

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:4809
ANSWERED ON:26.04.2010
VERIFICATION OF UNIONS
Majumdar Shri Prasanta Kumar

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether there is a dispute between State Government or Central Government regarding the appropriate authority under Industrial Dispute Act, 1947 as a result of which there is problem for settlement and unions verification for the purpose of recognition;
- (b) whether the verification of unions in National Thermal Power Corporation (NTPC) power plant, Karia and NTPC Tuticorin Thermal Power Station Talcher is pending since long as a result thereof; and
- (c) if so, the details thereof?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT(SHRI HARISH RAWAT)

- (a): As per provisions of the Industrial Disputes Act, 1947, Central Government is the "appropriate Government" for the Public Sector Undertakings mentioned in the Industrial Disputes Act, 1947. In one case concerning NTPC, Hon'ble High Court of Delhi vide its order dated 1.8.2006 in Writ Petition No. 3204/1999-NTPC Vs. Government of Union Territory of Delhi, has held that Central Government would be 'appropriate Government'. Accordingly, the process of verification of membership of unions operating in NTPC units all over India has been initiated. However, at two places i.e. NTPC unit at Korba (Chattisgarh) and Anta (Rajasthan), the recognized unions have raised the objection stating that State Government is the 'appropriate Government' to conduct the election in NTPC units.
- (b) & (c): There is no Power Plant of NTPC at Karia. In respect of unions functioning in NTPC, Tuticorin Thermal Power Station, Talcher, only two unions out of six, have furnished the preliminary particulars so far to the office of the Deputy Chief Labour Commissioner (Central), Bhubaneshwar.