

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

UNSTARRED QUESTION NO:3628
ANSWERED ON:16.08.2010
PENDING INDUSTRIAL DISPUTES
Dubey Shri Nishikant ;Patel Shri Devji

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

- (a) the number of industrial disputes filed, resolved and pending in various Central Government Industrial Tribunal-cum-Labour Courts during each of the last three years and the current year, State-wise;
- (b) whether any time limit has been fixed for settlement of pending disputes;
- (c) if so, the details thereof alongwith the reasons of such pendency;
- (d) whether the Government proposes to appoint more Presiding Officers in such Labour Courts in view of increasing number of pending disputes; and
- (e) if so, the details thereof alongwith the further steps taken by the Government for disposal of the pending cases expeditiously?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT)

(a): The details of number of industrial disputes filed, resolved and pending in the Central Government Industrial Tribunal-cum-Labour Courts, during each of the last three years and the current year is at Annexure - I, II, III and IV.

(b)&(c): A time limit of 3 months is specified for submitting the award in terms of sub-section 2A of Section 10 of the Industrial Disputes Act, 1947. Proviso to sub section 2A of Section 10 of the said Act further provides for extension of above time limit by the Labour Court, Tribunal or National Tribunal on the request of parties to an industrial dispute jointly or separately.

The reasons of pendency inter-alia include:

- (i) Absence of affected parties at the time of hearing;
 - (ii) Seeking of frequent adjournments by the parties to file documents;
 - (iii) Parties approaching the High Courts or Supreme Court against order issued by the Tribunals on preliminary points resulting in stay on hearing for a long time;
 - (iv) Unwillingness of parties to come forward for getting their cases settled in Lok Adalat where cases are settled through mutual agreement between the parties which is facilitated by the Presiding Officer of the tribunal; and
 - (v) Greater awareness among workers of their rights leading to more disputes being raised in the Labour Courts.
- (d): There is no such proposal at present.

(e): A scheme for holding of Lok Adalat as an Alternative Grievance Redressal Mechanism was introduced in the Tenth Five Year Plan (2002-2007) for speedy disposal of the industrial disputes in the Central Government Industrial Tribunal-cum-Labour Courts. This Scheme has been made an indispensable part of the adjudication system in the Eleventh Plan.

With a view to ensure continuity of disposal of pending cases in Central Government Industrial Tribunal- cum -Labour Courts, a system of link officers amongst Presiding Officers has been introduced from 2009-10 in order to ensure that the judicial work of the Central Government Industrial Tribunal-cum-Labour Court does not suffer when the post of regular Presiding Officer is vacant due to administrative exigencies.