

National Judicial Academy

P-1013: Annual National Seminar on the Working of Labour Courts and Industrial Tribunals in
India
18th – 19th February, 2017

Programme Coordinator : Mr. Shivaraj S. Huchhanavar, Research Fellow
No. of Participants : 38
No. of forms received : 38

| I. OVERALL | | | | |
|---|--------------------------|-----------------------|-------------------|----------------|
| PROPOSITIONS | To a great extent | To some extent | Not at all | Remarks |
| a. The objective of the Program was clear to me | 89.47 | 10.53 | - | - |
| b. The subject matter of the program is useful and relevant to my work | 94.74 | 5.26 | - | - |
| c. Overall, I got benefited from attending this program | 97.37 | 2.63 | - | - |
| d. I will use the new learning, skills, ideas and knowledge in my work | 89.47 | 10.53 | - | - |
| e. Adequate time and opportunity was provided to participants to share experiences | 86.11 | 13.89 | - | - |
| II. KNOWLEDGE | | | | |
| PROPOSITIONS | To a great extent | To some extent | Not at all | Remarks |
| The program provided knowledge (or provided links / references to knowledge) which is: | | | | |
| a. Useful to my work | 91.89 | 8.11 | - | - |
| b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists) | 89.19 | 10.81 | - | - |
| c. Up to date | 83.78 | 13.51 | 2.70 | - |
| d. Related to Constitutional Vision of Justice | 75.00 | 25.00 | - | - |
| e. Related to International Legal Norms | 59.46 | 32.43 | 8.11 | - |

| III. STRUCTURE OF THE PROGRAM | | | | |
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| PROPOSITIONS | Good | Satisfactory | Unsatisfactory | Remarks |
| a. The structure and sequence of the program was logical | 81.08 | 16.22 | 2.70 | - |
| The program was an adequate combination of the following methodologies viz. | | | | |
| Group Discussions | 60.00 | 34.29 | 5.71 | - |
| Case Studies | 85.29 | 14.71 | - | - |
| Interactive sessions | 77.78 | 22.22 | - | - |
| Simulation Exercises | 66.67 | 26.67 | 6.67 | - |
| Audio Visual Aids | 55.88 | 38.24 | 5.88 | - |
| IV. INDIVIDUAL SESSIONS | | | | |
| PROPOSITIONS | To a great extent | To some extent | Not at all | Remarks |
| a. Discussions in individual sessions were effectively organized | 75.68 | 18.92 | 5.41 | 17. Due to paucity of time discussions individually was not effective. |
| b. The session theme was adequately addressed by the Resource Persons | 92.11 | 7.89 | - | - |
| V. PROGRAM MATERIALS | | | | |
| PROPOSITIONS | To a great extent | To some extent | Not at all | Remarks |
| a. The Program material is useful and relevant | 100.00 | - | - | 23. Excellent 32. It was too bulky |
| b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area | 97.37 | 2.63 | - | - |
| c. The content was organized and easy to follow | 94.29 | 5.71 | - | - |

VI. GENERAL SUGGESTIONS

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| <p>a. Three most important learning achievements of this Programme</p> | <p>1. The Subject matter of Labour Law is more clear; 2. More appreciation about various case laws; 3. It will help to develop my knowledge.</p> <p>2. 1. Scope of power of the labour court; 2. Distinction between service jurisprudence of labour jurisprudence; 3. Assessment of compensation.</p> <p>3. 1. Knowledge about Session 4: Issues relating to Domestic Enquiry; 2. Logic behind outsourcing; 3. Objectives of labour legislation.</p> <p>4. 1. Learning process; 2. Exchange of legal ideas; 3. Study of old and latest judgements pronounced by Hon'ble Supreme Court and Hon'ble High Courts.</p> <p>5. 1. I will use new learning; 2. Learnt new ideas from Speakers; 3. Meeting Hon'ble Justice from Supreme Court and High Court.</p> <p>6. 1. This programme helped me in to upgrade my legal knowledge; 2. Some doubts are cleared; 3. I have learnt case law from book supplied by the Academy.</p> <p>7. 1. Elaborately discussed the provisions of I.D. Act; 2. Come to know about the latest position of law; 3. Programme material was quite relevant and useful.</p> <p>8. I could learn: 1. Foundation of labour laws; 2. Matter of Industrial disputes.</p> <p>9. Session 1: Constitutional vision of Social Justice: Role of Labour Courts in the Evolving Economic Environment; Session 5: Law of Retrenchment and Lay-off; Session 6: Reinstatement and Back Wages.</p> <p>10. Subject matter of the programme is relevant to my work. Programme material is useful & relevant.</p> <p>11. Session 3: Unfair Labour Practices; Session 4: Issues relating to Domestic Enquiry; Session 5: Law of Retrenchment and Lay-off.</p> <p>12. The learning gave me full confidence to discharge my duties in my newly assigned post of Labour Judge.</p> <p>13. Useful and learning knowledge on Industrial disputes Act; Successful programme on labour side (practice) and how to decide disputes easily. I am grateful, thanks to Hon'ble High Courts and NJA.</p> <p>14. Updating legal knowledge.</p> <p>15. All the programme was very useful/ fruitful for me as I have joined as Presiding Officer recently.</p> <p>16. Learning for good decisions.</p> <p>17. Well equipped with latest judgments and parameters enunciated in those more judgments were analytical and crystal clear.</p> <p>18. Yes</p> |
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| | <p>19. More Speaker's subject be invited.</p> <p>20. 1. Got the knowledge of applicability of law in relevant cases; 2. Got ideas on appreciation of evidence in Labour Law cases; To keep in mind social justice within preview of law while deciding cases.</p> <p>21. Imparted knowledge apart from giving useful hints relating to judicial work of the tribunal.</p> <p>22. 1. Set expertise knowledge; 2. Cleared my doubts; 3. Discussions with the Jurists.</p> <p>23. 1. New case laws are learnt; 2. Ground knowledge of labour law from other state judges. ; Doubts are cleared.</p> <p>24. Duration of seminar is too short and to achieve desired outcomes request for time to be extended. But I learnt: 1. How to give effective justice; 2. Increase skill while delivery justice; 3. How to interpret provision of law.</p> <p>25. Doubts about labour law are clear.</p> <p>26. 1. Brush up my knowledge; 2. New case laws discussed; 3. Practical problems discussed.</p> <p>27. Discussion; Study material; Clearness.</p> <p>28. Participant did not comment.</p> <p>29. Very useful reading book provided to all participant.</p> <p>30. 1. This programme will help me adjudicate the dispute penalty; 2. Doubts are cleared.</p> <p>31. 1. Acquainted with the present position of law; 2. Doubts were clarified; 3. Good guide for my future work.</p> <p>32. Participant did not comment.</p> <p>33. Updation of law; New ideas and knowledge in my working; Good interaction with the participant judicial officers.</p> <p>34. Updation of law; Punctuality.</p> <p>35. 1. New & larger perspective gained; 2. Knowing historical changes of Law; 3. Light on objects of concerned law gained.</p> <p>36. I joined industrial tribunal a month back; it was highly useful especially the competition of the case laws and other study material.</p> <p>37. This programme will help us to give judicial approach to settle the matters; Justice will be appreciated in real sense after getting this programme.</p> <p>38. I am equipped with latest judgments.</p> |
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| <p>b. Which part of the Programme did you find most useful and why</p> | <p>1 The lecture of Justice K. Chandru about labour laws because it enriched my knowledge about various aspect of Labour Laws.</p> <p>2. Session 3: Unfair Labour Practices; Session 4: Issues relating to Domestic Enquiry</p> <p>3. Session 2: Contract and Outsourced Labour: Issues and Challenges: Out sourcing is new concept and policy.</p> <p>4. All</p> <p>5. Sessions chaired by Hon'ble Justice S.J. Mukhopadhaya.</p> <p>6. Contract labour, lecture is very useful; I am thankful to Justice R.V. Ghuge & Justice K. Chandru.</p> <p>7. Session 2: Contract and Outsourced Labour: Issues and Challenges: Resource Persons had expertise.</p> <p>8. All parts of programmes were useful. However speech by Hon'ble Mr. Justice R.V. Ghuge was most useful since it was not only informative but educative.</p> <p>9. All stated above i.e. in column a.</p> <p>10. All part of the programme is most useful for giving deep knowledge.</p> <p>11. Session 4: Issues relating to Domestic Enquiry: is useful.</p> <p>12. All programme are most useful to me. I never worked as labour judge or labour lawyer. Even during my studies, I never studied labour law. This training inspired me to study labour law.</p> <p>13. The programme is useful.</p> <p>14. Session 3: Unfair Labour Practices; Session 4: Issues relating to Domestic Enquiry; Session 6: Reinstatement and Back Wages: useful day to day disposal.</p> <p>15. Joined as Presiding Officer recently so there was no single session which was lacking.</p> <p>16. Good.</p> <p>17. Second Session of Justice S. J. Mukhopadhaya; Emphasizes on practical problems and discharge the duties keeping in view of intention of legislators in enacting the Law.</p> <p>18. Yes, New case law and interpretation on laws both MACT & Employee Compensation Act.</p> <p>19. All part at the programme find most useful.</p> <p>20. 1. Lectures; 2. Group discussion; 3. Providing book & compilation of Labour Laws.</p> <p>21. Almost all</p> <p>22. All</p> <p>23. All the Sessions.</p> |
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| | <p>24. All programme.</p> <p>25. All parts of the programmes are useful.</p> <p>26. Practical problems discussed.</p> <p>27. Discussion; Question and Answer.</p> <p>28. Participant did not comment.</p> <p>29. Hon'ble Justice S.J. Mukhopadhaya language and method & Hon'ble Justice K. Chandru method of suggestions and topic is very good and very useful to my daily works for our court.</p> <p>30. Speeches of Resource Persons.</p> <p>31. Speeches of Resource Persons.</p> <p>32. Participant did not comment.</p> <p>33. All</p> <p>34. All</p> <p>35. ECA</p> <p>36. All the sessions as it is relevant is our day to day discharge of the Courts/Tribunal work.</p> <p>37. Lecturer & tips were given by Justice R.V. Ghuge are helpful more and more inspirative and Important issues it labour matters.</p> <p>38. All the classes are most useful.</p> |
| <p>c. Which part of the Programme did you find least useful and why</p> | <p>1 Nothing because the entire programme are concerned with relevant issues regarding Labour Laws.</p> <p>2 Session 2: Contract and Outsourced Labour: Issues and Challenges</p> <p>3. Session 7: Workplace Injury Compensation: Recent Legal Developments</p> <p>4. None</p> <p>5. Participant did not comment.</p> <p>6. All parts of the programme in useful.</p> <p>7. None</p> <p>8. No part of programme was least useful.</p> <p>9. Session 7: Workplace Injury Compensation: Recent Legal Developments: As I have not been dealing with this subject in my court.</p> <p>10. All part of the programme is useful.</p> <p>11. Session 7: Workplace Injury Compensation: is not clear.</p> <p>12. All programmes are useful since I am a beginner in the field.</p> <p>13. Valuable and useful programme.</p> <p>14. Session 7: Workplace Injury Compensation: Now not necessary useful for Presiding Officer Labour Court.</p> |

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| | <p>15. Participant did not comment. 16. To a great extent. 17. Participant did not comment.</p> <p>18. Yes, for legal knowledge of Hon’ble High Courts & Hon’ble the Supreme Court case laws.</p> <p>19. No comment. 20. Participant did not comment. 21. Not any in specific. 22. Participant did not comment. 23. Participant did not comment.</p> <p>24. Session 1: <i>Constitutional vision of Social Justice: Role of Labour Courts in the Evolving Economic Environment</i>; Session 2: <i>Contract and Outsourced Labour: Issues and Challenges</i>; Session 3: <i>Unfair Labour Practices</i>; Session 4: <i>Issues relating to Domestic Enquiry</i>; Session 5: <i>Law of Retrenchment and Lay-off</i>; Session 6: <i>Reinstatement and Back Wages</i>; Session 7: <i>Workplace Injury Compensation</i>.</p> <p>25. Participant did not comment. 26. Bookish knowledge less useful. 27. Can’t say.</p> <p>28. Participant did not comment. 29. As per my opinion tribunal related subjects, unfair labour practice, Section 33 (a), (b) is very useful.</p> <p>30. All programmes are useful for us. 31. All are useful.</p> <p>32. Session 7: Workplace Injury Compensation: because such type of cases are not dealt by me.</p> <p>33. None 34. None 35. None. 36. None. 37. Judges are always in learning process. 38. Nil</p> |
| <p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p> | <p>1 No suggestion because the entire programme is very much effective to me.</p> <p>2. Participant did not comment. 3. I found perfection in all matters. 4. Nothing 5. Participant did not comment.</p> <p>6. Trade union leader may also be called for delivering lectures & also lawyers from employer’s side must be called.</p> |

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| | <p>7. All the managements are very nice there. Keep it up.</p> <p>8. It will be better to provide reading material in soft copies to all participants and judges all over India by email.</p> <p>9. I have no suggestions to give, as the NJA is doing excellent job in sensitizing judicial officers by holding, Training, Seminars and Conferences etc.</p> <p>10. Very good programme, no suggestions please.</p> <p>11. No more suggestions.</p> <p>12. Service of NJA is appreciable and excellent.</p> <p>13. Participant did not comment.</p> <p>14. No</p> <p>15. All programme was very good and effective to our day to day working, continue to hold such programmes.</p> <p>16. For every year participants may serve better and good. Porgramme for more effective.</p> <p>17. I request the benign Director to upload the programme material in the web to enable the Judicial Officers all over India to enrich their knowledge.</p> <p>18. Law is large and programmes is short then time is extended.</p> <p>19. Not required.</p> <p>20. No Suggestion is required.</p> <p>21. Spouse should be allowed to accompany the participants/ officers.</p> <p>22. Two days sessions to be in adequate.</p> <p>23. Participant did not comment.</p> <p>24. No Suggestions.</p> <p>25. Participant did not comment.</p> <p>26. More interactive sessions are required.</p> <p>27. It depends upon the administration of NJA.</p> <p>28. Participant did not comment.</p> <p>29. Spouse may be allowed, necessary because any medical problem or suffering any disease, helpful thereof.</p> <p>30. Needs no suggestion.</p> <p>31. Needs no suggestion.</p> |
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| | <p>32. 1. NJA should provide only audio CD of lecture of Resource Person; 2. NJA should run physical fitness programme also.</p> <p>33. None.</p> <p>34. 1. Spouse be allowed; 2. Programme be coordinated with AIR & Railway availability of tickets.</p> <p>35. Enlarge such programme especially on labour law.</p> <p>36. No particular suggestion; Most of the area was covered.</p> <p>37. Kindly arrange it individual problem based and not court based.</p> <p>38. No suggestion at all as NJA provided very effective programme affects to future.</p> |
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D/C/PR/20 Feb., 2017