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(230) (29)

GOVERNMENT OF INDIA (BHARAT SARKAR)  
MINISTRY OF HOME AFFAIRS (GRIH MANTRALAYA)

NOTIFICATION

New Delhi, the 2nd July, 1971.

G.S.R. 997.- In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi, the Bombay Relief Undertakings (Special Provisions) Act, 1958 (Bombay Act 96 of 1958), as in force in the State of Maharashtra at the date of this notification, subject to the following modifications, namely:-

Modifications

1. Throughout the Act, unless otherwise directed by this notification, for the words "State Government", the word "Administrator" and for the words "Official Gazette", the words "Delhi Gazette" shall be substituted.
2. In section 1, in sub-section (2), for the words "State of Maharashtra", the words "Union territory of Delhi" shall be substituted.
3. In section 2, clause (1) shall be renumbered as clause (1A) thereof and before the clause as so renumbered, the following clause shall be inserted, namely:-

"(1) "Administrator" means the Administrator of the Union territory of Delhi appointed

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GOVERNMENT OF INDIA (PUNJAB)  
MINISTRY OF HOME AFFAIRS (PUNJAB)

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by the President under article 239 of the Constitution;".

4. In section 3, in sub-section (1), for the words "State Government" where they occur for third and fourth times, the word "Government" shall be substituted.

5. In section 4,-

(a) in sub-section (1), in clause (a), in sub-clause

(ii), for the words "State Government", where they occur for the first and second times, the word

"Government" shall be substituted;

(b) in sub-section (2), for the words and figures

"Bombay General Clauses Act, 1904", the words

and figures "General Clauses Act, 1897" shall

be substituted.

6. For the Schedule, the following Schedule shall be substituted, namely:-

SCHEDULE

Central Acts

1. The Industrial Employment (Standing Orders) Act, 1946 (20 of 1946).

2. The Industrial Disputes Act, 1947 (14 of 1947).

Delhi Act:

The Delhi Shops and Establishments Act, 1954 (Delhi Act 7 of 1954). "

P. T. O.

ANNEXURE

The Bombay Relief Undertakings (Special Provisions Act, 1958, as extended to the Union territory of Delhi

(Bombay Act 96 of 1958)

An Act to make temporary provisions for industrial relations and other matters to enable the State Government to conduct, or to provide loan, guarantee or financial assistance for the conduct of, certain industrial undertakings as a measure of preventing unemployment or of unemployment relief.

WHEREAS it is expedient to make temporary provisions for industrial relations and other matters to enable the State Government to conduct, or to provide loan, guarantee or financial assistance for the conduct of, certain industrial undertakings as a measure of preventing unemployment or of unemployment relief; It is hereby enacted in the Ninth Year of the Republic of India as follows:-

Short title and extent.

- 1. (1) This Act may be called the Bombay Relief Undertakings (Special Provisions) Act, 1958.
- (2) It extends to the whole of the Union territory of Delhi.

Definitions.

- 2. In this Act, unless <sup>the context</sup> otherwise requires,-
  - (1) "Administrator" means the Administrator of the Union territory of Delhi appointed by the President under article 239 of the Constitution;
  - (1A) "industry" means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or vocation of workmen; and the word "industrial" shall be construed accordingly;
  - (2) "relief undertaking" means an industrial undertaking in respect of which a declaration under section 3 is in force.

Declaration  
of relief  
undertaking.

3. (1) If at any time it appears to the Administrator necessary to do so, the Administrator may, by notification in the Delhi Gazette, declare that an industrial undertaking specified in the notification, whether started, acquired or otherwise taken over by the Government, and carried on or proposed to be carried on by itself or under its authority, or to which any loan, guarantee or other financial assistance has been provided by the Government shall, with effect from the date specified for the purpose in the notification, be conducted to serve as a measure of preventing unemployment or of unemployment relief and the undertaking shall accordingly be deemed to be a relief undertaking for the purposes of this Act.

(2) A notification under sub-section (1) shall have effect for such period not exceeding twelve months as may be specified in the notification; but it shall be renewable by like notifications from time to time for further periods not exceeding twelve months at a time, so however that all the periods in the aggregate do not exceed fifteen years.

Power to  
prescribe  
industrial  
relations and  
other facilities temporarily for  
relief undertakings.

4. (1) Notwithstanding any law, usage, custom, contract, instrument, decree, order, award, submission, settlement, standing order or other provision whatsoever, the ~~xxx~~ Administrator may, by notification in the Delhi Gazette, direct that-

(a) in relation to any relief undertaking and in respect of the period for which the relief undertaking continues as such under subsection (2) of section 3 -

(i) all or any of the laws in the Schedule to this Act or any provisions thereof shall not apply and such relief undertaking shall be exempt therefrom, or shall, if so directed by the Administrator, be applied with such modifications (which do not however affect the policy of the said laws) as may be specified in the notification;

(ii) all or any of the agreements, settlements, awards or standing orders made under any of the laws in the Schedule to this Act, which may be applicable to the undertaking immediately before it was acquired or taken over by the Government or before any loan, guarantee or other financial assistance was provided to it by, or with the approval of, the Government, for being run as a relief undertaking, shall be suspended in operation or shall, if so directed by the Administrator, be applied with such modifications as may be specified in the notification;

(iii) rights, privileges, obligations and liabilities shall be determined and be enforceable in accordance with clauses (i) and (ii) and the notification;

(iv) any right, privilege, obligation or liability accrued or incurred before the undertaking was declared a relief undertaking and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed;

(b) the right, privilege, obligation or liability referred to in clause (a)(iv) shall, on the notification ceasing to have force, revive and be enforceable and the proceedings referred to therein shall be continued:

Provided that in computing the period of limitation for the enforcement of such right, privilege, obligation or liability, the period during which it was suspended under clause (a)(iv) shall be excluded notwithstanding anything contained in any law for the time being in force.

(2) A notification under sub-section (1) shall have effect from such date, not being earlier than the date referred to in sub-section (1) of section 3, as may be specified therein, and the provisions of section 21 of the General Clauses Act, 1897, shall apply to the power to issue such notification.

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SCHEDULE

Central Acts

1. The Industrial Employment (Standing Orders) Act, 1946 (20 of 1946).
2. The Industrial Disputes Act, 1947 (14 of 1947)

: 7 :

Delhi Acts

The Delhi Shops and Establishments Act,  
1954 (Delhi Act 7 of 1954).

[ No.F.3/3/71-UTL-(118) ]

*K. R. Prabhu*  
(K. R. Prabhu)

Joint Secretary to the Govt. of India.

No.F.3/3/71-UTL

New Delhi, the 2nd July, 1971.

Copy forwarded to -

1. The Chief Secretary, Delhi Administration, DELHI with reference to his d.o. letter No.F.1(1)/ALC/71-7/2534, dated the 26th June, 1971 (with 20 spare copies). The receipt of these copies may please be acknowledged.
2. The Ministry of Foreign Trade (Videsh Vyapar Mantralaya), NEW DELHI, with reference to their O.M.No.24012/1/71-TeX(G), dated the 15th June, 1971.
3. The Ministry of Industrial Development (Department of Internal Trade) / Audyogic Vikas Mantralaya (Antarik Vyapar Vibhag), NEW DELHI, with reference to their O.M.No.6(34)-I.T./71, dated the 22nd June, 1971.
4. The Ministry of Labour and Rehabilitation (Deptt. of Labour and Employment) / Shram Aur Punarvas Mantralaya (Shram Aur Rozgar Vibhag), NEW DELHI, with reference to their O.M.No.S.62029/1/71-LR.I, dated the 22nd June, 1971.
5. The Ministry of Law and Justice (~~Law~~ Legislative Deptt.) / Vidhi Aur Nyaya Mantralaya (Vidhaye Vibhag), NEW DELHI, with reference to their U.O.No.2343/71-SR0 dated the 17th June, 1971.

*K. R. Prabhu*

(K. R. Prabhu)

Joint Secretary to the Govt. of India.