

Finin2min

[Labour Publication Series](#)

Labour & Manpower Law Publication Series

Chapter VIII - Strikes and lock-outs

Industrial Relations Code, 2020 | Detailed statutory, Rule, compliance, remedy and evidence guide.

Review date: 2026-07-18 Authors: CA Nikhil Gupta & Kajri Singh Sections: 62-64 Central Rules mapped: 2 Local source-hashed Act text + linked Rules and implementation analysis

[Download chapter PDF](#) [Download 1-page summary](#)

On this page

[Finin2min Summary](#) [Section 62](#) [Section 63](#) [Section 64](#) [Rules/forms](#) [Old law](#) [Case law](#) [State alerts](#) [Q&A](#) [Provision map](#) [Transaction and cross-law controls](#)

Industrial Relations Code, 2020 Strikes and lock-outs four-step compliance flowchart

Finin2min decision flow — identify the law, complete the statutory process and preserve evidence.

Publication-source status: Every mapped section of the parent Code is embedded locally from the retained official India Code PDF and carries the source SHA-256. Linked 2026 Central Rules, forms, notifications and operational analysis remain subject to the official Gazette and subsequent amendments.

Chapter decision flow

Classify establishment & person → Fix event date → Apply section and Rule → Complete form/record → Retain evidence & remedy file

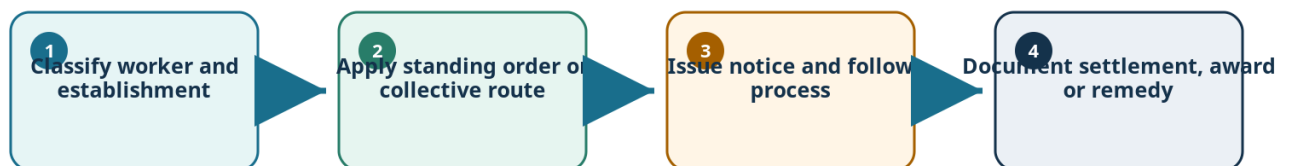
Finin2min Summary - Chapter in 2 Minutes

This chapter turns strikes and lock-outs into an operational control file. It covers Prohibition of strikes and lock-outs, Illegal strikes and lock-outs, Prohibition of financial aid to illegal strikes or lock-outs; the practical sequence is to classify coverage and event date, apply the provision and mapped Rule, complete the form/register, calculate the entitlement or exposure, and retain evidence for inspection, claim or appeal.

Chapter VIII - Strikes and lock-outs

FININ2MIN LEGAL FLOW

Industrial Relations Code, 2020 — Strikes and lock-outs



Law → trigger → procedure → evidence. Confirm the operative Central/State instrument on the event date.

Use this flow with the chapter provision map, implementation controls, evidence checklist, limitation/forum review and remedy framework. Confirm the operative Central and State instruments on the event date.

Chapter VIII - Strikes and lock-outs

Finin2min implementation explanation

Maintain a controlled implementation file for Chapter VIII - Strikes and lock-outs: coverage and event date, operative Central/State instrument, responsible owner, approval and authority, form/portal step, due date, calculation basis, supporting evidence, exception, escalation and closure proof. Reconcile payroll, HR, finance, contractor and legal records before sign-off.

Practical example

Classify the worker and establishment, identify the operative provision and notified instrument on the event date, compute the entitlement or exposure from source records, obtain approval, complete the filing/payment/action, and retain evidence. Do not use a portal value or payroll label as a substitute for the statutory test.

Calculation / control template

Control calculation: verified population or transaction base $\times$ applicable notified rate/amount $\times$ eligible period, adjusted for statutory inclusions, exclusions, ceilings, interest, compensation and prior payments. Reperform the calculation from retained source data.

Current-law control: verify the operative Central/State instrument, notification, form, portal and binding judgment on the event date. Numerical amounts in examples are illustrative unless expressly sourced.

Who is covered

Employers, workers, trade unions, negotiating bodies, standing-order establishments and dispute-resolution authorities should classify the industrial establishment and worker population first.

Main obligations and rights

- Section 62: Prohibition of strikes and lock-outs
- Section 63: Illegal strikes and lock-outs
- Section 64: Prohibition of financial aid to illegal strikes or lock-outs

Key thresholds and timelines

- Use only the threshold, rate and limitation period effective on the event date; verify the Central/State instrument before acting.

Forms, registers and evidence

- Notice
- Retain classification, calculation, approval, communication, acknowledgement and payment/filing proof.

Employer risk snapshot

Highest practical risks: incorrect notice, prohibited-period or disciplinary-response handling.

Employee/worker remedy snapshot

Core protection: clarity on notice/prohibited periods, protection against unlawful retaliation and access to dispute-resolution forums. Confirm the authority, limitation and appeal route stated in this chapter.

Old law / transition

Map the event date and savings position against: Trade Unions Act, 1926; Industrial Employment (Standing Orders) Act, 1946; Industrial Disputes Act, 1947.

Five-point professional checklist

1. Freeze the event date, establishment, location and person/worker classification.
2. Identify the controlling section/paragraph, mapped Rule, notification and appropriate Government.

3. Reperform the calculation or decision test and document every exception or approval.
4. Complete the prescribed form/register/portal step and retain acknowledgement, payment and communication evidence.
5. Record the remedy, forum, limitation, appeal path and State variation before sign-off.

Finin2min takeaway: for strikes and lock-outs, the defensible answer is not a policy label - it is the event-date law, the mapped procedure, the calculation and a complete evidence trail.

[Download one-page Finin2min cheat sheet](#)

Section-by-section provision map

Provision	Subject	Implementation focus
Section 62	Prohibition of strikes and lock-outs	Trigger, linked Rule/form, evidence, consequence and remedy
Section 63	Illegal strikes and lock-outs	Trigger, linked Rule/form, evidence, consequence and remedy
Section 64	Prohibition of financial aid to illegal strikes or lock-outs	Trigger, linked Rule/form, evidence, consequence and remedy

Section 62: Prohibition of strikes and lock-outs

Current statutory text

62. Prohibition of strikes and lock-outs.—(1) No person employed in an industry shall go on strike, in breach of contract—

(a) without giving to the employer notice of strike, as hereinafter provided, before striking; or

(b) within fourteen days of giving such notice; or

(c) before the expiry of the date of strike specified in any such notice; or

(d) during the pendency of any conciliation proceedings before a conciliator, or within sixty days after the conclusion of such proceedings; or

(e) during the pendency of proceedings before a Tribunal or a National Labour Commission, or within sixty days, after the conclusion of such proceedings; or

(f) during the pendency of arbitration proceedings before an arbitrator, or within sixty days after the conclusion of such proceedings, where a notification has been issued under section 42; or

(g) during any period in which a settlement or award is in operation, in matters covered by the settlement or award.

(2) No employer of an industrial establishment shall lock-out any of his employees
(a) without giving them notice of lock-out as hereinafter provided, or locking-out; or

(b) within fourteen days of giving such notice; or

(c) before the expiry of the date of lock-out specified in any such award; or

(d) during the pendency of any conciliation proceedings before a conciliator, or sixty days after the conclusion of such proceedings; or

(e) during the pendency of proceedings before a Tribunal or a National Labour Commission, or sixty days, after the conclusion of such proceedings; or

(f) during the pendency of arbitration proceedings before an arbitrator, or the conclusion of such proceedings, where a notification has been issued under section 42; or

(g) during any period in which a settlement or award is in operation, in matters covered by the settlement or award.

(3) The notice of strike or lock-out under this section shall not be necessary if there is in existence a strike or, as the case may be, lock-out, but the employer shall give notice of lock-out or strike on the day on which it is declared, to such authority as may be specified in the appropriate Government either generally or for a particular area or for a particular industry.

(4) The notice of strike referred to in sub-section (1) shall be given to such person or persons and in such manner, as may be prescribed.

(5) The notice of lock-out referred to in sub-section (2) shall be given to such person or persons and in such manner, as may be prescribed.

(6) If on any day an employer receives from any person employed by him any notice referred to in sub-section (1) or gives to any person employed by him any notice referred to in sub-section (2), he shall within five days thereof report to the appropriate authority as that Government may prescribe and to the conciliation officer, if any, who has received or given on that day.

Finin2min clause-by-clause decode

1. Test 1

2. No worker may strike, and no employer may lock out, without notice within sixty days before the action and within fourteen days of giving notice.

3. Test 2

4. The Code also prohibits action before the date stated in notice and during specified conciliation, Tribunal, arbitration, settlement and award periods.

5. Test 3
6. Rules 25 and 26 prescribe strike and lock-out notices, recipients, service and reporting through Forms XI and XII.
7. Implementation control
8. Trigger
9. Document the fact pattern that activates section 62: prohibition of strikes and lock-outs.
10. Coverage and jurisdiction

Applicable Central Rules immediately below the provision

Central Rule 25: Rule 25 — Notice of strike, person or persons to whom notice be given and manner of giving such notice

extracted from the official English notification 25. Notice of strike, person or persons to whom notice be given and manner of giving such notice.— (1) The notice of strike referred to in sub-section (1) of section 62 of the Code shall be given in Form-XI, to the employer of an industrial establishment, which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to the concerned industrial establishment, endorsing the copy thereof electronically or by speed post to the concerned conciliation officer, Chief Labour Commissioner (Central) and the Secretary, Ministry of Labour and Employment. (2) The date of receipt of the notice referred to in sub-rule (1) shall be the date of receiving the notice for the purposes of clause (a) of sub-section (1) of section 62 of the Code. (3) If the employer of an industrial establishment receives any notice of strike from any person employed, then the employer shall, within five days from the date of receiving of such notice, intimate the same electronically to the concerned conciliation officer and Chief Labour Commissioner (Central). Code concordance Primary operative section Section 62 Prohibition of strikes and lock-outs Forms and records Form XI See Rule 25 Implementation owner HR/employee relations with legal review and the authorised signatory specified by the rule. System control Create a workflow that blocks completion until every mandatory field, attachment, service method and timeline is satisfied. Evidence Preserve the exact filed form, annexures, electronic receipt, delivery proof, hearing material and final order. Failure consequence The underlying Code section may create invalidity, compensation, appeal, recovery, unfair-practice or penalty exposure. ← Previous Next →

Central Rule 26: Rule 26 — Notice of lock-out and authority

extracted from the official English notification 26. Notice of lock-out and authority.— (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given in Form-XII by the employer of an industrial establishment to the

Secretary of every registered Trade Union relating to such industrial establishment by speed post or electronically, endorsing a copy thereof to the concerned conciliation officer, Chief Labour Commissioner (Central) and the Secretary, Ministry of Labour and Employment electronically. (2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on electronic board at the main entrance to the industrial establishment and a copy of the said notice may also be posted on the designated portal, if any, of such industrial establishment and the date of receipt of such notice by the conciliation officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 23. (3) If the employer gives to any person employed by him a notice of lock-out, he shall, within five days from the date of such notice, inform electronically the same to the concerned conciliation officer and the Chief Labour Commissioner (Central). CHAPTER IX LAY-OFF, RETRENCHMENT AND CLOSURE Code concordance Primary operative section Section 62 Prohibition of strikes and lock-outs Forms and records Form XII See Rule 26 Implementation owner HR/employee relations with legal review and the authorised signatory specified by the rule. System control Create a workflow that blocks completion until every mandatory field, attachment, service method and timeline is satisfied. Evidence Preserve the exact filed form, annexures, electronic receipt, delivery proof, hearing material and final order. Failure consequence The underlying Code section may create invalidity, compensation, appeal, recovery, unfair-practice or penalty exposure. ← Previous Next →

Practical example

A multi-location employer prepares a legal classification memo, identifies the appropriate Government, maps the operative provision and Rule, records the decision owner and retains the documents needed to prove compliance during inspection or litigation.

Controls and evidence

- Employer: assign owner, configure system and retain approval/payment proof.
- Employee/worker: retain contract, attendance, wage/benefit proof and communication.
- Professional: reconcile the Act, Rule, notification, form, limitation and State overlay.

Consequence, remedy and limitation

Identify the substantive default first, then separately map arrears or benefit, interest/damages, administrative penalty, prosecution, compounding, company/

officer liability, forum, appeal and limitation. Do not infer a remedy from the heading alone.

Mapped Rules: Rule 25, Rule 26 | Official source: [section 62](#).

Section 63: Illegal strikes and lock-outs

Current statutory text

63. Illegal strikes and lock-outs.—(1) A strike or lock-out shall be illegal

(i) commenced or declared in contravention of section 62; or

(ii) continued in contravention of an order made under sub-section

(2) Where a strike or lock-out in pursuance of an industrial dispute has in existence at the time of the filing of the application relating to such or of the reference of such industrial dispute to an arbitrator or a National Board of Conciliation, the continuance of such strike or lock-out shall not be deemed to be illegal, if the lock-out was not at its commencement in contravention of the provisions of section 62 and if the lock-out thereof was not prohibited under sub-section (7) of section 42.

(3) A lock-out declared in consequence of an illegal strike or a strike declared in consequence of an illegal lock-out shall not be deemed to be illegal.

Finin2min clause-by-clause decode

1. Test 1
2. A strike or lock-out is illegal when commenced or continued contrary to section 62 or an applicable prohibition/order, subject to the statutory continuation rules.
3. Implementation control
4. Trigger
5. Document the fact pattern that activates section 63: illegal strikes and lock-outs.
6. Coverage and jurisdiction
7. Record worker/employee status, establishment, appropriate Government, threshold and territorial authority.
8. Decision owner
9. Assign HR/ER, legal, payroll/finance and authorised signatory roles; no action should depend on an undocumented oral decision.
10. Evidence pack

Applicable Central Rules immediately below the provision

No direct Central Rule is mapped. Check general procedural Rules, State Rules and later notifications.

Practical example

A multi-location employer prepares a legal classification memo, identifies the appropriate Government, maps the operative provision and Rule, records the decision owner and retains the documents needed to prove compliance during inspection or litigation.

Controls and evidence

- Employer: assign owner, configure system and retain approval/payment proof.
- Employee/worker: retain contract, attendance, wage/benefit proof and communication.
- Professional: reconcile the Act, Rule, notification, form, limitation and State overlay.

Consequence, remedy and limitation

Identify the substantive default first, then separately map arrears or benefit, interest/damages, administrative penalty, prosecution, compounding, company/officer liability, forum, appeal and limitation. Do not infer a remedy from the heading alone.

Mapped Rules: No direct Central Rule mapped in the repository concordance | Official source: [section 63](#).

Section 64: Prohibition of financial aid to illegal strikes or lock-outs

Current statutory text

64. Prohibition of financial aid to illegal strikes or lock-outs.—No person shall give or apply any money in direct furtherance or support of any illegal strike

CHAPTER IX

LAY-OFF, RETRENCHMENT AND CLOSURE

Finin2min clause-by-clause decode

1. Test 1

2. Knowingly providing financial aid in direct furtherance of an illegal strike or lock-out is prohibited.
3. Implementation control
4. Trigger
5. Document the fact pattern that activates section 64: prohibition of financial aid to illegal strikes or lock-outs.
6. Coverage and jurisdiction
7. Record worker/employee status, establishment, appropriate Government, threshold and territorial authority.
8. Decision owner
9. Assign HR/ER, legal, payroll/finance and authorised signatory roles; no action should depend on an undocumented oral decision.
10. Evidence pack

Applicable Central Rules immediately below the provision

No direct Central Rule is mapped. Check general procedural Rules, State Rules and later notifications.

Practical example

A multi-location employer prepares a legal classification memo, identifies the appropriate Government, maps the operative provision and Rule, records the decision owner and retains the documents needed to prove compliance during inspection or litigation.

Controls and evidence

- Employer: assign owner, configure system and retain approval/payment proof.
- Employee/worker: retain contract, attendance, wage/benefit proof and communication.
- Professional: reconcile the Act, Rule, notification, form, limitation and State overlay.

Consequence, remedy and limitation

Identify the substantive default first, then separately map arrears or benefit, interest/damages, administrative penalty, prosecution, compounding, company/officer liability, forum, appeal and limitation. Do not infer a remedy from the heading alone.

Mapped Rules: No direct Central Rule mapped in the repository concordance | Official source: [section 64](#).

Rules, forms, registers, portals and due dates

Rule Subject	Text/control status
25 Rule 25 — Notice of strike, person or persons to whom notice be given and manner of giving such notice	Exact Gazette extract embedded
26 Rule 26 — Notice of lock-out and authority	Exact Gazette extract embedded

Forms and registers must be confirmed from the appended 2026 Central Rules and the live portal applicable to the appropriate Government. A form is not treated as current merely because an earlier law used the same number.

Notifications and effective-date history

Control	Required action
Enactment	Record Act number, assent and Gazette publication.
Commencement	Use the provision-specific commencement notification; the four Codes became broadly operative from 21 November 2025 subject to earlier partial commencement and corrigenda.
Central Rules	Read the applicable 2026 Central Rules from their Gazette date and verify subsequent amendments.
State instrument	Check final State Rules, authority notifications, forms and rates where the State is appropriate Government.

Old-law/new-Code concordance

Predecessor law	Transition control
Trade Unions Act, 1926	Classify the event date, accrued right, saved Rule/ notification and pending proceeding before moving to the Code.
Industrial Employment (Standing Orders) Act, 1946	Classify the event date, accrued right, saved Rule/ notification and pending proceeding before moving to the Code.
Industrial Disputes Act, 1947	Classify the event date, accrued right, saved Rule/ notification and pending proceeding before moving to the Code.

Practical calculations and control file

Calculation sequence

1. Freeze the employee/worker population and event date.
2. Apply the statutory wage/benefit base and notified threshold.
3. Reconcile attendance, service, payroll and contractor records.
4. Calculate principal amount, interest/damages and any statutory compensation separately.
5. Obtain legal/payroll approval and retain the versioned worksheet.

Three-owner sign-off

- **Employer/HR:** facts, classification, communication and workflow.
- **Employee/worker:** notice, records, nomination/claim and acknowledgement.
- **Professional:** source, formula, forum, limitation and evidence reconciliation.

Binding and highly relevant case-law principles

Older cases are included for principles only. Their continued application must be tested against the current Code wording, repeal-and-savings clause and later judgments.

Decision	Principle and present-use caution
Bangalore Water Supply v. A. Rajappa	The industry test remains an important interpretive starting point, subject to the Code definition and later statutory developments.
Workmen of Firestone Tyre v. Management	Domestic enquiry fairness and the adjudicatory power to examine dismissal remain central principles, subject to the Code and certified standing orders.
Bharat Bank Ltd. v. Employees	Industrial adjudication is specialised statutory adjudication; forum, reference and award provisions must be followed.
Karnal Leather Karamchari Sanghatan v. Liberty Footwear	Settlement and collective-bargaining outcomes require genuine authority, representativeness and statutory compliance.

State-law variation alerts

- Confirm whether the Central or State Government is the appropriate Government.

- Central Rules do not automatically displace valid State Rules, rates, registers, authorities or portal procedures.
- Minimum-wage rates, holidays, working-hours permissions, licences and local welfare obligations require State-specific verification.
- Record Gazette number, effective date and supersession status in the location compliance register.

Practical transaction application

Apply the chapter to workforce restructuring, standing orders, union recognition, disciplinary action, settlement drafting, transfer of undertaking, lay-off, retrenchment, closure and industrial-dispute strategy. Build the transaction timeline before notices or board approvals are issued.

Authority, consent and execution controls

Map powers among the board, occupier/employer, HR, disciplinary authority, authorised signatory and legal team. Verify delegation, standing orders, service rules, union/negotiating-council status and government permission or notice requirements; informal consent cannot cure a mandatory statutory step.

Stamp duty and registration alerts

Industrial settlements, service instruments and transfer documents may attract State stamp consequences depending on form and subject matter. Statutory filing, publication or registration under labour law is separate from document registration under the Registration Act and stamping under State law.

Evidence and document-retention checklist

Retain the operative law/rule version, classification note, approvals, signed instruments, statutory forms, portal acknowledgements, registers, calculations, bank proof, correspondence, inspection records, service proof, decision and appeal file. Apply the longer of the statutory retention rule, litigation hold, tax/audit need and contractual requirement; restrict access to personal and sensitive data.

Performance, delivery and payment controls

Create a milestone file for notice, consultation, permission, compensation, re-skilling contribution, service of orders and payment. No restructuring should

close until payroll, bank proof, employee-wise computation, statutory filing and possession/access controls reconcile.

Breach, loss, mitigation and remedy framework

On detecting a breach, stop continuing exposure, preserve evidence, quantify employee and government dues, identify affected persons, make lawful corrective payment/filing, notify the authorised decision-maker, assess self-disclosure or compounding where available, and reserve contractual recovery against responsible vendors without delaying statutory remediation.

Limitation and forum controls

Use the conciliation officer, tribunal, national industrial tribunal, appellate channel or other prescribed forum as applicable. Track the dispute date, cause of action, pending proceedings, protected status and service of notices; private jurisdiction clauses cannot override the statutory adjudication scheme.

Arbitration and mediation interface

Voluntary arbitration and settlement mechanisms may be available where the Code permits. Draft the reference, issues, arbitrator appointment, publication/filing and settlement authority carefully; mediation is useful for commercial terms but must preserve non-waivable worker protections.

Company, partnership, GST and tax overlays

For a company, align board/delegation and officer-in-default controls; for an LLP or partnership, identify the designated partner/partner and authorised employer representative. Labour dues can affect transaction price, indemnities, director/partner exposure and insolvency claims. Salary/TDS, perquisite, contractor TDS, GST on outsourced services and accounting provisions must be reconciled without treating tax treatment as proof of labour-law classification.

Finin2min Q&A

Which law and version should be applied?

Use the current text of Industrial Relations Code, 2020, the commencement notification, the applicable Central or State Rules and any later instrument effective on the event date.

How is the appropriate Government identified?

Classify ownership/control, sector, establishment and contractor relationship before selecting the Central or State authority.

Can a company policy override the statutory protection?

No. A policy may improve a benefit or control, but it cannot contract out of a mandatory statutory floor.

What evidence should be retained?

Retain the classification memo, source instrument, form/portal record, calculation, approval, employee communication, acknowledgement and payment or authority proof.

Do the Central Rules apply to every establishment?

No. They govern the Central sphere. State Rules and State notifications must be checked where the State is the appropriate Government.

How should a historical event be tested?

Apply the law and subordinate instrument effective on the event date, then use the repeal-and-savings provision for pending rights and proceedings.

What happens when portal practice conflicts with the statute?

Record the conflict, follow the higher legal instrument, seek authority clarification where necessary and preserve screenshots and correspondence.

Can criminal and monetary consequences arise together?

They may. Separate wages/benefits, interest, damages, civil penalty, prosecution, compounding and director/officer liability.

Is a contractor arrangement enough to shift liability?

No. Principal-employer and contractor liabilities depend on the specific provision and facts; the contract should allocate evidence and recovery without diluting worker rights.

What is the first professional review step?

Freeze the event date and facts, identify the applicable provision, then map Rules, forms, notification status, authority, limitation and evidence.

What is the operational focus of section 62 - Prohibition of strikes and lock-outs?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 63 - Illegal strikes and lock-outs?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 64 - Prohibition of financial aid to illegal strikes or lock-outs?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is review control 14 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

What is review control 15 for this chapter?

Confirm source currency, State variation, internal ownership, documentary proof and the next statutory deadline before closing the compliance ticket.

[← Previous: Industrial dispute resolution](#)[Next: Lay-off, retrenchment and closure](#)

[→](#)

finin2min.com | Labour & Manpower Law Publication Series | Educational and professional reference | Review date 2026-07-18 | Verify event-date law before acting.