



## The Tamil Nadu Relief Undertakings (Special Provisions) Act, 1969

Act 21 of 1969

**Keyword(s):**

**Industry, Relief Undertaking, State Industrial Undertaking**

**DISCLAIMER:** This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

TAMIL NADU ACT No. 21 OF 1969.\*

THE TAMIL NADU RELIEF UNDERTAKINGS  
(SPECIAL PROVISIONS) ACT, 1969.

[Received the assent of the President on the 21st October 1969, first published in the Fort St. George Gazette Extraordinary, on the 24th October 1969 (Karthika 2, 1891).]

*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 :—

Short title,  
extent and  
commencemen

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 Government may, by notification, appoint.

Definitions.

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, undertaking, manufacture or calling of employers and includes any calling, service, employment, 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 Gazette Extraordinary, dated the 18th August 1969, Part IV—Section 3, page 114.

(4) "relief undertaking" means a State industrial undertaking in respect of which a declaration under section 3 is in force ;

(5) "State industrial undertaking" means an industrial undertaking—

(a) which is started or which or the management of which is under any law or agreement acquired or otherwise taken over by the Government or by a Government company and is run or proposed to be run by, or under the 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 been given by the Government or a Government company.

3. The Government may, if satisfied that it is necessary or expedient so to do in the public interest, with a view to enabling the continued running or restarting of a State industrial undertaking as a measure of preventing, or of providing relief against unemployment, declare, by notification, that the State industrial undertaking shall, with effect on and from such date and for 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 for more than <sup>1</sup>[ten years] in the aggregate.

4. The Government may, if satisfied that it is necessary or expedient so to do for the purposes specified in section 3, direct, by notification,—

(a) that in relation to any relief undertaking all or any of the enactments specified in the Schedule shall not apply or shall apply with such adaptations, whether by way of modification, addition or omission, as may be specified in such notification ; or

<sup>1</sup> Originally, the words "five years" were substituted by the words "eight years" by section 2 of the Tamil Nadu Relief Undertakings (Special Provisions) Amendment Act, 1975 (Tamil Nadu Act 47 of 1975) which was later on substituted by the words "ten years" by section 2 of the Tamil Nadu Relief Undertakings (Special Provisions) Amendment Act, 1982 (Tamil Nadu Act 15 of 1982).

Application of certain enactments and contracts, agreements, etc., to relief undertaking.

(b) that all or any of the contracts, assurances of property, agreements, settlements, awards, standing orders or other instruments in force, to which any relief undertaking 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, shall be suspended in operation or that all or any of the rights, privileges, obligations and liabilities accruing or arising thereunder before the said date, shall be suspended or be enforceable with such modifications and in such manner as may be specified in such notification.

Overriding effect of notification under section 4.

5. A notification under section 4 shall have effect notwithstanding anything to the contrary contained in any other law, agreement or instrument or any decree or order of a court, tribunal, officer or other authority.

Suspension or modification of certain remedies, rights, etc., stay of proceedings, their revival and continuance.

6. Any remedy for the enforcement of any right, privilege, obligation or liability referred to in clause (b) of section 4 and suspended or modified, by a notification under that section, shall, in accordance with the terms of the notification, be suspended or modified and all proceedings relating thereto pending before any court, tribunal, officer or other authority shall accordingly be stayed or 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.

Period of limitation.

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.

**THE SCHEDULE.**

[See clause (a) of section 4.]

1. 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 1948).

4. The Tamil Nadu Shops and Establishments Act, 1947 (Tamil Nadu Act XXXVI of 1947).