

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

UNSTARRED QUESTION NO:1058
ANSWERED ON:28.11.2011
RECOGNISING LABOUR UNION
Baittha Shri Kameshwar ;Meghwal Shri Arjun Ram

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

- (a) whether recognition of various labour unions is pending in various States in the absence of proper guidelines and directives;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether disputes between various labour organisations of the States and their management regarding compliance of 'Code of Discipline' are pending with the Government;
- (d) if so, the details thereof and the action taken by the Government in this regard; and
- (e) the procedure under which the Government recognizes trade unions under the Code of Discipline for industries?

Answer

MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE)

- (a) & (b): Labour is placed in the concurrent list of the Constitution and both the Central Government and State Governments are designated as the 'appropriate Government' in respect of areas of their jurisdiction. In the Central Sphere, there are clear guidelines/directives for verification of membership of Trade Unions for purpose of granting recognition to the majority Union. In the Central Sphere, no recognition is pending, for the want of proper guidelines and directives.
- (c) & (d): Verification of membership of Trade Unions operating in organizations falling under the jurisdiction of State Government are carried out by the respective State Government. Hence, the details of disputes are not maintained by the Central Government.
- (e): Under the Code of Discipline, a Union may claim to be recognized as a representative Union for an industry in a local area if it has a membership of at least 25% of the workers of that industry in that area. If there are several Trade Unions in an industry, the one with the largest membership would be recognized as the majority Union. The procedure for verification of membership of Trade Unions operating in an establishment is laid down in the Code of Discipline. There is no specific procedure laid down in the Code of Discipline for verification of membership of Trade Unions operating in an industry in local area.