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240. Does the Industrial Relations Code, 2020, introduce any major changes in the definition of "lay-off" compared to the Industrial Disputes Act, 1947?

The definitions of "lay-off" under the **Industrial Relations Code, 2020** and the **Industrial Disputes Act, 1947** are nearly identical, with only minor differences in wording. Below is a detailed comparison and explanation of the two:

1. Definition of Lay-off

Both definitions state that a *lay-off* occurs when an employer is unable, refuses, or fails to provide employment to a worker due to:

- Shortage of coal, power, or raw materials
- Accumulation of stocks
- Breakdown of machinery
- Natural calamity
- Any other connected reason

The key condition in both definitions is that the worker must be on the muster rolls of the industrial establishment and must not have been retrenched.

No significant difference in core definition

2. Explanation Clause

Both codes clarify that a worker is considered *laid-off* if:

- His name appears on the muster rolls
- He reports for work during normal working hours
- He is not given employment within two hours of presenting himself

No difference in the explanation clause

3. Provisos (Additional Clarifications)

Both laws provide the same two key conditions:

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- If the worker is asked to report during the second half of the shift and is given employment, he will be considered laid-off for **half the day**.
- If the worker is asked to report in the second half of the shift but is not given employment, he will **not be considered laid-off for the second half of the shift** and will be entitled to **full basic wages and dearness allowance** for that period.

No difference in the provisos

4. The primary difference is the replacement of "workman" with "worker" in the 2020 Code.

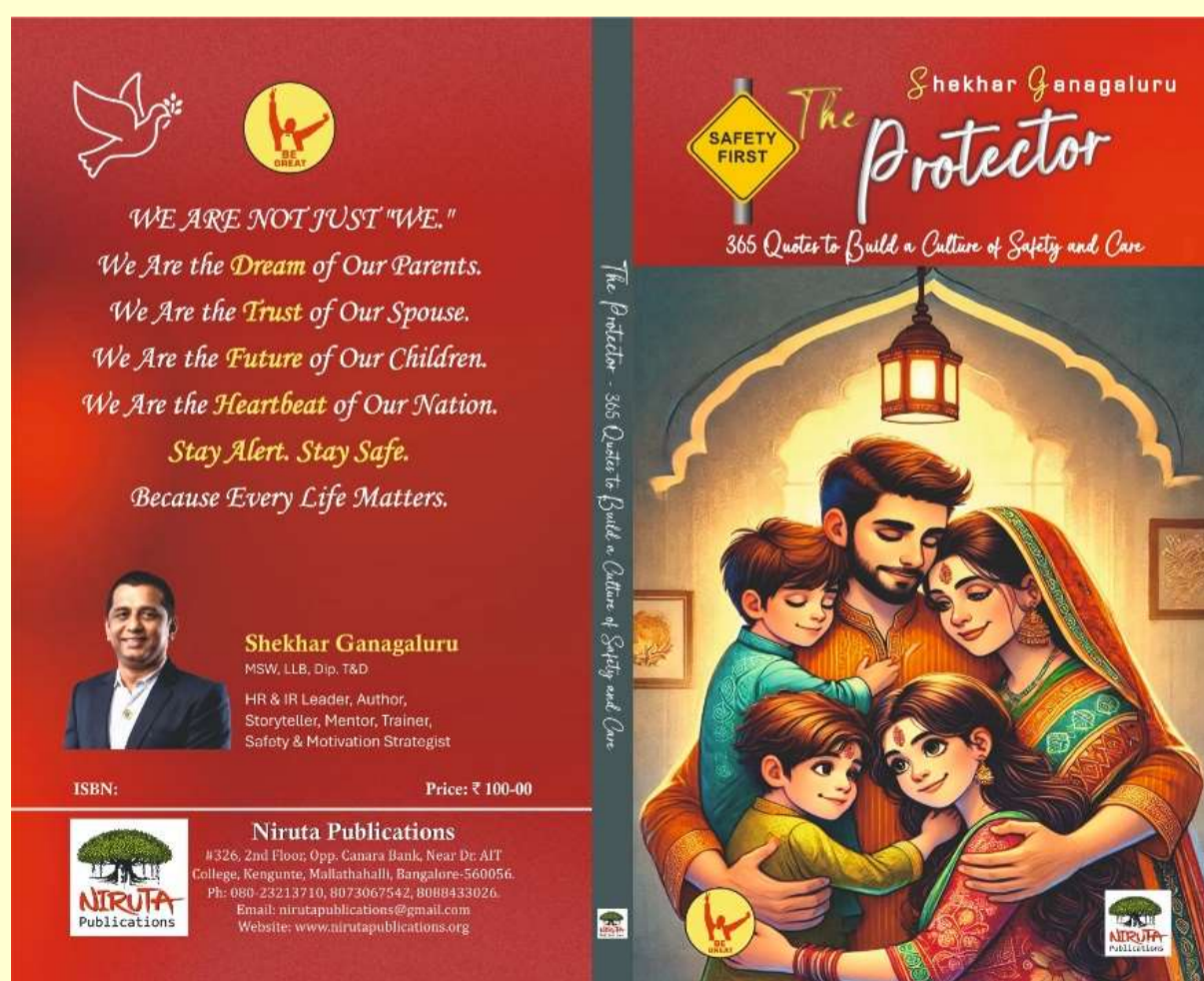
5. Example for Better Understanding

An industrial factory experiences a sudden **power failure**, leading to a temporary halt in production. Workers arrive at their usual shift time, but the employer is unable to provide work.

Application under both laws:

- If workers wait for two hours but are not given work → **They are considered laid-off for the day**
- If workers are asked to come back in the second half of the shift and receive work → **They are considered laid-off for only half the day**
- If workers come back in the second half and are still not given work → **They receive full basic wages and dearness allowance for that part of the day**

The outcome remains the same under both laws.



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