

# Industrial Disputes in Indian Manufacturing Industries in Pre and Post Reform Period

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**ABSTRACT:** Industrial dispute means any dispute of difference between employees and employers or between employers and workmen or between workmen and workmen, which is connected with the employment or non-employment of the terms of employment or the conditions of work of any person (The industrial Disputes Act 1947, Section 2K). Every human being (say a labour) has certain requirements/needs e.g., economic needs, social needs, security requirements. When these requirements do not get satisfied, there arises a conflict between the worker and the capitalist/employer. The industrial disputes are of two types i.e., individual disputes and collective disputes. The individual disputes may be disputes such as reinstatement, compensation for wrong termination etc. Disputes relating to wages, bonus, profit sharing hours of work etc. are collective disputes.

**KEYWORDS:** industrial disputes, wages, bonus, work, profit, pre, post reform, India, compensation

## I. INTRODUCTION

An act to make provision for the investigation and settlement of industrial disputes, and for certain other purposes. The objective of the Industrial Disputes Act is to secure industrial peace and harmony by providing mechanism and procedure for the investigation and settlement of industrial disputes by conciliation, arbitration and adjudication which is provided under the statute. The main and ultimate objective of this act is "Maintenance of Peaceful work culture in the Industry in India" which is clearly provided under the Statement of Objects & Reasons of the statute.

The laws apply only to the organised sector. Chapter V talks about the most important and often in news topic of 'Strikes and Lockouts'. It talks about the Regulation of strikes and lockouts and the proper procedure which is to be followed to make it a Legal instrument of 'Economic Coercion' either by the Employer or by the Workmen. Chapter V-B, introduced by an amendment in 1976, requires firms employing 300 or more workers to obtain government permission for layoffs, retrenchments and closures. A further amendment in 1982 (which took effect in 1984) expanded its ambit by reducing the threshold to 100 workers.

The Act also lays down:

1. The provision for payment of compensation to the workman on account of closure or lay off or retrenchment.
2. The procedure for prior permission of appropriate Government for laying off or retrenching the workers or closing down industrial establishments
3. Unfair labour practices on part of an employer or a trade union or workers.

The Industrial Disputes Act extends to whole of India and applies to every Industry and its various industrial establishment carrying on any business, trade, manufacture or distribution of goods and services irrespective of the number of workmen employed there in.

Every person employed in an establishment for hire or reward including contract labour, apprentices and part-time employees to do any manual, clerical, skilled, unskilled, technical, operational or supervisory work, is covered by the Act.

This Act though does not apply to persons mainly in managerial or administrative capacity, persons engaged in a supervisory capacity and drawing > 10,000 p.m or executing managerial functions and persons subject to Army Act, Air Force and Navy Act or those in police service or officer or employee of a prison.

Industrial disputes may be among different parties.

Ordinarily, it is among the following parties:

- (i) Employers and employers,
- (ii) Employers and workmen and
- (iii) Workmen and Workmen.

(2) Relation:

Matter of dispute may relate to worker or to employer or to both. Normally, it relates to an appointment or termination of a person; conditions of employment or conditions of work.

(3) Forms:

Industrial disputes may manifest themselves in different forms, such as strikes, lock-outs, Gheraos, go slow tactics, pens down strike, etc.

(4) Oral or Written:

Industrial dispute need not be written. It may be oral.

(5) Real:

It should be real. It should relate to employment of the worker, termination of employment, terms of employment, conditions of employment, etc. Matters relating to the personal life of the worker do not constitute industrial dispute.

(6) Substantial Interest:

In matter relating to industrial dispute interest either of the employer or the worker must be involved.

(7) Related to Industry:

A dispute can be included in industrial dispute when it concerns with industry. Usually, disputes must belong to an industry which is functioning. Disputes belonging to an industry that has since been closed down should not be included in it.

(8) Clarification:

Industrial disputes should relate to matters which are clear. Unless, it is a transparent case its settlement is not possible. Matters which are clear find settlement easily. Concerned party can protect its interest when the issue is crystal clear.

(9) Origin:

Ordinarily, dispute arises when the workers or trade unions put up their demands before the employer and the latter refuses to consider them.

In short, it can be said that industrial dispute means lack of peace in industry. When in an industry, requirements of the two parties contradict each other industrial dispute raises its ugly head.

Industrial disputes can be classified on the following grounds:

Type # 1. Interest Disputes:

These conflicts are also called 'conflicts of interest' or 'economic disputes'. Such disputes relate to the establishment of new terms and conditions of employment for the general body workers i.e., that affect the masses. Generally, such type of disputes originate from trade union demands or proposals for increase in wages or other emoluments, fringe benefits, job security or other terms of employment. These demands are put forth by the trade unions with a view to negotiate through collective bargaining and disputes when the parties fail in their negotiations to reach an agreement.

The terms 'conflicts of interest' and 'economic disputes' refer to the nature of issues involved. There are no set principles to arrive at a settlement of interest disputes, and recourse must be had to bargaining power, compromise, and sometimes a test of economic strength for the parties to arrive at an agreed solution. Such disputes are solved generally on 'give and take' basis.

Type # 2. Disputes over Unfair Labour Practices:

Such disputes arise over the malpractices adopted by the management against a worker or trade union. The examples of such malpractices may be discrimination against workers for their being members of the trade union or their involvement in union activities; interference, restraint or coercion of employees from exercising their right to organise, join or assist a union; establishment of employer sponsored union and coerce the workers to join such union; refusal to bargain with the recognized union; recruiting new employees during a strike which is not declared illegal; failure to implement an award, settlement or agreement; indulging in acts of violence. These practices are also known as 'trade union victimization'. In some countries a procedure is given to settle such disputes. In the absence of any such procedure, the disputes are settled in accordance with the provisions of the Act relating to industrial disputes.

Type # 3. Grievance or Rights Disputes:

These disputes are also known as 'conflicts of rights' or 'legal disputes'. They involve individual workers or a group of workers in the same group. In some countries, such disputes are called 'individual disputes'. Such disputes arise from the day to day working relations of the workers and management, usually, as a protest by the workers or workers against an act of management that is considered to violate his or their legitimate right.

Grievances typically arise on such questions as discipline, promotion, transfer or dismissal of a worker, payment of wages, fringe benefits, overtime, retirement benefits, seniority work-rules, leave rules etc., which are against the practice and affect their rights adversely. In some cases, disputes arise especially over the interpretation and application of collective agreements.

Such grievances, if not dealt with according to the practice, may embitter the industrial relations and may result in industrial strife, 'conflict of rights' refer to the disputes based on alleged violation of an existing right or an alleged unfair treatment by the management. There are, more or less definite standard for resolving a dispute i.e., the relevant provision of the Act or collective agreement, employment contract, works rules or law, or customs or usage.

Type # 4. Recognition Disputes:

Such type of disputes arises when the management refused to recognise a trade union for purposes of collective bargaining. Issues under this category differ according to the cause that led the management to refuse recognition. Here the problem is that of attitude.

However the management refusal may be on the ground that the union requesting for recognition does not represent a specific number of Workers. In such case, resolution of issue depends upon whether the rules for recognition of a trade union exist or not. Such rules may be laid down by law, for they may be Conventional or derived from prevailing practices in the country.

## II. DISCUSSION

Managerial causes of industrial dispute are as under:

(1) Non Recognition of Unions:

Employers' attitude towards trade unions has been antagonistic from the very beginning. They do not want that labourers should organise themselves. Hence, to prevent the workers from uniting, they refuse to recognise their unions. It leads to conflict between the employers and the workers. In order to create rift among the workers they deliberately recognise the rival union.

(2) Violation of Agreements:

Employers and workers do enter into agreements on various issues. On many occasions, the employers do not enforce these agreements nor do they strictly adhere to them. It also accounts for dispute between the two parties.

(3) Ill-Treatment by Managers and Supervisors:

Managers and supervisors consider themselves to be superior. It is under the influence of this superiority complex that they ill-treat the workers. The same is vehemently opposed by the trade unions.

(4) Defective Recruitment Procedure and Employees Development Policies:

Defective Recruitment system also gives rise to industrial disputes. Many a time, workers are recruited by the middlemen who get bribe from them. They take undue advantage of the helplessness of the workers. Defective development policies like favoritisms in promotion, unnecessary and biased transfer, casual approach towards training facilities, on the part of employers also contribute to industrial disputes.

(5) Wrongful Retrenchment, Demotion and Termination:

Sometimes on account of fall in production labourers are retrenched. Those workers who take active part in trade union activities are demoted. Sometimes employers terminate the services of the workers without assigning any reason. All these provocative acts of the employers are not only strongly opposed by the trade unions but also serve as good cause for industrial disputes.

(6) Selfish Leadership:

Lack of right and effective leadership weakens the trade unions and the employer class takes advantage of it. In order to serve their selfish ends, these leaders enter into unholy alliance with the employers against the interests of the workers. Often this also becomes cause of dispute.

(7) Violation of Accepted Code of Conduct:

Code of conduct refers to the terms accepted by both the parties and both the parties are required to abide by it. Employers agree to all the codes on paper but fail to carry them out in practice. As a result, workers oppose it.

(8) Collective Bargaining and Workers' Participation in Management:

In the modern industrial world, labour class is seized with new awakening and is influenced by new concept of management. Trade unions, therefore, insist on workers' participation in management. By collective management they try to protect their interests to the maximum. The employers oppose it. The inevitable result is industrial dispute.

3. Political Causes:

Political causes are no less significant than economic and managerial causes in accounting for industrial disputes.

Chief among them are as under:

(1) Influence of Politics:

In a country like India, influence of politics on trade unions is clearly visible. Political parties have been using their influence on trade unions for their selfish ends. Parties mislead the unions and instigate industrial unrest.

(2) Trade Union Movement:

Ever since trade union movement got recognition, industrial disputes have multiplied. Many a time trade unions take undue advantage of their position and this results into industrial dispute.

(3) Strikes against the Government:

During the struggle for independence labour-class had taken leading part in it. Now this class directs its struggle against the government thereby adding fuel to industrial disputes.

Other Causes:

(1) Government's inclination to support management.

(2) Internal conflicts in Trade Unions.

(3) Resistance to automation.

(4) Influence of Communist thinking on labourers.

(5) Effect of non-acceptance of Human Relations.

Percentage distribution of Industrial Disputes by causes between the period 2011 and 2012. In the recent years, indiscipline is major reason for industrial disputes. In 2011, the percentage of industrial disputes due to indiscipline was 41.6 while this percentage was reduced to 24.2 in 2013. Even that this is the only reason for industrial disputes.

After indiscipline, wages and allowances are the major factor of causing industrial disputes. In 2011 and 2012, the percentage of industrial disputes due to wages and allowances was 24.9 and 16.3 respectively. Beside this charter of demand, personnel, bonus etc. are important reasons of industrial disputes.

An industrial dispute can never be said to be a good choice. Consequences of industrial disputes are very far reaching, for they disturb the economic, social and political life of a country. They are no less than a war. In a war,

casualties and sufferings are not confined to soldiers fighting on the front, so stoppage of work due to strike or any other mode resulting in stoppage of work does not affect the employees or the employers of the struck plant, but it affect the whole society or country.

Though it initially starts locally, a war has every possibility to engulf the entire humanity, so, industrial disputes may and do occasionally assume proportion affecting the entire economy. Strikes etc., in basic industries are more harmful engulfing the whole economy. It is like a big stone thrown into a pond causing ever widening waves till the entire pond is engulfed.

Some of the impacts of industrial disputes are:

Impact # 1. Disruption in Production and Services:

The industrial disputes result in huge wastage of man-days and dislocation of production work. A strike in public utility concerns like water and electric supply units, posts and telegraph or telephone's services, railways or roadways, any system of public conservancy or sanitation, hospitals, defence establishments etc., disturbs the whole public life and throws the economy out of gear. Consumers are subjected to untold hardships. If the struck commodity happens to be used in other production operations, then other producers also suffer.

When industrial dispute results in stoppage of work, supply position of the struck commodity becomes grim and prices of that commodity shoot up. The position becomes severe if the product is consumer goods of daily use.

Impact # 2. On Employers:

The employers also suffer heavy losses, not only through stoppage of work, reduction in sale and loss of market due to none or short supply of the product, but also in the form of huge expenditure on crushing downs the strikes. They have to undertake publicity and propaganda to put their view point before the public.

Impact # 3. On Workers:

The workers are also badly affected in more than one ways. They lose their wages for the strike period. Sometimes, they lose their employment. They have to incur debts to meet their day-to-day expenses. Future prospects become dim. Disruption in family life, person hardship, mental agonies, tortures, and tensions develop and persist.

The workers are prosecuted, often intimidated, even victimised or beaten mercilessly by goondas, repressed by police. If strikes etc., fail, the workers, besides inflicting financial loss, are demoralised, disappointed and shake their confidence in trade unions.

Impact # 4. On Society/Public:

The public/society too, is not spared. Industrial unrest creates law and order problem, ceasing a huge additional expenditures out of public exchequer. Further, even when the disputes are settled, strife and bitterness continue to linger endangering happy social and industrial relations.

Impact # 5. On National Economy:

The industrial disputes also affect the national economy adversely when labour and equipment in the whole or any-part of the industry are rendered idle by strike or lock-out, national dividend (income) suffers a lot. It may happen in two ways on the one hand, by impoverishing the workers indulging in the stoppage of work, it lessens the demand of goods produced by other industries on the other hand, if the struck industry is such that supply goods and services to other industries, it lessens the supply of them of raw material or equipment to work. The result is loss in production, ultimately reducing the national income. Consequently, public expenditure on welfare of public is reduced. Development activities cannot be undertaken for want of finances.

In nutshell, the impact of industrial disputes is not good irrespective of the fact that succeeds—employer or employees. Each group employers, employees, consumers, society and the economy—suffers in one way or the other. So, industrial disputes should be avoided, by the interested parties, threshing out their differences through collective bargaining and voluntary arbitration.

### **III. RESULTS**

Prevention is always better than cure, is the principle for the establishment of machinery for prevention of industrial disputes before they arise. Various measures have been taken by the Government for the prevention of industrial disputes.

They are as under:

(I) Payment of Bonus Act:

As payment of bonus is one of the major cause of industrial disputes, the Government of India on the recommendation of Mehar Committee, appointed to study the entire issue of bonus, enacted the Payment of Bonus Act 1965 which is applicable to workers earning wages upto Rs. 1,600 p.m. (Basic + D.A.).

The Act is applicable to factories employing at least 20 or more workers. At present, the rate of bonus payable to industrial workers is minimum 8.33% and maximum 20% of their wages. Bonus Amendment Act 1980 also covers all banks and public sector undertakings not working for profits.

(II) Code of Discipline:

The Indian Labour Conference in 1958 evolved a Code of Discipline which was ratified by the central organizations of employers and workers. To ensure better discipline in industry, both the parties voluntarily agree to maintain and create an atmosphere of mutual trust and cooperation in the industrial unit/ industry and to settle all the disputes and grievances by negotiations, conciliation and voluntary arbitration. Both parties will try to avoid direct action.

The Code, inter alia, lays down that:

- (a) There shall be no strike or lock-out without giving proper notice to other party.
- (b) No unilateral action shall be taken in connection with any industrial matter.
- (c) No deliberate damage shall be done to plant and machinery.
- (d) Awards and agreements should be speedily implemented.
- (e) Any action which disturbs cordial relations should be avoided.

(III) Industrial Truce Resolution:

A joint meeting of the central organisations of employers and employees was convened on November 3, 1962, in the wake of Chinese aggression. The meeting adopted an Industrial Truce Resolution agreeing that there should be maximum recourse to voluntary arbitration and envisages that all complaints pertaining to dismissal, discharge, victimisation and retrenchment of individual workman, not settled mutually should be settled through arbitration.

The Truce Resolution was aimed at the total elimination of work-stoppage, improvement in production and productivity, cost reduction etc., In accordance with the recommendation of the Indian Labour Conference held on July 1, 1963, a high level Standing Committee on Industrial Truce Resolution was set up under the chairmanship of the Labour Minister to review the implementation of Truce Resolution in all its aspects. The Standing Committee has since been amalgamated with the Central Implementation and Evaluation Committee in the Ministry of Labour.



(IV) Tripartite Machinery:

A number of tripartite bodies have been set up for the promotion of industrial peace. The Tripartite Machinery refers to various bodies composed of representatives of employers, employees and the Government.

The important tripartite bodies are the following:

(a) The Indian Labour Conference:

It is concerned with matters like promoting uniformity in labour legislations, procedures for the settlement of industrial disputes etc.

(b) The Industrial Committees:

These committees discuss the specific problems of industries for which they have been set up and submit their reports to the Indian Labour Conference (ILC), which coordinates their activities.

(c) The Central Implementation and Evaluation Committees:

These Committees are concerned with effective implementation of labour laws, awards, settlements etc.

(d) The Standing Labour Committee:

It considers all matters referred to it by the Indian Labour Conference or by the Central Government including the suggestions, by the employers, employees and State Governments concerning labour.

(e) The Committee on Conventions:

The Committee examines the ILO conventions and recommendations and explores the possibility or advisability of ratifying them to Indian conditions.

The machinery for settlement of disputes consists of several bodies which are:

1. Establishment of Works Committees:

In every industrial establishment employing 100 or more workers, it is compulsory to establish a works committee at the plant level to promote the measures for securing and preserving unity and good relations between the parties. There are equal number of representatives of workers and employer on the committee.

The main function of the works of committee is to remove causes of friction between the two parties which concern the factory life of workers. No mention of functions of works committee have been made in the Act but however in 1960 a tripartite committee of Indian Labour Conference prepared two lists of functions one for works to be dealt with and the other for works not to be dealt with by the works committees.

The works committee is to discuss such problems relating to grievances, complaints, matter of discipline, welfare problems such as health, safety, training, education and other personal problems which vitally affect the interests of the workers in general. The functions of these committees are purely of advisory character and no legal obligation is imposed upon employers to carry out the decisions arrived at in the meeting of works committee. This body has not played any conspicuous role in the past.

2. Grievance Settlement Authority:

The Industrial Disputes (Amendment) Act 1982 has provided for the setting up of a Grievance Settlement Authority and for reference of certain individual disputes to such authorities. Any employer employing one hundred or more workers on anyone day in the preceding twelve months, is required to provide for a Grievance Settlement Authority for settlement of industrial dispute relating to an individual. Where such dispute arises, the concerned worker or the trade union of which he is a member, may refer the dispute to the Authority for settlement. Any such reference shall not be referred to Board or Tribunal.

3. Conciliation Officer:

The appointment of conciliation officer is made by the Central or State Government for a particular region or industries in the state. The main duty of these officers is to bring the two parties together and help them resolve their

differences. They can do everything to settle the dispute between the two parties amicably. He is bound to take decision within 14 days or such period as extended by the State Government from the date of registration of dispute. If the dispute is settled through his good offices and an agreement is reached, he should send a report to the appropriate Government along with a memorandum of settlement signed by the parties to the dispute. In case, the dispute is not settled he should inform the appropriate Government about his failure, steps taken and the reasons for not being successful.

#### 4. Court of Inquiry:

Where an industrial dispute remains unresolved by the efforts conciliation officer and the board of conciliation, the matter is referred to a court of inquiry. The court may consist of one or more independent persons. It will investigate the whole dispute and submit its report to the Government on the matters referred to it ordinarily within 6 months from the date of commencement of inquiry.

If settlement is not arrived at by the efforts of the above machinery, a three-tier machinery for compulsory adjudication is provided under the act. There are three types of semi- judicial bodies, i.e., labour courts, industrial tribunals and national tribunals.

#### 5. Conciliation Board:

In case, the conciliation officer fails to resolve the dispute, the Government appoints a board of conciliation on adhoc basis for a particular dispute consisting of a Chairman and two to four persons representing the employer and the employees to bring the parties of disputes to sit together and thrash out their differences as referred to by the Government. The board reports the Government about the success or failure of its efforts, steps taken and reasons for its failure to bring about a settlement within 2 months from the date of reference of the dispute.

#### 6. Labour Courts:

Such courts have been set up by the State Governments to go into the disputed orders of the employers dismissal, discharge and suspensions of employees by the management, legality or otherwise of any order passed by an employer under the standing orders, withdrawal of any concession or privilege, legality or otherwise or any strike or lock-out etc. These courts will award decision and send report to the Government.

#### 7. Industrial Tribunals:

The State Government has been empowered to appoint as many industrial tribunals as it thinks proper, for the adjudication of disputes selecting to wages, hours of work and rest, intervals, leave with pay, holidays, compensatory and other allowances, bonus, profit sharing, provident fund, gratuity, discipline, retrenchments closure of establishment etc. The tribunal will consist of a person of the rank of a high court judge. The adjudication of these tribunals is binding on both the parties.

#### 8. National Tribunal:

Such tribunals are set up by the Central Government for the adjudication of industrial dispute which involve questions of national importance or which affect industrial establishments situated in more than one state. It gives decisions on matters referred to it by the Central Government. If any matter is referred to the National Tribunal by the Central Government the labour courts and industrial courts are barred from entertaining such disputes and if any such dispute, is pending before labour courts or tribunals, shall be deemed to be quashed.

#### Other Important Provisions:

##### a. Restrictions on Strikes and Lock-Outs:

The Act prohibits strikes and lock-outs in public utilities without sufficient notice as specified in the Act. The Act also prohibits strikes and lock-outs during pendency of proceedings relating to the dispute before the concerned authority and certain specified period after that. Further prohibition will also apply during the period in which a settlement or award is in operation in respect of any of the matters covered by the settlement or award.

##### b. Restriction of Layoff and Retrenchment:



The Industrial Disputes (Amendment) Act 1984 has provided that no industrial establishment employing 300 or more workers c-in layoff or retrench a worker without the prior permission of the Government at least three months before such layoff or retrenchment.

The Act also lays down the conditions of layoff and retrenchment, the right of laid off workmen for compensation, procedure for closing down an undertaking, compensation to workmen in case of closing down of undertaking.

c. Essential Services Maintenance (Ordinance) 1981:

The President of India has promulgated an ordinance on 26th July 1981, declaring a ban on strikes in essential services. These essential services are Railways, Post and Telegraph, Telephone, Ports, Air ports, Banks, units producing or refining petroleum products public conservancy services, defense establishments and hospitals etc. The Government has power to declare a service as essential by notification.

Thus, the Government has provided machinery for prevention and settlement of industrial disputes and also made certain other provisions to maintain industrial harmony.

#### IV. CONCLUSIONS

Causes of Industrial Disputes in India: Causes of industrial disputes in India are varied. The following are some of the important causes of industrial disputes in India: (i) Demand for Wages and Allowances: The most striking cause of industrial disputes in India is the demand for higher wages and allowances by the workers. While the price level has been increasing constantly at a higher rate but the increase in the rate of wages could not keep pace with it. This led to a situation where workers resort to strike for raising their rate of wages. In India most of the industrial disputes have resulted from demand for the higher wages. If steps could have been taken for ensuring a system of automatic adjustment process in the wages and prices then the number of disputes would have been reduced to minimum. (ii) Demand for Bonus: Another important cause of industrial disputes in India is the demand for bonus by the workers. This has resulted from workers' increasing demand to share profits of the industrial units and employers' non-acceptance of this provision. During emergency the government reversed its decision and reduced the rate of bonus from 8.33 per cent to 4 per cent. Later on the rate of minimum bonus was raised to 8.33 per cent again. The economic demand for workers, i.e., for wages and bonus has resulted in about 46 to 50 per cent of industrial disputes in India during 1961- 71 and during 1976-84 wages and bonus has been responsible for 32 to 40 per cent of industrial disputes in the country. (iii) Personnel and Retrenchment: Another important cause of industrial dispute in India is the retrenchment and personnel which accounted nearly 29 per cent of the total disputes during 1961-76. During 1981-84, these causes resulted in about 21 to 22 per cent of the total industrial disputes occurred in the country. (iv) Demand for Improved Working Conditions: Industrial disputes in India has also resulted from demand for improved working conditions such as leave, lesser hours of work, better working conditions like better safe measures, canteen facilities etc. About 2 to 3 per cent of the total disputes is resulted from such demand. (v) Other Causes: There are varieties of other causes which are also very much responsible for higher incidence of industrial disputes in the country. These causes include introduction of rationalisation measures in the factory, employers' apathy to recognise trade unions, conflict between rival unions, insult of union leaders by the employer, fear of retrenchment arising through computerisation, strikes of political nature etc. All these other causes are responsible for about 30 per cent of the disputes during 1961 and 1976 and around 40 per cent during 1981-86. (vi) Lock-Outs: Lock-out declared by the employers to counter the militant workers is also another important cause of industrial disputes in the country. Lock out is the result of prolonged strikes and irresponsible trade unionism. The major causes of increasing number of lock outs are: (a) lower labour productivity, (b) rising wage rate, (c) increasing competition arising through the introduction of liberalisation policy, (d) higher degree of bargaining power of employer etc. Thus the bargaining power of the trade unions has weakened considerably due to the policy of liberalisation and restructuring introduced in the country in recent years. Settlements of Industrial Disputes: Policy of the Government: Growing industrial disputes is not a healthy sign of industrial development in the country. Thus from the very beginning the Government has been taking various steps and policies for the settlements of industrial disputes in the country. The main objectives of industrial relation policy of India are: (a) Prevention and peaceful settlement of industrial disputes and (b) Promotion of better industrial relations. The Industrial Disputes Act 1947 and its Amendments in 1956: In order to prevent and settle the industrial disputes, the Government of India passed the Industrial Disputes Act in 1947 which was later on amended in 1956. Following are some of the provisions of

the Act to settle industrial disputes in the country: (a) Work Committees: Work committees are to be formed taking the employers and employees together for all undertakings employing 100 or more workers for maintaining good relations between them. At the end of December 1987, work committees were functioning in 546 establishments. (b) Conciliation: This Act permits the Government to appoint conciliation officers and also to constitute board of conciliation, representing employers and workers for the settlement of such disputes. (c) Court of Enquiry: When conciliation failed to yield any result then the matter must be referred to court of enquiry for making investigation on the dispute and report it to the Government. (d) Labour Courts: Labour Courts were set up by the State Governments to consider the disputed matters like dismissal, suspension of employees, legality of strikes and lock-outs etc. (e) Industrial Tribunals: Two types of industrial tribunals were set up by the Government which includes: (i) state tribunals and (ii) national tribunals. These tribunals are adjudicating disputes relating to wages, bonus, profit sharing etc. The adjudications of these tribunals has a binding on the concerned parties. Moreover, in recent years some other practices are introduced for settling industrial disputes in the country. These include: (a) Formation of joint management Councils with the participation of workers in the management for bringing better relationship between management and labour; (b) Introducing code of discipline evolved in Indian Labour Conference 1958 by which the employers and workers voluntarily agree to maintain mutual trust and co-operation within the industrial unit; (c) Adopting industrial truce resolutions in 1962 by the central organisation of employers and employees pledging neither to interrupt nor to slow down production; and (d) Setting up of National Arbitration promotion Board in July, 1967 by the Government for settling industrial disputes.

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