

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

STARRED QUESTION NO:628

ANSWERED ON:21.05.2012

PENDING CASES IN LABOUR COURTS

Gawali Patil Smt. Bhavana Pundlikrao ;Nagorao Shri Dudhgaonkar Ganeshrao

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

- (a) whether the present number of labour courts and tribunals in the country is adequate to take care of the labour disputes in the country;
- (b) if so, the details thereof, State-wise alongwith the details of the cases pending in these courts for the last two years and the reasons for the delay in settlement;
- (c) whether the Government proposes to appoint more presiding officers in these courts/tribunals in view of the increasing number of pending cases of disputes;
- (d) if so, the details thereof and if not, the reasons therefor; and
- (e) the steps being taken by the Government for the disposal of these cases expeditiously?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LABOUR & EMPLOYMENT (SHRI MALLIKARJUN KHARGE)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 628 TO BE ANSWERED ON 21.05.2012 RAISED BY SHRIMATI BHAVANA GAWALI PATIL: AND ADV. GANESHRAO DUDHGAONKAR:

(a): As per the provisions of Industrial Disputes Act, 1947, the Central Government has set up 22 Central Government Industrial Tribunals-cum-Labour Courts (CGIT-cum-LCs) in various states for resolution of industrial disputes arising in Central Sphere. The adequacy of CGIT-cum-LCs is reassessed by the Government from time to time.

The details in respect of Labour Courts and Industrial Tribunals falling in the State Sphere are not maintained centrally.

(b): The details of these Central Government Industrial Tribunals-cum-Labour Courts and cases pending in them for the last two years is annexed. The reasons for delay in settlement of cases 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 challenging orders of reference issued by the appropriate government as well as orders issued by the Tribunals on preliminary points;
  - (iv) Unwillingness of parties to come forward for getting their cases settled in Lok Adalats.
- (c) & (d): As per Section 7, 7A & 7B of the Industrial Disputes Act, 1947 governing the constitution of Labour Courts and Tribunals, only one person can be appointed by the appropriate Government as Presiding Officer in the Labour Court.

(e): Following steps have been taken for expeditious disposal of cases in CGIT-cum-Labour Courts:

- (i) The Scheme of Holding of Lok Adalats as an "Alternative Grievance Redressal Mechanism" for speedy disposal of industrial disputes introduced in the X Plan has been made indispensable part of the adjudication system from XI Plan;
- (ii) Process of appointment to the Post of Presiding Officer is initiated about eight months in advance so that the successor to a serving presiding officer is selected by the time of completion of his tenure in a CGIT-cum-LC;
- (iii) A system of link officers amongst Presiding Officers has been introduced to ensure that the judicial work of the CGIT-cum-LCs does not suffer when the post of regular Presiding Officer is vacant due to administrative exigencies;
- (iv) Presiding Officers of CGIT-cum-LCs are advised to hold camp courts; and

(v) Conference of Presiding Officers is held from time to time to explore strategies for speedy and effective disposal of cases.