

Rep. by Act. 38 of 1978, S. 2 + Sch. I

THE INDUSTRIAL DISPUTES (AMENDMENT) ACT, 1972
No. 32 OF 1972.

Section 1
to insert
to 25FFA
1961

[14th June, 1972.]

An Act further to amend the Industrial Disputes Act, 1947.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

Short title.
Insertion of new section 25FFA
Sixty days' notice to be given of intention to close down any undertaking.

1. This Act may be called the Industrial Disputes (Amendment) Act, 1972.
2. After section 25FF of the Industrial Disputes Act, 1947 (hereinafter referred to as the principal Act), the following section shall be inserted, 14 of 1947. namely:—

“25FFA. (1) An employer who intends to close down an undertaking shall serve, at least sixty days before the date on which the intended closure is to become effective, a notice, in the prescribed manner, on the appropriate Government stating clearly the reasons for the intended closure of the undertaking:

Provided that nothing in this section shall apply to—

- (a) an undertaking in which—
 - (i) less than fifty workmen are employed, or
 - (ii) less than fifty workmen were employed on an average per working day in the preceding twelve months,
- (b) an undertaking set up for the construction of buildings, bridges, roads, canals, dams or for other construction work or project.

Repealed

(2) Notwithstanding anything contained in sub-section (1), the appropriate Government may, if it is satisfied that owing to such exceptional circumstances as accident in the undertaking or death of the employer or the like it is necessary so to do, by order, direct that provisions of sub-section (1) shall not apply in relation to such undertaking for such period as may be specified in the order.”.

3. After section 30 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 30A.

“30A. Any employer who closes down any undertaking without complying with the provisions of section 25FFA shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both.”.

Penalty for closure without notice.