

TAMIL NADU RELIEF UNDERTAKINGS (SPECIAL PROVISIONS) ACT, 1969

694 Relief Undertakings (Special Provisions) [1969 : T.N. Act 21 TAMIL NADU ACT No. 21 OF THE TAMIL NADU RELIEF UNDERTAKINGS (SPECIAL PROVISIONS) ACT, 1969. [Received the assent of the President on the 21st Short title, extem and commencement Definitions. October 1969, first published in the Fort St. George Gazette Extraordinary, on the 24th October 1969 1891),] (Karthika 2, An Act to enable the Government to make special provisions for a limited period in respect of industrial relations, financial obligations and other like matters in relation to industrial undertakings the running of which is considered essential as a measure of preventing, or of providing relief against, unemployment. BE it enacted by the Legislature of the State of Tamil Nadu in the Twentieth Year of the Republic of India as follows :— 1. (1) This Act may be called the Tamil Nadu Relief Undertakings (Special Provisions) Act, 1969. (2) It extends to the whole of the State of Tamil Nadu. (3) It shall come into force on such date as the Govern. ment may, by notification, appoint

2. In this Act, unless the context otherwise requires,—(1) " Government " means the State Government ; (2) " Government company " means any company in which not less than fifty-one per cent of the paid up share capital is held by the Government, and includes a company which is a subsidiary of any such Government company. Explanation.—In this clause, company " means a company as defined in the Companies Act, 1956 (Central Act 1 of 1956) ; (3) " industry " means any business, trade, under- taking, manufacture or calling of employers and includes any calling, service, handicraft or industrial occupation or avocation of workmen, and the word " industrial " shall be construed accordingly ; * For Statement of Objects and Reasons, see Fort St. George Gautte Extraordinary, dated the 18th August 1969, Pitt Section 3, page 114. *h969: T.N. Act 21] Relief Undertak.ings (Special Provisions) (4) " relief undertaking " means a State industrial undertaking in respect of which a declaration under section 3 is in force ; (i) " State industrial undertaking " means an indus- trial undertaking— (a) which is started or which or the management of which is under any law or agreement acquiLed or other- wise taken over by the Government or by a Government company and is run or proposed to be run by, or under zthe authority of, the Government or a Government company ; or (b) to which any loan, advance, or grant has been given, or in respect of any loan whereof, a guarantee has e been given by the Government or a Government company, 695 3. The Government may, if satisfied that it IS necessary D:claration expedient so to do in the public interest, with a view of relief *to enabling the continued running or restarting of a State undertaking. findustrial undertaking as a measure of preventir g, or of •providing relief against unemployment, declare, by notifi- cation, that the State industrial undertaking shlll, with kffect on and from such date anu fuk such period as may be, specified in the notification, be a relief undertaking : Provided that the period so specified shall not, in the first instance, exceed one year but may, by a like notification, be extended from time to time, by any period not exceeding one year at any one time so however, that no notification issued under this section shall in any case remain in force or more than l[ten years] in the aggregate. •TheGovernment may, if satisfied that it is necessary Application of r expedient so to do for the purposes specified in section certain enactments and , direct, by notification,— contracts, agreements, , (a) *that in relation to any relief undertaking all or any etc., to relief the enactments specified in the Schedule shall not apply Undertaking, t;shall apply with such adaptations, swwhether by way or odification, addition or omission, as may be specified notification ; or " five. years " were substitute'd by the the words by section 2 of the Tamil Nadu Relief ords G' •eight years " hundertakings (Special Provisions) Amendment Act, 1975 (Tamil du Act 47 'of 1975) which was later .on substituted by the ' ""\$en years 9' by section 2 of the . Tamil Nadu Relief ndertakings (Special Provisions) Amendmen(Act, 198 2 (Tamil adu Act 15 of 1982). 696 Relief Undertakings (Special Provisions) [1969% T,N, Act 21; (b) that all or aiy of the contracts, assurances of property, agreements, 'settlements, awards, standing: orders or other in struments in force, to which any relief Under- taking is a party or which may be applicable to any relief undertaking, immediately • before the*' date with effect on and from which the relief undertaking was 'declared a relief undertaking, 0' shall be suspended in, operation or that all or any of the rights, privileges, obligationQ and liabilities accruing or arising thereunder Iptqre the said date, shall be suspended or be enforceable with such modifications and in such manner as may be specified in such notification. Oerriding 5. A notification under section 4 shall have effect not- eEect of notifi- withstanding anything-to

the contrary contained in any provision under other law, agreement or instrument or any decree or order of a court, tribunal, officer or other authority, 6. Any remedy for the enforcement of any right* Suspension or modification privilege, obligation or liability referred to in clause (b) of section 4 and suspended or modified, by a notification of certain remedies, rights, under that section, shall, in accordance with the terms of stay of the notification, be suspended or modified and all proceedings, including proceedings relating thereto pending before any court, tribunal, their revival and continuation by any officer or other authority shall accordingly be stayed. Period of limitation shall be continued subject to such modification, so however that on the notification ceasing to have effect— (a) any right, privilege, obligation or liability so suspended or modified shall revive and be enforceable as if the notification had never been issued; and (b) any proceeding so stayed shall be proceeded with subject to the provisions of any law which may then be in force from the stage which had been reached when the proceeding was stayed

7. In computing the period of limitation for the enforcement of any right, privilege obligation or liability, referred to in clause (b) of section 4, the period during which it or the remedy for the enforcement thereof was suspended shall be excluded 969 . ' TON. Act 21] Relief Undertakings (Special Provisions) THE SCHEDULE. [See clause (a) of section 4. | The Industrial Employment' (Standing Orders) Act, 1946 (Central Act XX of 1946)

2. The Industrial Disputes Act, 1947 (Central Act XIV of 1947), 3. The Minimum Wages Act, 1948 (Central Act XI of 1947), 4. The Tamil Shops and Establishments Act, 1947 (Nadu Act xxxvi of 1947). 691

