

ACT No. IX OF 1860.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 12th March 1860.)

An Act to make provision for the speedy determination of certain disputes between workmen engaged in Railway and other public works and their employers.

WHEREAS it is expedient to make provision for the speedy determination of certain disputes between workmen engaged in Railway and other public works and their employers; It is enacted as follows:—

I. It shall be lawful for the Executive Government of any Presidency or place within the British Territories in India to invest any Government may empower any Magistrate to decide disputes as to wages or price of work. Magistrate or other Officer exercising the powers of a Magistrate with power to enquire into and decide disputes on account of wages, hire of carriage, or the price of work, between any workmen employed in the construction of any Railway, Canal, or other public work, the construction of which is or shall be sanctioned by Parliament or by any such Executive Government, and the person or persons by whom such workmen are employed.

II. Magistrates empowered to decide disputes under the preceding Section shall have jurisdiction only in case the amount in dispute shall not exceed the sum of two hundred Rupees, and the claim is preferred within six months from the date on which the cause of action arose.

III. The Executive Government shall fix, and may, from time to time, alter the local limits of the jurisdiction of any Magistrate invested with jurisdiction under Section I of this Act. A Magistrate so invested may hold a Court for the investigation

Government to fix and alter local limits of jurisdiction.

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tion of disputes of the nature described in the said Section, at any place within the local limits of his jurisdiction.

IV. The rules for the institution of suits as provided in Act VIII of 1859 *(for simplifying the Procedure of the Courts of Civil Judicature not established by Royal Charter)* shall, as far as circumstances Procedure in the investigation of disputes. will allow, be followed in the investigation of disputes under the preceding Sections, and the procedure adopted shall be that provided for cases in which the suit may be disposed of at the first hearing.

No appeal. V. There shall be no appeal against any decision passed under this Act.

VI. The Magistrate having heard and decided the case, shall make an Order for payment. order for the payment of such sum of money (if any) as shall appear to him to be justly due: and if the person ordered to pay shall make default in the payment of such sum immediately or within such Distress. time as the Magistrate shall direct, the Magistrate shall issue his warrant to levy the money by distress and sale of the goods and chattels of the defaulter.

VII. If any question shall arise whether any goods or chattels seized under Property distrained. the warrant of distress belong to the defaulter, or are liable to be distrained and sold as aforesaid, the same shall be determined in the manner provided by the said Act VIII of 1859 for the determination of the like questions arising in the execution of decrees.

VIII. Any person who shall voluntarily engage for a stipulated period to Penalty for workmen neglecting or refusing to work. work on any Railway, Canal, or other public work, the construction of which is or shall be sanctioned in the manner specified in Section I of this Act, or to execute any specific work in connection with such public work, and who shall wilfully and without lawful or reasonable excuse neglect or refuse to perform the work so stipulated for, shall be liable, on conviction before a Magistrate, to a fine not exceeding twenty Rupees. The Magistrate may, at the request of the complainant or of any one authorized to act on his behalf, instead of fining such person, order him to perform or get performed the work according to the terms of his contract or engagement; and if he shall fail to comply with the order, the Magistrate may, upon

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upon proof to his satisfaction of such non-compliance, sentence such person to be imprisoned with or without hard labor for any term not exceeding two months.

IX. This Act shall take effect only in those districts or places to which it shall be extended by order of the Governor General of India in Council, or of the Executive Government of any Presidency or place.

Operation of Act.

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