

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

UNSTARRED QUESTION NO:2210  
ANSWERED ON:03.08.2015  
Amendment to Industrial Dispute Act, 1947  
Noor Smt. Mausam

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

- (a) whether the Government is considering to amend Industrial Disputes Act, 1947;
- (b) if so, whether the Government proposes to include provisions that facilitate easier retrenchment and closure norms for firms with up to 300 workers;
- (c) if so, the details of the deliberations conducted suggestions received from trade unions and other trade associations;
- (d) the status of suggestions received by the Government;
- (e) whether the draft code on industrial relations has also made it to form trade unions and has proposed that at least 10 per cent of workers employed by a firm or a minimum of 100 workers would be required to set up a trade union; and
- (f) if so, the details thereof?

**Answer**

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI BANDARU DATTATREYA)

(a) to (d): The Second National Commission on Labour had recommended that the existing Labour Laws should be broadly grouped into four or five Labour Codes on functional basis. Accordingly, the Ministry has taken steps for drafting a Labour Code on Industrial Relations, by simplifying, amalgamating and rationalizing the relevant provisions of the following three Labour Laws: -

- (i) The Industrial Disputes Act, 1947,
  - (ii) The Trade Unions Act, 1926,
  - (iii) The Industrial Employment (Standing Orders) Act, 1946
- Contdâ€²2/-

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The process of legislative amendments and drafting of labour laws includes extensive consultations with stakeholders including Central Trade Unions, Employers' Associations and State Governments in the form of tripartite consultations. First tripartite consultation meeting with the representatives of Central Trade Unions, Employers' Associations and State Governments was held on 06.05.2015 to consider the draft Labour Code on Industrial Relations. It was decided in the Meeting to set up a Sub-Committee with representatives from Central Trade Unions, Employers' Associations and State Governments, as its Members to look into the provisions of the draft Labour Code and provide suggestions to improve or modify the draft. One of the proposal being considered in the draft Labour Code on Industrial Relations is enhancing the threshold of the number of workers in the establishments from 100 to 300 where certain special provisions apply in case of retrenchment or lay-off or closure.

The draft Labour Code on Industrial Relations and its provisions are under consultation with stakeholders.

(e) & (f): The draft Labour Code on Industrial Relations provide that for the registration of trade unions, any seven or more members of a trade union may, apply for the registration. However, no Trade Union of worker shall be registered unless at least ten per cent or one hundred of the worker, whichever is less, engaged or employed in the establishment or industry with which it is connected are the members of such Trade Union on the date of making of application for registration. Also, no Trade Union of worker shall be registered unless it has on the date of making application not less than seven persons as its Members, who are workers engaged or employed in the establishment or industry with which it is connected. These provisions are the same as in the existing Trade Unions Act, 1926 for the registration of the trade unions under the Act.

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