

The Industrial Disputes (Banking Companies Decision) Act, 1955

February 22, 2013

1. Short title

THE INDUSTRIAL DISPUTES (BANKING COMPANIES) DECISION ACT, 1955

ACT NO. 41 OF 1955 [21st October, 1955.]

An Act to provide for the modification of the decision of the Labour Appellate Tribunal, dated the 28th day of April, 1954, in accordance with the recommendations of the Bank Award Commission and for giving effect to the award accordingly.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

1. Short title.— This Act may be called the Industrial Disputes (Banking Companies) Decision Act, 1955.

2. In this Act, unless the context otherwise requires

(a) "Appellate decision" means the decision of the Labour Appellate Tribunal, dated the 28th day of April, 1954, in the matter of the appeals filed before it against the award of the All India Industrial Tribunal (Bank Disputes), Bombay;

(b) "Award" means the award of the All-India Industrial Tribunal (Bank Disputes), Bombay, constituted by the notification of the Government of India in the Ministry of Labour No.S.R.O.35, dated the 5th day of January, 1952;

(c) "Bank Award Commission" means the person appointed by the Resolution of the Government of India in the Ministry of Labour No.LR.100(9)/55, dated the 25th day of February, 1955, to enquire into and report upon the terms of reference specified in the Resolution of the Government of India in the Ministry of Labour No.LR.100(56)/54, dated the 17th day of September, 1954;

(d) "Modification order" means the order of the Government of India in the Ministry of Labour No.S.R.O.2732, dated the 24th day of August, 1954, modifying the appellate decision under section 15 of the Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950).

3. Appellate decision to have effect subject to the modifications recommended by the Bank Award Commission

The appellate decision shall have effect as if the modifications recommended in Chapter XI of the Report of the Bank Award Commission, dated the 25th day of July, 1955, had actually been made therein, and the appellate decision as so modified shall be the decision of the Appellate Tribunal within the meaning of the Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950), and the award shall have effect accordingly.

4. Duration of the award

Notwithstanding anything contained in the Industrial Disputes Act, 1947 (XIV of 1947), or the Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950), the award as now modified



by the decision of the Appellate Tribunal in the manner referred to in section 3 shall remain in force until the 31st day of March, 1959.

5. Modification order to have no effect except in certain cases

The provisions of the modification order shall not have, and shall be deemed never to have had, any force or effect except in so far as any of such provisions has become incorporated in the award by reason of the provisions contained in section 3.

6. Power to remove difficulties

(1) If in the opinion of the Central Government any difficulty or doubt has arisen as to the interpretation of any provision of the award as now modified by the decision of the Appellate Tribunal in the manner referred to in section 3, it shall refer for decision the matter in respect of which such difficulty or doubt has arisen to a single member or the Labour Appellate Tribunal constituted under the Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950) or to such Industrial Tribunal constituted under the Industrial Disputes Act, 1947 (XIV of 1947), as it may, by notification in the Official Gazette, specify in this behalf.

(2) The tribunal to which such matter is referred shall, after giving the parties a reasonable opportunity of being heard, decide such matter and its decision shall be final and binding on all such parties.

