

Relations Bill (see Exhibit 2). Unfortunately, the Bill has been around for quite a number of years without much consideration from the parliament through successive governments. Once these comprehensive amendments are accepted by the Parliament, some of the issues and concerns in the industrial relations in India can be easily mitigated.

DISPUTE RESOLUTION MACHINERY*

By and large the union and the management represent diverse interests. The Union's concern is to safeguard workers interests and protect them from unfair labour practices, while the management's concern is to improve productivity and efficiency, to maximise returns. Though on the face of it, there does not seem to be any reason for conflict, however in reality the concerns are in contradiction with each other. The management, in the hope of improving its return, may indulge in practices that do not seem fair, by unions. On the other hand, unions may resort to methods detrimental to increased efficiency to protect the interest of the workers. It is this contradiction in views that often results in disputes between the union and the management.

The Government of India has set up a formal dispute resolution system through the Industrial Dispute Act, 1947. Prior to the year 1947, the Trade Dispute Act, 1929, was the machinery to settle industrial disputes. The Trade Dispute Act, 1929, imposed restraint on the rights to hold strikes and lock-outs in public services. Its main handicap was that it made no provision to render the proceedings—institutable under the Act for the settlement of industrial dispute, either by reference to a Board of Conciliation or a Court of Inquiry—conclusive and binding on the parties to the dispute.

INDUSTRIAL DISPUTE ACT, 1947

The Industrial Dispute Act, 1947, regulates the relation between the employer and the workman to maintain industrial peace. Since 1947, the Act has been amended several times. The specific objectives of the Act are:

1. promotion of measures for securing and preserving amity and good relations between employers and workmen;
2. investigation and settlement of industrial disputes;
3. prevention of illegal strikes and lock-outs;
4. relief to workmen in the matter of lay-off and retrenchment;
5. promotion of collective bargaining; and
6. amelioration of the conditions of workmen.

Several times in the above description, there has been a need for definition/descriptions to clarify understanding of the Act. Some such descriptions are given below:

* Abstracted from the Industrial Dispute Act, 1947.