

PART XIV

AMENDMENTS TO CERTAIN ACTS TO PROVIDE FOR MERGER OF
TRIBUNALS AND OTHER AUTHORITIES AND CONDITIONS OF
SERVICE OF CHAIRPERSONS, MEMBERS, ETC.

A.—PRELIMINARY

156. The provisions of this Part shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Part and any reference in any provision to the commencement of this Part shall be construed as a reference to the coming into force of that provision.

Commencement
of this Part.

157. In this Part, unless the context otherwise requires,—

Definitions.

(a) "appointed day", in relation to any provision of this Part, means such date as the Central Government may, by notification in the Official Gazette, appoint;

(b) "Authority" means the Authority, other than Tribunals and Appellate Tribunals, specified in the Eighth Schedule or Ninth Schedule, as the case may be;

(c) "notification" means a notification published in the Official Gazette;

(d) "Schedule" means the Eighth Schedule and Ninth Schedule appended to this Act.

B.—AMENDMENTS TO THE INDUSTRIAL DISPUTES ACT, 1947 AND THE
EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952.

158. In the Industrial Disputes Act, 1947,—

Amendment
of Act 14 of
1947.

(a) in section 7A, after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) The Industrial Tribunal constituted by the Central Government under sub-section (1) shall also exercise, on and from the commencement of Part XIV of Chapter VI of the Finance Act, 2017, the jurisdiction, powers and authority conferred on the Tribunal referred to in section 7D of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.";

19 of 1952.

(b) after section 7C, the following section shall be inserted, namely:—

"7D. Notwithstanding anything contained in this Act, the qualifications, appointment, term of office, salaries and allowances, resignation and removal and other terms and conditions of service of the Presiding Officer of the Industrial Tribunal appointed by the Central Government under sub-section (1) of section 7A, shall, after the commencement of Part XIV of Chapter VI of the Finance Act, 2017, be governed by the provisions of section 184 of that Act.

Qualifications,
terms and
conditions of
service of
Presiding
Officer.

Provided that the Presiding Officer appointed before the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall continue to be governed by the provisions of this Act, and the rules made thereunder as if the provisions of section 184 of the Finance Act, 2017 had not come into force."

159. In the Employees' Provident Funds and Miscellaneous Provisions Act, 1952,—

Amendment
of Act 19 of
1952.

(a) in section 2, for clause (m), the following clause shall be substituted, namely:—

(m) "Tribunal" means the Industrial Tribunal referred to in section 7 D;"

	(b) for section 7D, the following section shall be substituted, namely:—	
Tribunal.	"7D. The Industrial Tribunal constituted by the Central Government under sub-section (1) of section 7A of the Industrial Disputes Act, 1947 shall, on and from the commencement of Part XIV of Chapter VI of the Finance Act, 2017, be the Tribunal for the purposes of this Act and the said Tribunal shall exercise the jurisdiction, powers and authority conferred on it by or under this Act.";	
	(c) sections 7E, 7F, 7G, 7H, 7M and 7N shall be omitted;	
	(d) for section 18A, the following section shall be substituted, namely:—	
Authorities and inspector to be public servant.	"18A. The authorities referred to in section 7A and every inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.";	45 of 1860.
	(e) in section 21, in sub-section (2), clause (a) shall be omitted.	
	C.—AMENDMENTS TO THE COPYRIGHT ACT, 1957 AND THE TRADE MARKS ACT, 1999.	
	160. In the Copy Right Act, 1957,—	
Amendment of Act 14 of 1957.	(a) for the words "Copyright Board", wherever they occur, the words "Appellate Board" shall be substituted;	
	(b) in section 2, after clause (a), the following clause shall be inserted, namely:—	
	'(aa) "Appellate Board" means the Appellate Board referred to in section 11';	
	(c) for section 11, the following section shall be substituted, namely:—	
Appellate Board.	"11. The Appellate Board established under section 83 of the Trade Marks Act, 1999 shall, on and from the commencement of Part XIV of Chapter VI of the Finance Act, 2017, be the Appellate Board for the purposes of this Act and the said Appellate Board shall exercise the jurisdiction, powers and authority conferred on it by or under this Act.";	47 of 1999.
	(d) in section 12, sub-sections (3) and (4) shall be omitted;	
	(e) in section 78, in sub-section (2), clause (a) shall be omitted."	
	161. In the Trade Marks Act, 1999,—	
Amendment of Act 47 of 1999.	(a) for the word "Chairman" or "Vice-Chairman", wherever it occurs, the word "Chairperson" or "Vice-Chairperson" shall be substituted;	
	(b) in section 83, after the words "under this Act", the words and figures "and under the Copyright Act, 1957" shall be inserted;	47 of 1957.
	(c) after section 89, the following section shall be inserted, namely:—	
Qualifications, terms and conditions of service of Chairperson, Vice-Chairperson and Member.	"89A. Notwithstanding anything in this Act, the qualifications, appointment, term of office, salaries and allowances, resignation, removal and other terms and conditions of service of the Chairperson, Vice-Chairperson and other Members of the Appellate Board appointed after the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of section 184 of that Act:	
	Provided that the Chairperson, Vice-Chairperson and other Members appointed before the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall continue to be governed by the provisions of this Act, and the rules made thereunder as if the provisions of section 184 of the Finance Act, 2017, had not come into force."	