

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

UNSTARRED QUESTION NO:1087
ANSWERED ON:15.11.2010
ADJUDICATION OF CASES IN LABOUR COURTS
Natarajan Shri P.R.

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

(a) whether the time limit of 3 months prescribed in I.D. Act, 1947 sub- rule (2A) for deciding adjudication cases in Labour Courts is observed without any negligence; and

(b) if not, the reasons therefor and action taken by the Ministry for the strict observance by Labour Courts?

Answer

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

(a)&(b): As per the provisions of ID Act, 1947 the Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LCs) are required to give award on an industrial dispute, referred to it for adjudication, within 3 months of its receipt 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.

Accordingly, the Presiding Officer, who presides over CGIT-cum-LC decides on the matter in the proceedings. In addition, the following factors also affect the adjudication process:

(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 castes settled in Lok Adalat where cases are settled through mutual agreement between the parties which is facilitated by the Presiding Officer of the tribunal.

To speed up the adjudication process and adherence to the specified time limit to the possible extent, a scheme for holding of Lok Adalat as an Alternative Grievance Redressal Mechanism has been introduced in the Tenth Five Year Plan (2002-2007), 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. The Government also convenes the conference of Presiding Officers from time to time, to emphasise upon the Presiding Officers for reducing the pendency by speedy disposal of the cases.