

Data Appendix for Timothy Besley and Robin Burgess, R [2003] “Can Labor Regulation Hinder Economic Performance? Evidence from India”

Data Appendix Table: State Level Amendments to the 1947 Industrial Disputes Act

state	year	section	description	class
Andhra Pradesh	1949	2	Allows the appropriate government to declare any industry as a public utility if a public emergency or public interest requires so. In the central act only industries in the First Schedule (public utilities) may be declared thus. Public utilities are more limited in having strikes and lock-outs and the government has greater power to refer industrial disputes in public utilities service to the appropriate court.	-1
Andhra Pradesh	1949	10	States that where a Tribunal has been constituted under this Act for the adjudication of disputes in any specified industry or industries and a dispute exists or is apprehended in any such industry then the employer or majority of workmen may refer the dispute to that Tribunal. This facilitates referral of disputes to Tribunals as the process does not need to be intermediated by government. In the central act both sides have to apply to the government so it can refer the dispute to a court.	-1
Andhra Pradesh	1968	2	Any services in hospitals or dispensaries are classified as a public utility. Public utilities are more limited in having strikes and lock-outs and the government has greater power to refer industrial disputes in public utilities service to the appropriate court. In the central act these services are not classified as public utilities.	-1
Andhra Pradesh	1982	11A-11D	A Labour Court or Tribunal is granted the power of a Civil Court to execute its award or any settlement as a decree of a Civil Court.	-1
Andhra Pradesh	1987	10A-10K	If in the opinion of the state government it is necessary or expedient so to do for securing the public safety or the maintenance of public order or services or supplies essential to the life of the community or for maintaining employment or industrial peace in the industrial establishment it may issue an order which (i) requires employers and workers to observe the terms and conditions of an order. (ii) prohibits strikes and lockouts in connection with any industrial dispute.	-1
Andhra Pradesh	1987	25FFF	Prior payment of compensation to the worker is a condition precedent to the closure of an undertaking. Under the central act payment of compensation does not need to be made prior to closure.	1
Andhra Pradesh	1987	25H	Where a closed firm is re-opened, workers who were on the roll of a given unit should be given the opportunity to offer	1

state	year	section	description	class
			themselves for employment in preference to others. Under the central act retrenched workers are given preference but there is less specify as regards rehiring workers from the same unit.	
Andhra Pradesh	1987	25HH	Where a worker is reinstated by an award of a Labour Court or Tribunal, his wages will be paid from the date specified in that award whether or not he has been reinstated by the employer.	1
Andhra Pradesh	1987	29A	Failure to comply an order by the state Government which constrains industrial dispute activity in the interests of the public is punishable with imprisonment for a period which is not less than six months and with a fine.	-1
Andhra Pradesh	1987	2A	In the case of an industrial dispute involving an individual worker he has the right to apply directly to the Labour Court for adjudication. No such right is specified in the central act.	1
Andhra Pradesh	1987	33C	In place of the Collector, the Chief Judicial Magistrate or the Chief Metropolitan Magistrate are given the power to recover from an employer money owing to a worker as the result of settlement of an industrial dispute.	1
Andhra Pradesh	1987	9A	If an employer wants to change the conditions of service applicable to any worker he has to give him a notice of 42 days (instead of 21)	1
Assam	1962	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0

state	year	section	description	class
Assam	1962	7C	The presiding officer serving in a labour court, tribunal or national tribunal who has attained the age of 65 is allowed to serve for a further six months.	0
Bihar	1959	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Gujarat	1962	7D	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Gujarat	1973	2	Insertion of exact definition of council as being a Joint Management Council.	0
Gujarat	1973	30-30A	Failure of the employer to nominate his representatives to Councils within firms is punishable by a fine of 50 rupees and in the case of continuing failure to do so the employer will pay an additional fine which may extend to 50 rupees per day for every day that such failure continues.	1
Gujarat	1977	7	Reduction of the qualifications of judge to serve on a Labour Court. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Gujarat	1977	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Gujarat	1984	2	Insertion of definition of closure which was repealed in the same year when the amendment was incorporated into the wording of the central act.	0
Gujarat	1984	25S	Declaration that notwithstanding anything contained in any other law being in force in the state providing for the settlement of industrial disputes, the rights and liabilities of employers and workers in relation to closure will be determined in accordance with the provisions of this law.	0
Haryana	1976	7	Reduction of the qualifications of judge to serve on a Labour Court. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Haryana	1976	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Karnataka	1949	10	Pertains to the fact that Karnataka broke away from the state of Madras.	0
Karnataka	1963	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Karnataka	1988	10	In the case of an industrial dispute involving an individual worker he may within a six months period have the right to apply directly to the Labour Court for adjudication. No such right is specified in the central act.	1
Karnataka	1988	11	Increases the power of the conciliation officer in terms of enforcing attendance at hearings regarding industrial disputes, compelling the production of documents and issuing commissions for the examination of witnesses. Also makes clear what the penalties are for non-attendance or failure to produce relevant documents.	-1
Karnataka	1988	10A-10K	The state government obtains the power to transfer any industrial dispute pending before a tribunal to any other tribunal constituted by the state government for adjudication.	-1

state	year	section	description	class
Karnataka	1988	10A-10K	If in the opinion of the state government it is necessary or expedient so to do for securing the public safety or the maintenance of public order or services or supplies essential to the life of the community or for maintaining employment or industrial peace in the industrial establishment it may issue an order which (i) requires employers and workers to observe the terms and conditions of the order (ii) prevents any public utility service from closing.	-1
Karnataka	1988	25K	The rules for lay-off, retrenchment and closure may according to the discretion of the state government be applied to industrial establishments of a seasonal character and which employ more than 100 but less than 300 workers. Under the central act these rules only apply to permanent establishments, which employ more than 300 workers.	1
Kerala	1971	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Kerala	1979	10A-10K	If in the opinion of the state government it is necessary or expedient so to do for securing the public safety or the maintenance of public order or services or supplies essential to the life of the community or for maintaining employment or industrial peace in the industrial establishment it may issue an order which (i) requires employers and workers to observe the terms and conditions of the order (ii) prevents any public utility service from closing.	-1
Kerala	1979	29A	Failure to comply an order by the state Government, which constrains industrial dispute activity in the interests of the public is punishable with imprisonment for a period, which is not less than six months and with a fine.	-1
Madhya Pradesh	1982	7	Increases the power of the labour court to try offences covered both under the Industrial Disputes Act as well as offences covered under a range of other Acts pertaining to labour (which are specified in the Second Schedule of the Industrial Disputes Act).	-1
Madhya Pradesh	1982	10	This amendment refers to part A of the second schedule instead of the whole second schedule. Second schedule describes matters within the jurisdiction of labour courts. The schedule for Madya Pradesh is renumbered so actually the change is only technical.	0
Madhya Pradesh	1982	34	Labour court is given the power to deal with every offence punishable under the Labour Disputes Act as well as under a range of other central acts dealing with labour issues.	-1
Madhya Pradesh	1982	11A-11D	In the case of criminal cases the Labour Court shall have all the powers under the Code of Criminal Procedure of a Judicial Magistrate of the First Class.	-1
Madhya Pradesh	1983	25O	(i) Undertakings dealing with construction of buildings, bridges, roads, canals, dams or other construction work are no longer exempted from procedures for closing down undertakings. (ii) State government as opposed to central government is deemed the appropriate government in dealing with negotiations regarding procedures for closing down undertakings.	1
Madhya Pradesh	1983	25R	Amendment is required given that the section of the central act referring to procedures for closing down undertakings has been amended. Effectively no change.	0
Madhya Pradesh	1989	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0

state	year	section	description	class
Maharashtra	1974	7	Reduction of the qualifications of judge to serve on a Labour Court. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Maharashtra	1974	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Maharashtra	1981	2	Discontinuation or reduction of power supply to an industrial establishment can be used a reason for lay-off (for which workers will receive compensation). Under the central act only shortage of coal, power or raw materials or the accumulation of stocks or the breakdown of machinery are listed as valid reasons for lay-offs.	1
Maharashtra	1981	25C	If being laid off is not due to electricity problems then the workers receive 100% of their wages as compared to the normal 50%.	1
Maharashtra	1981	25K	The rules for lay-off, retrenchment and closure may according to the discretion of the state government be applied to industrial establishments of a seasonal character and which employ more than 100 but less than 300 workers. Under the central act these rules only apply to permanent establishments which employ more than 300 workers.	1
Maharashtra	1983	25O	Any employer or worker affected by the decision to close down an enterprise is permitted for 30 days from the date of permission to close being granted appeal to an Industrial Tribunal to overturn the decision.	1
Maharashtra	1983	25R	Amendment is required given that the section of the central act referring to procedures for closing down undertakings has been amended. Effectively no change.	0
Orissa	1960	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Orissa	1983	25K	The rules for lay-off, retrenchment and closure may according to the discretion of the state government be applied to industrial establishments, which employ more than 100 workers. Under the central act these rules only apply to establishments, which employ more than 300 workers.	1
Orissa	1983	25O	Any employer or worker affected by the decision to close down an enterprise is permitted for 30 days from the date of permission to close being granted appeal to an Industrial Tribunal to overturn the decision.	1
Orissa	1983	25R	Amendment is required given that the section of the central act referring to procedures for closing down undertakings has been amended. Effectively no change.	0
Punjab	1957	7	Reduction of the qualifications of judge to serve on a Labour Court. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
Punjab	1957	7C	The retirement age of the presiding officer serving in a labour court, tribunal or national tribunal is changed from 65 to 67.	0
Rajasthan	1960	2	Arbitration proceeding is exactly defined.	0
Rajasthan	1960	2	Renumbering of sections to take into account precise definition of arbitration proceedings.	0
Rajasthan	1960	2	Member is defined as someone who is an ordinary member of a Union and who has paid a subscription of not less than four annas per month and who is not in arrears as regards these payments. Such an exact definition does not exist under the central act.	-1

state	year	section	description	class
Rajasthan	1960	2	The definition of employer in the context of an industrial dispute also includes owners who have contracted with persons for the execution of work as part of the industry.	1
Rajasthan	1960	2	Registrar is defined as the person appointed to be the Registrar of Unions. This makes it clear who is involved in the bargaining process on behalf of the unions. This definition does not appear in the central act and hence might be subject to interpretation.	-1
Rajasthan	1960	2	Union is defined to be a trade union of employees registered under the Indian Trade Unions Act, 1926. This makes it clear who is involved in the bargaining process on behalf of the unions. This definition does not appear in the central act and hence might be subject to interpretation.	-1
Rajasthan	1960	2	The definition of worker in the context of an industrial dispute also includes workers who have contracted with employers for the execution of work as part of the industry.	1
Rajasthan	1960	3	The state government has to appoint a Registrar of Unions and may also appoint Assistant Registrars of Unions to work in local areas. This makes it clear who can represent unions within Work Committees.	-1
Rajasthan	1970	10A-10K	The state government has the right to refer an industrial dispute to an Industrial Tribunal if it is satisfied that (i) public peace or safety is threatened, serious or prolonged hardship of part of the community is likely to be caused or the industry concerned is likely to be seriously damaged, (ii) the industrial dispute is unlikely to be settled by other means or (iii) it is in the public interest to do so.	-1
Rajasthan	1970	10A-10K	If in the opinion of the state government it is necessary or expedient so to do for securing the public safety or the maintenance of public order or services or supplies essential to the life of the community or for maintaining employment or industrial peace in the industrial establishment it may issue an order which (i) requires employers and workers to observe the terms and conditions of the order. (ii) prevents any public utility service from closing.	-1
Rajasthan	1970	30-30A	Failure to comply an order by the state Government, which constrains industrial dispute activity in the interests of the public is punishable with imprisonment for a period, which may extend to one year or with a fine, which may extend to two thousand rupees or with both.	-1
Rajasthan	1970	33C	Widens the scope of awards for which the worker can obtain judicial help with securing money owed by a employer to include awards made as the result of an order issued by the state Government to constrain industrial dispute activity in the interests of the public.	1
Rajasthan	1970	9C	This describes the supervisory duties of the Registrar of Unions and the rules for registration of unions (which is obligatory). One duty of the Registrar is to ensure that only one union (that with the largest employment) represents a single unit within an industry.	-1
Rajasthan	1984	25K	The rules for lay-off, retrenchment and closure may according to the discretion of the state government be applied to industrial establishments of a seasonal character and which employ more than 100 but less than 300 workers. Under the central act these rules only apply to permanent establishments, which employ more than 300 workers.	1
Rajasthan	1984	25L	Under the central act the central government is deemed as the "appropriate government" for dealing with rules for lay-off,	0

state	year	section	description	class
			retrenchment and closure. This amendment changes this definition to read "the state government shall have no powers"	
Rajasthan	1984	25M	(i) Substitutes "state government" for "appropriate government" as being the government, which has the power to grant permission to lay-off workers. (ii) The expression "(Amendment) Act 1976" should be substituted with "(Rajasthan Amendment) Act 1984". (iii) The state government (as opposed to central government) has the right to refer lay-off matters to a labour court.	0
Rajasthan	1984	25M	Under the central act where workers in a mine have been laid off for reasons of fire, flood or gas explosion the employer doesn't have to receive prior consent. However, the employer has to apply for permission to continue the lay-off beyond 30 days. Here that condition is removed.	-1
Rajasthan	1984	25N	Union representatives have to be involved in any negotiations concerning retrenchment of workers. Their involvement is not stipulated under the central act.	1
Rajasthan	1984	25N	(i) State government as opposed to central government is deemed the appropriate government in dealing with negotiations regarding retrenchment of workers. (ii) The expression "(Amendment) Act 1976" should be substituted with "(Rajasthan Ammendment) Act 1984".	0
Rajasthan	1984	25O	Undertakings dealing with construction of buildings, bridges, roads, canals, dams or other construction work are no longer exempted from procedures for closing down undertakings.	1
Rajasthan	1984	25P	In the central act government can order undertakings closed down before the commencement of the Industrial Dispute (Ammendment) Act 1976 to reopen. This amendment stipulates that such decisions can be referred to an Industrial Tribunal for adjudication.	0
Rajasthan	1984	25PP	Special provisions were put in place to reinstate workers who had been retrenched in the six months prior to passing the Industrial Disputes (Rajasthan Amendment) Act 1984. This section was only in force for six months hence unlikely to have long-term effects.	0
Rajasthan	1984	25Q	The maximum penalty for lay-off and retrenchment of workers without permission is increased to imprisonment for three months or a fine of two thousand rupees or both (from the one month imprisonment or a fine of one thousand rupees or both) which are the terms stipulated in the central act.	1
Rajasthan	1984	25R	Amendment is required given that the section of the central act referring to procedures for closing down undertakings has been amended. Effectively no change.	0
Rajasthan	1984	25S	The procedures for lay-off and retrenchment specified in Chapter V-A of the central act are deemed to be applicable to industrial establishments of a seasonal character and which employ more than 100 but less than 300 workers. Under the central act these rules only apply to permanent establishments which employ more than 300 workers.	1
Tamil Nadu	1949	2	Allows the appropriate government to declare any industry as a public utility if a public emergency or public interest requires so. In the central act only industries in the First Schedule (public utilities) may be declared thus. Public utilities are more limited in having strikes and lock-outs and the government has greater power to refer industrial disputes in public utilities service to the appropriate court.	-1

state	year	section	description	class
Tamil Nadu	1949	10	States where a Tribunal has been constituted under this Act for the adjudication of disputes in any specified industry or industries and a dispute exists or is apprehended in any such industry then the employer or majority of workmen may refer the dispute to that Tribunal. This facilitates referral of disputes to Tribunals as the process does not need to be intermediated by government. In the central act both sides have to apply to the government so it can refer the dispute to a court.	-1
Tamil Nadu	1982	10A-10K	If in the opinion of the state government it is necessary or expedient so to do for securing the public safety or the maintenance of public order or services or supplies essential to the life of the community or for maintaining employment or industrial peace in the industrial establishment it may issue an order which (i) requires employers and workers to observe the terms and conditions of the order and (ii) prevents any public utility service from closing.	-1
Tamil Nadu	1982	29A	Failure to comply an order by the state government, which constrains industrial dispute activity in the interests of the public is punishable with imprisonment for a period which is not less than six months and with a fine.	-1
Tamil Nadu	1988	11	Increases the power of the conciliation officer in terms of enforcing attendance, compelling the production of documents and issuing commissions for the examination of witnesses.	-1
Tamil Nadu	1988	2A	In the case of an industrial dispute involving an individual worker he has the right to apply directly to the Labour Court for adjudication. No such right is specified in the central act.	1
Uttar Pradesh	1951	7	Reduction of the qualifications of judge to serve on a Labour Court. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
West Bengal	1958	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
West Bengal	1959	7C	The presiding officer serving in a labour court, tribunal or national tribunal who has attained the age of 65 is allowed to serve for a further six months.	0
West Bengal	1974	2	Any worker who presents himself and is given employment for that day cannot be laid off for that day. However, if he didn't receive a work within 2 hours he is deemed as being laid off. Under the central act only the second condition holds.	1
West Bengal	1980	2	Workers involved in sales promotion are included in the definition of workers. This category of employment is not specified in the central act.	1
West Bengal	1980	2	Retrenchment, which means termination of employment of a worker, does include workers terminated on grounds of continued ill-health. In the central act termination for these workers is excluded from the definition of retrenchment.	1
West Bengal	1980	12	A report of the outcome of conciliation proceedings must be submitted within 60 days of the commencement of conciliation proceedings. In the central act the same report must be produced within 14 days.	1
West Bengal	1980	20	In the case of public utility service, the conciliation proceeding is deemed to start on the day, the notice of a strike or lockout is received by a conciliation officer. In the case of other industries the conciliation proceeding is deemed to start on the date conciliation officer asked the parties to join a conference. Under the central act the conciliation proceeding in all industries have to start on the day that notice of a strike or lockout is received by a conciliation officer.	1

state	year	section	description	class
West Bengal	1980	11A-11D	A Labour Court or Tribunal is granted the power of a Civil Court to execute its award or any settlement as a decree of a Civil Court.	-1
West Bengal	1980	17A	(i) Provides greater detail on the procedures for making awards from Labour Courts or Tribunals including necessary signatories and the timing of awards. (ii) The state government also retains the right to reject, modify any award made by a Labour Court or Tribunal.	1
West Bengal	1980	25C	The limit of 45 days for workers receiving 50% of their wages upon being laid off (if they worked more than a year) is removed.	1
West Bengal	1980	25E	Where a lay-off extends for more than seven days then the worker only has to present himself once a week at the plant in order to be entitled to compensation as opposed to daily as stipulated under the central act.	1
West Bengal	1980	25FFF	Prior payment of compensation to the worker is a condition precedent to the closure of an undertaking. Under the central act payment of compensation does not need to be made prior to closure.	1
West Bengal	1980	25H	Where a closed firm is re-opened, workers who were on the roll of a given unit should be given the opportunity to offer themselves for employment in preference to others. Under the central act retrenched workers are given preference but there is less specify as regards rehiring workers from the same unit.	1
West Bengal	1980	25HH	Where a worker is reinstated by an award of a Labour Court or Tribunal, his wages will be paid from the date specified in that award whether or not he has been reinstated by the employer.	1
West Bengal	1980	25K	The rules for lay-off, retrenchment and closure may according to the discretion of the state government be applied to industrial establishments, which employ more than 50 workers. Under the central act these rules only apply to establishments, which employ more than 300 workers.	1
West Bengal	1980	25M	The period after which, if the appropriate government has not responded, the employer can commence layoffs (i.e. treat his application as granted) is extended from 2 to 3 months.	1
West Bengal	1980	33C	In place of the Collector, the Chief Judicial Magistrate or the Chief Metropolitan Magistrate are given the power to recover from an employer money owing to a worker as the result of settlement of an industrial dispute.	1
West Bengal	1980	9A	If an employer wants to change in the conditions of service applicable to any worker he has to give him a notice of 42 days (instead of 21)	1
West Bengal	1981	19	Refers to a section of the central act which was added as the result of an amendment introduced by this state.	0
West Bengal	1986	15	Provides greater detail on the duties of Labour Courts, Tribunals and National Tribunals with respect to procedure, hearings, commencement of award and the amount of interim relief admissible to workers that have been discharged, dismissed or retrenched.	1
West Bengal	1989	7	Reduction of the qualifications of judge to serve on a Labour Court. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0
West Bengal	1989	10	In the case of an industrial dispute involving an individual worker if no settlement is arrived at within 60 days the party raising the dispute can apply directly to a conciliation officer. Within 60 days from the conciliation officer's certificate they	1

state	year	section	description	class
			can apply to refer the dispute to labour court. No such right is specified in the central act.	
West Bengal	1989	38	Change needed as the result of another amendment being made by this state.	0
West Bengal	1989	25O	In their application to close down an undertaking the employers have to demonstrate their ability to discharge their liability for payment of compensation to workers.	1
West Bengal	1989	25P	In the central act government can order undertakings closed down before the commencement of the Industrial Dispute (Amendment) Act 1976 to reopen. This amendment stipulates that such decisions can be referred to an Industrial Tribunal for adjudication.	0
West Bengal	1989	2A	Refusal of employment is added as grounds for an individual worker to enter into an industrial dispute with his/her employer. Only discharge, dismissal, retrenchment or other termination of employment, are mentioned as grounds in the central act.	1
West Bengal	1990	7A	Reduction of the qualifications of presiding officer to serve on an Industrial Tribunal. Involves both a reduction in the years of experience and judges from lower levels of the judicial system being allowed to serve.	0

Notes: The labour regulation variable comes from specific text amendments to the Industrial Disputes Act 1947 as reported in Malik [1997]. We decided to code each change in the following way: a 1 denotes a change that is pro-labour or anti-employer, a 0 denotes a change that we judged not to affect the bargaining power of either workers or employers and a -1 denotes a change which we regard to be anti-worker or pro-employer.