

National Judicial Academy

P-1143: Refresher Course for Labour Courts

07th – 09th November, 2018

Programme Coordinator : Mr. Yogesh Pratap Singh, Research Fellow

No. of Participants : 25

No. of forms received : 25

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	72.00	28.00	-	
b. The subject matter of the program is useful and relevant to my work	88.00	12.00	-	
c. Overall, I got benefited from attending this program	80.00	20.00	-	
d. I will use the new learning, skills, ideas and knowledge in my work	76.00	24.00	-	
e. Adequate time and opportunity was provided to participants to share experiences	80.00	20.00	-	
II. KNOWLEDGE				
PROPOSITION	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	80.00	20.00	-	
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	84.00	16.00	-	
c. Up to date	76.00	24.00	-	

d. Related to Constitutional Vision of Justice	64.00	36.00	-	
e. Related to international legal norms	34.78	56.52	8.70	10. Not given much attention
III. STRUCTURE OF THE PROGRAM				
PROPOSITION	Good	Satisfactory	Unsatisfactory	Remarks
a. The structure and sequence of the program was logical	68.00	32.00	-	
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	76.00	20.00	4.00	
(ii) Interactive sessions were fruitful	68.00	28.00	4.00	
(iii) Audio Visual Aids were beneficial	55.56	38.89	5.56	22. Not used mostly
IV SESSIONS WISE VETTING				
Parameters				
Session	Discussions in individual sessions were effectively organized		The Session theme was adequately addressed by the Resource Persons	
	Effective and Useful	Satisfactory	Effective and Useful	Satisfactory
1	60.00	40.00	57.89	42.11
2	62.50	37.50	58.82	41.18
3	58.33	41.67	55.56	44.44
4	75.00	25.00	77.78	22.22
5	75.00	25.00	72.22	27.78
6	75.00	25.00	66.67	33.33
7	66.67	33.33	55.56	44.44
8	66.67	33.33	44.44	55.56
V. PROGRAM MATERIALS				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The Program material is useful and relevant	84.00	16.00	-	

b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	79.17	20.83	-	
c. The content was organized and easy to follow	72.00	28.00	-	

VIII. GENERAL SUGGESTIONS

a. Three most important learning achievements of this Programme	<ol style="list-style-type: none"> 1. I learnt a lot. 2. Participant did not Comment. 3. Participant did not Comment. 4. Participant did not Comment. 5. Participant did not Comment. 6. The programme is devised in such a way that all the speaker and resource persons lectures are useful for labour courts. 7. Participant did not Comments. 8. The opportunity to hear legal luminaries. 9. Participant did not Comment. 10. Compendium of judgements from its origin with constitutional background up to the conflicting judgements between the periods of 1994-2006. 11. <i>Session-3 Unfair Labour Practices. Session-4 Dismissal and Discharge. Session-6 Reinstatement and Back Wages.</i> 12. 1. Broadly understood the Act. 2. Became updated with latest judgements. 3. Beneficial in disposing off cases. 13. <i>Session-3 Unfair Labour Practices. Session-4 Dismissal and Discharge. Session-6 Reinstatement and Back Wages.</i> 14. Vision was clear. Recent case – laws. Practical solutions. 15. Basic knowledge of labour law and labour jurispendance. Concept about the ID Act. Existing power and process under IDA. 16. I was able to understand labour laws in constitutional prospective. Latest judgements were discussed enabling me to apply the principles in cases before me. Had a new vision as to the necessity to give reasons. 17. Programme was very effective and useful. Interactive session was very useful. The subject matter, structure and sequence of the programme was logical. 18. I developed comprehensive understanding about labour laws. 19. How to deal with labour cases. Salient and useful provisions came into my learning. Relevant case laws came into my knowledge. 20. The programme is very useful while working in courts and writing judgements.
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	<p>21. Knowledge sharing, participating and developing skills.</p> <p>22. Interaction with Hon'ble justices of various high courts, study material and meeting POs of various parts of India.</p> <p>23. Knowledge achieved from the guidance of Hon'ble Justices of High Courts. Very much useful for my career.</p> <p>24. Execution process of award. Strike, closure and lock out. Early disposal of cases by advising the parties for entering into a settlement.</p> <p>25. Cumulative learning and understanding of labour laws with precedents is the most important achievement.</p>
<p>b. Which part of the Programme did you find most useful and why</p>	<p>1. <i>Session-1 Labour & Management: Evolving Perspectives: Constitutional Signals, the Role of Courts. Session-2 Contract Labour: Issues and Challenges. Session-3 Unfair Labour Practices. Session-4 Dismissal and Discharge. Session-5 Retrenchment and Lay Off: Balancing Rights of Labour and Interests of Employer. Session-6 Reinstatement and Back Wages. Session-7 Strike, Lockout and Closure. Session-8 Improving the Efficiency of Labour Courts: Constraints and Solutions.</i></p> <p>2. Participant did not Comment.</p> <p>3. Participant did not Comment.</p> <p>4. Participant did not Comment.</p> <p>5. <i>Session-4 Dismissal and Discharge. Session-5 Retrenchment and Lay Off: Balancing Rights of Labour and Interests of Employer. Session-6 Reinstatement and Back Wages.</i></p> <p>6. I feel all the sessions are useful. I am benefited from all the speakers and also the study material.</p> <p>7. Interactive sessions being helpful to conduct the work in efficient way.</p> <p>8. All.</p> <p>9. All part of the programme were useful as it increased our knowledge.</p> <p>10. Session relating to <i>Session-4 Dismissal and Discharge. Session-6 Reinstatement and Back Wages.</i></p> <p>11. <i>Session-4 Dismissal and Discharge.</i></p> <p>12. Strikes and lock-outs, because the case relatable to my court fell in these areas.</p> <p>13. <i>Session-8 Improving the Efficiency of Labour Courts: Constraints and Solutions.</i> Solved the problem to some extent.</p> <p>14. <i>Session-3 Unfair Labour Practices. Session-4 Dismissal and Discharge. Session-6 Reinstatement and Back Wages.</i> The honorable justices guided us in a very useful manner, in handlings disputes, in day-to -day discharge of our works.</p> <p>15. Lecture by Hon'ble Justices and Mr. Kaul.</p> <p>16. Every part was useful.</p> <p>17. All the programmes.</p> <p>18. <i>Session-4 Dismissal and Discharge. Session-5 Retrenchment and Lay Off: Balancing Rights of Labour and Interests of Employer-</i>because practical challenges are clarified by lordships.</p> <p>19. All.</p> <p>20. Interaction with other participants.</p>

	<p>21. <i>Session-4 Dismissal and Discharge. Session-5 Retrenchment and Lay Off: Balancing Rights of Labour and Interests of Employer. Session-6 Reinstatement and Back Wages</i> were very useful. Because Hon'ble judges discussed their experiences.</p> <p>22. Interaction with Hon'ble Justice, as law points and queries were addressed and discussed and made known.</p> <p>23. The session <i>Session-4 Dismissal and Discharge. Session-5 Retrenchment and Lay Off: Balancing Rights of Labour and Interests of Employer. Session-6 Reinstatement and Back Wages</i>. Are most useful to settle the matter in my court. And the other sessions cleared the ideas and queries.</p> <p>24. Questions and Answers.</p> <p>25. All because labour courts procedure is much more different from the regular civil/criminal law.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. Participant did not Comment.</p> <p>2. Participant did not Comment.</p> <p>3. Participant did not Comment.</p> <p>4. Participant did not Comment.</p> <p>5. Participant did not Comment.</p> <p>6. Participant did not Comment.</p> <p>7. All was useful.</p> <p>8. None.</p> <p>9. All part were useful.</p> <p>10. Participant did not Comment.</p> <p>11. <i>Session-2 Contract Labour: Issues and Challenges</i>.</p> <p>12. Contract labour, as less applications in my functioning.</p> <p>13. Participant did not Comment.</p> <p>14. Participant did not Comment.</p> <p>15. Participant did not Comment.</p> <p>16. Every sessions was useful.</p> <p>17. None.</p> <p>18. None.</p> <p>19. No.</p> <p>20. Contract labour Act.</p> <p>21. Not at all.</p> <p>22. Participant did not comment.</p> <p>23. All the session are very useful for me and gaining the knowledge.</p> <p>24. No Comments.</p> <p>25. NA.</p>

<p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<ol style="list-style-type: none"> 1. We must be provided with the communication details of resource persons, so that in case of difficulty while working we may contact them. 2. Participant did not Comment. 3. Participant did not Comment. 4. All labour laws. 5. Participant did not Comment. 6. Participant did not Comment. 7. Participant did not Comment. 8. All good. 9. Participant did not Comment. 10. Word class university like education imparted in short period of time. One session must have been allotted to participants to share their views. 11. Nil. 12. Senior judges of labour courts having adequate experiences may kindly be invited as resource persons to share their experiences. 13. Participant did not Comment. 14. Participant did not Comment. 15. Should include other laws as Employees Compensations Act, MWA, Payment of Wages Act. Make 7 days training programmes. 16. Nil. 17. None. 18. It is up to the mark. 19. This kind of course may be carried on in future. 20. Training programmes for labour staff may also be organized. 21. By making programmes on various subjects. 22. By keeping and conducting more session of Hon'ble High Court Justices. 23. The programmes was executed very effectively. 24. No. Comments. 25. The holidays may be exempted from conducting courses because the judges, the human beings, need mental rest at least once in a week so as to reenergize for better administration of justice.
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