

⁴⁰[FORM XXIII-C]

(To be submitted in triplicate with additional number of copies for service on the workmen concerned)
[See rule 79-B(1)]

Form of application for permission to lay-off workmen in industrial establishment to which provisions of Chapter V-B of the Industrial Disputes Act, 1947 (14 of 1947) apply.

To

.....
.....
.....
[The authority specified under sub-section (1) of section 25-M of the Act]

Sir,

Under Sub-section (1) and sub-section (2) of section 25-M of the Industrial Disputes Act, 1947, read with sub-rule (1) of Rule 79-B of the Industrial Disputes (Maharashtra) Rules, 1957, I/We hereby apply for permission to lay-off/permission to continue the lay-off..... Workmen of a total of..... workmen employed in my/our establishment with effect from..... for the reasons set out in the Annexure.

Permission is solicited * for the lay-off *to continue the lay-off of the said workmen. The workmen permitted to be laid-off will be paid compensation, if any, to which they are entitled under sub-section (6) of section 25-M, read with section 25-C, of the Industrial Disputes Act, 1947 (14 of 1947).

Yours faithfully,
(Signature)

*Strike out whatever is inapplicable.

Annexure

(Please give replies against each item)

Item No.

1. Name of the undertaking with complete postal address, including telegraphic addresses and telephone number.
2. (a) *Names and addresses of the workmen proposed to be laid-off/names and addresses of the workmen laid-off before the commencement of the Industrial Disputes (Amendment) Act, 1976 (32 of 1976) and the dates from which each of them have been laid-off.
(b) The nature of the duties of the workmen referred to in sub-item (a), the units/sections/shops where they are working and the wages drawn by them.
3. Product/products of the undertaking.
4. Details relating to installed capacity, licensed capacity and utilised capacity.
5. (i) Annual production, item-wise for the preceding three years.

⁴⁰ Form XXII-C was ins. by Government Notification, I&L. Department, IDA 1076-40747 Pt.II, dt. 28.4.1976

- (ii) Production figures, month-wise, for the preceding twelve months.
- 6. Work-in-progress, item-wise value-wise.
- 7. Any arrangements regarding off-loading or sub-contracting of products in of any components thereof.
- 8. Position of the order book, item-wise and value-wise for a period of six months, and one year next following and for the period after the expiry of the said one year.
- 9. Number of working days in a week with the number of shifts per day and the strength of workmen per each shift.
- 10. Balance-sheets, profit and loss accounts and audit reports for the last three years.
- 11. Financial position of the company.
- 12. Names of the inter-connected companies or companies under the same management.
- 13 (i) The total number of workmen and the number of employees other than workmen as defined in the Industrial Disputes Act, 1947 (14 of 1947), employed in the undertaking.
(ii) Percentage of wages of workmen to the total cost of production.
- 14. Administrative, general and selling cost in absolute terms per year, in the last three years and percentage thereof to the total cost.
- 15. Details of lay-offs resorted to in the last three years (other than the lay-off which permission is sought), including the periods of sub lay-offs the number of workmen involved in each such lay-off and the reason therefor.
- 16. Anticipated savings due to the proposed lay-off/lay-off for the continuance of which permission is sought.
- 17. Any proposal for effecting savings on account of reduction in-
 - (i) managerial remuneration
 - (ii) Sales promotion cost, and
 - (iii) general administration expenses.
- 18. Position of stocks on last day of the month in the preceding twelve months.
- 19. Annual sales figures for the last three years and month-wise sales figures for the preceding twelve-months, both item-wise and value-wise.
- 20. Reasons for the proposed lay-off/lay-off for the continuance of which permission is sought.
- 21. Any specific attempts made so far to avoid the proposed lay-off/lay-off for the continuance of which permission is sought.
- 22. Any other relevant factors with details thereof.