



LEGISLATIVE ASSEMBLY OF GOA

The Industrial Disputes (Goa Amendment) Bill, 1987

(Bill No. 5 of 1987)

(To be introduced in the Legislative Assembly of Goa)

GOA LEGISLATURE DEPARTMENT
ASSEMBLY HALL, PANAJI

JULY, 1987

The Industrial Disputes (Goa
Amendment) Bill, 1987
(Bill No. 5 of 1987)

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BILL

to amend the Industrial Disputes Act, 1947 in its application to the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Thirty-eighth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*— (1) This Act may be called the Industrial Disputes (Goa Amendment) Act, 1987.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force at once.

2. *Amendment of section 7.*— In section 7 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the “principal Act”), in sub-section (3), after clause (d), the following clauses shall be inserted, namely:—

“(d-1) he has practised as an advocate or attorney for not less than seven years in a High Court or in two or more such Courts in succession, or any Court subordinate thereto, or any Industrial Court or Tribunal or Labour Court constituted under any law for the time being in force; or

(d-2) he holds a degree in law of a university established by law in any part of India or an equivalent degree and is holding or has held an office not lower in rank than that of Deputy Registrar of any Industrial Court or Tribunal or Labour Court constituted under any law for the time being in force for not less than five years; or

(d-3) he holds a degree in law of a university established by law in any part of India or an equivalent degree and is holding or has held an office not lower in rank than that of Deputy

Commissioner of Labour under a State Government or a Union territory administration for not less than five years; or”.

3. *Amendment of section 7A.* — In section 7A of the principal Act, in sub-section (3), for clause (aa), the following clauses shall be substituted, namely: —

“(b) he is, or has been, a District Judge; or

(c) he has, for a period of not less than three years, been an Additional District Judge or an Assistant Judge; or

(d) he is qualified for appointment as a Judge of the High Court.”.

Statement of Objects and Reasons

Difficulty is being experienced in appointing persons as the Presiding Officers of a Labour Court or Tribunal under the existing provisions of sub-section (3) of section 7 and sub-section (3) of 7A of the Industrial Disputes Act, 1947 as in this State there is a dearth of persons who could satisfy the qualification mentioned in the said sub-sections and as a result, the post of Presiding Officer in the Tribunal is vacant.

In order to surmount this difficulty, it is proposed to relax the qualification of Presiding Officer of a Labour Court or Tribunal by amending sub-section (3) of section 7 and sub-section (3) of section 7A on the lines of the amendment carried out in the State of Maharashtra. This Bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in this Bill.

Panaji,
22nd June, 1987

VAIKUNT G. DESSAI
Minister for Labour.

Assembly Hall,
Panaji,
3rd July, 1987.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa.

(Annexure to Bill No. 5 of 1987)

The Industrial Disputes (Goa Amendment)
Bill, 1987

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The Industrial Disputes Act, 1947
(Central Act of 14 of 1947)

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Section 7-A

(3) A person shall not be qualified for appointment as the presiding officer of a Tribunal unless—

- (a) he is, or has been, a Judge of a High Court; or
- (aa) he has, for a period of not less than three years, been a District Judge or an Additional District Judge; or

Assembly Hall,
Panaji,
3rd July, 1987.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa