

INDUSTRIAL DISPUTES (BANKING COMPANIES) DECISION ACT,  
1955

Preamble 1 - THE INDUSTRIAL DISPUTES (BANKING COMPANIES)  
DECISION ACT, 1955

THE INDUSTRIAL DISPUTES (BANKING COMPANIES) DECISION ACT,  
1955

[Act, No. 41 of 1955]

[21st October, 1955]

PREAMBLE

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:--

Section 1 - Short title

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

Section 2 - Definitions

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.

SRO 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 17th day of September, 1954;

(d) "modification order" means the order of the Government of India in the Ministry of

Labour, No. SRO 2732, dated the 24th day of August, 1954, modifying the appellate

decision under section 15 of the Industrial Disputes (Appellate Tribunal) Act, 1950 (48 of 1950).

Section 3 - Appellate decision to have effect subject to the modifications recommended by

the Bank Award Commission

1[(1)] 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

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decision of the Appellate Tribunal within the meaning of the Industrial Disputes (Appellate

Tribunal) Act, 1950, (48 of 1950) and the award shall have effect accordingly.

2[(2)] Notwithstanding anything contained in sub-section (1), the recommendations in

Chapter XI of the Report of the Bank Award Commission in relation to the banking companies

incorporated in the former State of Travancore-Cochin specified in that Chapter shall be

modified and shall be deemed to have been modified--

(a) with effect from the 1st January, 1955, in relation to the C Class Banks known as the

South Indian Bank Limited, Trichur, and the Catholic Syrian Bank Limited, Trichur, as if--

(1) in clause (1) of the said recommendations--

(i) under the holding 'C Class' after the entry '(viii)', Travancore Bank' the entries

'(ix), South Indian Bank, Trichur' and '(x)' Catholic Syrian Bank, Trichur, had been

inserted;

(ii) items (i) and (ii) under sub-clause (b) had been omitted; and

(2) in clause (2) thereof, after the words 'Travancore Bank' the words 'the South

Indian Bank, Trichur, and the Catholic Syrian Bank, Trichur had been inserted; and

(b) with effect from the 1st January, 1956, in relation to the C Class banks known as the

Palai Central Bank Limited, Palai and the Travancore Forward Bank Limited, Kottayam,

and the D Class Banks, as if in clause (1) of the said recommendations, items (i) and (ii)

under sub-clause (b) had been omitted.

(3) The arrears of emoluments, payable to the workmen of the banking companies specified

in sub-section (2) by reason of the modifications effected by that sub-section shall be paid as

follows:--

(a) in the case of the banking companies specified in clause (a) of that sub-section--

(i) arrears for the year 1955 shall be paid in two equal instalments of which the first

shall be paid within thirty days from the commencement of the Industrial Disputes

(Banking Companies) Decisions Amendment Act, 1957 and the second within six

months after such commencement; and

(ii) the arrears for the period from the 1st January, 1956, to such commencement

shall be paid within thirty days thereof;

(b) in the case of the banking companies specified in clause (b) of that sub-section, the

arrears for the period from the 1st January, 1956, to such commencement shall be paid

within thirty days thereof.

(4) For the purposes of this section, the expression 'the former State of Travancore-Cochin'

means the State of Travancore-Cochin as it existed immediately before the 1st November,

1956.]

3[(5) Notwithstanding anything contained in the foregoing provisions of this section, the

Central Government may, from time to time, by notification in the Official Gazette, make in lieu of the adjustment of the clearness allowance recommended in clause 1(e) of Chapter XI of the Report of the Bank Award Commission, such adjustment thereof as it thinks fit for any period subsequent to the 31st December, 1957, with reference to the rise or fall, as compared to 144 (1944=100), of the average All India Cost of Living Index for any period immediately preceding that period; and upon the issue of such notification the adjustment of clearness allowance so made for any period shall be deemed to have been recommended in clause 1(e) of the Report of that Commission: Provided that any adjustment so made shall, so far as may be, bear to the rise or fall of the Cost of Living Index the same ratio as it indicated between the adjustment of

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dearness allowance and the rise or fall of the Cost of Living Index in the formulae recommended in that clause.]

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1. Section 3 renumbered as sub-section (1) by the Industrial Disputes (Banking Companies)

Decision Amendment Act, 1957.

2. Inserted by the Industrial Disputes (Banking Companies) Decision Amendment Act, 1957.

3. Inserted by the Industrial Disputes (Banking Companies) Decision Amendment Act, 1958.

Section 3 - Appellate decision to have effect subject to the modifications recommended by

the Bank Award Commission

1[(1)] 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, (48 of 1950) and the award shall have effect accordingly.

2[(2) Notwithstanding anything contained in sub-section (1), the recommendations in

Chapter XI of the Report of the Bank Award Commission in relation to the banking companies

incorporated in the former State of Travancore-Cochin specified in that Chapter shall be

modified and shall be deemed to have been modified--

(a) with effect from the 1st January, 1955, in relation to the C Class Banks known as the

South Indian Bank Limited, Trichur, and the Catholic Syrian Bank Limited, Trichur, as if--

(1) in clause (1) of the said recommendations--

(i) under the heading 'C Class' after the entry '(viii)', Travancore Bank' the entries

'(ix), South Indian Bank, Trichur' and '(x)' Catholic Syrian Bank, Trichur, had been

inserted;

(ii) items (i) and (ii) under sub-clause (b) had been omitted; and

(2) in clause (2) thereof, after the words 'Travancore Bank' the words 'the South

Indian Bank, Trichur, and the Catholic Syrian Bank, Trichur had been inserted; and

(b) with effect from the 1st January, 1956, in relation to the C Class banks known as the

Palai Central Bank Limited, Palai and the Travancore Forward Bank Limited, Kottayam,

and the D Class Banks, as if in clause (1) of the said recommendations, items (i) and (ii)

under sub-clause (b) had been omitted.

(3) The arrears of emoluments, payable to the workmen of the banking companies specified

in sub-section (2) by reason of the modifications effected by that sub-section shall be paid as

follows:--

(a) in the case of the banking companies specified in clause (a) of that sub-section--

(i) arrears for the year 1955 shall be paid in two equal instalments of which the first

shall be paid within thirty days from the commencement of the Industrial Disputes

(Banking Companies) Decisions Amendment Act, 1957 and the second within six

months after such commencement; and

(ii) the arrears for the period from the 1st January, 1956, to such commencement

shall be paid within thirty days thereof;

(b) in the case of the banking companies specified in clause (b) of that sub-section, the

arrears for the period from the 1st January, 1956, to such commencement shall be paid

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within thirty days thereof.

(4) For the purposes of this section, the expression 'the former State of Travancore-Cochin'

means the State of Travancore-Cochin as it existed immediately before the 1st November,

1956.]

3[(5) Notwithstanding anything contained in the foregoing provisions of this section, the

Central Government may, from time to time, by notification in the Official Gazette, make in

lieu of the adjustment of the clearness allowance recommended in clause 1(e) of Chapter XI

of the Report of the Bank Award Commission, such adjustment thereof as it thinks fit for any

period subsequent to the 31st December, 1957, with reference to the rise or fall, as

compared to 144 (1944=100), of the average All India Cost of Living Index for any period

immediately preceding that period; and upon the issue of such notification the adjustment of

clearness allowance so made for any period shall be deemed to have been recommended in

clause 1(e) of the Report of that Commission:

Provided that any adjustment so made shall, so far as may be,-bear to the rise or fall of

the Cost of Living Index the same ratio as it indicated between the adjustment of

dearness allowance and the rise or fall of the Cost of Living Index in the formulae

recommended in that clause.]

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1. Section 3 renumbered as sub-section (1) by the Industrial Disputes (Banking Companies)

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2. Inserted by the Industrial Disputes (Banking Companies) Decision Amendment Act, 1957.

3. Inserted by the Industrial Disputes (Banking Companies) Decision Amendment Act, 1958.

Section 4 - Duration of the award

Notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947), or the

Industrial Disputes (Appellate Tribunal Act, 1950) (48 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.

Section 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.

Section 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 of the Labour

Appellate Tribunal constituted under the Industrial Disputes (Appellate Tribunal) Act, 1950

(48 of 1950), or to such Industrial Tribunal constituted under the Industrial Disputes Act,

1947 (14 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.