

**GOVERNMENT OF INDIA  
LABOUR AND EMPLOYMENT  
LOK SABHA**

STARRED QUESTION NO:518  
ANSWERED ON:02.05.2005  
WORKERS OF CLOSED INDUSTRIAL UNITS  
Athawale Shri Ramdas

**Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:**

- (a) the details of the steps taken so far to safeguard the interests of the labourers working in the industrial units to be closed in Delhi in the wake of the direction issued by the Supreme Court in this regard;
- (b) whether the Union Government has constituted any committee to safeguard the interests of the labourers;
- (c) if so, the details thereof;
- (d) whether the said committee has since submitted its report to the Union Government;
- (e) if so, the details thereof and reaction of the Government thereto; and
- (f) if not, the reasons therefor?

**Answer**

MINISTER OF LABOUR AND EMPLOYMENT (SHRI K. CHANDRASEKHAR RAO)

(a) to (f): A statement is laid on the Table of the House.

Statement referred to in parts (a) to (f) of Lok Sabha Starred Question No. 518 to be answered on 02.05.2005

(a) to (f): The Hon'ble Supreme Court of India vide judgment dated 7.5.2004 has appointed a Monitoring Committee comprising (i) Chief Secretary of Delhi (ii) Commissioner of Police, Delhi (iii) Commissioner, Municipal Corporation of Delhi and (iv) Vice-Chairman of Delhi Development Authority. The Committee would be responsible for stoppage of illegal industrial activity. It would, however, be open to the aforesaid members of the Monitoring Committee to appoint responsible officers sub-ordinate to them to over see and ensure compliance of the directions contained in the judgment. However, no directions have been given regarding rehabilitation of labour in the order dated 7.5.2004 of the Hon'ble Supreme Court of India. The case related to the issue of industrial activity in residential/non-conforming areas.

The Hon'ble Supreme Court in its order dated 06.09.96 and 26.11.96 in the matter of closure/shifting of 'H' Category Units (hazardous/noxious industrial units) from Delhi in the case of Shri M.C. Mehta Vs. Union of India and others had directed that the workmen employed in these industries shall be entitled to the rights and benefits as indicated hereunder:

- (i) The workmen shall have continuity of employment at the new town and place where the industry is shifted. The terms and conditions of their employment shall not be altered to their detriment;
- (ii) The period between the closure of the industry in Delhi and its restart at the place of relocation shall be treated as active employment and the workmen shall be paid their full wages with continuity of service;
- (iii) All those workmen who agree to shift with the industry shall be given one year's wages as 'shifting bonus' to help them settle at the new location;
- (iv) The workmen employed in the industries which fail to relocate and the workmen who are not willing to shift along with the relocated industries shall be deemed to have been retrenched as per the Industrial Disputes Act, 1947. They shall also be paid compensation as per the Industrial Disputes Act, 1947. These workmen shall also be paid in addition one year's wages as additional compensation;
- (v) The gratuity amount payable to any workmen shall be paid in addition.

The interests of the workers deployed in the industrial units to be closed in Delhi will be taken care of as per the directions of the Hon'ble Supreme Court and in terms of existing laws.

