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उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश तथा
अधिसूचनाएं।

Labour Department
NOTIFICATION
Jaipur, October 06, 2023

S.O.519 .-The following draft of the rules further to amend the Rajasthan Industrial Disputes Rules, 1958 which the State Government proposes to make, in exercise of the powers conferred by clause (d) of sub-section (2) of section 38 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) is hereby published as required by sub-section (1) of section 38 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules shall be taken into consideration, after the expiry of fifteen days from the date on which the copies of this notification as published in the Official Gazette are made available to the public;

And objections or suggestions, if any, may be addressed to the Additional Labour Commissioner and Joint Secretary, Shram Bhawan, Shanti Nagar, Hasanpura, Jaipur-302006;

Any objections or suggestions which may be received from any person with respect to the said draft rules before the expiry of the period specified above shall be considered by the State Government.

DRAFT RULES

1. Short title and commencement.- (1) These rules may be called the Rajasthan Industrial Disputes (Amendment) Rules, 2023.

(2) They shall come into force with immediate effect.

2 Insertion of new rule 5A.-After the existing rule 5 and before the existing rule 6 of the Rajasthan Industrial Disputes Rules, 1958, the following new rule 5A shall be inserted, namely:-

"5A. Employees of the Labour Court and the Industrial Tribunal.- (1) Administrative and Budget control over the employees of the Labour Court and the Industrial Tribunal shall vest in the High Court.

(2) The District Judge of the District/Metropolitan concerned shall be the Appointing Authority of the employees of the Labour Court and Industrial Tribunal and such employees shall be appointed as per the provisions of the Rajasthan District Courts Ministerial Establishment Rules, 1986 or the Rajasthan Subordinate Courts (Driver and Class IV employees) Service Rules, 2017, as the case may be.

(3) The salary, allowances and other terms and conditions of service of the employees of the Labour Court and Industrial Tribunal shall be governed by the rules and orders made by the State Government, from time to time, in this behalf and as are applicable to the employees of the District courts.

(4) The employees appointed under the Rajasthan District Courts Ministerial Establishment Rules, 1986 and Rajasthan Subordinate Courts (Driver and Class IV employees) Service Rules, 2017 and who are working on any post in the Labour Court or the Industrial Tribunal on the date of commencement of the Rajasthan Industrial Disputes (Amendment) Rules, 2023, shall keep working where they are posted and such employees shall be deemed to be appointed by the District Judge concerned. The seniority of such person, who is deemed to be appointed under the Rajasthan Industrial Disputes (Amendment) Rules, 2023, shall be determined and protected by the District Judgeship concerned on the basis of the continuous length of service after regular recruitment.

(5) The employees appointed under the Rajasthan Subordinate Offices Ministerial Service Rules, 1999 and the Rajasthan Class IV Services (Recruitment and other Service Conditions) Rules, 1999 and presently working on any post in the Labour Court or Industrial Tribunal on the date of commencement of the Rajasthan Industrial Disputes (Amendment) Rules, 2023, shall be adjusted in the office of District Collector of the area concerned. After adjustment such employees shall keep working with their concerned Labour Court or Industrial Tribunal on deputation till the High Court recruits such number of employees under the Rajasthan District Courts Ministerial Establishment Rules, 1986 and Rajasthan Subordinate Courts (Driver and Class IV employees) Service Rules, 2017.

(6) As soon as the employees are appointed under the Rajasthan District Courts Ministerial Establishment Rules, 1986 or the Rajasthan Subordinate Courts (Driver and Class IV employees) Service Rules, 2017, as the case may be, the deputation of employees adjusted in the office of District Collector of the area concerned shall suo moto terminate and they shall present themselves for service in their respective District Collector Office and if post is not found vacant, then required number of posts shall be created or upgraded, as the case may be.

(7) The seniority of such person, who is adjusted under the Rajasthan Industrial Disputes (Amendment) Rules, 2023, shall be determined and protected by the District Collector concerned on the basis of the continuous length of service after regular recruitment."

[S.No. F14(13)(3)Lab.CourtAdm.Cont.Trans.HC/Shram/Vidhi/2023]

By the order of the Governor,

**Dharampal Singh,
Additional Labour Commissioner and,
ex-officio Joint Secretary to the Government.**

Government Central Press, Jaipur.