Notification No. F dated the 24th March, 1999— In exercise of the powers conferréd by clause (23) of Section 2 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Govemment hereby, makes the following amendment in this Department Notification Number F. 4(E)-i -98-XVI-A, dated the 20th January, 1999 published in Part I of the "Madhya Pradesh Gazette" dated the 29th January 1999, namely (Published in MR Rajpatra Part I dated 9-4-99 Page 59]]. Notflcation No. dated the 71h December, 2002— In exercise of the powers conferred by sub-section (1) of Section 8 of the Madhya Pradesh Irsrrial 00 OA 12t of 1960), the State Government hereby .rmienrNotificationNo.4073-1960-83- makes. the following am- SVI-A, dated the 11th August. 1983 nanhl Amendment In the said notification for the words and figure "Labour Cow. No. 3 Gwalior" ever they occur the words "Labour Court, Guna" shall be uhvoo. {Published in MP Rajpatra Part 1 dated -12-20302P Notification No. F dated the 14th June,2002—In exercise of the powers conferred by sub-section (l) of Section 3 and sub-sec. ::ii (l) of section 4 of Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960) and in super session of all previous notifications on the subject. State Government hereby appoint Shri A.P. Shrivastava to be the "Commissioner of Labour" and "Chief Conciliator" respectively for the State of Madhya Pradesh. [Published in MR Rajpatra Part I dated 14-06-2002 Page 505] Notification Nd. F4 (E) 1-2002-XVI-A

dated the 19th May, 2003— In exercise of the powers conferred by Sub-section (l) of Section 8 of the V at Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Govemment .JidraWs the local area comprised within the limits of Harda Revenue District from the Jurisdiction of Labour Court No. 2, Bhopal and includes it in the Jurisdiction of Labour Court, Hoshangabad. [Published in MR Rajpatra Part idated 19-05-2003 Page 551]. Notification No. I(A) 10-2004-A-XVJ dated the 12th July, 2004- In exercise of the powers conferred by sub-section (1) of Section 9 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960), the State Government hereby. appoints Justice Shri S.P. Khare, Judge of the Madhya Pradesh High Court, as President of the Madhya Pradesh [ndustrial Court with effect from the date, he takes over charge. [Published in-MR Rajpatra Part I dated 12-07-2004 Page 579}. Notification No. F 4-E-2004-A-XV dated the 27th May, 2005- in exercise of the powers conferred by sub-section (6) of Section 9 of the Madhya Pradesh I.ndustrial Relations Act, 1960 (27 of 1960). Che Industrial Court for the State of Madhya Pradesh, hereby makes the following Rules, namely:- 1. Short title and commencernent.- (l) These Rules may be called the "Industrial Court Formation of Benches Rules, 2005. " (2) They all come into force with effect from the date of their publication in the Madhya Pradesh Gazette

2. Definitions.- In these rules, unless the subject or context otherwise requires,- (a) (b) (c) (d) (e) (f) (g) (h) "Act" means the Madhya Pradesh Industrial Relations Act, 1960 (No. 270f 1960); "Bench" means a bench constituted under these rules; "Court" means the [ndustrial Court as constituted under Section 9 of the Act; '"Matter" means any application, appeal, petition, reference case or submission filed in or made to the Industrial Court under the provision of the Act; "Member" means a member of the Industrial Court and includes the President; 'Party" means the applicant, petitioner, appellant, opponent, respondent any employer or employee concerned in any application petition, appeal, submission or • reference; 'Petition" means any petition made to the court under the Act of Rules: "President" means the President of the Industrial Court; (i) "Section" means a section of the Act; (j) Words and expressions not defined in these Rules, so have the meanings assigned to them under the respective Act, 3. The President may constitute a Bench of one or more members to decide any of the matters filed in or referred to the Court and the Bench so constituted shall exercise the jurisdiction and the powers vested in the Court

4. The following matters shall ordinarily be heard and disposed of by a Bench consisting of two or more members.- (i) appeal under clause (b) of sub-section (l) of Section 65; (ii) appeal under clause (c) of sub-section (l) of Section 65; (iii) appeal under clause (d) of sub-section (1) of Section 65; (iv) reference on point of Jaw oc interpretation of the Act or rules under Section 70 of the Act; (v) contempt of Industrial Court and "Labour Court under Section 105"; 5. Save as otherwise provided by law or these Rules or by general or special order of the President, all matters shall be heard and disposed of by a Bench of one member

6. Notwithstanding anything contained in these Rules, a member sitting alone in the long vacation as vacation Judge may exercise any or all of the powers of the Industrial Court.7. (l) A member sitting alone may-refer any proceedings pending before him to the President with a recommendation that it be placed before a Bench of more than on Member when in involves a question of law of difficulty or importance. (2) in the proceedings referred to in sub-rule (l) the referring member may refer stated question or questions or may ask that the proceedings be heard and decided by the Bench to which it is referred. if the refers a stated question or questions he shall dispose of the proceedings in accordance with the decision of the Bench ne the question or questions referred to it. 8. (l) A member sitting alone may refer any proceeding pending before him to the President with a recommendation that it be placed before a Bench of more than or member, if he considers that the decision in the proceeding involves reconsideration of former decision of a member sitting alone (2) In the proceedings referred to in sub-rule(l) the referring member shall refers stated question' or question and shall dispose of the proceeding in accordance with the decision of the bench on the question or question referred to it. 9.1f ai any time the President or the member is Unable to function for any reason whatsoever, then not with standing anything these Rules the President or the member alone, as the case may be, shall have all the powers vested under these Rules in a Bench of more than one member

10. An application for review under Section 71 shall ordinaly be disposed of by the same Bench which heard the original matter sought to the reviewed however that if any member or members of the Bench which disposed of the original matter has or have ceased to be member or members of the court by

retirement, transfer or otherwise, it shall be disposed of by a Bench consisting of the number of members as the Bench which made the order sought to be reviewed

11. The President shall have powers to distribute the work amongst the Member Judges and shall have al SO powers to made over or recall or transfer any case suomoto or on application for disposa.l in accordance with law

12. Repeal and Saving.— Industrial Court Formation of Bench Rules, 1964, are hereby repealed in respect of matters covered by these rules; Provided that any order made or action taken under the Rules so repealed; shall be deemed to have made or taken under the corresponding provisions of these rules. [Published in M.P Rajpatra (Asadharan) dated 27-05-2005 Pages 444 (1-2)). Notification No F 6-15-04-A-XT17 dated the 10th October, 2005— In exercise of the powers conferred by sub-section (3) of Section I of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960). the State Govemment hereby makes the following amendment in this departments Notification No. 9952-XVI, dated the 31st December, 1960, namely Amendment In the said notification, in the schedule, the serial numbers l, 2, 3, 4, 7, IO, 15 and 16 and entries relating thereto shall be onütted. [Published in M.P Rajpatra Part I dated 10-10-2005 Page 1015]. Notification No. F. 6-5-07-A-XVI, Dated the 14th August, 2007— In exercise of the powers conferred by sub-section (4) of section I of the Madhya Pradesh—Industrial Relations Act, 1960 (No. 27 of 1960), the state govern.rnent hereby directs that the provision of said Act shall not apply to the industries specified in the schedule below, however the said omission shall not affect the cases pending before the Labour Court, industrial court or before and other court of law and such cases shall be disposed of or proceeded with as such items had not been omitted namely s.No. 1. 3. 4. 5. 6. 7. 8. 9. IO

11. Schedule Name of Industries Textiles includin cotton silk artificial silk sta le fibre Iron and Steel. Electrical oods. Sukar and its by product including:- •ute and car et. (i) The growing of sugar cane on farms belonging to or attached to concern engaged in manufacture of sugar, and. (ii) AD agriculture and industrial operations connected with the growing of sugar cane or the said manufacture. Cement. Electrici eneration transmission and distribution. Public Motor Trans orL En •neerin includin manufacture of motor vehicle. Potteries including refactory, goods fire bricks, sanitary wares, insulators tiles stone, ware i es furnace linnin bricks and other ceramic oods. Chemical and chemical roducts indust Leather and tanneries includin leather roducts. The Notification shall come into force from the date of its publication in the official Gazette. [Published in M.P. Rajpatra Part 1 dated 17-8-2007 Page 2137] Notification Ng. 2180-1414-07-A-XVI, dated the 9th October, 2007— In exercise of the powers conferred under section 8-A of the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960) the State Govemment hereby appoints the presiding officers of the 'Labour Courts to be Additional presiding officers for all the other Labour Courts except the Labour Courts to which they are posted as—presiding officers. These Additional presiding officers will do the judicial and others work assigned to then by the president of the industrial court. [Published in M.P. Rajpatra Part I dated 2-11-2007 Page 2626]