

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

STARRED QUESTION NO:311
ANSWERED ON:15.12.2014
NON-COMPLIANCE OF LABOUR COURT ORDERS
Shinde Dr. Shrikant Eknath

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

- (a) whether the Government is aware that decisions delivered by the labour courts in favour of labourers are not being complied with by the employers/ establishments;
- (b) if so, the details of such cases that came to the notice of the Government and the reaction of the Government thereto;
- (c) whether any action has been taken by the Government in this regard;
- (d) if so, the details thereof and if not, the reasons therefor; and
- (e) the steps taken by the Government for quick disposal of cases and implementation of decisions of labour courts in letter and spirit?

Answer

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

(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. 311 FOR REPLY ON 15.12.2014 BY DR. SHRIKANT EKNATH SHINDE REGARDING NON-COMPLIANCE OF LABOUR COURT ORDERS.

(a) & (b): The Awards passed by the Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LCs) are notified in the official gazette and then they are implemented by the employers. The status of Implementation of Awards in Central Sphere is enclosed as Annexure.

(c) to (e): In case an award is not implemented, the worker can approach the Labour Department/Organization of the appropriate Government for implementation of the Award. The implementation process includes the persuasion of employers by way of joint meetings, issuing of show cause notices etc. by the officers of Chief Labour Commissioner (Central) Organization in respect of Central Sphere. The implementing authority, after following due process of law can prosecute the employers under section 29 of the Industrial Disputes Act, 1947 for not implementing the Award / Order of the CGIT-cum-LCs. Further, Section 11 of the Industrial Disputes Act, 1947 has been amended whereby every award made, order issued or settlement arrived at by or before Labour Court or Tribunal or National Tribunal shall be executed in accordance with the procedure laid down for execution of orders and decree of a Civil Court under Order 21 of the Code of Civil Procedure, 1908. Also, the Labour Court or Tribunal or National Tribunal shall transmit any award, order or settlement to a Civil Court having jurisdiction and such Civil Court shall execute the award, order or settlement as if it were a decree passed by it.