

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

UNSTARRED QUESTION NO:3257

ANSWERED ON:10.08.2015

Labour Courts

De(Nag) Dr. (Smt.) Ratna;Senguttuvan Shri Balasubramaniam

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

- (a) whether the Government has any proposal to alter or efface the comprehensive, much-acclaimed Constitution-Bench definition of "Industry" in section 2(j) of the Industrial Disputes Act and if so, the details thereof;
- (b) whether the Government has any proposal to abolish the system of referral of individual and industrial disputes to the Conciliation Officers and Boards of Conciliation and if so, the details thereof;
- (c) whether the Government has any proposal to abolish the system of referral of individual and industrial disputes to the Labour Courts or industrial Tribunals and if so, the details thereof;
- (d) whether the Government has any proposal to give primacy to the resolution of individual and industrial disputes through arbitration and if so, the details thereof;
- (e) the total number of labour courts/tribunals, State-wise and cases pending thereof; and
- (f) the mechanism to ensure that the orders of Labour Courts/tribunals are executed by the employers and if not, the action taken by the Government against defaulters?

Answer

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

(a) to (d): Ministry has initiated steps for drafting a Labour Code on Industrial Relations, by simplifying, amalgamating and rationalizing the relevant provisions of the following three Labour Laws:

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

The draft Labour Code on Industrial Relations is under tripartite consultation. The provisions of the Code have not been finalised.

(e): The details of Central Government Industrial Tribunals-cum-Labour Courts (CGIT-cum-LC) in the country and pendency of cases/applications in them are given at Annexure-I and Annexure-II respectively. CGIT-cum-LCs at Mumbai-I and Kolkata also function as National Industrial Tribunals of Mumbai-I and Kolkata.

(f): The Industrial Disputes Act 1947 provides the mechanism for the implementation of the orders of the Labour Courts/Tribunals. Section 11 (9) and Section 11 (10) of this Act provides that the award/order of the Labour Court/Tribunal shall be executed in accordance with the procedure laid down for execution of order and decree of a Civil Court under Order 21 of the Code of Civil Procedure and the Labour Court/Tribunal shall transmit any award/order to a Civil Court having jurisdiction for its execution. Section 29 of the Act provides provisions regarding penalty for breach of settlement or award.

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