

THE EFFECTIVENESS OF ADJUDICATION MACHINERIES IN KERALA

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ABSTRACT

The Constitution of India declares that, all judicial functions shall be done independently, by the judiciary. The existence of quasi judicial forums, through the process of delegation by the legislature, causes many obstacles for protecting the civil rights of the employees. The working pattern of the adjudication machineries in the industrial field is considered as quasi - judicial in nature. The study was mainly intended to gather the various limitations and clogs, in the adjudication process. The respondents of the enquiry consisting of profound personalities, from a cross section of industrial society, such as MLAs, MPs, judges, lawyers, executives of the Labour Department, management representatives, employees and trade union leaders, acknowledged their desire for reconstruction of the present adjudication process. The main shortcome precipitated through the study, relates to the arbitrary control of the appropriate government, in the adjudication process, relating to industrial disputes. Among the various conclusions drawn up, the vital was the one which advocates the necessity of an independent judicial system. Enhancement of the number of presiding officers. With appropriate skills, modification of industrial policy with much concern for the absolute protection of the employees, were the significant responses evolved from the study.

KEYWORDS: 'Effectiveness', Adjudication, Machinery, Industrial Dispute'