

**GOVERNMENT OF INDIA
LABOUR
LOK SABHA**

UNSTARRED QUESTION NO:1975
ANSWERED ON:15.12.2003
RIGHT TO STRIKE
PRABODH PANDA

Will the Minister of LABOUR be pleased to state:

- (a) whether the Union Government propose to review the Labour Law regarding the `Right to Strike`;
- (b) if so, the details thereof;
- (c) whether any representations have been received by the Government from the Trade Unions on this issue;
- (d) if so, the details thereof; and
- (e) the reaction of the Government thereto?

Answer

MINISTER OF LABOUR (SHRI SAHIB SINGH VERMA)

(a) & (b): Section 22 and 23 of the Industrial Disputes Act, 1947 provide certain restrictions on the right to strike both in public utility services and other industrial establishments. But the right to strike, as such, has not been denied to the industrial workmen under the provisions of Industrial Disputes Act, 1947. At present there is no such proposal to amend the provisions of Industrial Disputes Act, 1947 regarding Right to Strike.

(c) & (d): Representations have been received from various Trade Unions consequent upon the Judgement of Hon`ble Supreme Court dated 6th August, 2003 in the case of T.K. Rangarajan V/s Government of Tamil Nadu and Others in Civil Appeal No. 5556 of 2003. The trade unions have stated that right to collective bargaining and right to strike, which have been achieved after prolonged struggle and sacrifices cannot be parted with in the light of the judgement of Hon`ble Supreme Court in the above mentioned case.

(e): Hon`ble Supreme Court has not given any observation on the provisions of Industrial Disputes Act, 1947 and right to strike as such, has not been denied to the industrial workmen under the Provisions of Industrial Disputes Act, 1947.