

In pursuance of the provision of clause (3) of article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 511(VIII-1)/2026-39(Labour) dated 30.04.2026 for general information:

Government of Uttarakhand
Labour Section
No. 511 (1) /VIII-1/2026-39(Labour)/2018
Dehradun , dated 30 April, 2026

Whereas the State Government is satisfied that it is necessary and expedient so to do;

And Whereas section 99 of the Industrial Relations Code, 2020 provides that the appropriate Government (State Government) has the power to make rules, by notification in the Official Gazette and subject to the condition of previous publication, for carrying out the provisions of the said Code;

Now, therefore, the Governor, in exercise of the powers conferred by Section 99 of the Industrial Relations Code, 2020, proposes to make the following Uttarakhand Industrial Relations Rules, 2026 to regulate all matters connected with the labourer's/ workers of Uttarakhand;

The Governor further directs under sub-section (1) of Section 99 of the said Code that any representations and objections relating to this notification by the beneficiaries and the general public affected by the said rules may be sent to Secretary, Labour Department, Government of Uttarakhand, 4 B Subhash Road, Uttarakhand Secretariat, Dehradun, Uttarakhand (secretaryswpl25@gmail.com) and Labour Commissioner, Uttarakhand (lcukhld0@gmail.com) within 30 days from the date of publication of this notification in the newspaper/ website;

The Governor also directs that no representations and objections will be accepted after the said period.

The Uttarakhand Industrial Rules, 2026
(Proposed Draft)

CHAPTER-1
PRELIMINARY

- Short title, extent and commencement**
1. (1) These rules may be called the Uttarakhand Industrial Relation Rules, 2026.
 - (2) It shall extend to the whole of Uttarakhand State
 - (3) It shall come into force on the date of their publication in the Official Gazette.



Definition

2. (1) In these rules, unless there is anything repugnant to the subject or context-
- (a) "Code" means the Industrial Relations code, 2020"
 - (b) "Section" means the section of the Industrial Relations code 2020,'
 - (c) "electronically" means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of code;
 - (d) 'Form' means the form appended to the rules;
 - (e) "State Government" means the Government of Uttarakhand
- (2) The words and expressions used herein and not defined but defined in the Industrial Relations Code, 2020 shall have the same meanings respectively assigned to them in the Code.

**Chapter-2
SETTLEMENT**

**Memorandum of
settlement**

3. (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in Form A.
- (2) The settlement shall be signed by the following —
- (a) by the employer or by his authorized agent, or where the employer is an incorporated company or other body corporate, by the representative, manager or other principal officer of such company or such other body corporate; and
 - (b) on behalf of workers, by any of the following office bearers of Trade Union, namely: —
 - (i) President; or
 - (ii) Vice-President; or
 - (iii) Secretary (including the General Secretary); or
 - (iv) Joint Secretary; or

- (v) any other office bearer of the Trade Union authorized in this behalf by the President and Secretary of the Union; or
 - (vi) five representatives of workers duly authorized in this behalf at the meeting of the workers held for the purpose.
- (3) In case of an industrial dispute between any worker and employer, the settlement shall be signed by the employer and the worker concerned.
- (4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the State Government together with a copy of the memorandum of settlement signed by the parties to the dispute.
- (5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post or by registered post, to the Labour Commissioner and to the conciliation officer.
- (6) The conciliation officer shall file all settlements effected under the Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.
- (7) The register referred to in sub-rule (6) shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:
Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation:
Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than Form A .

Chapter-3

BI-PARTITE FORUMS

Works Committee, its constitution and matters related thereto

4.

- (1) Every employer to whom an order made by the State Government under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee (hereinafter in this rule referred to as the Committee) to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in these rules.
- (2) **Number of Members**
 - (i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections or departments of the industrial establishment.
 - (ii) The total number of members of the Committee shall not exceed twenty.
 - (iii) The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein:
Provided that the industrial establishment in which women workers are employed shall have adequate representation of women workers in Works Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.
- (3) **Representation of Employer** Subject to the provisions of this rule, the representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4) Consultation with Trade Union Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions, the employer shall ask such registered Trade Union or Trade Unions to inform him in writing as to—

- (a) number of the workers who are members of such registered Trade Union or Trade Unions; and
- (b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to Deputy/Joint/Additional Registrar, who shall, after hearing the parties, shall send a report to Labour Commissioner/registrar who shall decide the matter and whose decision shall be final.

(5) Selection of Worker's representative's of On receipt of the information called for under sub-rule (4), the employer shall provide for the choosing of worker's representative of the Committee in the following manner, namely:—

- (a) in the case of a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union shall nominate the worker's representatives of the Committee;
- (b) in the case of the negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;
- (c) where there is no recognised negotiating union or negotiating council referred to in clauses (a)

and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee:

Provided that the employer may, deploy an electronic platform for conducting the election process over an information technology application, online platform or such other platform to enable as to how the representatives of workers shall be elected for the Committee under this clause:

Provided further that where a registered Trade Union fails to furnish the information called for under sub-rule (4) within one month of the date on which it is so called for, then, such Trade Union shall for the purpose of this rule be treated as if it did not exist:

Provided also that where any reference has been made by the employer under sub-rule (4), the process of choosing the worker's representative relating thereto shall be held on receipt of the decision of the Labour Commissioner .

- (6) **Electoral Constituencies** The employer may, if he thinks fit, direct that the workers shall vote in either by groups, sections, shops or departments.
- (7) **Qualification of Candidates for election** Any worker, of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

Provided that such service qualification shall not apply to the first election in an industrial establishment which has been in existence for less than a year.

Explanation. — For the purposes of this sub-rule, a worker who has put in continuous service for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have completed the service qualification specified therein.

- (8) Qualification for voters** All workers who are not less than eighteen years of age and who have put in not less than six months' continuous service in the industrial establishment shall be entitled to vote in the election of worker's representative of the Committee.

Explanation.— For the purposes of this sub-rule, a worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have completed the service qualification specified therein.

(9) Fixation of schedule for Election

- (i)** The employer shall give a minimum time period of at least three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.
- (ii)** The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations.
- (iii)** The date of election fixed under clause (i) shall be notified at least seven days in advance to the

workers concerned and such notice, which shall specify the number of seats to be elected, shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers

(10) Nomination of Candidates for election:

- (i) Every nomination for election as worker's representative of the Committee shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.
- (ii) Each nomination paper referred to in clause (i) shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking election shall represent, and shall be delivered to the employer.

(11) Scrutiny of Nomination papers:

- (i) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinized by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.
- (ii) A nomination paper shall be held to be not valid under this sub-rule, if—
 - (a) the candidate nominated is ineligible for being a candidate under sub-rule (7); or
 - (b) the requirements of sub-rule (10) have not been complied with:
Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorized nominee for the purpose.

(12) Withdrawal of Candidates of Any candidate whose nomination for election has been accepted

may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.

(13) Voting in Election

- (i) If the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall be forthwith declared as duly elected.
- (ii) Where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election

(14) Officers of the Committee:

- (i) The Committee shall have among its office-bearers a Chair person, a Vice-Chairperson, a Secretary and a Joint-Secretary.
- (ii) The Chairperson of the Committee shall be nominated by the employer from amongst the employer's representatives of the Committee and he shall, as far as possible, be the head of the industrial establishment.
- (iii) The Vice-Chairperson shall be elected by the members of the Committee representing the workers, from amongst themselves:

Provided that in the event of equality of votes in the election of the Vice-Chairperson, the matter shall be decided by a lottery.

- (iv) The Secretary and the Joint-Secretary of the Committee shall be elected every year.
- (v) The Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be

elected from amongst the representatives of the workers and *vice versa*:

Provided that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the either the employer or the workers for three consecutive years:

Provided further that the employer's representatives shall not take part in the election of the Secretary or Joint Secretary, as the case may be, and only the representatives of the workers shall be entitled to vote in elections for the post of Secretary or Joint Secretary:

Provided also that in the event of equality of votes in an election under this sub-rule, the matter shall be decided by a lottery.

(15) Term of Office:

- (i) The term of office of the members of the Committee other than a member chosen to fill a casual vacancy shall be three years.
- (ii) Every member chosen to fill a casual vacancy shall hold office for the remaining period of the term of his predecessor.
- (iii) The membership of any member, who fails to attend three consecutive meetings of the Committee without obtaining leave from the Committee, shall stand ceased.

(16) Vacancies

In the event of worker's representative ceasing to be a member under clause (iii) of sub-rule (15) or ceasing to be employed in the industrial establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule for the remaining period of the Committee from the same group

to which the member vacating the seat belonged.

- (17) Power to Co-Opt:** The Committee shall have the right to co-opt persons employed in the industrial establishment having particular or special knowledge of a matter under discussion in a consultative capacity and such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Committee.

(18) Meetings

- (i) The Committee may meet as often as necessary but not less often than once in three months.
- (ii) The Committee shall at its first meeting regulate its own procedure

(19) Facilities for meetings, etc.

- (i) The employer shall provide accommodation for holding meetings of the Committee and shall also provide all necessary facilities to the Committee and to its members for carrying out the work of the Committee.
- (ii) The Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representatives of the workers shall be deemed to be on duty while attending the meeting.
- (iii) The Secretary of the Committee may with the prior concurrence of the Chairperson, put up notice regarding the functions of the Committee on the notice board of the industrial establishment.

- (20) Annual Return** The employer shall submit the details of the constitution and the

functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).

- (21) Dissolution of Works Committee**
- The State Government, or the officer authorised in its behalf, may after making such inquiry as it or he may deem fit, dissolve any Committee at any time, by an order for reasons to be recorded in writing, on being satisfied that the Committee has not been constituted in accordance with the provisions of this rule or that not less than two-third of the number of representatives of the workers have without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where the Committee is dissolved under this sub-rule, the employer, may, and if so required by the State Government or, as the case may be, by such officer, shall take steps to re-constitute the Committee in accordance with this rule.

- choosing members from the employers and the workers for Grievance Redressal committee under sub-section (2) of section 4.**
5. (1) The Grievance Redressal Committee (hereinafter in this rule referred to as the Grievance Committee) in an industrial establishment employing twenty or more workers, shall consist of equal number of members representing the employer and workers, which shall not exceed ten.

- (2) The representatives of the employer for the Grievance Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major department of the industrial establishment
- (3) The worker's representative of the Grievance Committee shall be chosen in the following manner, namely: —
 - (a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives of the Grievance Committee;
 - (b) in the case of a negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;
 - (c) where there is no recognized negotiating union or negotiating council referred to the clauses (a) and (b), the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

Provided that the employer may, deploy an electronic platform for choosing worker's representatives under this clause, over an information technology application, online platform or such other like platform:

Provided further that there shall be adequate representation of women workers in the Grievance Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

- (4) The tenure of the members of the Grievance Committee shall be three years.
- (5) Where there is no recognized negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the matter may be referred to the Labour Commissioner, who shall, after hearing the parties, decide the matter, whose decision shall be final.

Application before the Grievance Redressal Committee under sub-section (5) of section 4

- 6. (1) Any aggrieved worker/employee may file an application stating his dispute therein before the Grievance Redressal committee giving his name, designation, employee Code, Department where posted, length of service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought.
- (2) The application referred to in sub-rule (1) may be sent electronically or otherwise.
- (3) The application referred to in sub-rule (1) shall be filed within one year from the date on which the cause of action of such dispute arose.

Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to conciliation officer under sub-section (8) of section 4

7. Any Worker/Employee who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said committee within thirty days of receipt of the application, may file an application by registered post or speed post or electronically within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer of the area concerned through the Trade Union of which he is a member or in person;

Provided that in case of manual receipt of such application or through registered post or speed post, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism and intimate to the concerned worker.

CHAPTER-4
TRADE UNIONS

Subscription fees under clause (f) of section 7 8.

The subscription fees of the members of the Trade Union shall be as follows :

Rs. 200 per annum for the workers of the unorganized sector
Rs. 300 per annum for the workers of the organized sector
The amount of subscription may be amended by the State Government as and when required by a general order.

In addition to members, annual donations of up to ₹5,000 may be accepted from outsiders through electronic/digital means. A receipt for this purpose will be provided to the individual by the president of the respective association or other authorized official within one week of the date of the donation.

Manner of annual Audit under clause (j) of section 7 9.

- (1) In addition to the provisions contained in sub-rule (2), the annual audit of the Trade Union shall be conducted by an auditor qualified under sub-section (1) of section 141 of the Indian Companies Act, 2013.
- (2) Where the membership of a Trade Union did not any time being during the Financial Year exceed 2500, the annual audit of the account may be conducted-
 - (a) by a local auditor in Government service.
 - (b) by any person who has served in the State Audit & Account Service;
 - (c) by any auditor appointed to audit accounts of a co-operative society;
 - (d) by Registrar of a co-operative society or any state co-operative organization recognized for this purpose.
- (3) Notwithstanding anything contained in sub-rule (1), no person, who, at anytime during the year was entrusted with any part of the funds or securities belonging to the Trade Union shall be eligible to audit the accounts of that Union
- (4) The auditor or auditors appointed in accordance with the rules shall be given access to all the books of the

Trade Union and shall verify the annual return with the accounts and vouchers relating thereto and shall there after sign the auditors declaration appended to **Form-B**, indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the return to be incorrect, unvouched or not in accordance with the code The particulars given in this statement shall indicate-

- (a) every payment which appears to be unauthorized by the rules of the Trade Union or contrary to the provisions of the code;
- (b) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person;
- (c) the amount of any sum which ought to have been but not brought to account by any person.

Audit of political funds 10. The audit of the political funds of a registered Trade Union shall be carried out along with the audit of the general account of the Trade Union and by the same auditor or auditors.

Inspection 11. (1) The register of Trade Unions being maintained shall be open to inspection by any Person on payment of a fee Rs. Fifty.

(2) Any documents in the possession of the Registrar received from a registered Trade Union may be inspected by any member of that Union on payment of a fee of Rs. fifty for each document inspected.

(3) Documents shall be open to inspection every day on which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.

(4) The Registrar may supply a Certified copy of any such document to a registered Trade Union or a member thereof on payment of ₹ Rs. 2.00 per page of the document.

Format registration application under 12. (1) Every application for registration of a Trade Union shall be in **Form-C** made to the Registrar

subsection (1) of
section 9

electronically or otherwise and be accompanied by following-

(a) a declaration to be made by an affidavit. The titles, names, ages, address and occupation of the office bearers as per schedule-I of Form C.

(b) copy of the rules of the Trade Union together with a copy of the resolution by the members of the Trade Union adopting such rules. The number of rule making provision for several matter shall be as per schedule-II of Form C.

(c) a copy of the resolution adopted by the members of the Trade Union authorizing the applicants to make an application for registration;

(d) The fee payable for the registration of a Trade Union shall be Rs. 2000 or such revised fee as may be issued by the State Government from time to time by general order;

(e) in the case of a Trade Union, being a federation or a central organization of Trade Unions, a copy of the resolution adopted by the members of each of the member Trade Unions, meeting separately, agreeing to constitute a federation or a central organization of Trade Unions.

Explanation- For the purposes of this clause, resolution adopted by the members of the Trade Union means, in the case of a Trade Union, being a federation or a central organization of Trade Unions, the resolution adopted by the members of each of the member Trade Unions, meeting separately.

(2) Where a Trade Union has been in existence for more than one year before the making of an application for its registration, there shall be delivered to the Registrar, together with the application, a general statement of the assets and liabilities of the Trade Union prepared in schedule-II of Form C.

(3) The Registrar may call for additional information for the purpose of satisfying himself that the application complies with the provisions of this Code and the Trade Union is entitled for registration under this

Code, and may refuse to register the Trade Union until such information is furnished.

Provided that the Registrar shall, within a period of 120 days from the receipt of the application, make his decision final regarding doing registration or not of the Trade union.

Provided further that any officer authorized to examine about the particular of the proposed Trade union shall submit his report to the Registrar within a period of 60 days from the date of being so authorized.

(4) If the name under which the Trade Union is proposed to be registered is identical with that of an existing registered Trade Union or in the opinion of the Registrar so nearly resembles the name of an existing Trade Union that such name is likely to deceive the public or the members of either Trade Union, the Registrar shall require the persons applying for altering the name of the Trade Union and shall refuse to register the Trade Union until such alteration has been made.

**Certificate of 13.
Registration under
sub section (2) of
section 9**

(1) Where the Registrar makes an order for registration of a Trade Union, he shall issue a certificate of registration to the applicant Trade Union, in **Form-D**, which shall be the conclusive evidence that the Trade Union has been registered under this Code.

(2) If the Registrar has issued a certificate of registration to a Trade Union, he shall enter the name and other particulars of the Trade Union in a register maintained in this behalf in **Form-E**.

(3) Every Trade Union registered under the Trade Union Act, 1926 (16 of 1926) having valid registration immediately before the commencement of this Code shall be deemed to have been registered under the Code:

Provided that such Trade Union shall file with the Registrar a statement that the constitution of the executive of the Trade Union is in accordance with this Code along with the rules of the Trade Union updated in accordance with section 7, and the Registrar shall amend his records accordingly.

Registration of Trade Union under sub-section (3) of section 9

14. The registrar, on being satisfied that the Trade Union has complied with necessary requirements for registration under this chapter shall register the Trade Union by entering the details in **Form-E** related to the union as provided with the application.

Cancellation or Withdrawal of Registration under sub-section (5) of section 9

15. The certificate of registration of a trade union may be withdrawn or cancelled by the Registrar within 45 days of receipt of the application/intimation:-

after getting an enquiry conducted by Deputy/Joint/Additional Registrar or

on the information received regarding the contravention by the Trade Union of the provisions of this Code or the rules made there under or its constitution or rules; or

if he is satisfied that the members in a Trade Union falls below ten percent of total workers or one hundred workers, whichever is less:

Provided that not less than sixty days previous notice in writing specifying the grounds on which it is proposed to cancel the certificate of registration of a Trade Union shall be given by the Registrar to the Trade Union before the certificate of registration is cancelled otherwise than on the application of the Trade Union.

Period for filing appeal under sub-section (1) of section 10

16. Any person aggrieved by the refusal of the Registrar to grant registration to a Trade Union under section 9 or by cancellation of a certificate of registration under sub-section (5) of the said section, may within thirty days of such decision/refusal, prefer an appeal to the Tribunal having jurisdiction.

Provided that the Tribunal may entertain the appeal after the limitation prescribed for preferring the appeal under this sub-rule, if the appellant satisfies the Tribunal that such delay has been caused due to sufficient reason or unavoidable circumstances.

Communication and Notices under section 11

17. (1) All communications and notices to a registered Trade Union shall be sent electronically or by registered post to the address of the head office of the Trade Union as entered in the register maintained by the Registrar.

- (2) The Trade Union shall inform the Registrar if the members of such Trade Union falls below ten percent of total workers or one hundred workers, whichever is less electronically or by registered post within 21 days of such change facts emerging.
- (3) The Trade Union shall inform the Registrar of any change in the particulars given by it in its application for registration and in its constitution or rules electronically or through registered post within 21 days of such changes being affected.

Matters relating to negotiations between the negotiating union or negotiating council and the employer in an industrial establishment

18. Under sub-section (1) of section 14, negotiations shall be conducted by the employer of an industrial establishment through a negotiation union or a negotiation council on the following matters relating to workmen:-

- (i) classification of grades and categories of workers;
- (ii) order passed by an employer under the standing orders applicable in the industrial establishment;
- (iii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;
- (iv) hours of work of the workers, rest days, number of working days in a week, rest intervals, working of shifts;
- (v) leave with wages and holidays;
- (vi) promotion and transfer policy and disciplinary procedures;
- (vii) quarter allotment policy for workers;
- (viii) safety, health and working conditions and related standards;
- (ix) such matters pertaining to conditions of service and terms of employment of the workers which are not covered in the foregoing clauses; and

- (x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council, as the case may be.

Criteria for recognizing a single registered Trade Union of workers as sole negotiating union of workers under sub-section (2) of section 14

19. Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than 30 percent of the total workers employed in the industrial establishment, then the employer of such industrial establishment shall recognize such Trade Union as sole negotiating union of the workers

Manner of verification of membership of Trade Unions in an industrial establishment under sub-sections (3) and (4) of section 14.

20. (1) (a) The State Government shall appoint a verification officer (hereinafter in this rule, referred to as verification officer) for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

Provided that the process for recognition of the negotiating union or the negotiating council, as the case may be, shall commence three months before the expiry of the tenure of the existing recognition period of the negotiating union or the negotiating council, as the case may be, recognized by the employer under the Code.

- (b) The verification officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification
 - (c) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the State Government.
- (2) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under sub rule (1).

- (3) (a) The Trade Unions which satisfy the following conditions may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be, namely such Trade Union has a valid registration under the Trade Unions Act, 1926 (16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (35 of 2020), as the case may be; and
- (b) The application for recognition made by Trade Union shall be accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the trade union submitted to the Registrar of Trade Unions.
- (4) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be;
- (5) The date of reckoning shall be fixed by the verification officer for the industrial establishment for the purpose of verification of membership of the trade unions.
- (6) The employer of the establishment shall forward the documents and records submitted by trade unions, to the verification officer.
- (7) On receipt of the documents and records, the verification officer shall scrutinize the records and documents submitted by the trade union to ascertain the status of registration of trade unions and related matters;
- (8) The verification officer shall hold meeting with representatives of employer of industrial establishment and all participating Trade Unions to



decide about the process of verification of the membership of Trade Unions through secret ballot.

(9) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.

(10) Verification of membership of Trade Unions through secret ballot.-

(i) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide -

(a) publication of voters list;

(b) date, time, mode of voting, place of voting;

(c) date, time and place of counting; and

(d) other modalities relating to secret ballot.

(ii) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, program and procedure of such secret ballot election.

(iii) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning shall be eligible to cast their vote.

(iv) The employer of the industrial establishment shall prepare a voter list based on the names of

workers recorded in the muster roll referred to in clause (iii). This voter list shall include the worker's name, father's name, designation, worker serial number/identity card number issued by the employer, and the name of the workplace. After receiving the approval of the Verification Officer, the final voter list will be published by the employer and displayed on the notice board at the main entrance of the industrial establishment and on the website (if any). A copy of such voter list will also be sent to the participating trade associations by hand, by registered post, or by electronic means.

(v) The verification officer shall display the list of the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalization of the list.

(vi) The voting and counting of votes shall be held on the date, time and place fixed by the verification officer under the supervision of the verification officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present

(vii) After final counting of votes, the result shall be declared by the verification officer. The result sheet shall contain the name of all Trade Unions participated in election, total number of votes polled and the number of votes cast in favour of each of the trade unions which participated in the election.

(11) Submission of verification report to the employer.-
The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.

Recognition of Trade Union as negotiating union or constituents of negotiating council

21. (1) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating

council as per provisions of subsection (3) or subsection (4) of section 14 of the Code, as the case may be.

- (2) Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be:

Facilities to be provided by industrial establishment to a negotiating union or negotiating council under subsection (7) of section 14

22. In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, as the case may be, namely:

- (i) notice board for the purpose of displaying information relating to activities; of negotiating union or negotiating council, as the case may be;
- (ii) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as the case may be, as per list and agenda to be settled between employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;
- (iii) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;
- (iv) facility for entrance of the office bearers of the negotiating union or negotiating council, as the case may be, in the industrial establishment for the purposes of ascertaining the matters which are relating to working conditions of the workers;
- (v) employer of the industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker;
- (vi) when the office bearers of the negotiating union or negotiating council shall be holding meetings with the employer as per agreed schedule between employer

and such employed office bearers shall be treated as on duty; and

- (vii) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be.

Objects and uses of the General Fund under Section 15

- (1) The general funds of a registered Trade Union shall not be spent on any objects other than such objects as mentioned in the By-laws of the Registered Trade Union verified by the Deputy Registrar of trade union of the concerned area.
- (2) A registered Trade Union may constitute a separate fund, from contribution separately levied for or made to that fund, from which payments may be made, for the promotion of the civic and political interests of its members, in furtherance of such objects as mentioned in the By-laws of the Registered Trade Union verified by the Deputy/ Joint/Additional Registrar of the concerned area.

Manner of filing application before a Tribunal under sub section (1) of Section 22

- (1) In case of Registered Trade Union Where a dispute-
 - (a) arises between one Trade Union and another trade union; or
 - (b) arises between one or more workers who are members of the Trade Union and the Trade Union regarding registration, administration or management or election of office-bearers of the Trade Union; or
 - (c) arises between one or more workers who refused admission as members and the Trade Union; or
 - (d) Where a dispute relates to a trade union being a federation of trade unions and between the authorities authorized by the trade union in this behalf

In all such cases, the party/parties affected by the dispute may file an application in **Form-F** along with the details of the dispute before the



Tribunal having jurisdiction within a maximum period of one month from the date of occurrence of the dispute.

Change of Name and Amalgamation under section 24

- (2) No civil court other than the Tribunal shall have power to entertain any suit or other proceedings in relation to any dispute referred to in sub-rule(1).
- (1) Any registered Trade Union may, with the consent of not less than two-third of the total number of its members and subject to the provisions of sub-rule (3), change its name.
- (2) Any two or more registered Trade Unions may be amalgamated.
- (3) Every notice of name change or merger shall be given in writing. In the case of a name change, it shall be signed by the secretary and seven members of the trade union changing the name, and in the case of a merger, by the secretary and seven members of each trade union involved. This notice shall be sent to the Registrar by registered mail or email. If the headquarters of the merged trade union is located in another state, the information will be sent to the Registrar of that state. Also, details of all the members who signed the decision taken regarding name change or merger will also be sent. This information will be sent within two weeks of the decision being finalized and signed by the concerned members.
- (4) If the proposed name is identical with that by which any other existing Trade Union has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either Trade Union, the Registrar shall refuse to register the change of name.
- (5) Save as provided in sub-rule (4), the Registrar shall, if he is satisfied that the provisions of this Code/rules in respect of change of name have been complied with, he shall register the change of name in the register referred to in sub-section (3) of section 9, and the change of name shall have effect from the date of such registration.

- (6) If the Registrar of the State in which the head office of the amalgamated Trade Union is situated is satisfied that the provisions of this Code/rules in respect of amalgamation have been complied with and that the Trade Union formed thereby is entitled to registration under section 9, shall register the Trade Union and the amalgamation shall have effect from the date of such registration.
- (7) The change in the name of a registered Trade Union shall not affect any rights or obligations of the Trade Union or render defective any legal proceeding by or against the Trade Union, and any legal proceeding which might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its new name.
- (8) An amalgamation of two or more registered Trade Unions shall not prejudice any right of any such Trade Unions or any right of a creditor of any of them.

Distribution of Funds after Dissolution under sub section (2) of section 25

- 26. (1) When a registered Trade Union is dissolved, notice of the dissolution signed by seven members and by the secretary of the Trade Union shall, within fourteen days of the dissolution, be sent to the Registrar, and shall be registered by him if he is satisfied that the dissolution has been effected in accordance with the rules of the Trade Union, and the dissolution shall have effect from the date of such registration.
- (2) Where the dissolution of a registered Trade Union has been registered and the rules of the Trade Union do not provide for the distribution of funds of the Trade Union on dissolution, the Registrar shall divide the funds amongst the members of the Trade Union in proportion to the amounts contributed by the members by way of subscription during the membership

Annual Return under sub section (1) of section 26

- 27. (1) Every registered Trade Union shall-
 - (a) forward annual report to the Registrar, on or before 31st January of the succeeding year, in **Form-G**, audited in such manner and by such person, as may be prescribed, a general



statement containing particulars of all receipts and expenditure of such registered Trade Union during the year ending on the 31st day of December and of the assets and liabilities of the Trade Union existing on such 31st day of December;

- (b) along with the general statement referred to in clause (a), forward to the Registrar a statement showing changes of office-bearers made by the Trade Union during the year to which such general statement refers, together also with a copy of the rules of the Trade Union corrected up to the date of dispatch thereof to the Registrar.
- (2) On receipt of a copy of an application for alteration of the rules of a Trade Union under Section 99 of the Industrial Relations Code, 2020, the Registrar, unless he has reason to believe that the alteration has not been made in the manner provided by these Rules, shall register the alteration in a register to be maintained for this purpose and shall notify the fact that he has done so to the secretary of the Trade Union. The fee payable for registration of alteration of rules shall be Rs. 200 for each set of alteration made simultaneously.
- (3) For the purpose of examining the documents referred to in clauses (a) and (b) of sub-rule (1), and sub-rule (2), the Registrar or any officer authorized by him, by general or special order, may at all reasonable times inspect the certificate of registration, account books, registers and other documents, relating to a Trade Union, at its registered office.

Chapter-5 STANDING ORDERS

Manner of forwarding information to certifying officer under sub-section (3) of section 30

28. (1) If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically and by registered post the specific date from which the provisions of the model standing order which are relevant to his establishment have been adopted.



- (2) On receipt of information in sub-rule (1) the certifying officer within a period of thirty days from such receipt may give his observation that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the model standing orders which have not been adopted and shall also direct the employer to amend the standing order so adopted, by way of addition, deletion or modification within a period of thirty days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the certifying officer seeks to get so amended and such report shall be sent electronically or by registered post by the employer.
- (3) If no observation is made by certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1) and (2), then, the standing order shall be deemed to have been adopted by the employer.

Manner of choosing representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30

Where there is no such Trade Union as is referred to in clause (i) of sub-section (5) of section 30, then, the certifying officer shall direct the inspector-cum-facilitator to provide the names of four representatives as per the written choice of the workers of the establishment to whom he shall, upon their being chosen, forward a copy of the standing order requiring objections, if any, which the workers may desire to make to the draft standing order to be submitted within fifteen days from the receipt of the notice.

Manner of authentication of certified standing orders.

Standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent electronically and registered/speed post within a week to all concerned, but there shall not be any requirement of certification in cases of deemed certification



under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

Statement to be accompanied with draft standing orders under sub-section (9) of section 30.

31. (1) Draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein including particulars of Trade union to which such workers belong; and
- (2) Draft modification in the existing standing orders, shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provision of standing order in force and proposed modification therein and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30.

32. In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade union or the representatives of workers if there is no Unions.

Manner of disposal of appeal by appellate authority under section 32

33. (1) An employer or Trade Union or workers desirous of preferring an appeal against the order of the certifying officer given under sub-section (5) of section 30 shall within sixty days of the receipt of such order shall draw up a memorandum of appeal in tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed electronically and sent by Registered Post to the appellate authority.
- (2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given-
- (a) Where the appeal is filed by the employer or a worker, to Trade Union of the workers of the industrial establishment or to the representative body of the workers concerned to the employer, as the case may be;

(b) where the appeal is filed by a Trade Union, to the employer and all other Trade Unions of the workers of the industrial establishment; and

(c) where the appeal is filed by the representative of the workers, to the employer and any other worker whom the appellate authority joins as a party to the appeal,

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal,

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called or consider to be relevant if produced and after hearing the parties pass an order within sixty days of receiving an appeal.

(6) The appellate authority shall, within seven days of its order under sub-rule (5) send copies thereof to the Certifying Officer, to the employer and to the trade union or other prescribed representatives of the workmen, accompanied,

(7) For the purpose of this chapter certifying officer and appellate officer shall be nominated by the State Government through notification.

The language and the manner of maintaining standing order under section 33

34. (1) The standing order finally certified by certifying officer shall be sent electronically and registered post except in the case of deemed certification under section 30.

(2) The text of the standing order as finally certified or deemed to have been certified or adopted model standing order under this chapter shall be maintained by the employer in Hindi and in English and shall be provided to any worker of the establishment on receipt of any such application within one week of receiving such application and or payment of two rupees per page of Standing Order.



Fee for providing the Register and certified copy of the final certified copy of the standing order under section 34

Application for modification of standing order under section 35

35. (1) The certifying officer shall maintain electronically or manually in **Form-H** a register of all standing order certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details of –
- (a) the unique number assigned to each standing order;
 - (b) name of industrial establishment;
 - (c) nature of industrial establishment;
 - (d) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking ;
 - (e) the areas of the operation of the industrial establishment; and
 - (f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing order.
- (2) The certifying officer shall furnish a copy of the certified standing orders or deemed certifying orders to any person applying there of on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may. The payment for such purpose can also be made through electronic mode.
36. (1) An application for modification of an existing standing order under sub-section (2) of section 35 shall be made in **Form-I** and submitted electronically or registered post and contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modification therein, reasons thereof and the details of registered Trade union operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking The Certifying Officer shall pass order in the application for modification of standing order within sixty days of receipt of such application.
- (2) Where such an application for the modification is received from a workman the Certifying Officer shall where more than one trade union exists among the workmen of the industrial establishment, take one

representative each from the registered trade union. If there is no trade union, the procedure given in rule 37 shall be followed to elect the representative of workmen.

- (3) The application for modification received from a workman shall thereafter be sent to the representative union or elected representatives, as the case may be, to elicit opinion.
- (4) Proceeding to certify the modification sought for shall be undertaken only to the extent these modification are approved by the representative trade union or elected representative, as the case may be, and such trade union or representative shall be representing the applicant workman during the proceeding for certification.
- (5) All notices, notifications and orders under this Code and the Rules shall be served on the parties concerned by registered acknowledgement due letter or by special messenger. In the latter case, an acknowledgement in writing by or on behalf of the other party concerned shall be obtained in respect of such delivery.

Chapter-6 **NOTICE OF CHANGE**

The manner of giving notice for change proposed to be effected under clause (i) of section 40.

37. (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in **Form-J** to such worker affected by such change.
- (2) The notice referred in sub- rule (1) shall be displayed conspicuously by the employer on the notice board in Hindi and English at the main entrance of the industrial establishment and the office of the concerned Manager of the industrial establishment.

Provided that where there is a registered Trade Union or registered Trade Unions relating to the industrial establishment a copy of such notice shall also be served on the Secretary of such Trade Union

or each of the Secretaries of such Unions, as the case may be.

Chapter -7

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

- Form of arbitration agreement and the manner thereof under sub-section (3) of section 42** 38. (1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in **Form-K** and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent either in writing or electronically of arbitrator or arbitrators.
- (2) The Arbitration Agreement referred to in sub-rule (1) shall be signed.-
- (I) In case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;
- (II) In the case of the workers by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose;
- (III) In the case of an individual worker, an individual worker by the worker himself or by an officer of registered Trade Union of which the worker is a member:

Explanation.- In this rule 'officer' means any of the following officers, namely:-

the President;

Vice-President;

the Secretary (including the General Secretary);

a Joint Secretary; and

any other officer of the Trade Union authorized in this behalf by the President and Secretary of the union.

Manner of issue of notification under sub-section (5) of section 42

39. Where an industrial dispute has been referred to arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette for the information of the employers and workers



who are not parties to the arbitration agreement but are concerned in the dispute and they may apply before the arbitrators appointed for such purpose within a period of 45 days from the date of notification through electronic mail/registered/speed post

Manner of choosing representatives of workers where there is no Trade Union.

40. Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in **Form-L** authorizing therein to represent the case. Such workers shall be bound by the acts of representative who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER-8 MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

The manner of holding of conciliation proceedings under sub-section (1) of section 53, full report under sub-section (4), and application and the manner of deciding such application under sub-section (6)

41. (1) (1) Where any industrial dispute exists or is apprehended or a notice under section 62 has been given, the conciliation officer shall, within a period of 15 days of receipt of such application shall examine the application and if he finds fit will issue notice to the parties concerned declaring his intention to commence conciliation proceedings.
- (2) The employer or the workers representative in the first meeting shall submit their respective statement in the matter of said dispute.
- (3) The conciliation officer shall hold conciliation proceedings for the purpose of bringing about a settlement of the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement.
- (4) (i) During the pendency of any conciliation proceeding before a Conciliation Officer or any



proceeding before a Tribunal in respect of and Industrial Disputes, no employer shall –
in regard to any matter connected with the dispute, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding, or

for any misconduct with the dispute, discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute save with the express permission in writing of the authority before which the proceeding is pending.

(ii) During the pendency of any such proceeding in respect of an industrial disputes, the employers may, in accordance with the standing orders applicable to a workman concerned in such disputes-

(a) alter, in regard to any matter not connected with the disputes the conditions of service applicable to that workman immediately before the commencement of such proceeding, or

(b) for any misconduct not connected with the dispute, discharge or punish, whether by dismissal or otherwise, that workman:

Provided that no such workman shall be discharged or dismissed, unless he has been given wages for the month and an application has been made by employer to the authority before which the proceeding is pending for approval of the action taken by the employer.

(iii) Notwithstanding anything contained in said sub-clause(ii) no employer shall during the pendency of any such proceeding in respect of and industrial dispute, take any action against any protected workman concerned in such dispute-

(a) by altering, to the prejudice of such protected workman, the conditions of service applicable to him immediately before the commencement of such proceeding, or

(b) by discharging or punishing, whether by dismissal or otherwise such protected workman, save with the express permission in writing of the authority before which the proceeding is pending.

(iv) Where an employer makes an application to Tribunal under the provision to sub clause (ii) for approval of the action taken by him, the authority concerned shall, without delay, hear such application and pass such order within thirty days of receiving of application in relation thereto as it deems fit.

(v) Where an employer contravenes the provisions of sub clause (iii) during the pendency of proceedings before Tribunal, any workman aggrieved by such contravention may make a complaint in writing in the prescribed manner, to the Tribunal as the case may be, and on receipt of such complaint the Tribunal shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with this Code and shall submit its award to the State Government.

(5)(1)(i) Where any money is due to a workman from an employer under a settlement or award, or under an award given by an adjudicator or the State Industrial Tribunal appointed or constituted under this Code workman may, without prejudice to any other mode of recovery, made an application to the State Government for the recovery of the money due to him, and if the State Government is satisfied that any money is so due, it shall issue a certificate of that amount to the Collector who shall proceed to recover the same as if it were an arrear of land-revenue.

(ii) Where any workman is entitled to receive from the employer any benefit which is capable of being computed in terms of money, the amount at which such benefit should be computed may be determined by such Tribunal as may be specified in this behalf by the State Government, and the amount so determined may be recovered as provided in sub clause (i)

(iii) For the purposes of computing the money value of a benefit, the Tribunal may, if it so thinks fit, appoint a Commissioner in the prescribed manner who

shall, after taking such evidence as may be necessary, submit a report to the Tribunal and the Tribunal shall determine the amount after considering the report of the Commissioner and other circumstances of the case.

- (2) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in **Form-M** before the Tribunal or through registered post within 30 days from the date of the report under sub-rule (2).
- (3) In case of an industrial dispute which has not been settled during the conciliation proceedings an application may be made before the Tribunal by either of the parties concerned for adjudication, the Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which application is filed. A copy of such statement may be sent electronically or by registered post each of the opposite parties in the dispute.
- (4) The Tribunal after ascertaining that the copies of statement of claim and other related document are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first date of hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.
- (5) Where the Tribunal finds that the party raising the dispute, despite its direction, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal

finds sufficient cause for not filing the statement of claim and other documents within time.

- (6) Evidence shall be recorded either in Industrial Tribunal or may be filed on affidavit but in the case of affidavit the opposite party shall have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Tribunal shall make a memorandum of the substance of what is being deposed. While recording the oral evidence the Tribunal shall follow the procedure laid down in rule 5 of order XVIII of the First Schedule to the code of Civil Procedure, 1908 (5 of 1908).

Application for registration of settlement.

42. An application for registration of settlement, arrived at otherwise than in the course of the conciliation proceedings before a Conciliation Officer shall be sent by the parties to the settlement or any one of them, within one month of the date of settlement, to the Conciliation Officer of the area concerned by registered post acknowledgement due, or by personal delivery. A copy of the memorandum of settlement shall be affixed by the parties to the settlement to a notice-board at or near the entrance or entrances of the establishment concerned, and shall remain so affixed for a period of 07 days before making the application for registration.

Procedure registration of settlement.

- for 43. On receipt of an application for registration of settlement, the Conciliation Officer or the authority notified by the Government in this behalf may make an enquiry if he/it considers necessary. If after enquiry, the Conciliation Officer or the authority concerned decides to register a settlement, the registration shall be Register the agreement in **Form-O** and a certificate of registration shall be issued to all the parties to the settlement in **Form-P** within thirty days of receipt of the application for registration. If the registering authority refuses to register the settlement, an intimation to this effect, together with reasons for refusal to register, shall be given to all the parties to the agreement not later than thirty days of receiving the application for registration. The authority notified by the State Government for registering a settlement shall also give intimation of registration of settlement, or of the refusal thereof, as the case may be, to the Conciliation Officer of the area

concerned and to the Labour Commissioner, Uttarakhand within seven days of the registration of settlement.

Persons on whom awards are binding. 44

An award which has become enforceable, shall be binding on,

(a) all parties to the industrial dispute;

(b) where a party referred to in clause (a) is an employer, his heirs, successors or assign in respect of the establishment to which the dispute relates;

(c) where a party referred to in clause (a) is composed of workmen, all persons, who were employed in the establishment or part of the establishment, as the case may be, to which the dispute relates, on the date of dispute and all persons who subsequently become employed in the establishment or part.

Chapter-9 STRIKES AND LOCK-OUTS

manner of giving notice of strike under sub section (4) of section 62 45.

The notice of strike referred to in sub-section (1) of section 62 shall be given to the plant head or manager of the industrial establishment in **Form-Q**, duly signed by the secretary of the registered trade union or where there is no registered union, by one-third of the workers of the establishment and copies of which shall be given to the Conciliation Officer of the concerned area, the Regional Deputy Labour Commissioner, the Labour Commissioner and the State Government electronically or in such other manner as the State Government may specify.

Manner of giving notice of lock-out under subsection (5) and authority under sub-section (6) of section 62. 46.

(1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form-R** to the Secretary of every registered Trade Union relating of such industrial establishment endorsing the copy thereof to the concerned conciliation officer, Regional Deputy Labour Commissioner, Labour Commissioner and the State Government electronically or otherwise.. If there is no registered trade union, the employer shall prominently display the notice on the notice board or electronic board at the main entrance of the industrial establishment and shall also inform the workers' representatives on the works committee.

- (2) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then he shall within fifteen days from the date of receiving of such notice, intimate the same electronically to the conciliation officer and Regional Deputy Labour Commissioner, the Labour Commissioner of the state and the State Government.
- (3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five days from the date of such notice, intimate electronically or otherwise the same to the concerned conciliation officer and the Regional Deputy Labour Commissioner.

Chapter-10

LAY-OFF, RETRENCHMENT AND CLOSURE

- Manner of serving notice before retrenchment of the worker under clause (c) of section 70.** 47. If any employer desires to retrench any worker employed in his industrial establishment, who has been in continuous service for not less than one year under him then, such employer shall give notice of such retrenchment, in Form-S to the State Government and such authority as may be designated by the State Government by notification, by email and registered post/speed post at least 15 days before the proposed retrenchment.
- Manner of giving an opportunity for re-employment to the retrenched worker under Section 72.** 48. (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment at least seven days before the actual date of retrenchment.
- (2) When any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling such vacancies, then, the employer of such industrial establishment shall, if such workers are citizens of India and have given their willingness for employment, give them preference over other on the basis of their service seniority.

- (3) The employer shall arrange for the display on a notice board in a conspicuous place in the premises of the industrial establishment the details of vacancies at least fifteen days before the date on which such vacancies are to be filled and shall also give intimation of those vacancies by registered post or speed post or through e-mail to every one of all the retrenched workers eligible to be considered therefor, to the latest address or e-mail, given by each of them at the time of retrenchment or at any time thereafter:

Provided that when the number of such vacancies is less than the number of retrenched workers, it shall be sufficient if the intimation is given by the employer individually to the senior most retrenched workers in the list referred to in sub-rule (1) and the number of such senior-most workers being double the number of such vacancies:

Provided further that where the vacancy is of duration of less than one month there shall be no obligation on the employer to send intimation of such vacancy to individual retrenched workers:

Provided also that if a retrenched worker, without sufficient cause being shown in writing to the employer, does not offer himself for re-employment on the date or dates specified in the intimation sent to him by the employer under this sub-rule, the employer may not intimate to him the vacancies that may be filled on any subsequent occasion.

- (4) Immediately after complying with the provisions of sub-rule (3), the employer shall also inform the negotiating union or the constituent of negotiating council or Trade Unions connected with the industrial establishment, of the number of vacancies to be filled and names of the retrenched workers to whom intimation has been sent under that sub-rule.

Manner of serving notice by the employer for intended closure under sub-

49. (1) If an employer intends to close down an industrial establishment, he shall give notice within the time as specified in sub-section (1) of section 74 of such closure in **Form-S** to the State Government and a copy thereof to the concerned Conciliation Officer,

section (1) of section 74.

Regional Deputy Labour Commissioner, and the Labour Commissioner of the State by e-mail or registered post or speed post.

Where the application is sent by only registered post the date on which the same is delivered to the State Government shall be deemed to be the date on which the application was made

- (2) A copy of application for prior permission to close down an undertaking of an industrial establishment shall be served on the Presidents or Secretaries of all the registered trade unions working in the establishment through personal service, and where it is not practicable, through registered post acknowledgement due;
- (3) A copy of application for prior permission to close down an undertaking of an industrial establishment shall also be pasted on the main entrance of the concerned establishment.

Chapter -11

SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND CLOSURE IN CERTAIN ESTABLISHMENTS

Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers 50. An application for permission under sub-section (1) of Section 78 shall be made by the employer to the State Government in **Form-T** clearly stating the reasons for the lay-off. A copy of such application shall also be sent by the employer to the concerned worker through electronic means and by registered post. The employer shall prominently display such application in both English and Hindi on the notice board or electronic board located at the main entrance of the industrial establishment.

Time-limit for review under sub-section (7) of section 78. 51. (1) The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application, within thirty days from the date on which the order is made, to the State Government for reviewing the order and that Government shall, within

two months from the date on which the application is made, dispose of the same after providing the concerned parties an opportunity of being heard.

- (3) Where the State Government decides to review the order referred to in sub-section (1) on its own motion, it may take necessary steps within one month from the date on which the order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

Manner of making application to the State Government by the employer for the intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79

52. (1) If any employer desires to retrench any workman, employed in establishment who has been in continuous service under him for not less than one year, he shall give notice of such retrenchment to the State Government.

(a) Where a notice is given to the workman, notice of retrenchment shall be sent to concerned office on the same day on which notice is given to the workman;

(b) Where no notice is given to the workman, and he is paid one month's wages in lieu by notice, notice of retrenchment shall be sent on the same date on which wages are paid to the workman; and

(c) Where retrenchment is or is intended to be carried out under an agreement, which specifies the date of termination of service, notice of retrenchment shall be sent at least one month prior to the date of the retrenchment. If the period from the date of the agreement to the date of the retrenchment is less than one month, the notice of retrenchment shall be sent on the date of the agreement.

- (2) The employer shall prepare a list of the workman in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category, and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment at least seven days before the date of retrenchment.

- (3) Before retrenchment a workman, the employer shall, for the purposes of sending intimation on the workman

for re-employment, obtain the address of the workman in writing from the workman duly signed, or thumb impression affixed by the said workman.

- (4) An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in **Form-T** stating clearly therein the reasons for the intended retrenchment and a copy of such application shall also be sent to workers electronically and by registered post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board in Hindi and English at the main entrance to the industrial establishment.

Time-limit for review under sub-section (6) of section 79.

53. (1) The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79.
- (2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application within thirty days from the date on which such order is made, to the State Government for reviewing that order and that Government shall within a period of two months from the date on which such application is made, dispose of the application after providing the concerned parties an opportunity of being heard.
- (3) Where the State Government decides to review the order referred to in sub-rule (1), on its own motion, it may take necessary steps within one month from the date on which such order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

Manner of making application to the State Government by the employer for intended closing down of an industrial establishment and the manner of serving

54. An employer intending to close down an industrial establishment falling under Chapter X of the Code shall, at least ninety days before the date of proposed closure, apply electronically to the State Government for prior permission in Form-T. The application must clearly state the reasons for the proposed closure, and a copy of the application shall be sent electronically and by registered post to the workers' representatives. The applicant shall display the application

copy of such application to the representatives of workers under sub-section (1) of section 80.

in Hindi and English on the notice board at the main entrance of the industrial establishment and on the electronic board.

Time-limit for review under sub-section (5) of section 80.

- (1) The State Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80.
- (2) The employer or any worker concerned may make an application along with the order referred to in sub-rule (1), within thirty days from the date on which such order is made, to the State Government for reviewing that order and Government shall, within two months from the date on which such application is made, dispose of the application after providing the concerned parties an opportunity of being heard.
- (3) Where the State Government decides to review the order referred to in sub-rule (1) on its own motion, it may take necessary steps within one month from the date on which the order is made, and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken

Chapter-12 WORKER RE-SKILLING FUND

Grants to the Worker Reskilling Fund from Other Sources

56. There shall be deposited in the worker reskilling fund besides the contribution received from the employer under section 83(2)(a) of the Code, other amounts such as any voluntary contribution by an establishment/ company under Corporate Social Responsibility or other legal sources mentioned in general orders issued by the State Government, from time to time.

Manner of utilization of the Worker Reskilling Fund

- (1) Every employer who has retrenched a worker or workers in his industrial establishment under the Code, shall, within ten days from the date of such retrenchment, electronically transfer an amount equivalent to fifteen days of last drawn wages of such



retrenched worker or workers into the accounts of the Fund constituted under section 83(1) of the Code.

- (2) The amount received under sub-rule (1) shall be transferred by the Office of the Labour Commissioner/ Office of the Deputy Labour Commissioner/Office of the Assistant Labour Commissioner electronically to each of the retrenched worker account or retrenched workers' accounts, as the case may be, within forty-five days of retrenchment to enable him utilise that amount for his re-skilling
- (3) The employer shall also submit the list containing the name of each retrenched worker, the amount equivalent to fifteen days of wages last drawn by such retrenched worker along with his bank account details, Office of the Labour Commissioner /Office of the Deputy Labour Commissioner /Office of the Assistant Labour Commissioner.

Chapter 13 **OFFENCES AND PENALTIES**

Manner of 58. composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89.

- (1) The officer notified by the State Government for the purpose of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer), shall in the offences in which prosecution is not instituted, of the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under said section, he shall send a notice through department Portal or any other mode, to the accused in **Form-U** consisting of three parts.
- (2) In Part I of **Form-U**, the compounding officer shall, *inter alia*, specify—
 - (a) the name of the accused and his other particulars;
 - (b) the details of the offence and the section under which the offence has been committed; and
 - (c) the compounding amount required to be paid towards the composition of such offence.



- (3) In Part II of the **Form-U**, the compounding officer shall specify the consequences if the offence is not compounded, and in Part III of the said Form shall contain the application to be filed by the accused, if he desires to compound the offence.
- (4) Each notice referred to in sub-rule (1) shall have a unique number containing alphabets or numerical and other details such as compounding officer concerned, industrial establishment, year, place and type of inspection for the purpose of easy identification.
- (5) The accused to whom the notice referred to in sub-rule (1) is served, may send the part III of the Form duly filled by him to the compounding officer electronically and deposit the compounding amount electronically or otherwise, within fifteen days of the receipt of the notice, in the account specified by the compounding officer in the notice.
- (6) Where the prosecution has already been instituted against the accused in the competent Court, he may make an application to the Court to compound the offence against him and the Court, after considering the application, may allow composition of the offence by the compounding officer in accordance with provisions of section 89.
- (7) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence for the amount of money deposited by the accused and-
 - (a) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused; and
 - (b) if the offence is compounded after institution of prosecution under sub-rule (3) with the permission of the Court, then the compounding officer shall treat the case as closed as if no prosecution had been launched and will proceed in accordance with compounding in a under clause (a) and intimate the compound of offence to the competent Court in which the prosecution is pending and after receiving such intimation.

the Court shall discharge the accused and close the prosecution .

- (8) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the State Government

Chapter 14

MISCELLANEOUS

Protected workers

59. (1) Every registered Trade Union connected with an industrial establishment, to which the Code applies, shall communicate to the employer before the 30th April every year, the names and addresses of such of the officers of the Union who are employed in that establishment and who, in the opinion of the Union should be recognized as "protected workers".
- (2) The employer shall, subject to sub-section (3) and sub-section (4) of section 90, recognize such workers to be "protected workers" for the purposes of section 90 and communicate to the Union, in within, within fifteen days of the receipt of the names and addresses under sub-rule (1), the list of workers recognized as protected workers for the period of twelve months from the date of such communication
- (3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment, under sub-section (4) of section 90, the employer shall recognize as protected workers only such maximum number of workers.

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the unions that the numbers of recognized protected workers in individual unions bear practicably by the same proportion to one another as the membership figures of the unions. The employer shall in that case intimate in writing to the President or the Secretary of the each concerned union the number of protected workers allotted to it:



Provided further that where the number of protected workers allotted to a union under this sub-rule falls short of number of officers of the union seeking protection. The union shall be entitled to select the officers to be recognized as protected workers. Such selection shall be made by the union and communicated to the employer within five days of the receipt of the employers letter in this regard.

(4) When a dispute arises between an employer and any registered trade union in any matter connected with the recognition of 'protected workers' under this rule, the dispute shall be referred to any Regional Deputy Labour commissioner or Assistant Labour Commissioner of the area concerned, who shall hear the dispute and send a report to the Labour Commissioner who shall decide the matter and whose decision shall be final.

Manner of making complaint by an aggrieved worker under section 91

(1) Every complaint under section 91 of the code shall be made electronically and by registered post or speed post in **Form-V** and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

(2) Every complaint under sub-rule (1) shall be verified by the worker making the complaint or by authorized representative of the worker proved to the satisfaction of the conciliation officer, arbitrator or Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.

Manner of authorization of worker for representing in any proceeding under sub-section (1)(c) of section 94.

61. Where a workman is not a member of any trade union, any dispute to which he is a party, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed can authorized in **Form-L** to represent him in the proceedings relating to the dispute.

Manner of authorization of employer for representing in any proceeding under sub-section (2)(C) of section 94.

62. Where the employer, is not a member of any association of employers, may authorize in **Form-L** an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged to represent him in any proceeding under the Code relating to a dispute in which the employer is a party.

Submission of a copy of the form to the office of Director General, Labour Bureau

63. A copy each of Form Q (notice of strike), Form R (notice of lockout), Form S (notice for intimation of retrenchment or closure to the State Government), Form T (Application for permission of lay-off or retrenchment or closure), and Form U (compounding of offences), shall be shared electronically with Director General, Labour Bureau in auto-mode.

Repeal and Savings

64. (1) The U. P. Industrial Dispute Rules, 1957. The U.P. Industrial Employment (Standing Order) Rules, 1946, the U.P. Trade Union Regulations, 1927 and the Industrial Tribunal and Labour Court's Rules of Procedure, 1967 shall stand repealed with effect from the date on which these Rules come in force.
- (2) Notwithstanding such repeal anything done or any action taken under the said rules/regulations, shall be deemed to be done or taken under the corresponding provisions of these rules/Code.
- (3) Without prejudice to the provisions of sub-rule (2), the provisions of section 6 of the General Clauses Act, 1897 shall apply to the repeal of such rules/regulations.

Form-A

(Under Section 2, Rule 3 of the Industrial Relations Code)

Memorandum of settlement

Names and address of Parties:

.....Representing employer(s);
.....Representing worker;

Short recital of the case

.....
Terms of settlement
.....

Signature of the parties

Representing employer _____

Witnesses: (1) _____

(2) _____

Representing worker _____

Witnesses: (1) _____

(2) _____

Copy :

1. Conciliation officer of the concerned area
2. Labour Commissioner Uttarakhand

Form -B
(See Rule 9)

STATEMENT OF LIABILITIES AND ASSETS ON THE YEAR _____

Liabilities	Rs. P.	Assets	Rs. P.
Amount of general fund Amount of political fund Loans from Debts due to Other liabilities (to be specified)		Cash- In hands of Treasurer In hands of Secretary In hands of – In the Bank In the Bank Securities as per list below Unpaid subscriptions due Loans to Immovable property Goods and furniture Others assets (to be specified)	
Total Liabilities		Total Assets	

LIST OF SECURITIES

Particulars	Nominal value	Market – value at date on which accounts have been made up	In hands of
-------------	---------------	--	-------------

Treasurer

GENERAL FUND ACCOUNT

Income	Rs. P.	Expenditure	Rs. P.
Balance at beginning of year Contributions from members as per members Donations Sale of periodicals, rules, etc.		Salaries, allowances and expenses of officers Salaries, allowances and expenses of establishment Auditor's fee Legal expenses	
Interest on investments Income from miscellaneous sources (to be specified)		Expenses in conducting trade disputes Compensation paid to members for loss arising out of trade disputes	
	Funeral, old age, sickness, unemployment benefits, etc. Educational, social and religious benefits Cost of publishing periodical Rents, rates and taxes Stationary, printing and postage Expenses incurred (to be specified) Other expenses (to be specified) Balance at the end of year		
Total		Total	

POLITICAL FUND ACCOUNT

	Rs. P.		Rs. P.
Balance at beginning of year		Payments made on objects specified in section 16(2) of the Indian Trade Unions Act, 1926 (to be specified)	
Contribution from members as per member		Expenses of managements (to be specified)	
		Balance at the end of year	
Total		Total	

Treasurer

AUDITOR'S DECLARATION

The undersigned, having had access to all the books and accounts to the trade union and having examined the foregoing statements and verified the same as found to be correct, duly vouched and in accordance with the law, subject to the remarks, if any, appended hereto.

Auditor

The following changes of officers have been made during the year-

OFFICERS RELINQUISHING OFFICE

Name	Office	Date of relinquishing

OFFICERS APPOINTED

Name	Age	Office	Address	Occupation	Date of appointment

Secretary

FORM C

APPLICATION FOR REGISTRATION OF TRADE UNION

(Under Section 9(1) of the Industrial Relations Code and Rule 12)

Date the..... day of..... 20....

1. We hereby apply for the registration of a Trade Union under the name of.....
2. The address of the head office of the Union is.....
3. The E-mail of the Head Office of the Union is.....
4. The Union came into existence on the..... day of..... 20....
5. The Union is a Union of employers/workers engaged in the in dusky(or profession).
6. The particulars required under section 10(1)(a) are given in Schedule I. (Annexed)
7. The particulars required under section 10(1)(b) are given in Schedule II. (Annexed)
8. The particulars required under section 10(2) are given in Schedule III. (Annexed)
9. We the under signed have been duly authorized by the General Meeting held on..... to make this application.

Signature	Occupation	Address	Signed
1			
2			
3			
4			
5			
6			
7			

1
2
3
4
5
6
7

SCHEDULE I-LIST OF OFFICERS

Title	Name	Age	Address	Occupation
-------	------	-----	---------	------------

Note.-Enter in this Schedule the names of all members of the executive of showing in column 1 the names of any posts held by them (e.g., President, Secretary, Treasurer, etc.) in addition to their offices as members of the executive.

**SCHEDULE II-
REFERENCE TO RULES**

The numbers of the rules-making provision for the several matters detailed in column 1 are given in column 2 below:

Matter	Number of rules
--------	-----------------

The Name of the union

The whole of the objects for which the union has been established'

The whole of the purposes for which the general funds of the union shall be applicable.

The maintenance of a list of members.

The facilities provided for the inspection of the list of members by officers and members.

The admission of ordinary members.

The admission of honorary or temporary members'

The conditions under which members are entitled to benefit assured by the rules.

The conditions under which fines or forfeitures can be imposed or varied.

The manner in which the rule shall be amended, varied or rescinded

The manner in which the members of the executive and the other officers of the union shall be appointed and removed.

The safe custody of the funds.

The annual audit of the accounts.

The facilities for the inspection of the account books by officers and members.

The manner in which the union may be dissolved.

**SCHEDULE III
STATEMENT OF LIABILITIES AND ASSETS ON THE YEAR _____**

(This need not be filled in if the Union came into existence less than one year before the date of application for registration.)

Liabilities	Rs. P	Assets	Rs. P
Amount of General fund		Cash-	
Amount of political fund Loans ... from		In hands of Treasurer	
Other liabilities (to be specified)		In hands of Secretary	
		In hands of-	
		in the Bank	
		in the Bank	
Total Liabilities		Securities as per list below	
		Unpaid subscription due	
		Loans to-	
immovable property			
Goods and furniture			
Other assets (to be specified)			
Total Assets			

FORM-D
CERTIFICATE OF REGISTRATION OF TRADE UNION
 (Under Section 9(2) of the Industrial Relations Code and Rule 13)

No.

It is hereby certified that the _____ has been registered under section 9(2) of the Industrial Relation Code read with Rule 11(1) of the Industrial Relation Rules, 2025.

FORM-E
REGISTER OF TRADE UNIONS
 ((Under Section 9(2) of the Industrial Relations Code and Rule 14)

Serial No.	Officers						
Name of Union Address of Head Office Date of Registration.							
Number of application from List of members	Year of entering in office	Name	Age of entry	Address	Occupation	Year of relinquis	Other offices held in addition

applying for registration						hing office	to membership of executive with date
1							
2							
3							
4							
5							
6							
7							

FORM-F

Application for hearing of the dispute

(Under Section 22 of the Industrial Relations Code and Rule 24)

Between

-----First party

And

-----Second party

The following dispute is being submitted for adjudication.

(mention the Tribunal name and address here)

- (i) Details of the dispute and the parties involved in the dispute, including their names and designations.
- (ii) Name and address of the employer's establishment or enterprise
- (iii) The name of the worker if he is directly involved in the dispute, or the name of the union, if any, that represents the worker or workers in question.
- (iv) Total number of affected workers

Names, designations, and signatures of the affected parties

Copy send to :

- (i) Concerned Tribunal
- (ii) Secretary, Labour, Govt. of Uttarakhand
- (iii) Labour Commissioner, Uttarakhand.

FORM-G

Annual Return for the Year Ending on 31st December, 20_____

(Under Section 26(1) of the Industrial Relations Code and Rule 2(1))

Name of Union.

Registered Head Office

Number of certificate of registration.

Return to be made by federations of trade unions	Number of unions affiliated at the beginning of year
	Number of unions joining during the year.
This return need not be made by federations of trade unions.	Number of unions disaffiliated at the end of year.
	Number of members on books at the beginning of year.
	Number of members admitted during the year (add) together.
	Number of members who left during the year (deduct).
	Total number of members on books at the end of the year.

	Males
	Females
	Number of members contributing to political fund.

A copy of the rules of the trade union, corrected up to the date of dispatch of this return, is appended.
Dated the _____ day of _____ 20_____

FORM-H

(Under Section 34 of the Industrial Relations Code and Rule 35)

Form of Register of Certification of Standing Orders

Serial No.	Name of Applicant	Name and address of the industrial establishment adapting the Standing Orders	Name and address of the occupier	Classification of industry	Number of workmen in the Industrial establishment	Name and address of the Trade Union or the representative of workmen	Number of members of the trade Union belonging to the industrial establishment	Matters of the Schedule applicable (give only serial No.)	Date of certification	Date of application	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

Subsequent Modification

Modifications I			Modification II			Modification III			Modification IV		
Date of application	Date of Sanction	Modification made (in brief)	Date of application	Date of Sanction	Modification made (in brief)	Date of application	Date of Sanction	Modification made (in brief)	Date of application	Date of Sanction	Modification made (in brief)
13	14	15	16	17	18	19	20	21	22	23	24

Form-I

Application for modification of existing standing order
(Under Section 35(1) of the Industrial Relations Code and Rule 36)

Name of association of employers workmen or the Name of the workmen :
Address :

To,
The Certifying Officer
Industrial Relation Code, 2020
Address.....

Dear Sir,

In accordance with the provisions of Section-38 of Industrial Relation Code, 2020, I beg to inform you that it is desired to effect modification in the Standing Orders No. of 20.....adopted in the following industrial establishment

2- I declare that- six months have passed since the standing orders or last modification(s) thereof came into operation there has been an agreement, copy of which is enclosed herewith, between the employer and the workmen for making modification

3- Five copies of the standing orders indicating the modification desired are submitted herewith.
modifications

4- Changes regarding particulars of workmen and the names and other particulars of the trade union, since they were submitted last, are also indicated herewith in the enclosed sheet.

List of the Industrial Establishments

Serial No.	Name of the Industrial Establishment	Name and designation of the employer	classification of industries	Address(Registered Office)	Date on which the standing order or last modification came into operation	Modification desired	Remarks

Yours faithfully
(Name and Designation)

Form-J

(Under Section 40 of the Industrial Relations Code and Rule 37)
(Notice of change of service conditions proposed by an employer)

Name of Employer.....
Address.....
Dated theday of20.....

In accordance with section 40 (1) of Industrial Relation code I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to this code

Signature.....
Designation.....

ANNEXURE

(Here specify the change/changes intended to be effected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Concerned Deputy Labour Commissioner.
3. Labour Commissioner.

FORM-K

(Agreement for voluntary arbitration)

(Under Section 42(3) of the Industrial Relations Code and Rule 38)

BETWEEN.....Name of the parties representing employer (s) AndRepresenting worker It is hereby agreed between the parties to refer the following dispute to the arbitration of [here specify the name(s) and address(es) of the arbitrator (s).

(i) Specific matters in dispute.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

(iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.

(iv) Total number of workers employed in the undertaking affected.

(v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the central Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties Representing employer]

Representing worker/ workers.

Witnesses

1.

2.

Copy to:

- (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].
- (ii) The Secretary to the State Government.

FORM-L

(See Rule 40, 61)

(Authorization by a worker, group of workers, employer, group of employer to be represented in a proceeding before the authority.)

Before the Authority

(Here mention the authority concerned)

(mention the name of the proceeding)

In the matter of.....

.....worker

Versus

I/We hereby authorize shri/sarvashri (if representatives are more than one)1.....2.....3.....to Represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person (s) nominating the representative(s)

Address accepted

FORM-M

(Under Section 53 of the Industrial Relations Code and Rule 41(2))

(Application to be submitted before the Tribunal in the matter not settled

By the Conciliation Officer)

Before(here mention the name of the Tribunal having jurisdiction over the area)

In the matter of :Applicant Address

.....

Versus

Address

The above mentioned applicant begs to state as follows:-

(Here set out the relevant facts and circumstances of the case):-

The applicant prays that the instant dispute may please be admitted for adjudication and request to pass appropriate Award.

Date.....

Place.....

Form-O

Registration of settlement

(see rule 43)

Registration No.	Name and address of the parties to settlement	Terms of settlement	Date of settlement	Date of registration	Signature of the registering authority	Remarks, if any
1	2	3	4	5	6	7

Form-P

Certificate of registration

(see rule 43)

It is hereby certified that the memorandum of settlement, dated..... arrived at between..... as per copy enclosed has been registered under the Industrial Relation Code, 2020, this..... day of..... month of..... year.....

Conciliation Officer, Uttarakhand and the
Certifying Authority

FORM-Q
(See Rule 45)

(Notice of Strike to be given by Union(name of Union)/Group of Workers)

Name of the five elected representatives of workers.....

Date theday of20.....

(The name of the employer).

Dear sir /Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relation code i/We hereby give you notice that I propose to call a strike /we propose to go on strike on.....20.....
For the reasons explained in the annexure.

Yours faithfully.
(secretary of the Union)

Five representatives of the workers duly elected at a meeting held on(date), vide resolution attached.]

ANNEXURE

Statement of the Case.

Copy to;

- 1) Deputy Labour Commissioner , of the concerned area.
- 2) Labour Commissioner Uttarakhand.

Secretary, Labour Government of Uttarakhand.

FORM-R

(Under Section 62 of the Industrial Relations Code and Rule 46)

(Notice of Lock-out to be given by an employer of an industrial establishment)

Name of employer.....

Address.....

Dated theday of.....20.....

In accordance with the provisions of 62(6) of this code, i/we hereby give notice to all concerned that it is my/our intention to with effect lock out in.....department(s), section (s) of my/our establishment with effect from.....for the reasons explained in the annexure,

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons
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Copy forwarded to:

- (1) The Secretary of the registered Union. If any
- (2) Conciliation officer[Here enter officer address of the Assistant Labour Commissioner/Deputy Labour Commissioner.
- (3) Secretary, Labour, Government of Uttarakhand.
- (4) Labour Commissioner, Uttarakhand.
- (5) To the officer of DG Labour Bureau.

Form-S

(Under Section 70, 74 of the Industrial Relations Code and Rule 47, 49)

Notice of Intimation of Retrenchment/ Closure to be given by an employer to the State Government under the provision of Chapter IX of the Industrial Relations Code, 2020 and rules made there under)

(To be submitted Online .In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment /undertaking/Employer.....

Labour Identification number.....

DATED(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served 60 days and 30 days before commencement of closure/Retrenchment respectively)

To.

- (i) The Secretary, Labour Government of Uttarakhand.
- (ii) Labour Commissioner Uttarakhand.
- (iii) Regional Deputy Labour Commissioner.

1. (Retrenchment) (a) Under Section 70(C) of this Code, we* hereby intimate you that I*/we* have decided to retrench.....workers** out of a total of.....Workers** with effect from(DD/MM/YYYY)

Or

(Closure)(b) Under Section 74(1) of this Code, I/we hereby intimate you that I* /we* have decided to close down,.....(name of the industrial establishment or undertaking) with effect from.....(DD/MM/YYYY), The number of workers whose services would be terminated on account of the closure of the undertaking is ,.....(number of workers)

2. The reason for Retrenchment / closure is.....

1. *The worker (s)* concerned were given on the(DD/MM/YYYY) one month's notice in writing as required under section 70(a)*/section 75(1)* of this Code.

Or

The worker (s) concerned have been given on the(DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)/section 75(1)* of this Code.

4. *I/we* hereby declare that the worker(S) concerned have been */will be* paid all their dues along with the compensation due to them under section 70*/ section 75* of this code before or on the expiry of the notice period.

or

I/we hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I**we* will pay all the dues along with the compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been*/ will be* retrenched in compliance to the section 71 and section 72 of this code.

6. I*/we* hereby declare that no court case is pending before any court in the matter, and if yes, the details thereof have been annexed.

7. I*/we* hereby declare that the above information given by me*/us* in this notice and the Annexures is true , I*/we* am*/are* solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/**Authorized Representative with seal)

(*Strike off which is not applicable.)
(**Indicate number in figures and words both)
(***copy of authorization letter issued by the employer shall be enclosed)

Copy to:

- (1) To the office of DG Labour Bureau, Ministry of Labour and Employment, (Only for statistical purpose.)
- (2) Labour commissioner, Uttarakhand.
- (3) Secretary, Labour, Government of Uttarakhand.
- (4) Deputy Labour Commissioner of the concerned area.
- (5) To the registered unions /authorized representatives of workers operating in the establishments or undertaking.

FORM-T

[see rule 50, 52, 54]

[Application for permission of lay-off/ continuation of lay-off/Retrenchment/ Closure to be given by an employer / Industrial establishment /Undertaking to the State Government under the provisions of chapter X of the industrial Relations code, 2020 and rules made there under]

(to be submitted online. In case of exigencies on paper in the prescribed format below)

Name of industrial Establishment or Undertaking or Employer.....

Labour identification number.....

Dated.....

(note: the application to the central government shall be served as indicated below:

Lay-off : at least 15 days before the intended lay-off

Continuation of lay-off –at least 15 days before the expiry of earlier lay-off

Retrenchment- at least 60 days before the intended date of retrenchment

Closure –at least 90 days before the intended date of closure)

To,

The Secretary Labour Government of Uttarakhand.

1. *(lay-off) (a). under section 78(2) of the industrial relations code, 2020, I*/we* hereby apply for "permission to lay-offworkers** out of total of.....workers** employed in my*/our* establishment (details to be given in Annex-I) with effect from.....(DD/MM/YYYY).

Or

(continuation of lay-off) (b) under section 78(3) of the industrial relations code, 2020, I/we* hereby apply for permission to continue the lay-offworkers out of total oflaid off workers** in my*/our* establishment (details to be given in annex-I)with effect from.....(DD/MM/YYYY).

Or

(Retrenchment) (c) under section 79(2) of the industrial relations code,2020, I/we* hereby apply for permission for intended retrenchment of details toworkers out of total of employed in my*/our* establishment (detail to be given in annex-I)with effect from.....(DD/MM/YYYY).

Or

(closure) (d) Under section 80(1) of the industrial relations code, 2020, I/we hereby inform you that I*/we* intended to close down the undertaking(name of the industrial establishment or undertaking or employer) (details to be given in annex-I)with effect from.....(DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is.....(number of workers)

2. *(lay-off/continuation of lay-off) the worker(s) concerned were given on.....(DD/MM/YYYY) notice in writing as required under section 78(2)*/section 78(3)* of this code.

Or

(Retrenchment / Closure) The worker(s) concerned were given on.....(DD/MM/YYYY) one month's notice as required under section 79/section 80* of this code.

or

(Retrenchment / Closure) The worker(s) have been given on.....(DD/MM/YYYY) one month's pay in lieu of notice as required under section 79/section 80* of this code.

3. The details of affected worker(s) is at Annexure II.

4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of this Code.

5. *I/we* hereby declare that the workers concerned have been*/will be paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79*/section 80* of this Code before or on the expiry of the notice period.

Or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/ Undertaking/ Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.

6. I/we* hereby declare that no court case is pending before any Court in the matter , and if yes , the details thereof have been Annexed.

7. I/we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/we am/ are solely responsible for its accuracy and no facts/ materials had been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer/****Authorised Representative with seal)

(* Strike off which is not applicable)

(** Indicate number in figures and word both)

(*** Copy of Authorization letter issued by the employer shall be enclosed)

ANNEXURE I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2	Status of undertaking— Where Central public sector/State public sector/etc, Where a private limited company/ partnership firm/ partnership firm Whether the undertaking is Licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate number.	
3	(a) MCA Number (b) GSTN Number	
4	Annual production, item wise for preceding three years- Production figures, month-wise, for the preceding twelve months,	
5	Audit report of establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Name of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ Retrenchment resorted to in the last three years including the periods of such lay-offs/ Retrenchment the number of workmen involved in each such lay-off/ Retrenchment / continuation of lay off	
8	Any other relevant details which have bearing on lay-off / continuation of lay off/ retrenchment / closure.	

ANNEXURE II

(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of the Worker	Category (Highly Skilled/ skilled /Semi-skilled / unskilled)	Date from which in service in/with the said establishment/ Undertaking/ Employer	Wage as on date of Application	Remark

FORM-U

(See Rule 58(1))

Notice to the Employer who committed an offence for the first time under this code, for compounding of offence under sub-section (4) of section 89,

FORM-V

(Complaint under Section 91 of the Industrial Relation Code,2020 and Rule 60)

Before the Conciliation officer / Arbitrator/ Tribunal or, State Tribunal-----,

In the matter of :..... Reference No.....

A..... Complainant(s);

Versus

B..... Opposite party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been

guilty of a contravention of the provisions of section 90 of the Industrial Relation code, as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or State Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as its may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 91 of the Industrial Relation Code are submitted herewith.

Dated thisday of.....20..... Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph.....above is true to my Knowledge and that what is stated in paragraphs.....above is stated upon information received and believed by me to be true. This verification is signed by me atonday of20.....

Signature

Or thumb impression of the person verifying

The undersigned and the Compounding Officer under sub-section 1 of section 89 of the Industrial Relation Code, 2020 hereby intimates that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below;--

PART-I

1. Name and address of the offender Employer.....
2. Address of the Establishment.....
3. Particulars of the offence.....
4. Section of the Code under which the offence is committed.....
5. Compounding amount required to be paid towards composition of the offence.....

PART-II

You are advised to deposit the above mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relation Code, 2020, along with an application dully filled in part-III of this notice.

In case you fail to deposit the said amount within the specified time, no further opportunity shall be given and necessary direction for filling of prosecution under section----- shall be issued.

(Signature of the Compounding Officer)

Date-
Place-

PART-III

Application under sub-section (4) of section 89 for compounding of offence

1. Name of applicant (name of the employer who committed the offence under the Industrial Relation Code 2020 to be mentioned).....
2. Address of the applicant.....
3. Particulars of the offence
4. Section of the Code under which the offence has been committed.....
5. Details of the compounding amount deposited (electronically generated receipt to be attached).....
6. Details of the prosecution, if filed for the violation of above mentioned offences may be given
7. Whether the offences is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence
8. Any other information which the applicant desires to provide

Applicant
(Name and signature)

Dated:
Place:

