

THE UTTAR PRADESH ESSENTIAL SERVICES
MAINTENANCE ACT, 1966¹

(U.P. Act No. XXX of 1966)

Amended by

U.P. Act No. 16 of 1982

U.P. Act No. 24 of 1983

[Passed in Hindi by the Uttar Pradesh Legislative Assembly
on December 5, 1966 and by the Uttar Pradesh Legislative Council
on December 9, 1966.]

Received the assent of the Governor on December 30, 1966
under Article 200 of the Constitution of India and was published
in the Uttar Pradesh Gazette Extraordinary, dated December 31,
1966.]

AN

ACT

*to provide for the maintenance of certain
essential
services in Uttar Pradesh and for matters connected therewith.*

IT IS HEREBY enacted in the Seventeenth Year
of the

Republic of India as follows:

Short title 1. (1) This Act may be called the Uttar Pradesh Essential
and extents
Services Maintenance Act, 1966.

(2) It extends to the whole of Uttar Pradesh.

Definitions 2. In this Act, unless the context otherwise requires—

(a) “essential service” means—

(i) any public service in connection with the affairs of the State
of Uttar Pradesh;

2[(ii) any service under an educational institution recognized
by the Director of Education, or by the Board of High School and
Intermediate Education, Uttar Pradesh, or service under a University
incorporated by or under an Uttar Pradesh Act including any affiliated
college, associated college, autonomous college, constituent college or
Institute of any such University.]

(iii) any service under a local authority;

3[(iv) any service in connection with the U. P.
State

Co-operative Land Development Bank or any other State Level
Co-operative Society, mentioned in clause (a-4) of section 2 of the Uttar
Pradesh Co-operative Societies Act, 1965, or its member co-operative
societies, registered under the said Act;

[2. Subs. by sec. 2 of U.P. Act no. 16 of 1982.](#)

[3. Ins. by sec. 2 of U.P. Act no. 24 of 1983.](#)

[The Uttar Pradesh Essential Services Maintenance Act, 1966]

(v) any service in connection with any Government Company in which not less than fifty-one per cent paid-up share capital is held by the State Government, or any other statutory body (by whatever name called) established or constituted by or under any Uttar Pradesh Act;

(vi) any other service connected with matters with respect to which the State Legislature has power to make laws and which the Government being of opinion that a strike therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of great hardship on the community, may by notification declare to be an essential service for the purpose of the Act.]

(b) "strike" means any cessation of work (including any unauthorized absence from duty) by a body of persons employed in any essential service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work.

Powers to

3.

(1) If the State Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special order, prohibit strikes in any essential services specified in the order.

(2) An order made under sub-section (1) shall be published in such manner as the State Government considers best calculated to bring it to the notice of the persons affected by the order.

(3) An order made under sub-section (1) shall be in operation for six months only, but the State Government may, by like order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do.

(4) During the period of operation of an order under sub-section

(1), any strike by persons employed in any essential service to which the order relates shall, whether it is declared or commenced before or after the commencement of the order, be illegal.

Penalty for

4.

Any person who commences a strike which is illegal under this Act or goes or remains on, or otherwise takes part in any such strike shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

Penalty for

5.

Any person who instigates or incites other persons to take
instigation, part in, or otherwise acts in furtherance of, a strike which is or would
etc.

be illegal under this Act shall be punishable with imprisonment for a
term which may extend to one year or with fine which may extend to one thousand rupees or with both.

[1. Ins. by sec. 2 of U.P. Act No. 24 of 1983](#)

[The Uttar Pradesh Essential Services Maintenance Act, 1966]

Penalty for 6.

Any person who knowingly expends or supplies any money

giving

financial aid in furtherance or support of a strike which is or would be illegal under
to illegal this Act shall be punishable with imprisonment for a term which may
strikes

extend to one year or with fine which may extend to one thousand

rupees or with both.

Power to 7. Any police officer may arrest without warrant any person
arrest

without who is reasonably suspected of having committed any offence
warrant punishable under this Act.

Act to 8. The
override

provisions of this Act and of any order issued

other State thereunder shall have effect notwithstanding anything inconsistent
Laws therewith contained in any other Uttar Pradesh Act for the time being

in force.

Repeal and 9.
saving U.P.

(1) The Uttar Pradesh Essential Services Maintenance

Ordinance VI of 1966 is hereby repealed.
of 1966.

(2) Notwithstanding such repeal, anything done or any action
taken under the said Ordinances shall be deemed to have been done or
taken under this Act as if this Act had commenced on the Twenty-eight

day of August, 1966.