

**THE CHITTAGONG HILL-TRACTS (LABOUR
LAWS) REGULATION, 1954**

East Bengal Regulation No. II of 1954.

[6th August, 1954.]

A Regulation to apply certain labour laws to the Chittagong Hill-tracts

WHEREAS it is expedient to apply to the Chittagong Hill-tracts certain enactments regulating labour, trade union and industrial disputes, payment of wages and compensation and employment of women and children in factories and industries;

AND WHEREAS by sub-section (2) of section 92 of the Government of India act, 1935, the ¹[Government] is empowered to make regulations for the peace and good Government of any area in which is for the time being an excluded or a partially excluded area;

NOW, THEREFORE, the ²[Government], in exercise of the said powers and all other powers enabling him in this behalf, is pleased to make the following Regulation, namely:-

1. (1) This Regulation may be called the Chittagong Hill-tracts (Labour Laws) Regulation, 1954.

Short title and commencement

(2) It shall come into force at once.

2. The enactments specified in the Schedule annexed hereto shall, subject to the amendments mentioned in the fourth column thereof, apply to the Chittagong Hill-tracts;

Application of certain enactments to the Chittagong Hill-tracts

SCHEDULE
(See section 2.)
Central Acts.

Year 1	Number 2	Short title 3	Amendments. 4
1923	VIII	The Workmen's Compensation Act, 1923.	(i) Sub-section (3) of section 1 shall be <i>omitted</i> . (ii) In section 2, sub-clause (i) of clause (n) shall be <i>omitted</i> . (iii) In sub-section (5) of section 3, the words "in a Civil Court" shall be

¹ The word "Government" was replaced for the words "Governor" by Article 9 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972).

² The word "Government" was replaced, for the words "Governor of East Bengal" by Article 9 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972).

Year 1	Number 2	Short title 3	Amendments. 4
			<i>omitted.</i>
			(iv) Section 14 shall be <i>omitted.</i>
			(v) Sub-sections (3), (5) and (6) of section 15 shall be <i>omitted.</i>
			(vi) In sub-section (2) of section 19, the word “Civil” shall be <i>omitted.</i>
			(vii) The proviso to sub-section (1) of section 21 shall be <i>omitted.</i>
			(viii) In section 27, <i>for</i> the words “High Court” the words “ ¹ [Government]” shall be <i>substituted.</i>
			(ix) In sub-section (2) of section 28, the words, figures, and commas, “in the Contract Act, 1972, or” shall be <i>omitted.</i>
			(x) In sub-section (1) of section 30, <i>for</i> the words “High Court”, the words “ ¹ [Government] shall be <i>substituted.</i>
			(xi) In section 30A, <i>for</i> the words “High Court”, the words, “ ¹ [Government]” shall be <i>substituted.</i>
			(xii) In section 31, <i>for</i> the words “an arrear of land revenue”, the words “public demand” shall be <i>substituted</i> , and <i>for</i> the words, figures and comma “a public officer within the meaning of section 5 of the Revenue Recovery Act, 1890”, the words, figures and comma “a

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			<p>Certificate Officer within the meaning of clause (3) of section 3 of the '[***] Public Demands Recovery Act, 1913" shall be <i>substituted</i>.</p> <p>(xiii) In Schedule II,-</p> <p>(a) In clause (i), the words and comma "on a railway", shall be <i>omitted</i>.</p> <p>(b) In clause (vii), the expression "or in the handling or transport within the limits of any port subject to the Ports Act, 1908, of goods which have been discharged from or are to be loaded into any vessel" and the comma preceding it shall be <i>omitted</i>.</p> <p>(c) clause (xii) shall be <i>omitted</i>.</p> <p>(d) In clause (xiii), the words and commas "employed as Inspector, mail guard, sorter or van peon in the Railway Mail Service, or" shall be <i>omitted</i>.</p> <p>(e) Clause (xiiia) and clause (xx) shall be <i>omitted</i>.</p>
1926	XVI	The Trade Unions Act, 1926.	<p>(i) Sub-section (3) of section 1 shall be <i>omitted</i>.</p> <p>(ii) In section 11, (a) <i>for</i> sub-section (1), the following shall be</p>

¹ The word "Bengal" was omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (Presidents Order No. 48 of 1972).

Year	Number	Short title	Amendments.
1	2	3	4
			<p><i>substituted</i>, namely:-</p> <p>“(1) Any person aggrieved by any refusal of the Registrar to register a Trade Union or by the withdrawal or cancellation of a certificate of registration may, within such period as may be prescribed, appeal to the Deputy Commissioner.”</p> <p>(b) in sub-section (2) for the words “appellate court”, the words “Deputy Commissioner” shall be <i>substituted</i>.</p> <p>(c) <i>for</i> sub-section (3), the following shall be <i>substituted</i>, namely:-</p> <p>“(3) For the purpose of an appeal under sub-section (1), the Deputy Commissioner shall, so far as may be, follow the same procedure and have the same powers as he follows and has when trying a suit for establishment of title to an</p>

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			immovable property, and may direct by whom the whole or any part of the cost of the appeal shall be paid and the manner in which such cost shall be recovered.”
			(d) <i>for</i> sub-section (4), the following shall be <i>substituted</i> , namely:- “(4) In the event of dismissal of an appeal by the Deputy Commissioner, the person aggrieved shall have a right of appeal to the ¹ [Government].”
			(iii) In section 18, <i>for</i> the words “Civil Court” twice occurring, the word “Court” shall be <i>substituted</i> .
			(iv) In the proviso to section 19, for the words “Civil Court”, the word “Court” shall be <i>substituted</i> .
1934	XXV	The Factories Act, 1934.	(i) Sub-section (3) of section 1 shall be <i>omitted</i> . (ii) In clause (j) of section 2, the expression “but does not include a mine subject to the operation of the Mines act, 1934” together

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			with the comma preceding it shall be <i>omitted</i> .
			(iii) In section 3, <i>for</i> the words "Indian Standard Time" twice occurring, the words "[* * *] Standard Time" shall be <i>substituted</i> , and <i>for</i> the words "Five and a half", the word "six" shall be <i>substituted</i> .
			(iv) In section 10, <i>for</i> sub-section (4), the following shall be <i>substituted</i> , namely:- "(4) The Deputy Commissioner shall be and Inspector <i>ex-officio</i> ".
			(v) In clause (c) of section 32, the expression "other than railways subject to the Railways Act, 1890" together with the comma preceding in shall be <i>omitted</i> .
			(vi) In sub-section (1) of section 59A, the expression "but does not include a mine subject to the operation of the Mines Act, 1923" together with the comma preceding it shall be <i>omitted</i> .
1936	IV	The Payment of Wages Act, 1936	(i) Sub-section (3) of section 1 shall be <i>omitted</i> . (ii) In sub-section (4) of section 1, the words, brackets and commas "and to persons employed (otherwise than in a factory) upon any railway by a railway

¹ The words "East Bengal" were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972).

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			<p>administration or, either directly or through a sub-contractor, by a person fulfilling a contract with a railway administration” shall be <i>omitted</i>.</p> <p>(iii) Clause (v) of section 2 shall be <i>omitted</i>.</p> <p>(iv) In the proviso to section 3- (a) clause (c) shall be <i>omitted</i>; and (b) <i>for</i> the words and commas “the person so named, the person so responsible to the employer, or the person so nominated”, the words “the person so named or the person so responsible to the employer” shall be <i>substituted</i>.</p> <p>(v) In sub-section (1) of section 5, the word and comma “railway,” twice occurring and sub-section (3) of the said section shall be <i>omitted</i>.</p> <p>(vi) In sub-section (1) of section 7, <i>for</i> the words, brackets, figures and commas “Notwithstanding the provisions of sub-section (2) of section 47 of the Railways Act, 1890 the,” the word “The” shall be <i>substituted</i> and in clause (i) of sub-section (2) of the said section, the words, figures and commas “any provident fund to which the Provident Funds Act, 1925, applies or” shall be <i>omitted</i>.</p> <p>(vii) In sub-section (2) of section 8, the words,</p>

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			brackets and comma “or in the case of persons employed upon a railway (otherwise than in a factory), at the prescribed place or places” and in the Explanation under the said section, the word and comma “railway,” shall be <i>omitted</i> .
			(viii) Sub-section (2) of section 14 shall be <i>omitted</i> .
			(ix) In sub-section (1) of section 15, <i>for</i> the words “other officer with experience as a judge of Civil Court or”, the words “other officer with experience” shall be <i>substituted</i> .
			(x) In sub-section (1) of section 17, <i>for</i> the words “District Court”, the word “Commissioner” shall be <i>substituted</i> .
			(xi) In section 19, <i>for</i> the word “Court” the word “Commissioner” shall be <i>substituted</i> .
			(xii) In sub-sections (1) and (2) of section 21, <i>for</i> the words “appellate Court” the words “appellate authority” and in the said sub-section (2), <i>for</i> the words “the authority or Court”, the words “such authority” shall be <i>substituted</i> .
			(xiii) In section 24, the words, figures, brackets, and comma “Federal Railways (within the meaning of the Government of India Act, 1935)”, shall be <i>omitted</i> .
			(xiv) In sub-section (1) of

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1938.	XXVI	The Employment of Children Act, 1938.	<p>section 26, the words “and Court” shall be <i>omitted</i>.</p> <p>(i) In section 2,- (a) <i>for</i> clause (a), the following shall be <i>substituted</i>, namely:- (a) “competent authority” means the “¹[Government]”; (b) clause (bb) shall be <i>omitted</i>.</p> <p>(ii) Sub-sections (1) and (2) of section 3 shall be <i>omitted</i>.</p> <p>(iii) In section 3B, the words, figures and comma “after the 1st day of October, 1939” shall be <i>omitted</i>.</p> <p>(iv) In section 3C, <i>for</i> the words and comma “twelfth or fifteenth year, as the case may be”, the words “twelfth year” shall be <i>substituted</i>.</p> <p>(v) Section 3D shall be <i>omitted</i>.</p> <p>(vi) Section 3E shall be <i>omitted</i>.</p> <p>(vii) In section 4,- (a) in clause (b), <i>for</i> the words, figure, letter and semi-colon “and section 3E; or” a comma shall be <i>substituted</i>. (b) clause (c) shall be <i>omitted</i>.</p> <p>(viii) Clause (c), (d), (e) and (g) of sub-section (2) of section 7, and the word figure and letter, “and 3E” occurring in clause (f) of the said sub-section shall be <i>omitted</i>.</p>

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1947	XIV	Industrial Disputes Act, 1947.	<ul style="list-style-type: none"> (i) Sub-section (3) of section 1 shall be <i>omitted</i>. (ii) In section 2,- <ul style="list-style-type: none"> (a) in sub-section (i) of clause (a), the words “by a railway company operating a Federal Railway”, and the words and the comma “or a major port,” shall be <i>omitted</i>. (b) in sub-section (i) of clause (g), the words “in the Provinces and the Capital of the Federation” shall be <i>omitted</i>. (c) Clause (h), items (i), (vii) and (viii) of clause (n) and clause (o) shall be <i>omitted</i>. (iii) In the proviso to sub-section (3) of section 7, <i>for</i> the words “High Court of the Province in which the Tribunal has or is intended to have its usual place of sitting”, the words “[Government]” shall be <i>substituted</i>. (iv) In sub-section (2) of section 35, the word “Civil” shall be <i>omitted</i>. (v) Section 40 shall be <i>omitted</i>.
1939	IV	Bengal Act. The Bengal Maternity Benefit Act, 1939.	Sub-section (3) of section 1 shall be <i>omitted</i> .

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