

ground that the Central Government is the appropriate Government, does not appear to have considered the amended definition of “appropriate Government” under Section 2(a)(i) of the Industrial Disputes Act, 1947.

3 It is, in the premises, agreed between learned Counsel for both parties that the complaints may be remitted to the Industrial Court for a fresh decision in accordance with law having regard to the amended definition of “appropriate Government”.

4 Accordingly, the impugned orders of the Industrial Court dated 13 February 2019 are quashed and set aside and the respective complaints, namely, Complaint (ULP) Nos.318/2015, 128/2015 and 388/2014, are remitted to the Industrial Court for a fresh hearing in accordance with law and having regard to the observations made in this order. Since the original complaints are restored, the interim orders passed on 2 September 2015, 20 March 2015 and 31 December 2004, respectively, in these complaints shall continue to operate. It is, however, clarified, that the words “prevailing practice” appearing in the interim order passed on 31 December 2014 in Complaint (ULP) No. 388/2014 shall imply “prevailing practice as of today”, that is to say, practice involving provision of transport facilities through a contractor.

5 The writ petitions are disposed of in above terms.

(S.C. GUPTE, J.)