CONTENTS

Ack	nowledgements	
Tab	le of Gases	
Intr	oduction	
PA	RT I	
TR	ade unions, collective bargaining and tripai	rtism
A.	Trade Unions	1
	T.T. Devasthanam v. Commissioner of Labour Federation of Western India Cine	4
	Employees v. Filmalaya Pvt. Ltd.	5
	Indian Oxygen Ltd. v. Their Workmen	10
	Notes	14
	Tamil Nadu Electricity Board Accounts and Executive	
	Staff Union v. Tamil Nadu Electricity Board	16
	North Eastern Railway Employees Union v.	
	Registrar of Trade Unions	17
	Sri Rama Vilas Service Ltd. v. Simpson and Group	
	Companies Workers' Union	19
	Karnataka Bank Employees Association v.	
	Commissioner of Labour	23
	Rookes v. Barnard	`31
	Rohtas Industries Ltd. v. Rohtas Industries Staff Union	39
	T.C.C. Thozhifali Union v. T.C.C. Ltd.	47
	Note	49
В.	Collective Bargaining	52
	Collective Bargaining in Modern Industry	53
	What is Collective Bargaining?	53
	Advantages	54
	Disadvantages	54
	Bargaining Process	54
	Bargaining Power	56
	Structure of Bargaining	57

Duration

58

ii	LABOUR LAW AND LABOUR RELATIONS	
	Contents or Subject Matter of Collective Bargaining Contracts Enforcement of Agreements Note	59 60 61
C.	Tripartism	61
PAR	T II	
CON	NSTITUTIONAL FRAMEWORK AND INDUSTRIAL RELATIO	NS
IND	Constitutional Framework The Scheme of Distribution of Powers Constitutional Operation of the Scheme in the Field of Industrial Relations Constitutional Provisions Setting out Goal-values Limitations on Legislative Competency Constitutional Provisions relating to Appeals from Awards Bharat Bank Ltd. v. Their Employees Niemla Textile Finishing Mills Ltd. v. The Second Punjab Tribunal Delhi Cloth & General Mills Ltd. v. Shambhu Nath Mukherjee All India Bank Employees Association v. National Industrial Tribunal Kameshwar Prasad v. State of Bihar O.K. Ghosh v. E.X. Joseph Maneka Gandhi v. Union of India People's Union for Democratic Rights v. Union of India Gujarat Steel Tubes Ltd. v. Gujarat Steel Tubes Mazdoor Sabha ET III USTRY, WORKMAN, EMPLOYER, INDIVIDUAL DISPUTE A	67 67 68 70 70 71 72 80 85 86 89 91 93
AND A.	USTRIAL DISPUTE Industry	441
Δ.)	THE GOOD	119

A. Industry Banerji v. Mukherjee State of Bombay v. Hospital Mazdoor Sabha National Union of Commercial Employees v. Industrial Tribunal, Bombay 119

	Contents	iii
	Note	133
3	University of Delhi v. Ram Nath	135
	Madras Gymkhana Club Employees' Union v. The Management Management of Safdarjung Hospital v.	139
	Kuldip Singh Sethi	142
	Bombay Pinjrapole, Bhuleswar v. The Workmen Workmen of the Indian Standards Institution v.	144
	Management of the Indian Standards Institution Bangalore Water Supply and Sewerage Board v.	145
,	Rajappa	149
	Note	165
B.	Workman	166
	Burmah Shell Oil Storage Distribution Company of	
	India Ltd. v. Burmah Shell Management Staff Association	170
	Note	174
	Shivnandan Sharma v. Punjab National Bank Ltd. Dharangadhara Chemical Works Ltd. v.	174
	State of Saurashtra 57	179
	D.C. Dewan Mohideen Sahib & Sons v.	
	United Bidi Workers' Union & 4	185
	Note	186
	Silver Jubilee Tailoring House v. Chief Inspector of	
	Shops and Commercial Establishments 7.3	187
	Employers in relation to Punjab National Bank v.	
	Ghulam Dastagir	190
	Note	191
	S.K. Verma v. Mahesh Chandra 33	193
C.	Employer	195
	Western India Automobile Association v.	
	Industrial Tribunal	195
`	Note	200
D.	Individual Dispute and Industrial Dispute	200
. /	Newspapers Ltd. v. State Industrial Tribunal,	
	Uttar Pradesh	202
		208
	Sindhu Resettlement Corporation Ltd. v.	
		212
	Shambhu Nath Goyal v. Bank of Baroda	213

OTTOGA S	Y A 137	ANTO	LABOUR.	RELATIONS
K.A HUNIN	A.A.M	AINII	LADOUK	CELMITOIN

ίv

	Rustam and Harnsby (1) Ltd. v. T.B. Kadam Workmen of Dimakuchi Tea Estate v. Management of	215
	Dimakuchi Tea Estate	217
PAF	RT IV	
SET	TLEMENT OF INDUSTRIAL DISPUTES	
A.	Works Committees	224
	Northbrook Jute Company Ltd. v. Their Workmen Notes	224 226
В.	Conciliation	228
C.	Voluntary Arbitration	23 2
	Engineering Mazdoor Sabha v. Hind Cycles Ltd.	233
	Notes	242
	Gujarat Steel Tubes Ltd. v. Gujarat Steel Tubes Mazdoor	242
_	Sabha	
D.	Adjudication	256
	State of Madras v. C.P. Sarathy	2 62
	State of Bombay v. K.P. Krishnan	267
	State of Bihar v. D.N. Ganguly	270
	Delhi Cloth and General Mills Co. Ltd. v. Their Workmen	274
	Sindhu Resettlement Corporation v. Industrial Tribunal	277
	Shambhu Nath Goyal v. Bank of Baroda	279
	Western India Match Co. Ltd. v. Western India Match Co.	
	Workers' Union	280
	Jaipur Udyog Ltd. v. Cement Works Karamchari Sangh Avon Services Production Agencies (P) Ltd. v.	283
	Industrial Tribunal, Haryana	2 85
	Western India Automobile Association v.	
	Industrial Tribunal, Bombay	290
	Bharat Bank Ltd. v. Their Employees	29 0
	Life Insurance Corpn. of India v. D.J. Bahadur	298
	Grindlays Bank Ltd. v. Central Govt. Industrial Tribunal	308
	Gujarat Steel Tubes Ltd. v. Gujarat Steel Tubes Mazdoor Sabha	010
	Tata Consulting Engineers v. Its Workmen	312
	Workmen of Hindustan Lever Ltd. v. Management of	315
	Hindustan Lever Ltd. v. Management of	0 1 7
	Workmen of Williamson Magor and Co, Ltd. v.	317
	Williamson Magor and Co. Ltd.	319
	A STATE OF THE STA	בינו

CONTENTS

	Sirsilk Ltd. v. Govt. of Andhra Pradesh	320
	Remington Rand of India Ltd. v. The Workmen	323
	Associated Electrical Industries (India) Private Ltd., Calcutta	
	v. Its Workmen	32:
	Pradip Port Trust v. Their Workmen	326
	Note	331
	Hebertsons Ltd. v. Their Workmen	334
	The Jhagrakhan Collieries (P) Ltd. v. G.C. Agrawal	337
	Notes	339
	Shukla Manseta Industries Pvt. Ltd. v. The Workmen	340
	Workmen of Balmer Lawrie and Co. Ltd. v.	
	Balmer Lawrie and Co. Ltd.	343
	Burn and Co. Ltd. v. Their Workmen	345
	Life Insurance Corpn. of India v. D.J. Bahadur	347
	Note	352
	Grievance Procedure	353
PAI	RT V	
STR	RIKES AND LOCK-OUTS	
A.	Ştrikes	361
	Punjab National Bank v. Their Employees	364
	India General Navigation and Railway Co. Ltd. v.	
	Their Workmen	368
	Delhi Administration v. Workmen of Edward Keyenters	372
	Chemicals and Fibres of India Ltd. v. D.G. Bhoir	37 3
	Note	378
	Raja Kulkarni v. State of Bombay	379
	Mumbai Mazdoor Sabha v. Bennet Coleman and Co.	382
	Gwalior Rayons Silk Mfg. (Wvg.) Co. Ltd. v.	
	District Collector, Alleppey	384
	Chandramalai Estate v. Its Workmen	387
	The Statesman Ltd. v. Their Workmen	389
	Crompton Greaves Limited v. The Workmen	3 91
	Note	392
B.	Lock-outs	393
	Kair Betta Estate, Kotagiri v. Raja Manickam	393
	Laxmi Devi Sugar Mills Ltd. v. Ram Swarup	395
	Feroz Din v. State of West Bengal	396
	to the control of the	145

Express Newspapers Ltd. v. Their Workmen

Premier Automobiles Ltd. v. G.R. Sapre

Priya Laxmi Mills Ltd. v. Mazdoor Mahajan Mandal, Baroda

Gherao

Jay Engineering Works Ltd. v. State of West Bengal

PART VI

LAY-OFF, RETRENCHMENT, CLOSURE AND TRANSFER

A. Lay-off and Retrenchment

Lay-off

Prohibition on lay-off

Substitution of new section for Section 25N

Retrenchment

K.T. Rolling Mills v. Meher

Associated Cement Companies Ltd. v. Their Workmen Note

Workmen of Dewan Tea Estate v. Their Management

Workmen of Firestone Tyre and Rubber Company of India Ltd. v The Firestone Tyre and Rubber Company

Hariprasad Shiv Shanker Shukla v. A.D.Divelkar

State Bank of India v. N.Sundara Money

Hindustan Steel Ltd. v. State of Orissa

'Santosh Gupta v. State Bank of Patiala

Surendra Kumar Verma v. Central Government Industrial Tribunal-cum-Labour Court

Delhi Cloth & General Mills Ltd. v. Shambhu Nath Mukherji Notes

Indian Hume Pipe Co. Ltd. v. Its Workmen

Bombay Union of Journalists v. State of Bombay

Workmen of Subong Tea Estate v. Subong Tea Estate

May and Baker (India) Ltd. v. Their Workmen

Parry and Company Ltd. v. P.C.Pal, Judge of the Second Industrial Tribunal, Calcutta

Anakapalia Co-operative Agriculture and Industrial Society v.
Its Workmen

Sur Enamel and Stamping Works v. The Workmen

CONTENTS	vii

	Workmen of Sudder Workshop of Jorehaut Tea Co. Ltd. v.	
	Management of Jorehaut Tea Co. Ltd.	474
	Note	475
	D. Macropollo and Co. Pvt. Ltd. v. Their Employees' Union	476
	Indian Cable Co. Ltd. v. Its Workmen	477 481
	Om Oil and Seeds Exchange v. Their Workmen Cawnpore Tannery Ltd. v. Guha	484
	Cawiipote Tannery Etd. V. Guna	404
В.	Closure and Transfer (Special Provisions)	487
	Hathising Manufacturing Co. v. Union of India	489
	Excel Wear v. Union of India	495
	Note	499
PA	RT VII	
SEC	CTION I	
RE	GULATION OF MANAGEMENT'S PREROGATIVE DURING	
PE	NDENCY OF PROCEEDINGS UNDER SECTION 33	501
	Automobile Products of India Ltd. v. Rukmaji Bala	5 05
	Lakshmi Devi Sugar Mills Ltd. v. Ram Sarup	510
	Bharat Iron Works v. Bhagubhai Balubhai Patel	513
	Strawboard Manufacturing Company v. Gobind	514
	Tata Iron & Steel Co. v. S.N. Modak	517
	New India Motors (P) Ltd. v. K.T. Morris	519
	Bhavnagar Municipality v. Alibhai Karimbhai	521
	Punjab Beverages v. Suresh Chand	523
	Calcutta State Transport Corporation v. Md. Noor Alam	525
	Management of Borpukhurie Tea Estate v. Industrial	
	Tribunal	5 27
	Lord Krishna Textile Mills v. Its Workmen	529
	Reserve Bank of India v. C.T. Dighe	532
	G.T. Lad v. Chemicals and Fibres India Ltd.	535
SEC	CTION II	
NO'	TICE OF CHANGE	
	Introductory	537
	Indian Oxygen Ltd. v. U.N. Singh	540
	Hindustan Lever Ltd. v. R.M. Ray	541
	Indian Oil Corporation Ltd. v. Its Workmen	544
	Notes	545

PART VIII

EXECUTION	OF	EXISTING	RIGHTS

Central Bank of India v. Rajagopalan	348
Payment of Wages Inspector v. Surajmal Mehta	551
Uttar Pradesh Electric Supply Company Ltd. v. Shukla (R.K.)	553
M/s. Voltas Ltd. v. J.N. De Mellow	556
R.B. Bansilal Abirchand Mills Co. Ltd. v. The Labour Court,	~ ~ ~
Nagpur	558
Punjab Co-operative Bank v. Bhatia	559
Workmen of Firestone Tyre and Rubber Co. v. Management	560
Namor Ali v. Central Inland Water Transport Corpora-	
tion Ltd.	561
PART IX	
TERMINATION OF SERVICE AND DOMESTIC ENQUIRY	563
Buckingham and Carnatic Mills Ltd. v. Their Workers	566
Note	575
U.B. Dutt and Co. v. Their Workmen	576
Bata Shoe Co. (P) Ltd. v. D.N. Ganguly	579
Jabalpur Electric Supply Co. v. Sambhu Prasad Srivastava	583
Municipal Corporation v. P.S. Malavenkar	587
Workmen of Motor Industries Co. v. Motor Industries Co.	
ŢŢtd.	590
Delhi Cloth and General Mills Co. Ltd. v. Labour Court,	
Tis Hazari	591
Indian Airlines Corporation v. Sukhdeo Rai	593
Burn and Co. Ltd. v. Workmen	595
Delhi Transport Undertaking v. Balbir Saran Goel	596
L. Michael v. M/s. Johnson Pumps India Ltd.	598
M/s. Francis Klein and Co. (P) Ltd. v. Their Workmen	601
Delhi Cloth and General Mills v. Ludh Budh Singh	602
Sirsi Municipality v. Cecilia Kom Francis Tellis	604
Indian Express and Chronicle Press v. M.C. Kapur	606
Workmen of M/s. Firestone Tyre and Rubber Co. of India (P)	
Ltd. v. The Management	608
Shankar Chakravarti v. Britannia Biscuit Co.	615
Janki Nath Sarangi v. State of Orissa	621
State Bank of India v. R.K. Jain	623