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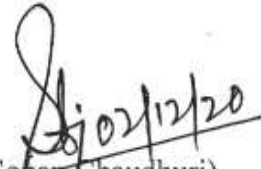
Government of Tripura
Law Department
Secretariat : Agartala

No.F.8(19) Law/Leg-I/2020

Dated, Agartala, the 2nd December, 2020.

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor of Tripura on the 27th of November, 2020 and is hereby published for General information.


(Sopan Chaudhuri)
Deputy Secretary, Law
Government of Tripura

The Tripura Act No. 21 of 2020

The Industrial Disputes (The Tripura Second Amendment) Act 2020

AN
Act

further to amend the Industrial Disputes Act, 1947 (Central Act 14 of 1947), in its application to the State of Tripura.

WHEREAS, the Industrial Disputes Act, 1947 (herein after referred to as the Principal Act) was enacted by the Central Government and it was came into force to the whole of India on the 1st day of April, 1947;

AND WHEREAS, in the perspective of this State it is now felt expedient to make State amendments in the Central Act to facilitate infrastructural growth and development in the State;

BE, it enacted by The Tripura Legislative Assembly in the Seventy First year of the Republic of India, as follows :-

1. Short title and commencement:

- (1) This may be called the "The Industrial Disputes (Tripura Second Amendment) Act 2020";
- (2) It shall come into force on the date of its publication in the Tripura Gazette.

2. Amendment of Section 2A.-

In Section 2A of the 'Principal Act',-

- (i) in sub-section (3), the expression "three years", shall be substituted with the expression "one year",
- (ii) after sub-section (3), the following new sub-section shall be inserted, namely:-
 - (iv) Notwithstanding anything contained in sub-section (1), (2) and (3), no such dispute or difference between that workman and his employer connected with, or arising out of, such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute if such dispute is not raised before conciliation officer within a period of one year

from the date of such discharge, dismissal, retrenchment or termination;

Provided that an authority as may be specified by the State Government may condone the delay beyond such period of one year if the applicant workman satisfies the authority that he had sufficient cause for not raising the dispute within the period of one year."

3. Insertion of Section 31A:-

After Section 31, a new Section 31A shall be inserted, as follows:-

31A. Compounding of offences,- (1) Any offence punishable under Sections 25Q, 25R, 25-U, 26, 27, 28, 29, 30A and Sub-Section (1) and (2) of Section 31 may, either before or after the institution of the prosecution, on an application by the alleged offender, be compounded by such officer or authority as the State Government may by notification in the Official Gazette, specify in this behalf for such amount as specified in the table below:-

Sl. No.	Section	Compounding amount	
1.	25Q	25 days wages last drawn by each workman	
2.	25R	60 days wages last drawn by each workman	
3.	25U	(i) By each workman Rs.150/- per day but not exceeding Rs.3,000/- in aggregate.	
		(ii) By employer Rs.300/- per day but not exceeding the amount in aggregate as shown below:	
		Number of workmen employed in the Industry	Amount not exceeding
		1 to 50	Rs.7,000/-
		51 to 100	Rs.10,000/-
4	26	(i) In case of illegal strike, Rs.150/- per day by each workman but not exceeding Rs.300/- in aggregate.	
		(ii) In case of illegal lock-out Rs300/- per day by an employer but not exceeding the amount in aggregate as shown below	
		Number of workmen employed in the industry	Amount not exceeding
		1 to 50	Rs.7,000/-
		101 to 500	Rs.15,000/-
		More than 500	Rs.20,000/-

		51 to 100	Rs.10,000/-		
		101 to 500	Rs.15,000/-		
		More than 500	Rs.20,000/-		
5	27 and 28	As per Section 26 above for illegal strike and lockout.			
6	29	Rs.200/- per day in respect of each of the workman			
7	30A	25 days wages last drawn by each workman.			
8	31(1)	Number of workmen employed in the Industry	For first offence	For the second offence	For third offence
		1 to 50	Rs.10,000/-	Rs.15,000/-	Rs.20,000/-
		51 to 100	Rs.15,000/-	Rs.20,000/-	Rs.25,000/-
		101 to 500	Rs.20,000/-	Rs.25,000/-	Rs.30,000/-
		More than 500	Rs.30,000/-	Rs.35,000/-	Rs.40,000/-
9	32(2)	(i) For each workman, for the first offence Rs.1,000/- for the second offence Rs.2,000/- and for the third offence Rs.3,000/-			
		(ii) For employer:-			
		Number of workmen employed in the Industry	For first offence	For the second offence	For third offence
		1 to 50	Rs.1,500/-	Rs.3,000/-	Rs.6,000/-
		51 to 100	Rs.3,000/-	Rs.6,000/-	Rs.10,000/-
		101 to 500	Rs.4,000/-	Rs.8,000/-	Rs.15,000/-
<p>Provided that the State Government may, by notification in the Official Gazette, amend the composition amount specified in the above Table.</p> <p>Provided further that the offence committed of the same nature shall be compoundable only for the first three offences.</p> <p>Provided also that such offences shall be compoundable only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further.</p> <p>(2) Where an offence has been compounded under Sub-Section (1), no further proceedings shall be taken against the offender in respect of such offence and the offender, if in custody, shall be discharged."</p>					

4. Insertion of Section 36C

After section 36B of the Principal Act, a new section 36C shall be inserted as follows-

"36C: State Government's power to exempt: where the State Government is satisfied, in relation to any new industrial establishment or new undertaking or class of new industrial

establishments or new undertakings 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 undertakings 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”.

5. Repeal and Savings:-

- (1) The Industrial Disputes (The Tripura Second Amendment) Ordinance, 2020 (The Tripura Ordinance no.5 of 2020), which was promulgated by the Governor on 05th August, 2020, with the confirmation from the President of India is hereby repealed;
- (2) Notwithstanding such repeal, anything done, any action taken, any notification or order issued, under the Ordinance, so repealed, shall be deemed to have done or taken or issued under the corresponding provisions of the Act.

(SOPAN CHAUDHURI)
Deputy Secretary, Law
Government of Tripura