

Essential Services Maintenance Act, 1994

Section 3 - Power to Prohibit Refusal to Work in Certain Essential Services

(1) If the Government are satisfied that in the public interest or in the interest of the public order, it is necessary or expedient so to do, they may, by general or special order, prohibit refusal to work in such essential services and from such date as may be specified in the order.

(2) An order made under sub-section (1) shall be published in such manner as the Government consider best calculated to bring it to the notice of the persons affected by the order.

(3) An order made under sub-section (1) shall be in force for one year only from the date it comes into operation, but the Government may, by a like order, published in the like manner, extend it for any period not exceeding six months, if they are satisfied that in the public interest or in the interest of the public order it is necessary or expedient so to do.

(4) Upon the issue of an order under sub-section (1),--

(a) no person employed in any essential service to which the order relates shall refuse to work or continue to refuse to work;

(b) any refusal to work declared or begun or continued, whether before or after the issue of the order, by any person employed in any such service, shall be illegal.

(5) Any order made under sub-section (1) or sub-section (3) may, at any time, be rescinded by the Government by a like order, but such rescission shall not affect the previous operation of such order or anything duly done or suffered thereunder, and shall not affect any obligation or liability accrued or incurred or any penalty or punishment incurred in respect of any offence committed against this Act before such rescission.
