

**Uttar Pradesh Shasan
Shram Anubhag - 2**

In pursuance of the provisions 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. 205 /36-2-2021-14(G)/2020 dated: 18 February, 2021.

Notification

No. 205 / 36-2-2021-14(G)/2020
Lucknow, Dated: 18 February, 2021

The following draft rules which the Governor proposes to make in exercise of the powers under sub-section (1) of section 99 of the Industrial Relations Code, 2020 (Act no. 35 of 2020) read with section 24 of the General Clauses Act, 1897 (Act no. 10 of 1897) and in supersession of the –

- 1- Uttar Pradesh Industrial Employment (Standing Orders) Rules, 1946
- 2- Uttar Pradesh Trade Union Regulation, 1927
- 3- The Industrial Disputes (Uttar Pradesh) Rules, 1976

except as respects things done or omitted to be done before such supersession, are hereby published as required by sub-section (1) of section 99, for information of all concerned and with a view to invite objections and suggestions in respect thereof;

All objections and suggestions with respect to said rules should be sent in duplicate addressed to Additional Chief Secretary, Shram Anubhag-2, Uttar Pradesh Shasan, Bapu Bhawan, Lucknow-226001/Labour Commissioner, U.P., G.T. Road, Kanpur. Only those objections and suggestions which are received within forty-five days from the date of publication of this notification shall be taken into consideration.

DRAFT RULES

The Uttar Pradesh Industrial Relation Rules, 2021

Chapter I

PRELIMINARY

Short title, application and commencement-	1(1)	These rules may be called The Uttar Pradesh Industrial Relation Rules, 2021
	(2)	They extend to the whole of Uttar Pradesh.
	(3)	They shall come into force on the date of their publication in the Gazette.
Definitions.-	2(1)	In these rules, unless the context otherwise requires,- (a) "Code" means the Industrial Relations Code, 2020; (b) "section" means the section of the Code; (c) "electronically" means any information submitted by e-mail or uploading on the designated portal or digital payment in any mode for the purpose of Code;
	(2)	The words and expressions used in these rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.
	3	The Agreement under clause (z i) of section 2 for written agreement between the employer and worker shall be in the form specified in Form-I and shall be signed by the parties in the agreement and a copy thereof shall be sent to the concerned Conciliation Officer.
Written Agreement for the settlement before the Conciliation Officer under clause (z i) of Section 2.-		

**Constitution of Works
Committee etc. under
Section 3-**

**Chapter II
BI-PARTITE FORUMS**

4(1) Every employer to whom an order made under sub-section (1) of section 3 applies, shall forthwith proceed to constitute a Works Committee in the manner as is specified in the following sub-rules :

(2) The number of members in 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, shops or departments of the establishment:

Provided that the total number of members of the Works Committee shall not exceed ten :

Provided further that the number of representatives of the worker in the Works Committee shall not be less than the number of representatives of the employer therein.

(3) Subject to the provisions of this rule, the representatives of the employer in the Works 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) (a) The Works Committee shall have among its office-bearers a Chairman, a Vice-Chairman, a Secretary and a Joint-Secretary;

(b) the Chairman shall be nominated by the employer from amongst the employer's representatives on the Works Committee and he shall, as far as possible, be the head of the industrial establishment;

(c) the Vice-Chairman shall be elected by the members, representing the workers, from amongst themselves :

Provided that in the event of equality of votes in the election of the Vice- Chairman, the matter shall be decided by employer;

(d) the Works 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 further that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the employer or the worker for two consecutive years:

Provided also that the representatives of the employer shall not take part in the election of the Secretary or Joint Secretary, as the case may be, from amongst the representatives of the worker and only the representatives of the worker shall be entitled to vote in such elections.

(e) In any election under clause (d), in the event of equality of votes, the matter shall be decided by employer.

(5) (a) the term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be two years;

(b) a member chosen to fill a casual vacancy shall hold office for the unexpired term of his predecessor;

(c) a member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall forfeit his membership.

(6) In the event of worker's representative ceasing to be a member under

clause (c) of sub-rule (5) or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged.

- (7) The Works Committee shall have the right to co-opt in a consultative capacity, persons employed in the industrial establishment having particular or special knowledge of a matter under discussion. 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 Works Committee.
- (8) (a) the meeting of Works Committee shall be called by the Secretary with prior approval of the Chairman;
(b) the Works Committee shall at its first meeting regulate its own procedure.
- (9) (a) the employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting;
(b) the Secretary of the Works Committee may with the prior concurrence of the Chairman, put up notice regarding the work of the Works Committee on the notice board of the industrial establishment.

Manner of 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 shall consist of equal number of members representing the employer and the workers, which shall not exceed ten.
- (2) The representatives of the employer 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 departments of the industrial establishment.
- (3) The representatives of the workers shall be chosen by the registered Trade Union and where a negotiating council exists, such representatives shall be chosen in the same proportion as the Trade Unions respectively represents in the negotiating council. In case where there is no registered Trade union or negotiating council, the member may be chosen by the workers of the establishment:
Provided that there shall be adequate representation of women workers in the Grievance Redressal Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.
- (4) (a) Where any worker of the industrial establishment are members of a registered Trade Union or Trade Unions, the employer shall ask such Trade Union or Unions to inform in writing as to how many workers are members of such Trade Union.
(b) Where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the Regional Additional/Deputy Labour Commissioner, who

shall, after hearing the parties, shall decide the matter and his decision shall be final.

- (5) After determination of membership of Trade Union or Unions the employer may require,
- (a) trade unions, to chose representatives in proportion of their members in total workers;
 - (b) workers, who are not members of any trade union to chose representatives and proportion of their number in total workers.

Application in respect of any dispute to be filed before the Grievance Redressal Committee by any aggrieved worker under sub-section (5) of section 4.-

- 6 Any aggrieved worker 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. Such application may be sent electronically or otherwise. The Grievance may be raised within one year from the date on which the cause of action of such dispute arises.

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

- 7 Any worker 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 electronically or otherwise to concerned conciliation officer within the 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 through the Trade Union, of which he is a member or otherwise.

CHAPTER III TRADE UNION

Application for registration:-

- 8 Every application for registration of a Trade Union shall be made in **Form II** either manually or electronically and shall be submitted to Registrar of Trade Unions, Uttar Pradesh through Regional Additional/Deputy Registrar of the area in which office of the trade union is situated.

The Fee:-

- 9 The fee payable for the registration of a Trade Union shall be One hundred rupees to be paid in cash or by bank draft or electronically, as may be required by State Government by general or special order.

Form of register of Trade Unions:-

- 10 The register of Trade Unions referred to in sub-section (1) of section 9 shall be maintained in **Form III**.

Form of certificate:-

- 11 The certificate of registration issued by the Registrar under sub-section (2) of section 9 shall be in **Form IV**.

Subscription by members of trade union:-

- 12(1) The annual subscription for ordinary member of a trade union relating to unorganised sector shall not be more than fifty rupees and for honorary member shall not be more than one hundred rupees.
- (2) The annual subscription for ordinary member of a trade union relating to organised sector shall not be more than one hundred rupees and for honorary member shall not be more than two hundred rupees.

Form of affidavit:-

- 13 Every application for registration shall be accompanied with a declaration by an affidavit in **Form V** of all applicants.

Form of general

- 14 Where a trade union has been in existence for more than one year

statement of assets and liabilities of the Trade Union under sub-section(2) of section 8:-

Application for withdrawal or cancellation under sub-section (5) of section 9

Verification of application for withdrawal or cancellation

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

Notice of change

Recognition of sole negotiating union

Manner of verification of majority union

before making an application for its registration, the application for registration shall be accompanied by a general statement of assets and liabilities of trade union in **Form VI**.

15 Every application by a Trade Union for the withdrawal or cancellation of its certificate of registration shall be sent to the Registrar in **Form VII**.

16(1) The application of trade union for withdrawal shall be verified by the Registrar personally by summoning the applicant or through Regional Additional/Deputy Registrar of the area in which the registered office of the trade union is situated.

(2) The Registrar, on receiving an application for the withdrawal or cancellation of registration, shall, before granting the application, satisfy himself that the withdrawal or cancellation of registration was approved by a resolution of the Trade Union, or it has the approval of the majority of the members of the Trade Union. The Registrar may call for such further particulars as he may deem necessary and may examine any officer of the Union.

17 Any appeal against the order of refusal to grant registration under section 9 or cancellation of certificate of registration under sub-section (5) of section 9 of the Code shall be filed within sixty days of the date of such order of Registrar.

18(1) The Trade Union shall inform the Registrar of any change in the particulars given by its application, office bearer and its constitution or bye-laws in writing and shall be accompanied by resolution to that effect in accordance with the constitution or bye-laws of the union. In case of Change in Office bearer it shall be communicated to Registrar in **Form VIII**.

(2) In case of transfer of office of the trade union to another State, the Registrar, shall forward to the Registrar of the State in which head office of the Trade Union has been transferred, a copy of all the entries contained in the register referred to in section 9 of the Code.

(3) The Registrar shall record any change in the particulars of application for registration, office bearer and constitution or bye-laws of the union, if satisfied with the application of the union and shall inform the union concerned.

19 Where only one registered trade union of workers is functioning in the industrial establishment, the employer shall recognize such union as sole negotiating union of worker :

Provided that the election of executive body of the union is conducted within the time prescribed in bye-laws of the union and the election of the union is duly registered by Regional Additional/Deputy Registrar of the area.

20(1) If more than one registered trade union of workers are functioning in an industrial establishment, the union supported by fifty one percent or more workers on the muster roll of that industrial establishment shall be declared by the employer as a sole negotiating union on the basis of membership of the registered unions :

Provided that if there is any dispute with regard to membership of the unions, it shall be decided by voting through secret ballot and employer shall appoint an independent observer if any of the union

makes demand to that effect:

Provided further that the employer shall inform to Regional Additional/Deputy Registrar of the area in respect of voting by secret ballot and if Regional Additional/Deputy Registrar of the area deems fit, he/she may also direct that voting shall be conducted in the presence of Inspector cum facilitator.

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| | (2) | The employer shall inform the Regional Additional/Deputy Registrar of the area about the declaration of sole negotiating union, manually or electronically. |
| Matters of negotiation | 21 | The negotiating union or negotiating council is authorized to deal with any matter of industrial dispute affecting more than one worker in accordance with the provisions of the Code. |
| Facilities to be provided by employer to negotiating union or council | 22 | The employer shall provide such facilities to negotiating union or negotiating council as required by State Government by general or special order. |
| Manner of amalgamation of trade unions | 23(1) | Any two or more trade unions may apply to Registrar of Trade Unions for amalgamation of their unions in Form IX . |
| | (2) | The application for amalgamation shall be accompanied with the resolutions passed by at least three fourth members of their unions. |
| | (3) | The Registrar, if satisfied, after making such inquiry as he deems fit, shall record the amalgamation of unions in a register in Form X . |
| Distribution of Funds of trade union after dissolution | 24 | The Registrar on getting the information dissolution shall order to divide the funds amongst the members on the date of dissolution in proportion to amounts contributed by such members by way of subscription during their membership. |
| Annual Return | 25 | The annual return to be furnished under section 26 of the Code shall be submitted manually or electronically to the Registrar by 31st day of July in each year and shall contain a full and correct statement of the particulars prescribed in Form XI , duly audited according to provisions of rule 25. |
| Audit | 26(1) | Save as provided in sub rule (2), (3), (4) and (5) of this rule, the annual audit of accounts to any registered trade union shall be conducted by an auditor authorized to audit the accounts of companies under the law. |
| | (2) | Where the total receipt of any trade union did not at any time during the financial year exceed Fifty thousand rupees, the annual audit of the accounts may be conducted by any two members of the union. |
| | (3) | Where the total receipt of any trade union did not at any time during the financial year exceed One lakh rupees, the annual audit of the accounts may be conducted,
(a) by any two persons holding office as member of any Municipal Board, District Board, or Legislative body; or
(b) by any person, who having held an appointment under Government in any audit or accounts department, is in receipt of a pension from Government of not less than thirty thousands rupees in a month ; or
(c) by any auditor appointed to conduct the audit of any Co-operative Societies by Government or by the Registrar of Co-operative Societies or by any State Co-operative Organization recognized by the Government for this purpose. |

- (4) Where the total receipt of any trade union did not at any time during the financial year exceed Five lakh rupees, the annual audit of the accounts may be conducted,
 - (a) by an examiner of local funds accounts; or,
 - (b) by any local fund auditor appointed by the Local Government; or,
 - (c) by person, who having held an appointment under Government in any audit or accounts department, is in receipt of a pension from Government of not less than Fifty thousands rupees in a month
 - (5) Where the Trade Union is a federation of unions, the audit of accounts of federation shall be conducted in the same manner as prescribed in sub-rules (2), (3) and (4) for audit of trade unions.
 - (6) Notwithstanding anything contained in sub-rules (1), (2), (3), (4) and (5), no person who, at any time during the year was entrusted with fund or any part thereof or securities belonging to the trade union, shall be eligible to audit the accounts of that union.
 - (7) The auditor or auditors appointed in accordance shall be given access to all books of the trade union and shall verify the annual return with the accounts and vouchers relating thereto, and shall thereafter sign the auditor's declaration appended to **Form XI**.
 - (8) The audit of the political fund 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.
- Purpose of general fund** 27(1) The general fund of registered trade union shall not be spent on political objects or objects other than those provided in bye-laws of the trade union.
- Purpose of political fund and subscription** 28(1) the fund constituted under sub-section (2) of Section 15 shall not be spent on any object other than those provided in bye-laws for that fund.
- (2) the subscription by members of the trade union shall not be more than twice of the annual subscription of the member to general fund
- Manner of application for adjudication of trade union disputes** 29(1) the application under sub-section (1) of section 22 of the Code shall be submitted to Tribunal in **Form XII**, personally, or by registered post or electronically.
- Provided that such application shall not be refused merely on the ground that application is not in the prescribed form.
- (2) the application may be submitted by any member or office bearer of registered trade union or any member or office bearer of recognized federation.
- (3) the application shall contain the full details of dispute provided in sub-section (1) of Section 22, the name and address of the opposite parties.
- (4) the fee for the application shall be ten rupees to be paid by way of court fee stamp.
- Recognition of State trade union** 30(1) A trade union or federation of trade unions may be recognized as a State trade union at the state level, on the application of that trade union or federation of trade unions.

- (2) such application shall be signed by secretary of the trade union or federation of trade unions and accompanied with the resolution of the union or federation supported by fifty one percent of members or more.
- (3) the state trade union at State level shall be authorized to function as a trade union for whole of Uttar Pradesh only for the purpose for which it was constituted.
- (4) any dispute regarding such recognition shall be decided by Tribunal on application by the aggrieved person.
- (5) an application to Tribunal in accordance with sub-rule (4) shall be submitted in the manner prescribed in Rule 22.

Chapter IV STANDING ORDERS

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

- 31(1) If the employer adopts the model standing order of the State 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 or otherwise, of 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 but 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 shall ask for compliance report electronically or otherwise.
- (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

- 32 Where there is no such trade union as referred to in clause (i) of sub-section (5) of section 30 then, the certifying officer may require the election of three representatives of workers through Inspector-cum-facilitator members and 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 date of receipt of the notice.

Manner of authentication of certified standing orders under sub-section (8) of section 30.-

- 33 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 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 34(1) A statement to be accompanied with-

accompanied with draft standing orders under sub-section (9) of section 30

draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address (if possible), contact number and strength and details of workers employed therein including particulars of trade union to which such workers belong; and

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

(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, proposed modification therein, and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

Manner of disposal of appeal by appellate authority under section 32

35 In cases where a group of employers is engaged in similar industrial establishments such a group may submit a joint draft standing order under section 30 for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned trade union, negotiating union or negotiating council, if any.

36(1) An employer or trade union or negotiating union 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, 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 reasons thereof, and the same shall be filed personally or electronically to the appellate authority.

(2) The appellate authority shall, after giving the appellant and the opposite parties an opportunity of being heard, pass an order within sixty days of the filing of appeal, either confirming the standing orders or directing the employer to modify the standing orders.

(3) The appellate authority may call the employer, trade union of workers, representative of workers and other workers other than the appellant worker as it deems necessary.

(4) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.

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

The language and the manner of maintaining standing order under sub-section (1) and (2) of section 33

37(1) The standing order finally certified by certifying officer shall be sent personally or electronically 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 or in English.

Register for final certified copy of Standing Order under section 34

38(1) The certifying officer shall maintain electronically or otherwise, a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments in **Form XIII**,

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed to be certified standing orders to any person applying therefor on payment of ten rupees per page of the certified standing orders or deemed certified standing orders, as the case may

Application for modification of Standing Order under sub-section (2) of section 35

- 39 The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted personally or electronically and shall be accompanied with a statement prescribed under sub-rule (2) of rule 33.

Chapter V NOTICE OF CHANGE

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

- 40(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 XIV** to the worker affected by such change:

Provided that no such notice is required to implement to any legal agreement under the Code or judgment or award of any industrial tribunal or arbitrator.

- (2) The notice referred in sub-rule (1) shall be displayed conspicuously by the employer on the notice board 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 VI VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

Form of arbitration agreement and the manner thereof under sub-section (3) of section 42

- 41(1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in **Form XV** and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent of the parties either in writing or electronically of arbitrator or arbitrators.

- (2) The Arbitration Agreement referred to in sub-rule (1) shall be signed.-

(a) 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;

(b) 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;

(c) In the case of 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, the expression 'officers of trade union' means President, Vice-President, Secretary, Joint Secretary or any other officer of the trade union authorized in this behalf by the President and Secretary of the trade union.

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

- 42 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 Gazette for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute.

Manner of choosing

- 43 Where there is no Trade Union, the representative of workers to

representatives of workers where there is no Trade Union under sub-section (5) of section 42

present their case before the arbitrator or arbitrators shall be chosen by a resolution passed by the majority of concerned workers in **Form XVI** authorizing them to represent the case. Such workers shall be bound by the acts of representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

Chapter VII

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

Manner of appointment, term of office, salaries and allowances, resignation and other terms of conditions of service of Judicial and Administrative Members of the Industrial Tribunal under sub-section (5) of section 44

- 44(1) The Judicial and Administrative members of the Industrial Tribunal shall be appointed by the State Government on the recommendation of the selection committee.
- (2) For the purpose of appointment of Judicial and Administrative members of the Industrial Tribunal, the State Government shall prepare a list of suitable persons after due consideration of applications received in which the qualifications of all persons, their past performance and experience of disposal of industrial disputes or judicial /quasi-judicial work shall be clearly stated.
- (3) The Selection Committee shall comprise of the following members namely:-
 - (a) Chief Justice of High Court of Judicature at Allahabad or a Judge of the High Court of Judicature at Allahabad nominated by him-Chairperson;
 - (b) Chief Secretary, Government of Uttar Pradesh-Member;
 - (c) Additional Chief Secretary/ Principal Secretary to U.P. Government in the Labour Department- Member;
 - (d) Labour Commissioner, Uttar Pradesh- Member;
 - (e) Legal Remembrancer- Member.
- (4) The Selection Committee shall determine its procedure for making its recommendation and, after taking into account the qualification, suitability, record of past performance, integrity as well as adjudicatory experience in view of the requirement of the Industrial Tribunal, shall recommend a panel of two or three persons as it deems fit for appointment to each post.
- (5) A Judicial or Administrative Member shall hold office for a term of three years from the date on which he enters upon his office or till he attains the age of sixty five years, whichever is earlier.
- (6) The salary allowances of the Judicial and Administrative members of the Tribunal shall be,-
 - (a) in case of appointment of a serving Judicial/ Government Officer, the existing salary and allowances admissible to him in previous service;
 - (b) in case of appointment of a retired person, the salary and allowances last drawn reduced by the pension;
 - (c) in case of appointment of a serving Judicial/ Government Officer, the allowances and other service conditions of a Judicial/Administrative member of the Tribunal shall be same as in their previous service.
- (7) A retired person appointed as Judicial/Administrative Member shall be entitled for rent free accommodation or house rent allowance at the rate as admissible to an officer of the Government of Uttar Pradesh holding Group-A post carrying the same pay.
- (8) In case of appointment of a retired person, the other terms and

conditions of service shall be such as specified by the State Government by general or special order.

- (9) If a retired person appointed as Judicial or Administrative member does not join within a period of one month from the date of appointment, then the State Government may cancel his appointment and thereafter the vacant post shall be filled from the person in waiting list.
- (10) If for any reason any vacancy occurs in the Industrial Tribunal, it shall be filled in the manner prescribed in sub-rule (4) of this rule.
- (11) The State Government, if it deems necessary, may transfer a Judicial/Administrative member appointed in an Industrial Tribunal to another Industrial Tribunal and may give additional charge of Judicial/Administrative member of any Industrial Tribunal to the Judicial/Administrative member of another Industrial Tribunal.
- (12) (a) If a written and verifiable complaint is received by the State Government, alleging any definite charge of misbehavior or incapacity to perform the functions as Judicial/Administrative Member, it shall make a preliminary scrutiny of such complaint.
(b) If on a preliminary scrutiny, the State Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of a Judicial/Administrative Member, it shall set up an inquiry which shall be headed by a person nominated by the Chairperson of the Selection Committee:
Provided that in case of an inquiry against a Judicial Member, the Chief Justice of High Court shall be consulted.
(c) The Inquiry Officer shall complete the inquiry within a time of six months or such further time as may be specified by the Chairperson of the Selection Committee.
(d) After conclusion of the inquiry, the Inquiry Officer shall submit its report to the State Government stating its findings and the reasons therefor on each of the charges separately with such observations on the whole case as it may think fit.
- (13) The State Government after affording the principal of natural justice, may remove any Judicial/Administrative member from the Industrial Tribunal.
- (14) A retired person appointed as Judicial/Administrative Member may resign his office at any time by giving notice to this effect in writing under his hand addressed to the State Government
- (15) The State Government shall, on recommendation of the Selection Committee, remove from office any Judicial/Administrative Member, who,-
 - (a) has been adjudged as an insolvent; or
 - (b) has been convicted of an offence which, involves moral turpitude; or
 - (c) has become physically or mentally incapable of acting as such a Judicial Member; or
 - (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Judicial Member; or
 - (e) has so abused his position as to render his continuance in office prejudicial to the public interest;

Provided that where a Judicial/Administrative Member is proposed to be removed on any ground specified in clauses (b) to (e),

he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

Provided further that in case of removal of Judicial member, the Chief Justice of High Court shall be consulted

- (16) Matter relating to the terms and conditions of services with respect to which no express provisions has been made in these rules, shall be decided by the State Government after consultation Chairperson of the selection committee.
- (17) In case of retired Judicial/Government Officer, transfer travelling allowance for joining the Industrial Tribunal from home town to head quarter and vice-versa at the end of assignment shall also be admissible as entitlement of an officer of the Government of India holding Group A post carrying the same pay.
- (18) The State Government shall have power to relax the provision of any of these rules in respect of appointment, salary and allowances, resignation and other terms and conditions of service of Judicial/Administrative member of Industrial Tribunal.

Manner of holding conciliation proceedings under sub-section (1), full report under sub-section (4) of Section 53

- 45(1) The Conciliation Officer, on receipt of a notice of a strike or lock-out given under Chapter VIII, shall forthwith arrange to interview both the employer and the workmen concerned with the dispute at such places and at such times as he may deem fit and shall endeavor to bring about a settlement of the dispute in question.
- (2) Where the Conciliation Officer receives no notice of a strike or lock-out under Chapter VIII but he considers it necessary to intervene in the dispute, he may give formal intimation in writing to the parties concerned declaring his intention to commence conciliation proceedings with effect from such date as he, may deem fit.
- (3) The Conciliation Officer may require the employer or the party representing workmen or in the case of an individual workman, the workman himself involved in an industrial dispute, to submit a statement setting forth the specific matters in dispute to the Conciliation Officer concerned whenever his intervention in the dispute is required.
- (4) The Conciliation Officer shall adopt such other procedure as may be specified by the State government by general or special order.
- (5) If no such settlement is arrived at in the conciliation proceeding referred to in sub-rule (1), the Conciliation Officer shall send a full report to the parties concerned and to the State Government manually or electronically or in such form as may be required by the State Government by general or special order within seven days from the date on which the conciliation proceedings are concluded
- (6) The report referred to in sub-rule (2) shall contain inter-alia the submissions of the employer, worker or trade union, as the case may be, and it shall also contain the efforts made by the Conciliation Officer to bring the parties to the amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion of the Conciliation Officer.

Application to Industrial Tribunal and the manner of deciding application under sub-section (6) of

- 46(1) If any dispute which is not settled during the conciliation proceedings, then either of the concerned party may make an application in **Form XVII** before the Tribunal manually or electronically or in such manner for as may be required by the State

**section 53 by Industrial
Tribunal**

Government by general or special order within ninety days from the date of the report under sub-rule (5) of rule 44.

- (2) The application to Tribunal shall be accompanied with a statement containing complete details of dispute, documents and its list, and name, addresses, contact numbers and e-mail addresses (if possible) of the opposite parties.
- (3) The applicant shall file such number of applications in a registered envelope with address of the opposite parties, as is equivalent to the number of opposite parties.
- (4) The Tribunal, if satisfied *prima-facie* that the cause of dispute is legal, may take cognizance of the dispute and issue notice to the opposite parties fixing the date which shall be within one month from submission of application as far as possible, accompanied with application and statement submitted by person raising the dispute
- (5) If the opposite party is trade union or federation of trade union, notice shall be issued to the Secretary or General Secretary of the trade union or the federation of trade union and service to such Secretary or General Secretary shall be deemed service to the union or federation respectively.
- (6) If the Tribunal finds that the application is not in accordance with the rules, the application is incomplete or that the statement/document/ addressed envelope is not enclosed with the application it may direct the person raising the dispute to submit the same in accordance with the rules.
- (7) The opposite party or parties shall within 30 days from the date of first hearing so far as possible, file a written statement accompanied with the documents and the list of documents, list of witnesses and shall provide copies to other parties.
- (8) Within two weeks of submission of the written statements, other parties shall file their rejoinder and forward copies of the same to other parties.
- (9) The Tribunal shall frame issues for decision in the dispute on the basis of written statements and documents filed.
- (10) If a party raising the dispute, files an application on affidavit then the opposite party must file the written statement on affidavit, and if opposite party does not file the written statement on affidavit, the Tribunal may construct the material in application as true.
- (11) All evidences in the Tribunal shall be made on affidavit and opposite parties shall have the right to cross-examine the witnesses.
- (12) All parties may submit additional documents with prior permission of the Tribunal.
- (13) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure of evidence.
- (14) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted:

Provided that the Tribunal for reasons to be recorded in writing,

may grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute.

- (15) In case any party defaults or fails to appear at any stage, the Tribunal may proceed with the case ex-parte, and decide the application in the absence of the defaulting party:

Provided that the Tribunal may on the application of either party before the submission of the award, revoke the order to proceed ex-parte, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.

- (16) The Tribunal shall communicate its award, personally or electronically or in such manner and such form as may be required by the State Government by general or special order, to the parties concerned and the State Government or the Officer notified in this behalf within one month from the date of the pronouncement of the award.
- (17) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and it shall be deemed to be a Civil Court within the meaning of sections 345, 346 and 348 of the Code of Criminal Procedure, 1973 (Act no.1 of 1974).
- (18) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to a proceeding before it, the Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Tribunals.
- (19) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee through court fee stamp manually or electronically in the Tribunal in the following manner, namely :-
- (a) fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of ten rupees per page.
 - (b) for certifying a copy of any such award, order or document, a fee of ten rupees per page shall be payable and certifying fees shall be payable electronically.
- (20) Any person who is not a party to dispute may get copies of award or document after paying the fee as prescribed in sub-rule (19) of this rule.
- (21) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal when evidence has been called.
- (22) The proceedings before Tribunal shall be held in open court:
Provided that the Tribunal may direct any proceeding before it to be held by video conferencing:
Provided further that the Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

Chapter VIII

STRIKES AND LOCK-OUTS

Number of persons by whom the notice of strike shall be given, the person or persons to whom such

- 47 The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in **Form XVIII** which shall be duly signed by the Secretary of bargaining union or Secretaries of trade unions in bargaining council relating to

notice shall be given and the manner of giving such notice under sub-section (4) of section 62

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

- 48(1) The notice of lockout referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form XIX** to the Secretary of every registered trade union relating to such industrial establishment endorsing a copy thereof to the concerned Conciliation Officer, Labour Commissioner and the State Government electronically. The notice shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.
- (2) If the employer of an industrial establishment receives any notice of strike as referred to in sub-section (1) of section 62 or gives notice of lockout to any person under sub-section (2) of section 62 then he shall within five days from the date of receiving such notice or from the date of giving such notice, intimate the same manually or electronically or in such a manner as required by the State Government by general or special order, to the concerned Conciliation Officer and Labour Commissioner.

Chapter IX

LAY-OFF, RETRENCHMENT AND CLOSURE

Manner of serving notice before retrenchment of the worker under clause (c) of section 70

- 49 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 XX** to the State Government, Labour Commissioner and the concerned Regional Additional/Deputy Labour Commissioner manually or electronically or otherwise by registered post or speed post.

Manner of giving an opportunity for re-employment to the retrenched workers under section 72

- 50 Where any vacancy occurs in an industrial establishment and there are workers of such industrial establishment are retrenched one year prior to the proposal for filling up such vacancy, then the employer of such industrial establishment shall offer an opportunity of re-employment to the retrench workers at least thirty days before by registered post or speed post and through e-mail to such retrenched workers who are citizens of India. If such workers give their willingness for employment, then the employer shall give them preference over other persons in filling up of such vacancy.

Manner of serving notice by the employer for intended closure under sub-section (1) of section 74

- 51 If an employer intends to close down an industrial establishment he shall give notice of such closure in **Form XXI** to the State Government and a copy thereof to the Labour Commissioner and the concerned Regional Additional/Deputy Labour Commissioner manually or electronically or otherwise by registered post or speed post.

Chapter X

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

- 52 An application for permission under sub-section (1) of section 78 shall be made by the employer in **Form XXII** stating clearly therein the reasons for the intended lay-off and a copy of such application shall be served simultaneously to the worker concerned electronically and by registered post or speed post. Such application

serving copy of such application to workers under sub-section (2) of section 78

Time-limit for review under sub-section (7) of section 78

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

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

Manner of making application to the State Government by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers under sub-section (1) of section 80

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

The Contribution from other sources into re-skilling fund

Manner of utilization of

shall also be displayed conspicuously by the employer on a notice board or on board at the main entrance of the industrial establishment.

53 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 section 78 within a period of thirty days from the date on which such order is made.

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

55 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 within a period of thirty days from the date on which such orders is made.

56 An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply manually or electronically in **Form XXIV** for prior permission at least ninety days before the date on which intended closure is to become effective to the State Government, stating clearly therein the reasons for the intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the registered trade unions operating in industrial establishment manually or electronically and by registered post or speed post.

57 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 (2) of section 80 within a period of thirty days from the date on which such order is made.

Chapter XI WORKER RE-SKILLING FUND

58 In addition to contribution of employer under clause (a) of sub-section (2) of section 83, the fund shall consist of-

- (a) the contribution from Central Government or any body or authority of the Central Government.
- (b) the contribution from State Government or any body or authority of the State Government.
- (c) the contribution from such other sources as specified by State Government by general or special order.

59 Every employer who has retrenched a worker or workers under this

fund under sub-section (3)
of section 83

Code, shall, within ten days from the date of retrenchment of worker or workers shall electronically transfer an amount in accordance with clause (a) of sub-section (2) of Section 83 in the account to be maintained as required by State government by order. The name of the account shall be displayed on the website of the Department of Labour in Government of Uttar Pradesh and Labour Commissioner. The Account shall be operated by such authority and in such manner as specified by order of State Government. The fund so received shall be transferred by the Labour Commissioner or such authority as specified by State Government to each worker or workers' account electronically within forty five days of receipt of funds from the employer. The employer shall also submit the list containing the name of each worker retrenched, the amount equivalent to fifteen days of wages last drawn in respect of each worker along with their bank account details to enable the Labour Commissioner to transfer the amount in their respective account.

Chapter XII

OFFENCES AND PENALTIES

Form of application for
composition of Offences
and manner of
composition of offence
under section 89

- 60(1) If the officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer), is of the opinion that the offence under the code is compoundable shall send a notice manually or electronically to employer in **Form XXV**.
- (2) The employer if so desires shall make application to compounding officer in **Form XXVI** manually or electronically and shall deposit the amount electronically within fifteen days from the date of receipt of notice under sub-rule (1).
- (3) 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 if the prosecution has not been instituted against the accused, no complaint for prosecution shall be instituted against the accused.
- (4) If the offence is compounded after the institution of prosecution, the compounding officer shall inform the authority appointed under sub-section (1) of Section 85 or the competent Court in which the prosecution is pending and after receiving such intimation, the officer or Court shall discharge the accused and close the prosecution.
- (5) 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 XIII

MISCELLANEOUS

Manner of making
complaint by an
aggrieved worker under
section 91

- 61(1) Every complaint under section 91 of the Code shall be made manually or electronically and by registered post or speed post in **Form XXVII** 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, Tribunal or the National Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.
- 62 Where the worker is not a member of any Trade Union, then, any

Manner of authorization

of worker for
representing in any
proceeding under sub-
section (1) of section 94

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

63

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 may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in **Form-XXVIII**.

Where the employer, is not a member of any association of employers, may authorize in **Form-XXIX** 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.

By Order



Suresh Chandra

Additional Chief Secretary,
Labour and Employment, U.P.

Form I

(See rule 3)

Form for memorandum of settlement.

Name of the parties:

Representing Employer(s):.....

Representing workmen:.....

Short recital of the case

.....
.....
.....

Terms of the settlement

1.
2.
3.

Witnesses

1.
(Name and designation)

2.
(Name and designation)

Signature of the Parties

1.
(Name and designation)

2.
(Name and designation)

***Signature of Conciliation Officer**

Copy to:

- (1) The Regional Additional/Deputy Labour Commissioner, U.P.....
- (2) The Labour Commissioner, U.P.

*** Strike if settlement is arrived at outside the conciliation.**

✓

FORM II
(See rule 8)
Application for registration of a Trade Union

Dated the day of 20.....

1. We hereby apply for registration of a Trade Union under the name of
2. The address of head office of Union is
3. The Union came in to existence on the Day of 20..... and has on its roll on the date of this applicationmembers
4. The union is a union of employer/workers engaged in the industries (or profession)
5. We have been duly authorized to make this application by resolution of members.

	Signature	Occupation	Address
Signed 1			
2			
3			
4			
5			
6			
7			

- Annexure-
1. Schedule I
 2. Schedule II
 3. Schedule III
 4. Affidavit by applicant
 5. Copy of Constitution or bye-laws of Trade Union together with copy of resolution adopting such constitution or bye-laws.
 6. Copy of resolution authorizing the applicant to make application.
 7. in case of federation or central organization of trade union, a copy of resolution by members of each of the member union.

To
Registrar of Trade Union,
Uttar Pradesh

SCHEDULE I
List of the Officers

Sr. No.	Title	Name	Age	Address	Occupation
1					
2					

SCHEDULE II

We hereby declared having consent to our being elected as officer of (Name of the Trade union)

Name	Designation	Signature

~

Form III
(See rule 10)
Register of Trade Unions

Officers								
1. Serial No	2. Name of union	Year of entering on office	Name	Age on entry	Address	Occupation	Year of relinquishing office	Other offices held in addition to membership of executive, with dates
3. Address of head office	(1)	(2)	(3)	(4)	(5)	(6)	(7)	
4. Date of resignation								
5. Number of application forms								
6. List of members applying for registration								
(1)								
(2)								
(3)								
(4)								
(5)								
(6)								
(7)								

~

Form IV
(See rule 11)

Certificate of registration of Trade Unions

No.

It is hereby certified that the has been
registered under the Industrial Relation Code, 2020, thisday of
.....20.....

.....
Registrar of Trade Unions, U.P.



Form V

(See rule 13)

**STANDARD FORMAT OF AFFIDAVIT FOR REGISTRATION OF TRADE UNION
BEFORE REGISTRAR OF TRADE UNION, U.P.**

The deponents submit

1. That we have made application for the registration of Trade Union under sub-section (1) of Section 6 of Industrial Relation Code 2020 read with Rule 8 under the name
.....(Proposed name of the Trade Union).
2. That we are duly authorized to make application for the registration of the said union.
3. That the content of application and documents attached with application are true and correct and nothing have been concealed.

Signature of the deponents

1-.....
2-.....
3-.....
4-.....
5-.....
6-.....
7-.....

Verification

It is verified that the contents of theaforesaid affidavit are to the best of my Knowledge and belief, true and correct.

Date .../.../..... (dd/mm/yy)

Signature of Applicant(s)



Form VI
(See rule 14)

General statement of liabilities and assets on the day of
.....20.....

Liabilities	Rupees	Assets	Rupees
Amount of general fund		Cash	
Amount of political fund		In the hand of treasurer	
Loans from 1		In hands of Secretary	
2		In the bank	
3		In the bank	
Debts due to, 1		Securities as per list below	
2			
3			
Other liabilities 1		Unpaid subscription due	
2			
		Loans to 1	
		2	
		Immovable property	
		Goods and furniture	
		Other assets 1	
		2	
Total liabilities		Total Assets	

List of securities			
Particulars	Normal value	Market value	In hands of



Form VII
(See rule 15)
Application for withdrawal or cancellation of
certificate of registration

Name of the Trade Union

(Address)

Registration No

Dated the Day of 20.....

To,

The Registrar of Trade Unions,

The above mentioned trade union desires that its certificate of registration under the Trade Unions Act, 1926, Industrial Relation Code, 2020 may be withdrawn or cancelled, Resolution passed at a general meeting duly held on the day of 20..... is as follows

(Here give exact and true copy of the resolution)

* (signed)

Chairman/General Secretary

* if not at a general meeting, state in what manner the request has been determined upon.



FORM VIII**(See rule 18)**

1. Name and Address of the Union
2. Registration number and Date
3. Following changes occurred in Executive body in the General Assembly which has been held on/...../..... (dd/mm/yy)(time) under the Chairmanship of Shree/Sushree.....

Designation	Name	Age	Address	Occupation
1	2	3	4	5
Signature		Signature		
Ex-Chairman/President		Elected Chairman/President		
Ex-General Secretary/Secretary		Elected General Secretary/Secretary		

Note.-

- (1) If the signature of Chairman/President and general Secretary/Secretary cannot be got, its sufficient reason shall be mentioned.
- (2) If Change in Executive Body occurred due to resignation of any office bearer, the certified copy of such resignation shall be attached with this form.



FORMIX

(See rule 23 (1))

Notice of amalgamation of trade unions

- a. Name of registered trade union
Number of registration
- b. Name of registered trade union
Number of registration (and so on if more than two).
(Address)
- Dated the day of 20

To

The Registrar of Trade Unions,

Notice is hereby given that in accordance with the requirements of sub-section (3) of Section 24 of the Industrial Relation Code, 2020, the members of each of the above-mentioned trade unions have resolved to become amalgamated together as one trade union.

And that the following are the terms of the said amalgamation (state the terms).

And that it is intended that the trade union shall henceforth be called the

Accompanying this notice is a copy of the rules intended to be henceforth adopted by the amalgamated trade union which are the rules (if so) of the

(To be signed by seven members and the Secretary of each trade union)

- (Signed) 1. Secretary
2.
3.
4. Members
5.



FORM X

(See rule 23 (3))

Register of Amalgamation of Unions

Sr. No.	Names of the Amalgamated Unions	Name of the Union in which unions are amalgamated	Date of notice of Amalgamation	Date on which registrar recorded amalgamation
1	2	3	4	5



FORM XI

(See rule 25)

Annual return (prescribed under Section 26 of the Industrial Relation Code, 2020) for the year ending 31st March,

Name of Union/Federation

Registered Head Office

Number of certificate of registration

Return to be made by federation of trade union-

- A. Number of unions affiliated at the beginning of the year.....
- B. Number of unions joining during the year.....
- C. Number of unions disaffiliated during the year.....
- D. Number of unions affiliated at the end of the year.....

Return to be made only by trade union-

- A. Number of members on books at beginning of the year
 - B. Number of members admitted during the year (add together)
 - C. Number of members who left during the year (deduct)
 - D. Total number of members on books at the end of the year.
- Male
- Female

(The name of the affiliated and disaffiliated unions should be given in separate statement marked 'A', 'B' and 'C')

Number of members contributing to political fund

A copy of the rules of the trade union corrected up to the date of despatch of this return is appended.

Date the20.....

Secretary



Statement of liabilities and Assets
on day of20.....

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

List Of Securities

Particulars	Face value	Cost price	Market price at date on which accounts have been made'	In hands of
-------------	------------	------------	--------------------------------------------------------------	-------------

Treasure

General Fund Accounts

Income	Rs	Expenditure	Rs
Balance at the beginning of the year		Salaries, allowances and expenses of officers	
Contribution from members atper member		Salaries, allowances and expenses of establishment	
Donation		Auditors fee	
Sales of periodicals, books, rules, etc.		Legal expenses	
Interest on investments		Expenses in conducting trade disputes.....	
Income from miscellaneous source (to be specified)		Compensation paid to members for loss arising out of State disputes	
		Funeral, old age, sickness, unemployment benefits, etc, educational, social and religious benefits.....	
		Cost of publishing periodicals	
		Rents, rates and taxes, stationary, printing and postage	
		Other expenses (to be specified).....	
		Balance at the End of the year	
Total		Total	

✓

Political Fund Accounts

Income	Rs	Expenditure	Rs
Balance at the beginning of the year		Payment made on object specified in Section 16(2) of the Trade Unions Act, 1926 (to be specified)	
Contribution from members atper member		Expenses of management (to be fully specified)	
		Balance at the End of the year	
Total		Total	

Treasure

Auditor's Declaration

The undersigned, having had access to all the books and accounts of the trade union, having examined the foregoing statements and verified them with the account vouchers relating thereto, now sign the statement as found to be correct, duly vouched and in accordance with the law, *subject to the remarks, if any, appended hereto.

Auditor.

* delete the words, if no remarks are made.

Officers Relinquishing Office

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

Name	Office	Date of relinquishing office

Officers appointed

Name	Date of birth	Private address	Personal occupation	Title of position held in union	Date on which appointment in column 5 was taken up	Other offices held in addition to membership of executive with dates
1	2	3	4	5	6	7

Secretary of Union



Form XII

(See Rule 29 (a))

Form of Application for adjudication of Trade Unions Disputes

Before Industrial Tribunal.....

Between

(Name and designation of Applicant)

And

(Name and designation of Opposite party/parties)

Brief recital of the Trade Union Dispute

Signature of Applicant

Verification

It is verified that the content of the application is to the best of my knowledge and belief, true and correct

Signature of Applicant



(See Rule 38)

Name of the Region

Name of the district

[illegible]

Form XIV
(See rule 40)

Notice of Change of Service Condition proposed by an Employer

Name of employer

Address

Dated the Day of 20

In accordance with section 40 of the Industrial Relation Code, 2020, I/We hereby give notice to all concerned that it is my/our intention to effect from In the conditions of service applicable to workmen in respect of the matters specified in the Fourth Schedule to the said Act.

Signature

Designation

ANNEXURE

**HERE SPECIFY THE CHANGE /CHANGES INTENDED TO BE
EFFECTED.**

Copy forwarded to :

- (1) The Secretary of registered trade union;
- (2) The Regional Additional/Deputy Labour Commissioner, U.P.
[Here enter office address of the Assistant labour Commissioner (Central)
in the local area concerned]
- (3) The Labour Commissioner , U.P.



Form XV

(See rule 41)

AGREEMENT

Representing employers.

Representing workmen/workman.

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 workman in case he himself is involved in the dispute or the name of the union if any representing the workman or workmen in question.
- (iv) Total number of workmen employed in the undertaking affected.
- (v) Estimated number of workmen affected or likely to be affected by the dispute.

* We Further agree that the majority decisions of the arbitrators (s) be binding on us/in case the arbitrators are equally divided in their opinion , that 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 State 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 aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration]

Witnesses.

(1)

(2)

Copy to.-

- (i) The Additional/Deputy Labour Commissioner, U.P.
[Here enter office address of the Assistant labour Commissioner (Central) in the local area concerned]
 - (ii) The Labour Commissioner, U.P.
 - (iii) The Secretary to the Government of Uttar Pradesh, Ministry of Labour, Employment, Lucknow
- *Where applicable

Signature of Parties

Representing Employer

Representing Workman/Workmen.....



Form XVI**(See rule 43)****Resolution**

In(name and address of the establishment) there is no any registered Trade Union of Workers, so we are authorizing the following person to sign an agreement under sub-clause (c) of Clause (1) of sub-section (5) of Section 42 and to represent ourselves in the proceedings before the arbitrator or arbitrator (s) or to sign any agreement during the course of arbitration:-

Sr.no.	Name of representatives	Designation	Address
1	2	3	4
2			
3			
4			
5			

All actions of the above mentioned representative shall be binding upon us.

Sr.No.	Name of the workers	Signature	Sr.No.	Name of the workers	Signature
1			27		
2			28		
3			29		
4			30		
5			31		
6			32		
7			33		
8			34		
9			35		
10			36		
11			37		
12			38		
13			39		
14			40		
15			41		
16			42		
17			43		
18			44		
19			45		
20			46		
21			47		
22			48		
23			49		
24			50		
25			51		
26			52		



Form XVII

(See rule 46)

Before Industrial Tribunal.....(*Name and Place of Industrial Tribunal*)

Between

.....

.....(*Name and address of applicant*)

And

.....

.....(*Name and address of opposite party/parties*)

Following dispute exists between me/us and opposite party /parties , the detail of which are given below:-

.....

.....

.....(*brief recital of the dispute*)

The above mentioned dispute has been negotiated before the conciliation officerbut
no settlement arrived at during conciliation proceeding.

Therefore I/We submit the dispute before the Tribunal for adjudication.

Signature

(Name and Address)

Verification

It is verified that the content of application is to the best of my knowledge and belief, true and correct.

Signature

(Name and Address)



Form XVIII

(see rule 47)

**FORM OF NOTICE OF STRIKE TO BE GIVEN BY BARGAINING UNION
OR UNIONS IN BARGAINING COUNCIL**

[Name of five elected representatives of workmen]

Dated the Day of20.....

To

(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, 2020, I/We hereby give you notice that I/We propose to call a strike/propose to go on strike on 20....., for the reasons explained in the annexure.

Yours faithfully,

Secretary of the
Bargaining Union
/Bargaining Council

ANNEXURE

Statement of the
case.....

.....
.....
.....

Copy to:

- (1) The Regional Additional/Deputy Labour Commissioner, U.P.
[Here enter office address of the The Regional Additional/Deputy Labour Commissioner, U.P in the local area concerned]
- (2) The Labour Commissioner, U.P.
- (3) Secretary to Government of U.P. in the Ministry of Labour and Employment.



Form XIX

(See rule 48)

**FORM OF NOTICE OF LOCK-OUT TO BE GIVEN BY AN EMPLOYER
CARRYING ON A PUBLIC UTILITY SERVICE**

Name of The Industrial Establishment

Address

Dated the day of 20

In accordance with the provisions of sub-section (6) of Section 62 of the Industrial Relation Code, 2020, I/we hereby give notice to all concerned that it is my/our intention to effect a lock-out in Department (s)/section (s) of my/our establishment with effect from For the reasons explained in the annexure.

Signature.....

Name and Designation

ANNEXURE

STATEMENT OF REASONS

Copy forwarded to.

- (1) The Secretary/ Secretaries of the registered Bargaining Union/ Council, if any
- (2) The Regional Additional/Deputy Labour Commissioner, U.P.
[Here enter office address of the The Regional Additional/Deputy Labour Commissioner, U.P in the local area concerned]
- (3) The Labour Commissioner, U.P.
- (4) Secretary to Government of U.P. in the Ministry of Labour and Employment.

V

Form XX
(See rule 49)

**FORM OF NOTICE OF RETRENCHMENT TO BE GIVEN BY AN EMPLOYER
UNDER CLAUSE (C) OF SECTION 70 OF THE INDUSTRIAL RELATION CODE,
2020.**

Name of employer.....
Address
Dated theday of 20.....

To,
The Secretary to the Government of Uttar Pradesh,
Ministry of Labour and Employment,

Sir,

Under Clause (c) of Section 70 of the Industrial Relation Code, 2020, I/we hereby inform you that I/we have decided to retrench Workers with effect from/...../.....(dd/mm/yy) for the reasons explained in the Annexure.

*2. The workmen concerned were given on the/...../.....(dd/mm/yy). One months notice in writing as required under clause (a) of section 70 of the Code.

**3. The Workmen Were given on the one month's pay in lieu of notice, as required under clause (a) of section 70 of the Code.

***4. Retrenchment is being effected in pursuance of an agreement, a copy of which is enclosed.

5. The Total number of workmen employed in the industrial establishment is.....
.....and the total number of those who will be affected by the retrenchment is given below:-

Category and designation of workmen to be retrenched	Number of workmen	
	Employed	To be retrenched
1	2	3

6. I/We hereby declare that the workman/workmen concerned has/have been/will be paid compensation due to them in accordance with provisions of clause (b) of Section 70 of the Code on/...../.....(dd/mm/yy) the expiry of the notice period.

Yours Faithfully,

Signature
(Name and
designation)

++

*, **, *** Delete the portion which is not applicable.

ANNEXURE

STATEMENT OF REASONS

1. The Regional Additional/Deputy Labour Commissioner, U.P.....
(Here enter office address of the Regional Additional/Deputy Labour Commissioner, U.P in local area concerned)
2. The Labour Commissioner, U.P.
3. Employment Officer, Employment Exchange
{ Enter the full address of the Employment Exchange concerned. }

V

Form XXI
(See rule 51)

**FORM OF NOTICE OF CLOSURE TO BE GIVEN BY AN EMPLOYER
UNDER SUB-SECTION 1 OF SECTION 74 OF THE INDUSTRIAL
RELATION CODE, 2020**

Name of the employer

Address.....

Dated the Day of 20.....

To,

The Secretary to the Government of Uttar Pradesh,
Ministry of Labour and Employment, Lucknow.

Sir,

Under Sub-Section (1) of Section 74 of the Industrial Relation Code, 2020, I/we hereby inform you that I/we have decided to close down..... (name of undertaking) with effect from/...../.....(dd/mm/yy) for the reasons explained in the Annexure. The number of workmen whose services would be terminated on account of the closure of the undertaking is(number of workmen).

Yours faithfully,

Signature
(Name and Designation)

ANNEXURE

**STATEMENT OF
REASONS.....**

.....
.....
.....

Copy to:-

1. The Regional Additional/Deputy Labour Commissioner, U.P.
[Here enter office address of the Regional Additional/Deputy Labour Commissioner, U.P. in the local area concerned]
2. The Labour Commissioner, U.P.

✓

Form XXII

**FORM OF APPLICATION FOR PERMISSION TO LAY-OFF, TO CONTINUE
THE LAY-OFF WORKMEN IN INDUSTRIAL ESTABLISHMENTS TO WHICH
PROVISIONS OF CHAPTER X OF THE INDUSTRIAL RELATION CODE, 2020
APPLY**

To,

The Secretary to the Government of Uttar Pradesh,

Ministry of Labour and Employment, Lucknow.

Sir,

Under sub-section (1) of Section 78 of the Industrial Relation Code, 2020 I/we hereby apply for * permission to the lay off/permission to continue the layoff Workmen of a total of workmen employed in my/our establishment with effect from .../.../.....(dd/mm/yy) for the reason set out in Annexure.

Permission is solicited *for the lay off/to continue the lay-off of the said workmen.

Such of the workmen permitted to be laid off will be paid such compensation, if any, to which they are entitled under sub-section (6) of Section 78, read with Section 67, of the Industrial Relation Code, 2020.

Yours faithfully

(Signature)

Name and Designation.

*Strike out whatever is inapplicable

ANNEXURE

(please give replies against each item)

Item no.

1. Name of the undertaking with complete postal address, including telegraphic addresses and telephone number, E-Mail Address.
2. Status of Undertaking.-
 - (i) Whether Central public sector/State public sector/foreign majority company/joint sector, etc.
 - (ii) If belongs to large industrial house, please indicate the controlling group; and is a foreign majority company indicate.
The extent of foreign holdings.
 - (iii) Whether the undertaking is licensed/registered and if so, name of licensing/registration authority and license/registration certificate numbers.
3. (a) Name and address of the affected workers proposed to be laid off/names and addresses of the workers laid off before the commencement of the Industrial Relation Code, 2020 and the dates from which each of them has been laid off.
(b) The nature of the duties of the workers referred to in sub item (a), the units/sections/shops where they are or were working and the wages drawn by them.
4. Items of manufacture and scheduled industry/industries under which they fall.
5. Details relating to installed capacity, licensed capacity and utilized capacity.
6. (i) Annual production, item wise, for the preceding three years.
(ii) Production figures, month wise, for the preceding twelve months.

✓

7. Work-in-progress, item wise and value wise.)
8. Any arrangements regarding off-loading or sub-contracting of products or any components thereof.
9. Position of the order book, item wise and value-wise for a period of six months and one year next following and for the period after the expiry of the said One Year.
10. Number of working days in a week with the number of shifts per day and the strength of workers per each shift.
11. Balance sheets, profit and loss accounts and audit reports for the last three years.
12. Financial position of the company.
13. Names of the inter-connected companies or companies under the same management.
14. (i) The total number of worker (category-wise), and the number of employees other than workers as defined under Industrial Relation Code, 2020 employed in the undertaking.
15. Administrative, general and selling cost in absolute terms/per year in the last three years and percentage thereof to the total cost.
16. Details of lay-offs restored to in the last three years (other than the lay off for which permission is sought), including the periods of such lay-off and the reasons therefore
17. Anticipated savings due to the *proposed lay off/ lay off for the continuance of which permission is sought.
18. Any proposal for effecting savings on account of reduction.-
 - (i) Managerial remuneration
 - (ii) Sales promotion cost, and
 - (iii) General administration expenses.
19. Position of stocks on last day of each of the month in the preceding twelve months.
20. Annual sales figures for the last three years and month-wise sales figures for the preceding twelve months both item-wise and value-wise.
21. Reasons for the *proposed lay-off/lay-off for the continuance of which permission is sought.
22. Any specific attempts made so far to avoid the *proposed lay-off/layoff for the continuance of which permission is sought.
23. Any other relevant factors with details thereof.
*Strike out whatever is applicable]

FORM XXIII**(See Rule 54)**

**Form of notice for permission for retrenchment of workmen to be given by
an employer under clause (b) of sub-section (1) of section 79 of the Industrial
Relation Code, 2020**

To

Date

The Secretary to the Government of Uttar Pradesh,
Ministry of Labour and Employment, Lucknow.

Sir,

Under Clause (b) of sub-section (1) of Section 79 of the Industrial Relation Code, 2020, I/we hereby inform you that I/we propose to retrench workers being worker to whom sub-section (1) of Section 79 applies with effect from.....(dd/mm/yy) for the reason set out in the annexure.

2- The workers * concerned have been given notice since the retrenchment is under clause (a) of sub-section (1) of Section 79 / have not been given notice since the retrenchment is under an agreement (copy of which is enclosed)

3- The total number of workers employed in the industrial establishment is and the total number of those who will be affected by the proposed retrenchment is as given below.

Category and designation of workers to be retrenched	Number of worker	
	Employed	To be retrenched
1	2	3

1- Permission is solicited for the proposed retrenchment under clause (b) of sub-section (1) of Section 79.

2- I we hereby declare that the workers permitted to be retrenched will be paid compensation due to them under clause (b) of Section 70 of the Code.

Your Faithfully,

(Signature)

Name and Designation

* Strike out whatever is inapplicable.

ANNEXURE

(Please give replies against each other)

Item no -

- 1- Name of the undertaking with complete postal address, including telegraphic addresses and telephone number. E-Mail Address.

- 2- Status of undertaking
 - (i) Whether Central public sector/State public sector/ foreign majority company/joint sector etc.
 - (ii) If it belongs to large industrial house, please indicate the controlling group; and if a foreign majority company, indicate the extent of foreign holdings.
 - (iii) Whether the undertaking is licensed/registered and if so, name of licensing/registration authority and license/registration certificate numbers.
- 3- Name and addresses of the workmen proposed to be retrenched and the nature of their duties the units/sections/shops where they are working and the wages drawn by them.
- 4- Items of manufacture and scheduled industry/industries under which they fall.
- 5- Details relating to installed capacity, licensed capacity and the utilized capacity.
- 6-
 - (i) Annual production, item wise for preceding three years.
 - (ii) Production figures month wise for the preceding twelve month.
- 7- Work in progress-item wise and value wise.
- 8- Any arrangements regarding off-loading or sub-contracting of products or any components thereof.
- 9- Position of the order book-item wise and value wise, for a period of six months and one year next following, and for the period after the expiry of the said one year.
- 10- Number of working days in a week with number of shifts per day and strength of workers per shift.
- 11- Balance sheet: profit and loss account and audit reports for the last three years.
- 12- Financial position of the company.
- 13- Name of the inter-connected companies or companies under the same management.
- 14- (i) The total number of workers (category wise) and the number of employees other than workers as defined in Industrial relation Code, 2020, employed in the undertaking.
- 15- Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
- 16- Details of retrenchment restored to in the last three years, including dates of retrenchment, the number of workers involved in each case and the reason thereof.
- 17- Has any of the retrenched workers been given re-employment and if so, when? Give details.
- 18- Are seniority lists maintained lists maintained in respect of the categories of workers proposed to be retrenched and if so, the details and the position of the worker affected indicating their length of service including broken periods of service?
- 19- Anticipated savings due to the proposed retrenchment.

20- Any proposal for effecting savings on account of reduction in-

- (i) Managerial remuneration
- (ii) Sales promotion cost, and
- (iii) General administration expenses.

21- Positions of stocks on the last day of each of the months in the preceding twelve months.

22- Annual sales figures for the last three years and month-wise sales figures- for the preceding twelve months both item-wise and value-wise

23- Reasons for the proposed retrenchment.

24- Any specific attempt made so far to avoid the proposed retrenchment.

25- Any other relevant factors with details thereof.

✓

Form XXIV

(See rule 56)

Form of notice of permission of closure to be given by an employer under sub-section (1) of Section 80 of the Industrial Relation Code, 2020

To,

The Secretary to the Government of Uttar Pradesh,
Ministry of labour and Employment, Lucknow

Under section 80 of the Industrial Relation Code , 2020, I/we hereby inform you that I/we propose to close down the undertaking specified below of (name of the industrial establishment)

(Give details of the undertaking)

.....
With effect from/...../(dd/mm/yy) For the reasons explained in the Annexure.

2. The number of worker whose services will be terminated on account of the closure of the undertaking (number of workers).

3. permission is solicited for the proposed closure.

4. I/we hereby declare that in the event of approval for the closure being granted, every worker in the undertaking to whom sub-section (8) of the said section 80 applies shall be paid compensation as specified in that section.

Yours faithfully,

(Signature)

Name and Designation

ANNEXURE

(PLEASE GIVE REPLIES AGAINST EACH ITEM)

Item no.

- 1- Name of the industrial establishment with complete postal address including telegraphic addresses and telephone number, E-Mail Address.
- 2- Status of undertaking.-

✓


- (i) Whether central public sector/State public sector/foreign majority company/joint sector, etc.
 - (ii) If it belongs to large industrial house, please indicate the controlling group; and if a foreign majority company indicate the extent of foreign holdings.
 - (iii) Whether the undertaking is licensed/registered and if so, name of licensing/registration authority and license/registration certificate numbers.
- 3- The total number and categories of workers affected by the proposed closure, along with the addresses of the workers and the details of wages drawn by them.
- 4- Items of manufacture and scheduled industry/industries under which they fall.
- 5- Details relating to licensed capacity, installed capacity and the utilized capacity:
- 6- (i) Annual production items-wise and value wise.

(ii) Production figures month-wise for the preceding twelve months.
- 7- Work in progress- items wise and value-wise.
- 8- Any arrangement regarding off-loading or sub-contracting of products or any component thereof.
- 9- Details of persons or the organizations to whom the job/jobs is/are being entrusted/relationship/interest of the persons/organizations with the director/directors of the officer/officers of the company.
- 10- Position of the order book/item-wise and value-wise for a period of six months and one year next following, and for the period after the expiry of the said one year.
- 11- Number of working days in a week with the number of shifts per day and the strength of worker per shift.
- 12- Balance sheet and profit and loss account and audit reports for the last three years.
- 13- Financial position of the company.
- 14- (i) Names of inter-connected company or companies under the same management.

(ii) Details about inter-corporate investments and changes during the last one year.

(iii) Interest of any of the directors and officers of the under taking producing same or similar type of product.
- 15- Percentage of wages of workers to the total cost of production.
- 16- Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
- 17- Inventory position-item-wise and value-wise for the preceding twelve months (Inventories to be shown in respect of finished products, components and raw materials to be shown separately item-wise and value-wise.)
- 18- Selling arrangement for the last three years and any change in the selling arrangement in preceding twelve months.

✓

- 19- Full details of the interest of the directors and officers of the company in organization/person involved in selling product of the undertaking.
 - 20- Buying arrangements for raw materials and components.
 - 21- Interest of the directors and officers with the organizations/persons involved in buying raw materials and components for the under taking.
 - 22- Annual sales figures for the last three years and month-wise sales figures for the preceding twelve month both item-wise and value-wise.
 - 23- Reasons for the proposed closure.
 - 24- Any specific attempts made so far to avoid the closure.
 - 25- Any other relevant factors with details thereof.
- 

**NOTICE FOR UNDER SUB-SECTION (1) OF SECTION 89 FOR COMPOSITION
OF OFFENCE**

To,

.....
.....
.....

- (1) You or Your establishment has been found violating Section of the Code which is compoundable under provisions of sub-section (1) of Section 89 of the Industrial relation Code, 2020
- (2) As per provisions of sub-section (1) of Section 89 read with Sub-Rule (1) of Rule 60, you are hereby given notice to the effect that if you are willing to apply for composition of offence, you may apply for composition by submitting the application in Form XXXI along with deposit of Rupees /- through treasury challan or electronically on the departmental portal of Labour Commissioner. The details of which are given below:-

(i) Treasury Head

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Or

(ii) Flow chart of electronic payment.-.....

.....
.....

(Signature)

Name and designation
of the Officer.....

Form XXVI

[See rule-60]

APPLICATION UNDER SUB-SECTION (1) OF SECTION 89 FOR COMPOSITION
OF OFFENCE

To,

.....

.....

.....

Kindly refer to your notice no. dated/...../.....(dd/mm/yy) I/we
hereby apply for composition of Offence and I have deposited Rs./- as the amount
of Composition by depositing through Treasury Challan or electronically through the portal
of Labour Commissioner on/...../..... (dd/mm/year).

So please accept my application and close the proceeding under the Code.

Dated:

Enclosure: The Treasury Challan/Payment receipt of electronic
Payment.

(Signature)

Name of the Applicant

(1) Name of the establishment:.....

(2) Address of Establishment :.....

Y

Form XXVII

(See rule 61)

COMPLAINTS REGARDING CHANGE OF CONDITIONS OF SERVICE
UNDER SECTION 91.

Before

1. Conciliation Officer
2. Arbitrator.....
3. Tribunal.....

Between

..... (name and Address of Complainant)

And

..... (name and Address of opposite party/parties)

The Complainant (s) beg/begs to complaint that the Opposite party (ies) has/have been guilty of a contravention of the provisions of Section 90 of the Industrial Relation Code, 2020 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 employer is challenged)

The Complainant(s) accordingly prays/pray that the Conciliation Officer/ Arbitrator/Tribunal may be pleased to take into account in mediating or decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The Number of copies of the complaint and its annexures required under rule 51 of the Uttar Pradesh Rules on Industrial relation Code, 2020 are submitted herewith.

Signature of the Complainant (s)

Dated this..... Day of20

Verification

It is verified that the content of application is to the best of my knowledge and belief, true and correct.

Signature of the Complainant (s)



Form XXVIII
(See rule 62)
REPRESENTATION OF PARTIES

Before

(Here mention the authority concerned)

In the matter of

Reference no - of

.....(worker)

versus

.....(Employer).

I/We hereby authorize Shri/Sushree to represent me/us
in the above matter.

Dated this Day of 20

.....
.....
(Signature of worker (s) nominating the
representative (s))

(Name and Address)

Accepted

.....
.....
(Signature of representative (s))

(Names and Addresses.)

Form XXIX
(See rule 63)
REPRESENTATION OF PARTIES

Before

(Here mention the authority concerned)

In the matter of

Reference no - of

.....(worker)

versus

.....(Employer).

I/We hereby authorize Shri/Sushree to represent me/us
in the above matter.

Dated this Day of 20

.....
.....
(Signature of employer (s) nominating the
representative (s))

(Name and Address)

Accepted

.....

.....

(Signature of representative (s))

(Names and Addresses.)

✓