

CHAPTER 62

LABOUR INSPECTIONS (MAINTENANCE OF SECRECY)

Acts Nos.17 of 1953, 13 of 1972. AN ACT TO GIVE EFFECT TO A PROVISION OF THE INTERNATIONAL LABOUR CONVENTION (NO. 81) RELATING TO THE MAINTENANCE OF SECRECY BY LABOUR INSPECTORS.

[27th March, 1953.]

Short title. 1. This Act may be cited as the Labour Inspections (Maintenance of Secrecy) Act.

Maintenance of secrecy by officers having powers of inspection. 2. (1) No officer who, in the exercise or performance of his powers, functions or duties under any written law to which this section applies, acquires or obtains knowledge of or information concerning any manufacturing or commercial secret, shall, either while he is holding office or after he has ceased to hold office, disclose or communicate such secret to any other person except with the consent of the person carrying on the business to which such secret relates, or where such person is a company with the consent of the manager or other similar officer of the company.

[§2,13 of 1972.] (IA) No officer who, in the exercise or performance of his powers, functions or duties under any written law to which this section applies, acquires any information regarding the source of any complaint with reference to a breach of any of the provisions of that law, or any defect or abuse not specifically covered by such provisions, shall, either while he is holding office or after he has ceased to hold office, disclose any such information to any other person :

Provided that—

- (a) such information may be disclosed to any other officer or person exercising or performing any such powers, functions or duties who is concerned with such information in an official capacity, or
- (b) where it is not possible to proceed with an inquiry or investigation without disclosing such information

to an employer or his representative, such information may be so disclosed with the prior permission of the person who furnished such information and, where such information relates to any person, of the person to whom such information relates.

(2) Subsections (1) and (IA) shall apply to [§2,13 of 1972.] any written law by which power is conferred on any officer to enter and inspect any premises, or to call for or obtain information, for the purpose of—

- (a) ascertaining whether the provisions of that law relating to the conditions of work and the protection of workers while engaged in their work are complied with, or
- (b) supplying technical information and advice to employers and workers as regards the most effective means of complying with such provisions, or
- (c) bringing to the notice of the competent authority defects and abuses not specifically covered by such provisions.

(3) Every officer who acts in [§2,13 of 1972.] contravention of the provisions of subsection (1) or subsection (IA) of this section shall be guilty of an offence and shall be liable on conviction after summary trial before a Magistrate to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.