APPENDIX-A
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QUESTIONNAIRE FOR PRESIDING OFFICERS OF LABOUR COURTS / INDUSTRIAL TRIBUNAL / ADVOCATES / WORKMEN AND TRADE UNION LEADERS / MANAGEMENT REPRESENTATIVES


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AN APPEAL

The study under reference is academic in nature. The objective of the study is to assess the effectiveness of the adjudication system under the Industrial Disputes Act, 1947. The research design includes an opinion survey. Hence this questionnaire to all the parties involved in the adjudication process and experts in this area.

Therefore, the researcher earnestly requests the respondents to give their expert opinions and offer suggestions to the listed questions and help promote this research endeavour by returning the filled-in questionnaire at your earliest. All the information and opinions revealed by the respondents will be kept confidential and utilized exclusively for the purpose of the doctoral thesis of the researcher. The opinions of the respondents are considered most valuable for this research work.

1. Name :
2. Age :
3. Qualification :
4. Contact Address & Telephone No :
5. Years of Experience as P.O./ Advocate / Workmen-T.U. Leader / Management personnel:
6. How did you acquaint yourself with:
   a) While studying for the LL.B labour laws and industrial relations Degree ( )
   b) Through labour laws practice ( )
   c) Through study ( )
   d) Through experience ( )

7. Do you agree with the general opinion that there is a delay in disposal of cases?
   a) If yes, what are the reasons for delays in the disposal of cases according to you.
   (Tick the appropriate response/s)

   Yes/No
   a) Huge pendency of cases ( )
   b) Non co-operation of advocates ( )
   c) Requirement of reference of disputes ( )
   d) Lack of proper facilities ( )
   e) Inadequate Labour Courts/Industrial Tribunals ( )
   f) Granting of unlimited number and period of adjournments ( )
   g) Non filling of vacancies of P.O.s in time. ( )
   h) Lack of Specialists presiding officers ( )
   i) Procedural constraints ( )
   j) Requirement of publication of awards ( )
   k) All the above. ( )
   l) If you have any other reasons, please indicate. ( )

8. On an average how much time does it take for the disposal of disputes?:
   a) 1 year ( )
   b) 1 1/2 year ( )
   c) 2 years ( )
   d) 2 1/2 years ( )
   e) Above 2 1/2 years ( )

9. Do you think the representation of parties by Advocates would help effective adjudication of disputes? Yes / No

10. Do you agree with the view that representation through Advocates increases the cost of litigation to the workmen and makes the battle uneven? Yes / No
11. Sec.7-A, 7-B, and 11 (5) of I.D. Act empower the appropriate Govt. and Labour Court and Industrial Tribunal respectively, to appoint assessor for assistance in the process of adjudication. Do you think the use of these provisions would help expeditious disposal of case?

Yes / No

12. Do you suggest that, there should be holidays for Labour Courts and Tribunals as provided to Civil Courts?

Yes / No

13. Do you think providing facility of holidays would help in effective and speedy disposal of cases?

Yes / No

14. Do you agree with the general opinion that due to lack of Execution Powers with Labour Courts and Industrial Tribunal, the parties face a great deal of hardships and that there is undue delay in implementation of the Awards?

Yes / No

15. Do you suggest that Labour Court and Industrial Tribunal should be conferred with Execution Powers?

Yes / No

16. Are there instances where parties delay the proceedings intentionally?
a) If yes, which side.
   a) Management side ( )
   b) Workman side ( )
   c) Both sides ( )
   d) None of the above ( )

17. Do you suggest a fixed 5 year term, instead of the present 3 year term for presiding officers of L.Cs & I Tr.s for effective disposal of cases?

Yes / No

18. What procedural and other improvements would you recommend for speedy disposal of cases?

(Tick the appropriate response/s)
   a) Abolition of a system of reference ( )
   b) Imposing limitation on raising disputes ( )
   c) Recording Examination-in-chief by way of affidavit ( )
   d) Submission of written arguments instead of oral arguments ( )
   e) Imposition of restrictions on adjournments ( )
f) Abolition of the system of publication of Awards. ( )
g) Establishment of more Labour Courts and Industrial Tribunals. ( )
h) Filling of vacancies of P.O.s in time ( )
i) Appointment of specialist P.O.s ( )
j) Providing of better infrastructures and facilities to L.Cs/ I.Trs. ( )
k) All the above.
l) If you have any other suggestions, please indicate. ( )

19. Do you suggest primacy to collective bargaining over compulsory adjudication?

Yes/No

20. What do you think are the ill effects of: delay in adjudication of disputes?

(Tick the appropriate response/s)
a) It causes mental harassment and agony to the parties. ( )
b) It causes great monetary losses to the Management ( )
c) It affects livelihood in some cases. ( )
d) It creates Unemployment in some cases ( )
e) It results in loss of confidence in adjudication system. ( )
f) It results in disintegration of workmen’s unity. ( )
g) It discourages the workman fighting his case. ( )
h) It encourages the management to prolong the litigation. ( )
i) Any other, please indicate. ( )
21. What measures would you suggest for improving efficiency and rate of disposal in labour Courts?

22. What amendments would you propose to the I.D. Act for a speedy disposal of cases?

Signature

Note: Please indicate your responses, suggestions, opinions etc. in the space provided in the Questionnaire. If necessary, the additional sheets provided herewith may be used.