

Bombay Industrial Relations Act, 1946, (Maharashtra)

Section 10 - Industrial Court

- (1) The¹[State] Government shall constitute a Court of Industrial Arbitration.
- (2) The Industrial Court shall consist of three or more members, one of whom shall be its President.
- (3) Every member of the Industrial Court shall be a person²[who is not connected with the industrial dispute referred to such Court or with any industry directly affected by such dispute:

Provide that no person shall be deemed to be connected with the industrial dispute or with the industry by reason only of the fact that he is a share-holder of an incorporated company which is connected with, or likely to be affected by such industrial dispute; but in such a case, he shall disclose to the State Government the nature and extent of the shares held by him in such company.]

- (4) Every member of the Industrial Court shall be a person who is or has been a judge of High Court or is eligible for being appointed a judge of such Court:

³[Provided that,-

- (a) a person who has been a Judge not lower in rank than that of Assistant Judge, for not less than three years; or
- (b) a person who has been the presiding officer of a Labour Court constituted under any law for the time being in force, for not less than five years; or
- (c) a person who holds a degree in law of a University established by law in any part of India and is holding or has held an office not lower in rank than that of Assistant Commissioner of Labour under the State Government, for not less than ten years,

shall also be eligible for appointment as a member of the Industrial Court :

Provided further that, one member of the Industrial Court may be a person not so eligible, if in the opinion of the State Government he possesses expert knowledge of Industrial matters.]

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1. This words was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
 2. This portion was substituted and shall be deemed always to have been substituted for the words "who is not connected with any industry" by Bom. 35 of 1956, s. 2.
 3. These proviso were substituted for the original by Mah. 47 of 1977; s. 4.