

GOVERNMENT OF TELANGANA

ABSTRACT

RULES – Labour Employment Training & Factories Department – New Labour Codes – The Industrial Relations Code, 2020 (35 of 2020) the Industrial Relations (Telangana State) Rules, 2026 – Preliminary Notification – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (LAB-I) DEPARTMENT

G.O.Rt.No

Dated: .02.2026

Read the following: -

1. The Industrial Relations Code, 2020 (Central Act No.35 of 2020) notified by the Ministry of Labour & Employment, GOI, New Delhi in Gazette No.60, dt: 29.09.2020.
2. S.O. 5320 (E), dated 21st November, 2025, Ministry of Labour and Employment, Government of India, New Delhi, in Gazette No. 5144 dated 21st November, 2025.
3. From the Commissioner of Labour, Telangana, Hyderabad, Lr.No. ,dt: .

ORDER:-

The Ministry of Labour & Employment, Government of India, New Delhi, has notified the Industrial Relations Code, 2020 (Central Act No.35 of 2020), an Act to consolidate and amend the laws relating to Trade Unions, conditions of employment in industrial establishment or undertaking, investigation and settlement of industrial disputes and for matters connected therewith or incidental thereto vide first read above and it has come into force with effect from 21.11.2025 vide Gazette second cited.

2. The Commissioner of Labour, Telangana, Hyderabad in his letter third read above has furnished draft rules on the Industrial Relations (Telangana State) Rules, 2026 with a request to issue notification calling for objections and suggestions from general public and stakeholders in the matter.

3. Government, after careful examination of the matter hereby decided to issue draft rules, namely the Industrial Relations (Telangana State) Rules, 2026 in exercise of the powers conferred under section 99 of the Industrial Relations Code, 2020 (Central Act No.35 of 2020) read with section 24 of the General Clauses Act, 1897 (Central Act No.10 of 1897) inviting objections and suggestions from general public and stakeholders in the matter.

4. Accordingly, the following notification shall be published in the extraordinary issue of Telangana Gazette dated:

PRELIMINARY NOTIFICATION

The following draft rules, which the Government of Telangana proposes to make in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020

(Central Act.No.35 of 2020) read with section 24 of the General Clauses Act, 1897(Central Act No.10 of 1897) and in supersession of all the rules made by the State Government in exercise of the powers conferred by the Trade Union Act, 1926 (Central Act No.16 of 1926), the Industrial Employment (Standing Orders) Act, 1946 (Central Act No.20 of 1946) and the Industrial Disputes Act, 1947 (Central Act No.14 of 1947) as the case may be, which are repealed by section 104 of the said Industrial Relations Code, 2020 except as respects of things done or omitted to be done before such supersession, are hereby notified, as required by sub-section (1) of said section 99, for information of all persons likely to be affected thereby and notice is hereby given that the said notification will be taken into consideration after the expiry of a period of forty five days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public;

The objections and suggestions, if any, should be addressed to the Commissioner of Labour, T.Anjaiah Bhavan, RTC 'X' Roads, Hyderabad, Telangana by post or through email: col.labour.telangana@gmail.com & jcl.ts.hq@gmail.com. The objections and suggestions should be sent in a proforma containing columns (i) specifying the name and address of the person / organization and column (ii) specifying the rule or sub-rule which is proposed to be modified and column (iii) specifying the revised rule or sub-rule proposed to be substituted and reasons therefor; objections and suggestions, which may be received from any person or organization with respect to the said notification before expiry of the period specified above, will be considered by the State Government.

CHAPTER - I PRELIMINARY

1. Short title, application and commencement:-

- (i) These rules may be called The Industrial Relations (Telangana State) Rules, 2025.
- (ii) They shall extend to the whole of the State of Telangana in respect of industrial establishments and matters for which the Telangana State Government is the appropriate Government.
- (iii) They shall come into force on the date of their publication in the Official Gazette.

1A. Definition.-

- (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 email or uploading on the designated portal or digital payment in any mode for the purpose of Code;
 - (d) "Government" means the Government of Telangana;
 - (e) "Tribunal" means Industrial Tribunal under the code;
 - (f) "Form" means a form appended to the Schedule to these rules;
- (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.

2. Written agreement for the settlement before the Conciliation Officer under clause (zi) of section 2.- Memorandum of settlement .- (1) The settlement arrived at in the course of

conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in **Form-I**.

(2) The settlement shall be signed, --

(a) by the employer or by his authorized agent, or where the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of such company or such other body corporate;

(b) On behalf of workers, by any of the following office bearers of Trade Union, namely: -

(i) President; or

(ii) Vice -President; or

(iii) Secretary (including the General Secretary); or

(iv) Joint Secretary; or

(v) Any other office bearer of the Trade Union authorized in this behalf by the President and Secretary of the Union; or

(vi) Five representatives of workers duly authorized in this behalf at the meeting of the workers held for the purpose.

(3) In case of an industrial dispute between individual worker and employer, the settlement shall be signed by the employer and the worker concerned.

(4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the Central Government together with a copy of the memorandum of settlement signed by the parties to the dispute.

(5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or otherwise, to the concerned Commissioner of Labour and to the conciliation officer.

(6) The conciliation officer shall file all settlement s effected under the Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.

(7) The register referred to in sub-rule (6) shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:

Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation;

Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than **Form I**.

CHAPTER - II BIPARTITE FORUMS

3. Works Committee, its constitution and matters related there to .-

(1) Constitution of Works Committee: Every employer to whom an order made by the State Government under **sub-section (1) of section 3** relates, shall forthwith proceed to constitute a Works Committee (hereinafter in this rule referred to as the Committee) to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in this rule.

(2) Number of Members:

(i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment.

(ii) The total number of members of the Committee shall not exceed twenty.

(iii) The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein.

Provided that the industrial establishment in which women workers are employed shall have adequate representation of women workers in Works Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(3) Representation of Employer: Subject to the provisions of this rule, the representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

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

(a) Number of the workers who are members of such registered Trade Union or Trade Unions; and

(b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to the Registrar of Trade Unions, who shall, after hearing the parties, decide the matter and his decision shall be final.

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

(a) in the case of a negotiating union under **sub-section (2) or sub-section (3) of section 14**, such negotiating union shall nominate the worker 's representatives of the Committee;

(b) in the case of the negotiating council under **sub-section (4) of section 14**, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognized negotiating union or negotiating council referred to in clauses (a) and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee;

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

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

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

(6) Electoral Constituencies: The employer may, if he thinks fit, direct that the workers shall vote in either by groups, sections, shops or departments.

(7) Qualification of Candidates for election: Any worker, of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

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

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

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

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

(9) Fixation of schedule for Election: (i) The employer shall give a minimum time period of at least three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.

(ii) The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations.

(iii) The date of election fixed under sub-rule (i) shall be notified at least seven days in advance to the workers

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

(10) Nomination of Candidates for election: (i) Every nomination for election as worker's representative of the Committee shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.

(ii) Each nomination paper referred to in sub-rule (10) shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking election shall represent, and shall be delivered to the employer.

(11) Scrutiny of Nomination papers: (i) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinized by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.

(ii) A nomination paper shall be held to be not valid under sub-rule (11), if--

(a) The candidate nominated is ineligible for being a candidate under sub-rule (7); or

(b) The requirements of sub-rule (10) have not been complied with:

Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorized nominee for the purpose.

(12) Withdrawal of Candidates: Any candidate whose nomination for election has been accepted may withdraw his candidature within forty -eight hours of the completion of scrutiny of the nomination papers.

(13) Voting in Election: (i) If the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall be forthwith declared as duly elected.

(ii) Where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(14) Officers of the Committee: (i) The Committee shall have among its office -bearers a Chair person, a Vice - Chairperson, a Secretary and a Joint -Secretary.

(ii) The Chairperson of the Committee shall be nominated by the employer from amongst the employer's representatives of the Committee and he shall, as far as possible, be the head of the industrial establishment.

(iii) The Vice -Chairperson shall be elected by the members of the Committee representing the workers, from amongst themselves

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

(iv) The Secretary and the Joint -Secretary of the Committee shall be elected every year.

(v) The Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workers and vice versa :

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

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

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

(15) Term of Office: (i) The term of office of the members of the Committee other than a member chosen to fill a casual vacancy shall be three years.

(ii) Every member chosen to fill a casual vacancy shall hold office for the remaining period of the term of his predecessor.

(iii) The membership of any member, who fails to attend three consecutive meetings of the Committee without obtaining leave from the Committee, shall stand forfeited.

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

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

(18) Meetings: (i) The Committee may meet as often as necessary but not less often than once in three months.

(ii) The Committee shall at its first meeting regulate its own procedure.

(19) Facilities for meetings, etc.: (i) The employer shall provide accommodation for holding meetings of the Committee and shall also provide all necessary facilities to the Committee and to its members for carrying out the work of the Committee.

(ii) The Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representatives of the workers shall be deemed to be on duty while attending the meeting.

(iii) The Secretary of the Committee may with the prior concurrence of the Chairperson, put up notice regarding the functions of the Committee on the notice board of the industrial establishment.

(20) Annual Return: The employer shall submit the details of the constitution and the functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under the Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

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

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

4. Choosing of members from employers and workers for Grievance Redressal

Committee. – (1) The Grievance Redressal Committee (hereinafter in this rule referred to as the Grievance Committee) in an industrial establishment employing twenty or more workers, shall consist of equal number of members representing the employer and workers, which shall not exceed ten.

(2) The representatives of the employer in the Grievance Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The worker 's representative of the Grievance Committee shall be chosen in the following manner, namely: --

(a) where there is a negotiating union under **sub-section (2) or sub-section (3) of section 14**, such negotiating union or negotiating council, as the case may be, shall nominate the worker 's representatives of the Grievance Committee.

(b) in the case of a negotiating council under **sub-section (4) of section 14**, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union.

(c) where there is no recognized negotiating union or negotiating council referred to the clauses (a) and (b), the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

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

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

(4) The tenure of the members of the Grievance Committee shall be three years.

(5) Where there is no recognized negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the

matter may be referred to the concerned Registrar of Trade Unions, who shall, after hearing the parties, decide the matter, whose decision shall be final.

5. Application in respect of any dispute to be filed before the Grievance Redressal Committee by an aggrieved worker. – (1) Any aggrieved worker may file an application stating his grievance therein and dispute before the Grievance Redressal Committee giving name, designation, worker code or token number, department where he is posted, length of his service in years, category of worker, address for correspondence, contact number, details of grievances and the relief sought therefore.

(2) The application referred to in sub-rule (1) may be sent electronically or otherwise.

(3) The application referred to in sub-rule (1) shall be filed within one year from the date on which the cause of action of such dispute arose.

6. 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:- 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 within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in **sub-section (6) of section 4** expires, as the case may be, to the conciliation officer as appointed for respective jurisdiction under **section 2(i)** of the Code through the Trade Union, of which he is a member or otherwise:

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

CHAPTER – III TRADE UNIONS

7. Payment of subscription by members of the trade union and donation from such members and others under clause (f) of section 7 and payment of subscription under sub-section (4) of section 15. :

(1) The payment of a minimum subscription by the members of the Trade union, under clause **(f) of the section 7** shall not be less than, -

(i) Rs.60/- (One hundred rupees only) per annum for rural and unorganized sector workers.

(ii) Rs.120/- (Two hundred rupees only) per annum for workers in any other cases.

(2) The subscription payable, under **sub-section (4) of section 15** shall be as follows.

(i) Rs. 1000/- (Rupees one thousand only) for a Trade Union with the membership of 1000 or above.

(ii) Rs.500/- (Rupees five hundred only) for a Trade Union with the membership of less than 1000.

8. Audit under clause (j) of section 7:- The annual audit of the accounts of any registered trade union shall be conducted by an auditor authorized to audit the accounts of companies under section 139 and section 141 of the Companies Act, 2013.

9. Form of application for registration under sub-section (1) of section 8. -

(1) Every application for registration of a Trade Union shall be made electronically or otherwise, in **FORM-II** along with affidavit.

(2) The Registrar may call for further information for the purpose of satisfying himself that the application complies with the provisions of the Code.

(3) The general statement of assets and liabilities shall be made as per **Schedule III of Form- II, under sub-section (2) of section 8.**

10. Form of Certificate under sub-section (2) of section 9. - The Certificate of registration issued by the Registrar shall be electronically or otherwise, in **FORM III.**

11. Form of Register under sub-section (3) of section 9. - The register of Trade Union shall be maintained, electronically or otherwise, in **FORM-IV.**

12. Form of application for withdrawal or cancellation under subsection (5) of section 9.-

(1) Every application by a Trade Union for withdrawal or cancellation of its certificate of registration shall be sent, electronically or otherwise to the Registrar in **FORM-V.**

(2) The Registrar on receiving an application for withdrawal or cancellation of registration shall, before granting the application, verify that the application was approved, in a general meeting of the Trade Union or if it was not so approved, that it has the approval of a majority of the members of the Trade Union. For this purpose the Registrar may call for such further particulars as he may deem necessary and may examine any office bearer of the Union.

13. Appeals under sub-section (1) of section 10. - Any appeal made under sub-section (1) of **section 10** shall be filed within ninety (90) days of the date on which the Registrar passed the order against which the appeal is made.

14. Change in registration particulars and its constitution or rules under sub section (3) of section 11. -

(1) Intimation of any change under sub section (3) of section 11 shall be given electronically or otherwise by the Registered Trade Union in **FORM-VI** within Twenty-One (21) days of such change.

(2) On receiving a copy of an application made for the alteration of the rules of a Trade Union, the Registrar, unless he has reason to believe that the alteration has not been made in the manner provided by the rules of the Trade Union, shall register the alteration in a register to be

maintained for this purpose and shall notify the fact that he has done so to the Secretary of the Trade Union.

(3) The fee payable for registration of alteration of rules shall be Rs 250/- (Two hundred and fifty rupees only) for each set of alterations made simultaneously.

15. Matters in an industrial establishment having registered Trade Union for negotiation with employer for the workers employed in the industrial establishment under sub-section (1) of section 14.-

(1) The matters pertaining to workers which the negotiating union or negotiating council shall negotiate with the employer of the industrial establishment under **sub-section (1) of section 14** are specified, as below, namely:-

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

16. Criteria for recognizing a single registered Trade Union of workers as sole negotiating Union of workers under sub-section (2) of section 14. - Where there is only one registered Trade Union operating in an industrial establishment having its members not less than thirty percent of the total workers employed in the industrial establishment, then, the employer of such industrial establishment shall recognize such Trade Union as sole negotiating union of the workers.

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

(1)(a) The State Government shall appoint a verification officer (hereinafter in this rule, referred to as verification officer) for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall be an independent officer and shall not have any interest with any of the Trade Union, whose membership verification is to be carried out; Provided the process for verification shall commence three months before the expiry of the tenure of the existing recognition period of the trade unions recognised by the employer under the Code of Discipline.

- (b) The verification officer can appoint additional verification officers to assist him depending upon the quantum of work of membership verification;
- (c) The verification officer shall carry out the work of membership verification in the industrial establishment in time bound manner as determined by the employer;

(2) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of Trade Union under sub-rule (1).

(3) (a) The Trade Unions which satisfy the following conditions shall first submit an application to the employer of the industrial establishment to accord status of negotiating union of the workers, namely:-

- (i) such Trade Union has a valid registration under the Trade Unions Act, 1926 and continuing as such or has the registration under the Industrial Relations Code, 2020 (35 of 2020), as the case may be; and
- (ii) the membership of the Trade Union be confined to the particular industrial establishment only.

(b) The Application for recognition made by Trade Union shall be accompanied with the copy of the registration certificate, copy of list of members, details of the membership subscription and copy of latest annual return submitted to Registrar of Trade Unions and any other relevant document which the Trade Union wishes to submit in support of its claim;

(4) (a) In case of negotiating union or council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of incumbent negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of incumbent negotiating union or negotiating council, as the case may be;

(b) The date of reckoning shall be fixed by the verification officer for the purpose of verification of membership of the Trade Unions;

(c) The employer of the establishment shall forward the documents and records submitted by Trade Unions, to the verification officer.

(d) On receipt of the documents and records, the verification officer shall scrutinize the records or documents submitted by the Trade Union to ascertain the status of registration of Trade Union and related matters;

(e) The verification officer shall hold meeting with representative of employer of industrial establishment and all participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot.

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

18. Verification of membership of Trade Unions through secret ballot -

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

- (a) publication of voters list;
- (b) date, time, mode of voting, place of voting;
- (c) date, time and place of counting; and
- (d) other modalities relating to secret ballot.

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

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

(4) The voter list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in sub-rule (3) and the voter list shall contain the name, father's name, designation, worker number/Identity Card Number issued by the employer, if any, and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of the verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions electronically or otherwise.

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

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

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

19. Verification report to the employer – The verification officer shall submit verification report with results of verification of membership of the Trade Unions to the employer of industrial establishments

20. Recognition of Trade Union as negotiating union or constituents of negotiation council – On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to Trade Union as a negotiating union or constituents of negotiating council as per provisions of **sub- section 2 of section 14 or sub-section 3 of section 14 or sub-section 4 of section 14** of the Code, as the case may be, which shall be valid for three years from the date of recognition of negotiating union or constitution of negotiating council or such further period not exceeding five years, in total, as may be mutually decided by the employer and the negotiating union or negotiating council, as the case may be:

Provided that the tenure of the negotiating union and the negotiating council shall be decided prior to holding of secret ballot.

21. Facilities to be provided to negotiating union or negotiating council under sub-section (7) of section 14.- In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, as the case may be, namely:-

- (a) notice board for the purpose of displaying the information relating to activities of negotiating union or negotiating council, as the case may be;
- (b) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as the case may be, as per schedule and agenda to be settled between employer of the industrial establishment and the negotiating union or constituents of negotiating council, as the case may be;
- (c) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;
- (d) facility for entrance of the office bearers of the negotiating union or constituents of negotiating council, as the case may be, in the industrial establishment for the purposes of ascertaining the matters relating to the working conditions of the workers;
- (e) employer to deduct subscription of the members of the Trade Unions on the basis of the written consent of the worker;
- (f) treating on duty of the employed office bearers of the negotiating union or constituents of negotiating council, as the case may be, when the office bearers are holding meetings or discussing with the employer as per agreed schedule between the employer and such office bearers;
- (g) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation to the negotiating union or negotiating council, as the case may be.

22. Objects of General Fund, under sub-section 1 of section 15, and membership subscription. - The general funds of a registered Trade Union shall not be spent on any other object other than the following, namely:—

- (a) Payment of salaries, allowances and expenses to office-bearers of the Trade Union;
- (b) Payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;
- (c) Prosecution or defense of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defense is undertaken for the purpose of securing or protecting any right of the Trade Union as such or any right arising out of the relations of any member with his employer or with a person whom the member employs;
- (d) Conduct of trade disputes on behalf of the Trade Union or any member thereof;
- (e) Compensation of members for loss arising out of trade disputes;
- (f) Allowances to members or their dependents on account of death, old age, sickness, accidents or unemployment of such members;
- (g) Issue of, or the undertaking of liability under, policies of assurance on the lives of members, or policies of insurance of members against sickness, accident or unemployment;
- (h) Provision of education, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependents of members;
- (i) Upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such;
- (j) Payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general:

Provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year.

23. The separate fund of a registered Trade Union for promotion of civic or political interests under sub-section (2) of section 15: The separate fund shall be utilised for the following objectives, namely:-

- (a) Payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of any legislative body constituted under the constitution or of any local authority, before, during, or after the election in connection with his candidature or election; or
- (b) Holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or
- (c) Maintenance of any person who is a member of any legislative body constituted under the Constitution or of any local authority; or
- (d) Registration of electors or the election of a candidate for any legislative body constituted under the Constitution or for any local authority; or
- (e) Holding of political meetings of any kind, or the distribution of political literature or political documents of any kind.

24. Application to be made to the Tribunal. – A worker /Trade union desire to raise a dispute before the Industrial Tribunal under **sub-section (1) of section 22**, shall apply in **FORM-VII**, under intimation of the Registrar having jurisdiction over that area

25. Manner of making application for adjudication before the Tribunal under sub-section (1) of section 22. - Where any dispute arises between –

- (a) one Trade Union and another; or
- (b) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or
- (c) one or more workers who are refused admission as members and the Trade Union; or
- (d) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and the office bearer authorized in this behalf by the Trade Union, then, the aggrieved person may make application to the Tribunal having jurisdiction, in **Form-VIII** within a period of one year from the date on which the dispute arises, electronically or otherwise.

26. Amalgamation of trade unions under sub-section (2) and (3) of section 24. - Form of Notice. – Notice of every amalgamation shall be sent to the Registrar, electronically or otherwise in duplicate in **FORM IX**.

27. Change of name under sub-section (3) of section 24. -

- (1) The notice of any change of the name of a Trade Union shall be sent to the Registrar in **FORM-X**.
- (2) When the registrar registers a change of name under **section 24**, he shall certify under his signature at the foot of the certificate issued under Rule 9 that the new name has been registered. The Secretary shall present the certificate to the Registrar for making this entry.

28. Dissolution of registered Trade Unions under sub-section (1) of section 25. - When a registered trade union is dissolved, notice of dissolution shall be sent within fourteen days, electronically or otherwise to the Registrar in **FORM XI**.

29. Division of Funds under sub-section (2) of section 25.- Where it is necessary for the Registrar to distribute the funds of a registered trade union which has been dissolved, he shall divide the fund among the members in proportion to the amounts contributed by them by the way of subscription during their membership.

30. Annual returns under section 26. - The annual return to be furnished under section 26 shall be submitted to the Registrar, electronically or otherwise by the 30th day of April in each year and shall be in **FORM XII**.

31. Declaration by Auditors.- The auditor or auditors appointed in accordance with the rules shall be given access to all the books of the Trade Union and shall verify the general statement submitted under **section 26** with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended to **FORM-XII**, indicating separately on that form under his signature or their signatures a statement showing in what respect he or they

find the return to be incorrect, untouched or not in accordance with the Code. The particulars given in this statement shall indicate-

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

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

33. Maintenance of account books by registered Trade Unions. - Every registered Trade Union shall maintain the following books and registers to facilitate the audit of its accounts namely -

- (a) register of membership and subscription;
- (b) register of receipts and disbursements of the general fund accounts;
- (c) minutes books to record the proceeding of all the meetings;
- (d) register of stocks, tools, and plant to show the furniture, fitting and valuable documents relating to the immovable property of the Trade Union;
- (e) register of receipts and disbursements for the political fund (if there is a political fund); and
- (f) a file of vouchers serially arranged;
- (g) Machine numbered subscription receipt book.

34. Inspection of register and documents. -

- (1) The register of Trade Unions maintained in accordance with rule 46 shall be made available for inspection to any person on payment of fee of Rs 100 (One hundred rupees only).
- (2) Any documents of the Trade Union lying in the possession of the registrar may be inspected by any member of that Trade Union on payment of a fee of Rs. 100/- (One hundred rupees only) for each document inspected.
- (3) Documents shall be open to inspection every day on which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.

35. Manner and purpose of recognition of a Trade Union under sub-section (2) of section 27.-

- (1) In case a Trade Union or a federation of Trade Unions, intends to be recognised as a State Trade Union, may make an application in **Form XIII** to the Government or an Officer authorised by the Government in this regard.
- (2) The Government or the authorised officer, as the case may be, shall, after due enquiry, decide such application within sixty days of its receipt and send copies of the decision to the applicant, the Commissioner of Labour and the Registrar of trade unions.
- (3) If any dispute arises in relation to such recognition, the Government or the authorised officer shall refer the dispute to the Industrial Tribunal. The Tribunal shall, after giving an opportunity of hearing to the applicant decide the appeal within Ninety

days and the order shall be binding upon the parties.

CHAPTER - IV

STANDING ORDERS

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

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

(2) The model standing order adopted under sub-rule (1) shall apply to the industrial establishment, and to all its units in the country.

(3) On receipt of information under sub-rule (1), the certifying officer shall enter the details of the industrial establishment which has adopted the model standing order in the register maintained under rule 43.

(4) Where, the certifying officer observes that the industrial establishment, which has intimated adoption of model standing orders, is also engaged in activities other than for which model standing orders have been adopted, then, he may, within a period of thirty days from such receipt of intimation of model standing orders so adopted, direct such employer to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct such employer to comply the same within a period of thirty days from the date of the receipt of such direction and send a compliance report only in respect of those provisions which the certifying officer has so directed to get included.

(5) If no observation is made by the certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1), then, the model standing order shall be deemed to have been certified by the certifying officer.

(6) The provisions of the model standing orders adopted in accordance with the provisions of these rules shall remain in force with effect from the date specified in sub-rule (1).

(7) Without prejudice to the provisions of this rule, the certifying officer shall not raise any observation if the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the standing orders apply.

37. Choosing of representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union .- (1)

Where there is no Trade Union as is referred to in clause (i) of **sub-section (5) of section 30**, then, the certifying officer or any authorized officer in his behalf, shall call a meeting of the

workers to choose three representatives, to whom he shall, upon their being chosen, issue notice along with a copy of the standing order or modification, as the case may be, in English, as well as the translation thereof in the language understood by the majority of the workers, requiring comments or suggestions, if any, which the workers may desire to make to the draft standing orders to be submitted within fifteen days from the date of receipt of such notice.

(2) The Trade Union or negotiating union or constituent of negotiating council shall be given a copy of the draft standing orders or modification, as the case may be, in English, as well as the translation thereof in the language known by the majority of the workers, for seeking their comments or suggestions, if any, within fifteen days from the date of the receipt of the notice in this rule.

38. Authentication of certified standing order. - The standing orders or the modifications in the standing orders certified in pursuance of **sub-section (8) of section 30** shall be authenticated by the certifying officer and shall be sent electronically, and a hard copy thereof by registered post or speed post, within seven days from the date of such authentication to all concerned, that is to say, the employer and all the registered Trade Unions or chosen representative of workers:

Provided that there shall not be any requirement of authentication under this rule 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.

39. Statement to accompany draft standing orders. - (1) The statement to be accompanied with a draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and the strength and details of workers employed therein including particulars of Trade Union, if any, to which such workers belong.

(2) The statement to be accompanied with a draft modification in an existing standing order, shall contain the particulars of such standing order which is proposed to be modified along with a tabular statement containing details of each of the relevant provision of that standing order in force and the proposed modification therein and reasons therefore.

(3) The statement referred to in sub-rules (1) and (2) shall be signed by a person authorized by the industrial establishment or undertaking.

(4) The model standing orders, if modified, shall also apply to all the units of the industrial establishment or undertaking in the country.

40. Conditions for submission of draft standing order in similar establishment under subsection (10) of section 30. - In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the purpose of proceedings specified in subsections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade union.

Provided that the joint draft standing orders, in cases of group of employers engaged in similar industrial establishments, will be drafted and submitted to the Commissioner of Labour, as the

case may be, who shall, in consultation with the concerned certifying officers, certify or refuse to certify the said joint draft standing order, after recording reasons therefor.

41. Disposal of appeal by appellate authority .- (1) An employer or Trade Union or the negotiating union or negotiating council, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking, may prefer an appeal against the order of the certifying officer made under **sub-section (5) of section 30** within sixty days of the receipt of such order, and for that purpose draw up a memorandum of appeal in a tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added along with the reasons therefor, and file it electronically or in person with the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given, -

(a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking ;

(b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Unions of the workers of the industrial establishment, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and

(c) Where the appeal is filed by a representative body of the workers , to the employer and other Trade Unions of the workers of the industrial establishment, or where there is no trade union of the workers in an industrial establishment or undertaking , any other worker who joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal referred to in sub-rule (1).

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

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called for or considers relevant, if produced, and after hearing the parties, dispose of the appeal

.42. The language and the manner of maintaining of standing orders under sub- sections (1) and (2) of section 33:-

(1) The order of the appellate authority shall be sent electronically or otherwise to the worker or Trade Union or the negotiating union or negotiating council or any union or representative body of the workers, as the case may be, by whom the appeal has been filed, except in case of deemed certification under **section 30**.

(2) The text of the standing orders as finally certified or deemed to have been certified or adopted model standing orders under this Chapter shall be maintained by the employer in Telugu and in English languages. These certified standing orders shall be displayed on the special board to be maintained for the purpose at the entrance or near the entrance through which majority of workers enter the industrial establishment.

43. Register for final certified copy of Standing Order under section 34.-

(1) The certifying officer shall maintain electronically, a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details of –

- (a) the unique number assigned to each standing order;
- (b) name of industrial establishment;
- (c) nature of industrial establishment;
- (d) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking;
- (e) the areas of the operation of the industrial establishment; and
- (f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certifying orders to any person applying there for on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be. The payment for such purpose can also be made through electronic mode.

44. Application for modification of standing order s.- The application for modification of an existing standing orders under **sub-section (2) of section 35** shall be submitted electronically or in person or by registered post or speed post and 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 provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade Unions operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers, as the case may be, who has submitted such application for modification.

CHAPTER - V

NOTICE OF CHANGE

45. The manner of giving of notice for change proposed to be effected under clause (i) of section 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 such worker affected by such change electronically or otherwise.

(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

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

(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 either in writing or electronically of arbitrator or arbitrators.

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

(i) In case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;

(ii) In the case of the workers by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose;

(iii) In the case of an individual worker, an individual worker by the worker himself or by an officer of registered Trade Union of which the worker is a member:

Explanation.- (1) In this rule, the expression officer means any officer of a registered Trade Union or an association of the employer(s) authorized for such purpose;

(2) In this rule officer means any of the following officers, namely:-

- a) the President;
- b) the Vice-President;
- c) the Secretary (including the General Secretary);
- d) a Joint Secretary; and
- e) any other officer of the Trade Union authorized in this behalf by the President and Secretary of the union."

47. Manner of issue of notification under sub-section (5) of section 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 the Party, it shall publish a notification

in this behalf in the Official Gazette and electronically for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

48. Manner of choosing representatives of workers where there is no Trade Union under subsection (5) of section 42. - Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in **Form-XVI** authorizing therein 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.

49. Manner of procedure for selection, salaries and allowances and other terms and condition of Judicial Member of the Tribunal under sub-section (5) of section 44 and filling up of the vacancy under sub-section (9) of section 44:-

(1) A person shall not be qualified for appointment as the Judicial Member of Tribunal in the State unless he is, or has been, a Judge of District Court in the State.

(2) A Judicial member shall be appointed by the State Government on the recommendation of High Court of the State on deputation basis on same terms for which he is entitled to in his / her judicial service.

(3) A Judicial Member shall hold office for a maximum term of five years from the date on which he / she enters upon his / her office or till he / she attains the age of superannuation, whichever is earlier.

(4) In case of casual vacancy in the office of Judicial Member, the State Government shall appoint the Judicial Member of other Industrial Tribunal to officiate as Judicial Member.

(5) Every person appointed as Judicial Member shall, before entering upon his /her office, make and subscribe an oath of office in the **Form-XVII** annexed to these rules.

(6) A Judicial Member may, resign his / her office at any time by giving notice to this effect in writing under his / her hand addressed to the State Government:

Provided that the Judicial Member shall, unless he / she is permitted by the State Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his / her office or until the expiry of his / her term of the office, whichever is earlier.

(7) Matter relating to the terms and conditions of services of the Judicial Member with respect to which no express provisions has been made in this rule, shall be referred to the State Government for its decision, and the decision of the State Government thereon shall be binding.

(8) The State Government shall have power to relax any provision of this rule in respect of any class or categories of persons for the reasons to be recorded in writing.

50. Manner of filling up of the vacancy under sub-section (9) of Section 44 and procedure for selection, salaries and allowances and other terms and condition of Administrative Member of the Industrial Tribunal under sub-section (4) and (5) of section 44.-

(1) The qualification for appointment of the Administrative Member of the Industrial Tribunal (hereinafter in this chapter referred to as Administrative Member) shall be such as given in sub-section (4) and Sub-section (5) of section 44.

(2) The Administrative Member shall be appointed by the State Government on the recommendation of a Search Cum Selection Committee (SCSC) specified in sub-rule (3) of this rule.

(3) The Search Cum Selection Committee shall comprise of the following members, namely:

- (a) Chief Secretary to the Government of Telangana, - Chairperson;
- (b) Principal Secretary / Secretary to the Government of Telangana, Labour, Employment and Training and Factories Department - Member - Convenor.
- (c) Principal Secretary / Secretary to the Government of Telangana, Law Department-Member.

(4) The Search-cum-Selection Committee (SCSC) shall determine its procedure for making its recommendation and, after taking into account qualification, suitability, record of past performance, integrity as well as experience keeping in view of the requirement of the Industrial Tribunal and recommend a panel of two or three persons as it deems fit for appointment to said post.

(5) No appointment of Administrative Member shall be declared invalid merely by reason of one vacancy or absence of any Member in the Search-cum-Selection Committee.

(6) An administrative Member shall hold office for a term of four years or till he attains the age of sixty five years, whichever is earlier.

(7) In case of casual vacancy in the office of Administrative Member, the State Government shall appoint the Administrative Member of the other Industrial Tribunal to officiate as Administrative Member.

(8) The Administrative Member shall be paid a salary of equivalent to the minimum pay of Joint Secretary and shall be entitled to draw allowances as are admissible to the said category. In case of retired Government Officer, his pay shall be reduced by the gross amount of pension drawn by him.

(9) (a) In case of serving Government Officer, the service rendered in Industrial Tribunal shall be counted as continuity of service and his services shall be on similar terms and conditions of

his previous employment.

(b) In case of retired Government Officers, they shall be entitled to join Contributory Provident Fund Scheme as per extant rules during period of their re-employment. Additional gratuity shall not be admissible for the service rendered by the Administrative Member in the Industrial Tribunals.

(10) Administrative Member shall be entitled for house rent allowance at the rate as admissible to an officer of the rank of Joint Secretary or equivalent post, or may be allotted a suitable government accommodation.

(11) (a) The State Government shall be the leave sanctioning authority for the Member.

(b) The State Government shall be the sanctioning authority for foreign travel to the Administrative Member.

(12) State Government Health Scheme facilities shall be made applicable.

(13) (a) Travelling allowance to an Administrative Member shall be admissible as per entitlement to the post of Joint Secretary.

(b) In case of retired Government Officer, transfer travelling allowance for joining the State Industrial Tribunal from home town to head quarter and vice-versa at the end of assignment shall also be admissible as entitlement to the post of Joint Secretary.

(14) An Administrative Member shall be entitled for leave travel concession as admissible to the post of Joint Secretary.

(15) An Administrative Member shall be entitled for transport / Car allowance as admissible to the post of Joint Secretary.

(16) No person shall be appointed as an Administrative Member, unless he is declared medically fit by an authority specified by the State Government in this behalf.

(17) Travelling allowance to an Administrative Member shall be admissible as per entitlement to the post of Joint Secretary.

(18) (a) If on 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 an Administrative Member, it shall make a reference to the Search-Cum-Selection Committee to appoint enquiry officer to conduct the enquiry.

(b) The enquiry officer shall complete the inquiry within six months' time or such further time as may be specified by the State Government.

(c) After conclusion of the inquiry, the Search-Cum-Selection Committee basing on the enquiry report give the recommendation to the State Government for necessary action.

(d) The enquiry officer shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (Act no.5 of 1908) but shall be guided by the principles of natural justice and

shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

(19) An 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:

Provided that the Administrative Member shall, unless he is permitted by the State Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of the office, whichever is earlier.

(20) The State Government shall, on the recommendation of the Search-Cum-Selection Committee, remove from office any 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 Member; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as an Administrative Member; or
- (e) has so abused his position as to render his continuance in office prejudicial to the public interest.

Provided that where an 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.

(21) Every person appointed as Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the **Form-XVII** annexed to these rules.

(22) Matter relating to the terms and conditions of services of the Administrative Member with respect to which no express provisions has been made in these rules, shall be referred by the Industrial Tribunal to the State Government for its decision, and the decision of the State Government thereon shall be binding.

(23) The State Government shall have power to relax the provision of any of these rules in respect of any class or categories of persons for the reasons to be recorded in writing.

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

(1) Where any industrial dispute exists or is apprehended or a notice under **section 62** has been given, the conciliation officer on receipt of such application shall examine the application and if he finds that the dispute pertains to the jurisdiction of State Government shall transfer the dispute to the concerned authority. In other cases, he will issue first notice to the parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer or the workers representative in the first meeting shall submit their respective statement in the matter of said dispute.

(3) The conciliation officer shall hold conciliation proceedings for the purpose of bringing about a settlement of the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement.

(4) If no such settlement is arrived at in the conciliation proceeding referred to in sub-rule (3), the conciliation officer shall submit a report electronically or otherwise to the state government within seven days from the date on which the conciliation proceedings are concluded.

(5) The report referred to in sub-rule (4) shall be furnished to the parties concerned.

(6) The report referred to in sub-rule (4) 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.

(7) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in **Form-XVIII**, before the Tribunal within ninety days from the date of the report under sub-rule (4).

(8) In case of an industrial dispute which has not been settled during the conciliation proceedings, an application may be made before the Tribunal by either of the parties concerned for adjudication. The Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which application is filed. A copy of such statement may be sent electronically or otherwise to each of the opposite parties in the dispute.

(9) The Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.

(10) Where the Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the

opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.

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

(12) 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.

(13) 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, 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, shall be granted.

(14) 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 filed before the submission of the award, revoke the order that the case shall 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.

(15) The Tribunal shall communicate its Award electronically or otherwise to the parties concerned and to the state Government within one month from the date of the pronouncement of the award.

(16) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court within the meaning of sections 345, 346 and 348 of the Bharatiya Nagarik Suraksha Sanhitha (BNSS), 2023.

(17) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors, but such

advice shall not be binding on such Tribunals.

(18) 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 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 Rs. Two per page.
- (b) For certifying a copy of any such award or order or document, a fee of Re. Two per page shall be payable.
- (c) Copying and certifying fees shall be payable electronically.
- (d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

(19) 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.

(20) 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 Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

52. Application for recovery of dues under section 59:-

(1) Where any money is due from an employer to a worker or a group of workers under a settlement or an award or under the provisions of Chapter IX or Chapter X, the worker or the group of workers, as the case may be, may apply in **Form-XIX** for the recovery of the money due:

Provided that in the case of a person authorized in writing by the worker, or in the case of the death of the worker the assignee or legal heir of the deceased worker, the application shall be made in **Form-XX**.

(2) Where any worker or a group of workers is entitled to receive from the employer any money or any benefit which is capable of being computed in terms of money, the worker or the group of workers, as the case may be, may apply to the Tribunal having jurisdiction, in **Form-XXI** for the determination of the amount due or, as the case may be, the amount at which such benefit should be computed and such Tribunal shall decide the application within a period not exceeding three months from the date on which the application is filed;

Provided that in the case of the death of a worker, application shall be made in **Form- XXII** by the assignee or legal heir of the deceased worker.

CHAPTER - VII STRIKES AND LOCK-OUTS

53. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62.—

(1) 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-XXIII** which shall be duly signed by the Secretary and five elected representatives of the registered Trade Union, which is either a negotiating union or member Trade Union of the negotiating council relating to such industrial establishment endorsing the copy thereof electronically or otherwise to the concerned Conciliation Officer and the Commissioner of Labour.

(2) The date of receipt of the notice referred to in sub-section (1) shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 51.

(3) If the employer of an industrial establishment receives any notice of strike as referred to in sub-section (1) of section 62 from any person employed by him, then he shall, within five days from the date of receiving of such notice, intimate the same electronically to the concerned conciliation officer and Commissioner of Labour.

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

(1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form-XXIV** to the Secretary / General Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned Conciliation Officer and the Commissioner of Labour electronically or otherwise. The notice shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

(2) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of **section 62** then he shall within five (5) days from the date of receiving of such notice, intimate the same electronically or otherwise to the concerned Conciliation Officer and Commissioner of Labour.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five (5) days from the date of such notice, intimate electronically or otherwise the same to the concerned Conciliation Officer and Commissioner of Labour.

CHAPTER - VIII LAY -OFF, RETRENCHMENT AND CLOUSURE

55. Service of notice before retrenchment of worker.– 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 prior notice of such retrenchment in **Form -XXV** to the State Government, Commissioner of Labour and the conciliation officer of respective jurisdiction electronically or otherwise in the following manner, namely: --

- (a) where notice is given to a worker, notice of retrenchment shall be sent within three days from the date on which notice is served on the worker;
 - (b) where no notice is given to the worker and he is paid one month's wages in lieu thereof, notice of retrenchment shall be sent within three days from the date on which such wages are paid; and
 - (c) where retrenchment is carried out under an agreement, which specifies a date for the termination of service, notice of retrenchment shall be sent so as to reach the State Government and a copy thereof to the Commissioner of Labour at least one month before such date:
- Provided that if the date of termination of service agreed upon is within thirty days of the agreement, the notice of retrenchment shall be sent to Central Government along with a copy thereof to the, Commissioner of Labour concerned within three days of the agreement.

56. Manner of giving an opportunity for re-employment to retrenched workers.–

- (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment at least seven days before the actual date of retrenchment.
- (2) When any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling such vacancies, then, the employer of such industrial establishment shall, if such workers are citizens of India and have given their willingness for employment, give them preference over other on the basis of their service seniority.
- (3) The employer shall arrange for the display on a notice board in a conspicuous place in the premises of the industrial establishment the details of vacancies at least fifteen days before the date on which such vacancies are to be filled and shall also give intimation of those vacancies by registered post or speed post or through e-mail to every one of all the retrenched workers eligible to be considered therefor, to the latest address or e-mail, given by each of them at the time of retrenchment or at any time thereafter:

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

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

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

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

Provided that the provisions of this sub-rule need not be complied with by the employer in any case where intimation is sent to every worker mentioned in the list prepared under sub-rule (1).

57. Manner of serving notice by the employer for intended closure under sub-section (1) of section 74. — If an employer intends to close down an industrial establishment he shall give notice of such closure in **Form-XXV** to the State Government, Commissioner of Labour and the conciliation officer of respective jurisdiction electronically or otherwise.

CHAPTER - IX

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

58. Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78.— (1) An application for permission under sub-section (1) of section 78 shall be made to the State Government or an officer authorized by it in this regard by the employer in **Form-XXVI** 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 or otherwise.

(2) The application referred to in sub -rule (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial

establishment.

59. Manner for applying for permission from the State Government to continue the lay-off under sub-section (3) of section 78. — The employer shall in case of an industrial establishment being a mine specified in sub-section (3) of section 78 where the workers (other than Badli workers or casual workers) have been laid-off under sub-section (1) of section 78 for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty (30) days from the date of commencement of such lay-off, apply to the State Government with a copy to the concerned conciliation officer of respective jurisdiction notified by State Government in **Form-XXVI** electronically or otherwise to continue the lay-off specifying the number of days ; intimating the number of workers to be laid off, the total number of workers employed in the industrial establishment, the date of lay off and the reasons for continuation of such lay off.

60. Time-limit for review under sub-section (7) of section 78. — The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under **sub-section (4) of the section 78** within a period of thirty (30) days from the date on which such order is made.

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

62. Time -limit for review .- (1) The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under **sub-section (3) of section 79**.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application within thirty days from the date on which such order is made, to the State Government for reviewing that order and that Government shall within a period of two months from the date on which such application is made, dispose of the application after providing the concerned parties an opportunity of being heard.

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

63. 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. — An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply electronically or otherwise in **Form-XXVI** for prior permission at least ninety days before the date on which intended closure is to become effective to the State Government

and the conciliation officer of the jurisdiction 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 representatives of the workers electronically or otherwise.

64. Time-limit for review under sub-section (5) of section 80. — 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 (30) days from the date on which such order is made.

CHAPTER - X WORKER RE-SKILLING FUND

65. Contribution from other sources into re-skilling fund. -In addition to contribution of employer under clause (b) of **sub-section (2) of section 83**:

(1)The fund shall consists of -

- (i) the contribution from Central Government or anybody or authority of the Central Government
- (ii) the contribution from State Government or anybody or authority of the State Government
- (iii) the contribution from such other sources as specified by State Government by general or special order.

66. Manner of utilization of fund under sub-section (3) of section 83. — Every employer who has retrenched a worker or workers under this Code, Shall, within ten (10) days, at the time of retrenching a worker or workers shall electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account provided by the State Government. Name of the account shall be displayed on the website of Labour Department. The fund so received shall be transferred by the State Government to each worker or workers' account electronically within forty five (45) days of receipt of funds from the employer and the worker shall utilize such amount for his re-skilling. 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 the Commissioner of Labour and State Government to enable the State Government to transfer the amount in their respective account.

67. Manner of holding an enquiry under sub-section (1) of section 85.—

(1) Under sub-sections (3), (5), (7), (8), (9), (10), (11) and (20) of **section 86** and sub-section (7) of **section 89**, the same shall be enquired by an officer notified by the State Government under sub-section (1) of **section 85** (hereinafter referred to as the enquiry officer).

(2) Issue of Notice.—if the complaint filed is admitted by the Enquiry officer, he shall call upon the person or persons through a notice to be sent electronically or in any form to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the complainant of the date so specified.

(3) If the person or his representative fails to appear on the specified date, the Enquiry Officer may proceed to hear and determine the complaint ex parte.

(4) If the complainant fails to appear on the specified date without any intimation to the Enquiry officer on two consecutive dates, the complaint may be dismissed:

Provided that not more than three (3) adjournments may be given on the joint application made by complainant and the opposite party:

Provided further that the enquiry officer shall at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(5) Authorization.—The authorization to appear on behalf of any person, under sub-section (2) of **section 85** shall be given by a certificate or electronic certificate, as the case may be, which shall be presented to the Enquiry Officer during the hearing of the complaint and shall form part of the record.

(6) Permission to appear.—any person who intends to appear in the proceeding on behalf of complainant shall present before the Enquiry Officer and submit a brief written statement explaining the reason for his appearance. The Enquiry officer shall record an order on the statement and in the case of refusal shall include reasons for the same, and incorporate it in the record.

(7) Presentation of documents.—Complaint or other documents relevant to the complaint may be presented in person to the Enquiry Officer at any time during hours fixed by the Enquiry Officer, or may be sent to him electronically or by registered post or speed post.

(8) The Enquiry Officer shall endorse, or cause to be endorsed, on each document the date of the presentation or receipt, as the case may be. If the documents have been submitted electronically, no such endorsement shall be necessary

(9) Refusal to entertain complaint.—

(i) The Enquiry Officer may refuse to entertain a complaint presented under sub-section (1) of **section 85**, if after giving the complainant an opportunity of being heard, the Enquiry Officer is satisfied, for reasons to be recorded in writing that—

- (a) the complainant is not entitled to present the complaint; or
- (b) the complainant is barred by limitation under the provisions of this Code;
- (c) the complainant fails to comply the directions given by the Enquiry Officer under sub-section (2) of **section 85**.

(ii) The Enquiry Officer may refuse to entertain complaint which is otherwise incomplete. He may ask complainant to rectify the defects and if the Enquiry Officer thinks that the complaint cannot be rectified he may return the complaint indicating the defects and, if he, so refuses shall return it at once indicating the defects. If the complaint is presented again, after the defects have been rectified, the date of representation shall be deemed to be the date of presentation for the purpose of sub-section (1) of **section 85**.

(10) Record of proceedings.—The Enquiry Officer shall in all cases mention the particulars at the time of passing of order containing the details, i.e., date of complaint, name and address of the complainant, name and address of the opposite party or parties, section-wise details of the offence committed, plea of the opposite party, findings and brief statement of the reason and penalty imposed with signature, date and place.

(11) Exercise of powers.—In exercise of the powers of a Civil Court, conferred under the Code of Civil Procedure, 1908, the Enquiry Officer shall be guided in respect of procedure by relevant orders of the First Schedule of the Code of Civil Procedure, 1908, with such alterations as the Enquiry Officer may find necessary, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of this Code or these rules.

(12) Order or direction when to be made.—The Enquiry Officer, after the case has been heard, shall make the order or direction on a future date to be fixed for this purpose.

(13) Inspection of documents.—Any person, who is either a complainant or an opposite party or his representative, or any person permitted under sub-rule (3) shall be entitled to inspect any complaint, or any other document filed with the Enquiry Officer be, in a case to which he is a party.

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

(i) 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), shall in the offences in which prosecution is not instituted, if the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under **section 89**, he shall send a notice through electronically or otherwise under proper receipt to the accused in **Form-XXVII** consisting of three Parts. In Part I of such Form, the compounding officer shall inter-alia specify the name of the offender and his other particulars, the details of the offence and in which section the offence has been committed, the compounding amount required to be paid towards the composition of the offence. Part II of the Form shall specify the consequences, if the offence is not compounded and part III of the Form shall contain the application to be filed by the accused if he desires to compound the offence. Each notice shall have a continuous unique number containing alphabet or numeric and other details such as officer sending notice, year, place, type of inspection for the purpose of easy identification.

(2) The accused to whom the notice referred to in sub-rule (1) is served, may send the Part III of the Form duly filled by him to the compounding officer electronically or otherwise and deposit the compounding amount, within fifteen (15) days of the receipt of the notice, in the account specified by the compounding officer in the notice.

(3) Where the prosecution has already been instituted against the accused in the competent Court, he may make an application to the Court to compound the offence against him and the Court, after considering the application, may allow composition of the offence by the compounding officer in accordance with provisions of **section 89**.

(4) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence for the amount of money deposited by the accused and—

(a) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused; and

(b) if the offence is compounded after institution of prosecution under sub-rule (3) with the permission of the Court, then, the compounding officer shall treat the case as closed as if no prosecution had been launched and will proceed in accordance with composition as under clause (a) and intimate the composition of offence to the competent Court in which the prosecution is pending and after receiving such intimation, the Court shall discharge the accused and close the prosecution.

(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 - XI MISCELLANEOUS

69. Protected workers under sub-section (3) and (4) of section 90. —

(1) Every registered Trade Union connected with an industrial establishment, to which the Code applies, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of the Union who are employed in that establishment and who, in the opinion of the Union should be recognised as “protected workers”.

Any change in the incumbency of any such officer shall be communicated to the employer by the union within fifteen (15) days of such change.

(2) The employer shall, subject to sub-section (3) and sub-section (4) of section 90, recognise such workers to be protected workers for the purposes of **section 90** and communicate to the Union, in writing, within fifteen days of the receipt of the names and addresses under sub-rule

(1), the list of workers recognised as protected workers for the period of twelve months from the date of such communication.

(3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment, under **sub-section (4) of section 90**, the employer shall recognise as protected workers only such maximum number of worker:

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

Provided further that where the number of protected workers allotted to a Union under this sub-rule falls short of the number of officers of the Union seeking protection, the union shall be entitled to select the officers to be recognised as protected workers. Such selection shall be made by the Union and communicated to the employer within five (5) days of the receipt of the employer's letter in this regard.

(4) When a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of "protected workers" under this rule, the dispute shall be referred to the conciliation officer notified by the state government, whose decision thereon shall be final.

70. Manner of making complaint by an aggrieved worker under section 91.-

(i) Every complaint under section 91 of the Code shall be made electronically or otherwise in **Form-XXVIII** and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

(ii) 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, Industrial Tribunal, to be acquainted with the facts of the case.

71. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94. — Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed 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-XVI**.

72. Manner of authorization of employer for representing in any proceeding under sub-section (2) of section 94.— Where the employer, is not a member of any association of employers, may authorize in **Form-XVI** 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.

73. Expenses of witness .- Every person, who attends or otherwise appears on receipt of a summon, as a witness before a Tribunal or a National Industrial Tribunal or an arbitral tribunal , shall be entitled to an allowance for expenses on the same rates as applicable to witnesses in the civil court in the State where such enquiry, adjudication or arbitration, as the case may be, is being conducted.

74. Appointment of Commissioner.- Where it is necessary to appoint a Commissioner under **sub-section (3) of section 59** for the purposes of computing the money value of a benefit referred to in sub-section (2) of the said section, the Tribunal may appoint a --
(a) person with experience in the particular industry, trade, business or field encompassing the question referred to in sub-section (2) of the said section; or
(b) person who had been a judge of a civil court; or
(c) stipendiary magistrate; or
(d) registrar or secretary of, a Tribunal constituted under any Central Act or, a Tribunal or a National Industrial Tribunal constituted under the Code.

75. Fees for Commissioner, etc.-

(1) The Tribunal shall, after consultation with the parties, estimate the probable duration of enquiry by the Commissioner referred to in rule 74 and fix the amount of his fees and other incidental expenses incurred by him.

(2) The Tribunal shall direct the payment of fees and other incidental expenses to the Commissioner into the nearest treasury, within a specified time, by such party or parties and in such proportion, as it may deem fit.

(3) The Commissioner shall not submit his report until the receipt of deposit into the treasury of the sum referred to in sub-rule (2) is filed before the Tribunal:

Provided that the Tribunal may, for reasons to be recorded in writing, direct that any further sum or sums be deposited into the treasury within such time and by such parties as it may deem fit:

Provided further that the Tribunal may in its discretion, extend the time for depositing such sum into the treasury.

(4) The Tribunal may, at any time, for reasons to be recorded in writing, vary the amount of the Commissioner's fees in consultation with the parties.

(5) The Tribunal may direct that the fees shall be disbursed to the Commissioner in such installments and on such date as it may deem fit.

(6) The undisbursed balance, if any, of the sum deposited under this rule shall be refunded to the respective party or parties who deposited the sum in the same proportion as that in which it was deposited.

76. Time for submission of report.-

(1) Every order for the appointment of Commissioner under sub-section (3) of **section 59** shall indicate a date, allowing sufficient time, for the Commissioner to submit his report. (2) If for any reason the Commissioner anticipates that the date fixed for the submission of his report is likely to be exceeded, he shall apply, before the expiry of the said date, for extension of time setting forth grounds thereof and the Tribunal shall, after consideration, pass suitable orders on such application: Provided that the Tribunal may, if it deems fit for sufficient cause, grant extension of time even where no application for such extension has been received from the Commissioner within the time limit allowed under sub-rule (1)

FORM-I
(See rule 2)

(Memorandum of settlement arrived at in the course of conciliation
proceedings or otherwise)

Names of Parties:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

..... Terms of settlement

.....

..... Signature of the parties

..... Witnesses:

(1)

(2)

Signature of Conciliation Officer

In case the settlement arrived at between the employer and his workers
otherwise than in the course of conciliation proceeding the copy of the
memorandum shall be marked to the concerned Conciliation of the area.

FORM-II

Rule 9 (1)

APPLICATION FOR REGISTRATION OF TRADE UNION

Dated the day of 20

1	We hereby apply for the registration of a trade union under the name of	
2	The address of the head office of the union is	
3	The union came into existence on the.....day of 20 .	
4	The union is a union of employers/workers engaged in the industry.	
5	A copy of the rules of the union duly subscribed as required by section 6 of the Industrial Relations Code, 2020 (Central Act 35 of 2020) is appended hereto.	
6	The particulars required by section 8 of the Industrial Relations Code, 2020 (Central Act 35 of 2020) are given in Schedule I.	
7	The particulars given in Schedule II show the provision made in the rules for the matters detailed in section 7 of the Industrial Relations Code, 2020 (Central Act 35 of 2020)	
8	(To be struck out in the case of unions which have not been in existence for one year before the date of application.) The particulars required by section 8 (2) of the Industrial Relations Code, 2020 (Central Act 35 of 2020) are given in Schedule III.	

9. We have been duly authorized to make this application by*

Signed	Signature	Occupation	Address
1.			
2.			
3.			
4.			
5.			
6.			
7.			

* State here whether the authority was given by a resolution of general meeting of the union, or if not, in what other way it was given.

To the Registrar of trade unions

SCHEDULE-1.

List of office-bearers

<u>Title</u>	<u>Name</u>	<u>Age</u>	<u>Address</u>	<u>Occupation</u>

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

CERTIFICATE

Certified that none of the office-bearers of the * Trade Union has been disqualified under section 21 of the Industrial Relations Code, 2020 (Central Act 35 of 2020) for being chosen as office-bearer.

*Here enter the name of Trade Union. (To be signed by seven persons)

<u>Sl. No.</u>	<u>Signed</u>
(1)	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	

SCHEDULE-II.

Reference to Rules

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

<u>Matter</u>	<u>Number of rules</u>
(1)	(2)
Name of Union	
The whole of the objects for which the union has been established.	
The whole of the purposes for, which the general funds of the union shall be applicable.	
The maintenance of a list of members.	
The facilities provided for the inspection of the list of members by office-bearers and members.	
The admission of ordinary members.	
The admission of honorary or temporary members.	

The conditions under which members are entitled to benefits assured by the rules.	
The conditions under which fines or forfeitures can be imposed or varied.	
The manner in which the rules shall be amended, varied or rescinded.	
The manner in which the members of the executive and other office-bearers of the union shall be appointed and removed.	
The safe custody of the funds.	
The annual audit of the accounts.	
The facilities for the inspection of the account books by office-bearers and members.	
The manner in which the union may be dissolved.	

SCHEDULE-III.

[This need not be filled if the Trade Union came into existence less than one year before the date of application for registration.]

Statement of Liabilities and Assets on the day of 20

<u>Liabilities</u>	<u>Rs</u>	<u>P.</u>	<u>Assets</u>	<u>Rs</u>	<u>P.</u>
Amount of General fund.			Cash		
Amount of political fund			In hands of Treasurer		
Loans from --			In hands of Secretary		
			In hands of		
			In the Bank		
			In the Bank		
			Securities as per list below		
			Unpaid Subscriptions due		
			Loans to		
Debts due to					
			Immovable property		
			Goods and furniture		
Other liabilities (to be specified).			Other assets		
			(To be specified).		
Total Liabilities			Total Assets		

List of Securities

<u>Particulars</u>	<u>Nominal value</u>	<u>Market value</u>	<u>In hands of</u>
Signed			
1			
2			
3			
4			
5			
6			
7			

FORM-III

CERTIFICATE OF REGISTRATION OF TRADE UNION

[see rule 10]

Name of the Trade Union-----

Registration Number

It is hereby certified that the has been registered under the Industrial Relations Code, 2020 (Central Act 35 of 2020) this -----day of 20

(Seal)

Registrar of Trade Union

FORM-IV
(Rule 11)
FORM OF REGISTER

1. Serial Number.
2. Date of Registration
3. (a) Names of the members making the application.
(b) Occupations of the members making the application.
(c) Address of the members making the application
4. Name of Trade Union
5. Address of the head office of Trade Union.
6. Date of Establishment of Trade Union.
7. Office-bearers of Trade Union.
 - Title Name
 - Age
 - Occupation
 - Address
8. Signature of Registrar.
9. (a) Whether provision has been made for a separate fund under Section 16 and if so from what date:
 - (b) Initials of the Registrar.
10. (a) Date of intimation for alteration of rules;
 - (b) Date of registration of alteration of rules and issue of a certified copy thereof;
 - (c) Initials of the Registrar.
11. (a) Date of registration of change of address of Registered office;
 - (b) Address of the Trade Union as changed;
 - (c) Initials of Registrar
12. (a) Date of Registration of change of Name;
 - (b) Name of the Trade Union as changed;
 - (c) Initials of Registrar
13. (a) Date of Registration of Amalgamation;
 - (b) Name of the Amalgamated Union;
 - (c) Registration number of the Amalgamated Union
 - (d) Initials of Registrar
14. (a) Date of application for cancellation of registration under Section 10 (a);
 - (b) Date of giving notice for cancellation or withdrawal under Section 10(b);
 - (c) Date of issue of order withdrawing or cancelling registration;
 - (d) Initials of the Registrar.
15. (a) (1) Names of the members applying for dissolution;
 - (2) Occupation of the members applying for dissolution;
 - (3) Address of the members applying for dissolution;
 - (b) Date of registration of dissolution and issue of certificate to that effect;

(c) Number and date of Registrar's proceedings ordering distribution of funds under Section 27 (2), if any:

(d) Initial of Registrar;

Note:- One page shall be allotted for each Union.

FORM V

REQUEST TO WITHDRAW OR CANCEL THE CERTIFICATE OF REGISTRATION

[see rule 12]

Name of Trade Union:

Registration Number:

Address

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

To

The Registrar of Trade Unions,
Place.....

The above mentioned Trade Union desires that the Certificate of Registration may be withdrawn (or cancelled) and at a general meeting (*) duly held on the..... day of.....20... it was resolved as follows:—

(Here give exact copy of Resolution)

Secretary.

(Signed) 1

(Signed) 2

(Signed) 3

(Signed) 4

(Signed) 5

(Signed) 6

(Signed) 7

Members.

We hereby declare that what is stated herein is true to the best of our knowledge and belief.

(Signed) 1

(Signed) 2

(Signed) 3

(Signed) 4

(Signed) 5

(Signed) 6

(Signed) 7

Members.

(*) If not at a general meeting state in what manner the request has been determined upon

FORM-VI
(Rule 14)

Change in registration particulars and its constitution or rules

Name of trade union already
registered.....

Registration No

Address

Dated this Day of
..... 20.....

To
The Registrar of Trade Union
Telangana

This application for change the following rules is hereby submitted
for amendment/deletion/addition.

Rule No.	Wording of current rule	Proposed Amendment/deletion/addition	Wording of the rule after amendment	Reasons for amendment /deletion/addition

The consent of the members was obtained by referendum, resolution or
a general meeting. If procedure allowed is covered by any rule, quote number
of the rule.

(Signed)
Secretary

Members,

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)

FORM-VII

(Application for adjudication before the Tribunal under sub-section (1) of section 22)

(See Rule 24)

Before the Industrial Tribunal (Name and Place) where dispute arises between

(A) Name and Address and Applicant(s)

Versus

(B) Name and Address of Opposite Party(ies)

Over the matter (statement regarding specific issues of dispute may be mentioned) which are connected with relevant to the dispute under sub section (1) of Section 22 of Industrial Relation Code, 2020(Central Act 35 of 2020).

The applicant(s) prays that instant application may please be admitted for adjudication and request to pass appropriate award in the matter.

Name and signature of the worker(s) or

Officer of Trade Union raising the dispute

Place

Date.....

FORM -VIII

(See Rule 25)

(Application for adjudication before the Tribunal under sub-section (1) of section 22)

Before the Industrial Tribunal ----- (Name and Place) where dispute arises between

(A) Name and Address and Applicant(s)

Versus

(B) Name and Address of Opposite party (ies)

Over the matter (statement regarding specific issues of dispute may be mentioned) which are connected with relevant to the dispute under sub section (1) of Section 22 of Industrial Relation Code, 2020.

The applicant(s) prays that instant application may please be admitted for adjudication and request to pass appropriate award in the matter.

Name and signature of the worker(s) or
Officer of Trade union raising the dispute

Place:

Date

FORM-IX
(Rule 26)
Notice of Amalgamation of Trade Union

- a. Name of Registered Trade Union and the Number of Registration :
- b. Name of Registered Trade Union and the Number of Registration (and so on if more than two) :

Address.....

Date this..... day of.....

To,

The Registrar of Trade Unions Place.....

Notice is hereby given that in accordance with the requirements of Section 24 of the Industrial Relations Code, 2020 (Central Act 35 of 2020) the members of each for (or every one) 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 as -----

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 Trade Union.

(To be signed by seven members and the Secretary of each Trade Union.)

(Signed) 1

(Signed) 2

(Signed) 3

(Signed) 4

(Signed) 5

(Signed) 6

(Signed) 7

(Name and address to which registered copy is to be sent)

FORM-X

**(Rule 27)
Notice of Change of Name**

Name of trade union already registered.....

Registration No

Address

Dated this Day of 20

To
The Registrar of Trade Union
Telangana

Notice is hereby given that subject to the provisions of section 24 of the Industrial Relations Code, 2020, the name of the above mentioned trade union has been changed to

The consent of the members was obtained by*

(Signed)
Secretary

Members,
(1)

(2)

(3)

(4)

(5)

(6)

(7)

* i.e. By referendum, resolution or a general meeting. If procedure allowed is covered by any rule, quote number of the rule.

FORM-XI

(Rule 28)

Notice of Dissolution of Trade Union

Name of Trade Union & Registration No.

Address

Dated this.....20

To

The Registrar of Trade Unions, Place.....

Notice is hereby given that the above mentioned Trade Union was dissolved in pursuance of the Rules thereof on the..... Day of..... 20.....

We have been duly authorized by the Trade Union to forward this notice on its behalf, such authorization consisting of a resolution passed at a general meeting on the

*.....day of..... 20.....

Secretary.

(Signed) 1

(Signed) 2

(Signed) 3

(Signed) 4

(Signed) 5

(Signed) 6

Members

(Signed) 7

* Here insert the date, or if there was no such resolution state in what other way the Authorization was given.

Encl: Original Registration Certificate.

FORM XII

ANNUAL RETURNS FOR THE YEAR ENDING 31ST DECEMBER, 20....

[see Rule 30]

PART A

1.	Name of the Trade Union/Federation.			
2.	Address of the Trade Union/Federation.			
3.	Registered Head Office.			
4.	Number and date of certificate of registration.			
5.	Classification of Industry			
6.	Classification of Sector [please state to which of the following four categories the union belongs (a) Public Sector — Central Sphere, (b) Public Sector — State Sphere, (c) Private Sector — Central Sphere and (d) Private Sector — State Sphere.]			
7.	Name of the All India Body/ Federation to which affiliated.			
8.	Affiliation number.			
9.	Membership fee per month/per quarter/per half-year/per year.			
		Male	Female	Total
10.	Number of members / Trade Unions on books at the beginning of the year.			
11.	Number of Members/ Trade Unions admitted during the year.			
12.	Number of members/ Trade Unions who left during the year.			
13.	Number of members/ Trade Unions on books at the end of the year (i.e. on 31st March, 20.....).			
14.	Number of members/ Trade Unions contributing to political fund.			
15.	Number of members/ Trade Unions who paid their subscription for the whole year (list Enclosed).			
16.	A copy of the rules of the Trade Union corrected up to the date of despatch of this return is appended.			
17.	Part B of the return overleaf has been duly completed.			

Secretary.

*If the union falls under more than one category, the membership claimed in each category may be shown separately.

PART B

Income and Expenditure Account

Income		Expenditure	
	Rs. .P		Rs. .P
Balance at beginning of Year Subscription from members (including unpaid subscriptions due for the year) Subscription received Subscription in arrears for three months or less Subscription in arrears for more than three months. Donations Sales of periodicals, books, rules, etc. Interest on investments Income from miscellaneous sources (to be specified).		Salaries and allowances of -- office-bearers Travelling allowance, salaries, allowances and expenses of establishments. Auditor's fees Legal expenses Expenses in conducting trade disputes Compensation paid to members for loss arising out of trade disputes --Funeral, old age, sickness, unemployment benefits, etc. Educational, Social and religious benefits. Cost of publishing periodicals, Rents, rates and taxes -- Stationery, printing and postage Expenses incurred under section 15 (j) of the Trade Unions Act, 1926 (to be specified). Other expenses (to be specified). Balance at the end of year	
Total		Total	

PART C

Political Fund Account

Balance at beginning of year	Rs. P	Payments made on objects Specified in Rule 24(2) (to be specified)	Rs. P
Contributions from members at per member		Expenses of management (to be fully specified) Balance at end of year.	
Total		Total	

Treasurer

PART D

Statement of Liabilities and Assets on the 31st day of March. 20

Liabilities		Assets	
	Rs. P		Rs. P
Amount of general Fund		Cash	
Amount of political Fund		In hands of Treasurer	
Loans from		In hands of Secretary In hands of	
Debts dues to		In the Bank	
Other Liabilities (to be specified)		In the Bank	
		Securities as per list below Unpaid subscriptions due for	
		—(a) the year	
		*(b) previous year	
		Loans to	
		(a) Office-bearers	
		(b) Member	
		(c) Others	
		Immovable property	
		Goods and furniture	
		Other assets (to be specified)	
Total liabilities		Total assets	

PART E

List of Securities

Particulars	Face value	Cost price	Market price at date on which accounts have been made up	In hands of
(1)	(2)	(3)	(4)	(5)

Treasurer.

AUDITOR'S REPORT

I have audited the foregoing —General Fund Account, in Part B and the Political Fund Account in Part C of the (name of the Trade Union) for the ending and also the statements of Liabilities and Assets in Part D and the List of Securities in Part E of the said Trade Union as on and report that -

- (i) I have obtained all the information and explanations and have had access to all the books and accounts of the Trade Union which were necessary for the purpose of my audit;
- (ii) The Trade Union has properly maintained its membership register and its books of accounts as required by law;
- (iii) (Subject to whatever remarks or qualifications the auditor wants to make). In my opinion and to the best of my information and according to the explanations given to me, the foregoing accounts, statements and lists have been properly drawn up and they give a true and correct view of income and expenditure, assets and liabilities of the Trade Union.

NOTE: - If the state of account is such that the Auditor is unable to express the opinion on the "true and correct" aspect of the accounts, statement and the list, he should state his reasons therefor.

Auditor

FORM XIII

(See rule 35)

APPLICATION FOR RECOGNITION AS A STATE LEVEL TRADE UNION

Name of the Trade union / Federation of Trade Unions.....

Address.....

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

To.

The Secretary to the Government,
Labour Department,
Government of Telangana (or)

The Authorized Officer (Designation)

Dear Sir,

I am to state that at the general meeting of the members/at the meeting of the executive of the above-mentioned Trade Union / Federation of Trade Unions which was held at on the day of..... 20 , it was resolved that the union should apply to you for recognition as State Level Trade Union under sub section (2) of Section 27 of the Industrial Relations Code, 2020 (Central Act 35 of 2020). A copy of the resolution in this behalf signed by the President/Chairman of the Trade Union is enclosed.

2. The Trade Union is duly registered on the day of.....year, under Certificate No.....Issued by the Registrar of Trade Unions, (Place).
3. A copy of the rules of the Trade Union is attached.
4. The address of the head office of the Trade Union to which all the communications may be addressed is.....
5. The Trade Union has affiliation of other trade unions in the state, list of such trade unions and their addresses, registration details and membership etc. is attached herewith.
6. The Trade Union has total members (number) in the state (District Wise , Trade Union wise membership)

Yours faithfully,

General Secretary/Secretary

FORM-XIV

(See rule 45)

(Notice of change of service conditions proposed by an employer)

Name of employer.....

Address.....

Dated theday of 20.....

In accordance with section 40(1) of Industrial Relations Code, 2020, I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to this code

Signature.....

Designation.....

ANNEXURE

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

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Concerned Conciliation officer.

FORM-XV

(Agreement for voluntary arbitration)
(See rule 46)

... Name of the parties representing employer (s)

And

... Representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of

[here specify the name(s) and address (es) of the arbitrator (s).

- (i) Specific matters in dispute.
- (ii) Details of the parties to the dispute including the name and address of the Industrial establishment or undertaking involved.
- (iii) Name of the worker in case he himself is involved in the dispute or the name of the Trade Union, if any, representing the worker or workers in question.
- (iv) Total number of workers employed in the industrial establishments' affected.
- (v) Estimated number of workers affected or likely to be affected by the dispute.

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

The arbitrator (s) shall make his (their) award within a period of.....

(here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the 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 afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties

[Representing employer] Representing worker/ workers. Witnesses

1.

2.

Copy to:

- (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].
- (ii) The Secretary, LET&F, Government of Telangana

FORM-XVI

(See Rule 48, Rule 71 and Rule 72)

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

Before the Authority

(Here mention the authority concerned)

In the matter of:.. (mention the name of the proceeding)

.....workers

Versus

Employer

I / we hereby authorise (if representatives are more than one)

1.....

2.....

3.....

to represent me/us in the above matter.

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

Accepted

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

FORM-XVII

(See rule 49 and 50)

**FORM OF OATH OF OFFICE FOR JUDICIAL MEMBER / ADMINISTRATIVE MEMBER (WHICHEVER IS
APPLICABLE) OF STATE INDUSTRIAL TRIBUNAL**

I, A, B., having been appointed as Judicial Member / Administrative Member of State Industrial Tribunal (Name of the Tribunal) do solemnly affirm / do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/Administrative Member of the State Industrial Tribunal (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)

Place:

Date:

FORM-XVIII
(See rule 51(7))

(APPLICATION TO BE SUBMITTED BEFORE THE TRIBUNAL IN THE MATTER NOT SETTLED BY THE CONCILIATION OFFICER)

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

In the matter of:

Applicant

Address.....

Versus

Opposite party (ies)

Address.....

The above mentioned applicant begs to state as follows:-

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

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

Place

Date

FORM- XIX

(See rule 52(1))

**Application under sub-section (1) of section 59 of the Industrial Relations Code,
2020**

To,

(1) The Secretary to the Government, LET&F department

(2) The Joint Commissioner of Labour..... (Here insert the name of the zone).

Sir,

I/We have to state that I am/we are entitled to receive from M/sa sum of Rs.(in words) on account of under the provisions of Chapter IX and X of the Industrial Relations Code, 2020/in terms of the award dated the..... given by..... /in terms of the settlement dated the arrived at between the said M/s and their worker through..... the duly elected representatives.

I/We further state that I/we served the management with a demand notice by registered post on for the said amount which the management has neither paid nor offered to pay to me/us even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I/We request that the said sum may kindly be recovered for the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 and paid to me/us as early as possible.

Signature of the applicant(s)
Address (es)

Station:

Date:

FORM-XX

[See rule 52(1)]

Application by a person authorized by a worker or by the assignee or heir of a deceased worker under sub-section (1) of section 59 of the Industrial Relations Code, 2020

To

(1) The Secretary to the Government, LET&F department

(2) The Joint Commissioner of Labour..... (here insert the name of the zone).

Sir,

I, Shri/Shrimati/Kumari.....have to state that Shri/Shrimati/Kumari..... is/was entitled to receive from M/s..... a sum of Rs..... (in words) on account of.....] under the provisions of Chapter IX and X of the Industrial Relations Code, 2020/in terms of the award dated the..... given by/in terms of the settlement, dated the.....arrived at between the said M/s..... and their worker through..... the duly elected representatives.

I further state that I served the management with a demand notice by registered post on.....for the said amount which the management has neither paid nor offered to pay to me even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I request that the said sum may kindly be recovered from the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020, and paid to me as early as possible.

I have been duly authorized in writing by..... (Here insert the name of the worker) to make this application and to receive the payment of the aforesaid amount due to him.

I am the assignee/heir of the deceased worker and am entitled to receive the payment of the aforesaid amount due to him.

Station.....

Signature of the authorized person/assignee/heirs

Date.....

Address.....

ANNEXURE

(Here indicate the details of the amount claimed.)

FORM-XXI

[See rule 52(2)]

**Application under sub-section (2) of section 59 of the Industrial Relations
Code before the Industrial Tribunal at.....**

Between

(1) Name of the applicant(s)

And

(2) Name of the employer

The petitioner(s)a worker ofM/s.....
.....ofThe petitioner(s) undersigned, worker/workers of
..... is/are entitled to receive from the said M/s. the money
/benefits mentioned in the statement hereto annexed.

It is prayed that the Tribunal may be pleased to determine the amount
/amounts due to the petitioner (s).

Signature or Thumb Impression (s) of the applicant(s)

Address (es)

Place.....

Date.....

ANNEXURE

(Here set out the details of the money due or the benefits accrued together with
the case for their admissibility.)

FORM-XXII

[See rule 52(2)]

Application by a person who is an assignee or heir of a deceased worker under sub-section (2) of section 59 of the Industrial Relations Code, 2020 (35 of 2020)

Before the Industrial Tribunal at.....

Between

(i) Name of the applicant/applicants

And

(ii) Name of the employer

I am/ we are the assignee(s) of the deceased worker and am/are entitled to make an application on his behalf.

Shri..... former worker of M/sof.....is entitled to receive from the said M/s..... the money/benefits mentioned in the statement hereto annexed;

It is prayed that the Tribunal be pleased to determine the amount/amounts due to the deceased worker.

Name and Address of worker

Signature of the assignee/heirs

Address (es)

Place.....

Date.....

ANNEXURE

(Herein set out the details of the money due or the benefits accrued together with the case for their admissibility)

FORM-XXIII

(See rule 53)

(NOTICE OF STRIKE TO BE GIVEN BY TRADE UNION (NAME OF UNION) / GROUP OF WORKERS)

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

Dated the.....day of.....20.....

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 Relations Code, 2020 (Central Act 35 of 2020), I / We hereby give you notice that I / we propose to call a strike / we propose to go on strike on20....., for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Trade Union)

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

ANNEXURE

STATEMENT OF THE CASE

Copy to:

- (1) Conciliation Officer of the Concerned area.
- (2) The Commissioner of Labour.
- (3) The Secretary, LET&F, Government of Telangana.

FORM-XXIV

(See rule 54)

(NOTICE OF LOCK-OUT TO BE GIVEN BY AN EMPLOYER OF AN INDUSTRIAL ESTABLISHMENT)

Name of employer

Address.....

Dated the.....day of.....20.....

In accordance with the provisions of 62(2) of the Industrial Relations Code, 2020 (Central Act 35 of 2020), we hereby give notice to all concerned that it is my/our intention to effect lock out in.....department(s), section(s) of my/our establishment with effect from.....for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1. 2. 3.	Statement of reasons
------------------------	-----------------------------

Copy forwarded to:

- (1) Secretary of the Registered Trade Union, if any
- (2) Conciliation officer [Here enter office address of the concerned area.]
- (3) The Commissioner of Labour.
- (4) The Secretary, LET&F Department, Government of Telangana.

FORM-XXV

(See rule 55, rule 57 and 61)

(NOTICE OF INTIMATION OF RETRENCHMENT / CLOSURE TO BE GIVEN BY AN EMPLOYER TO THE GOVERNMENT)

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

Establishment /Undertaking/ Employer.....

Address..... Dated.....

(Note: The intimation for Closure/Retrenchment to the State Government shall be served 60 days and 30 days before commencement of Closure and Retrenchment, respectively)

To
The Secretary,
LET&F Department, Hyderabad.

1. *(Retrenchment) (a) under section 70(c) of the Industrial Relations Code, 2020 (Central Act 35 of 2020), I / we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of Workers** with effect from (DD/MM/YYYY)

or

(Closure) (b) under section 74(1) of the Industrial Relations Code, 2020 (Central Act 35 of 2020), I / we hereby intimate you that I*/we* have decided to close down, (Name of the industrial establishment or undertaking) with effect from (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is (number of workers)

2. The reason for Retrenchment / Closure is

3. * The worker(s)* concerned were given on the (DD/MM/YYYY) one month's notice in writing as required under section 70(a)* / section 75(1)* of the Industrial Relations Code, 2020 (Central Act 35 of 2020).

or

* The worker(s) concerned have been given on the (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)* / section 75(1)* of the Industrial Relations Code, 2020 (Central Act 35 of 2020).

4. * I* / we* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of the Industrial Relations Code, 2020 (Central Act 35 of 2020) before or on the expiry of the notice period.

or

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

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the Section 71 and section 72 of the Industrial Relations Code, 2020 (Central Act 35 of 2020).

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

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

Yours faithfully,

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

(* Strike off which is not applicable)

(** Indicate number in figures and words both)

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

Copy to:

- (1) Conciliation Officer of the concerned area.
- (2) Registered Trade Unions / Authorized Representative of workers operating in the establishment of undertaking.
- (3) Commissioner of Labour.
- (4) To the Office of DG Labour Bureau, Ministry of Labour and Employment, (Only for statistical purpose)

FORM-XXVI

[See rules 58, 59 and 63]

[Application for permission of Lay-off/ Continuation of Lay-off/ Retrenchment/ Closure to be given by an employer / Industrial establishment /Undertaking to the State Government under the provisions of Chapter X of the Industrial Relations Code, 2020 (35 of 2020) and rules made there under]

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

Name of Industrial Establishment or Undertaking or Employer.....

Address.....

Dated.....

(Note: The application to the State Government shall be served as indicated below: Lay-off: at least 15 days before the intended Lay-off. Retrenchment – at least 60 days before the intended date of Retrenchment. Closure – at least 90 days before the intended date of Closure)

To
The Secretary,
LET&F, HYDERABAD.

1. *(Lay-off) (a) Under section 78(2) of the Industrial Relations Code, 2020 (Central Act 35 of 2020) I
/we hereby apply for permission to lay-off workers** out of total of workers** employed in
my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

Or

*(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020, (Central Act 35 of 2020) I */we* hereby apply for permission for intended retrenchment of..... workers out of total of
workers**
employed in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

Or

*(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020, (Central Act 35 of 2020) I /
we* hereby inform you that I*/we* intended to close down the undertaking (name of the
industrial establishment or undertaking or employer) (details to be given in Annexure-1) with effect from
(DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of
the undertaking is (number of workers)

2. *(Lay - o f f) The worker (s) concerned were given on (D D / M M / Y Y Y Y) notice in writing as
required under section 78(2)*/ section 78(3)* of the Industrial Relations Code, 2020 (Central Act 35 of
2020).

Or

*(Retrenchment/ Closure) The worker(s) concerned were given on (DD/MM/YYYY) one month's
notice in writing as required under section 79*/ section 80* of the Industrial Relations Code, 2020 (Central
Act 35 of 2020).

Or

*(Retrenchment/ Closure) The worker(s) have been given on (DD/MM/YYYY) one month's pay in
lieu of notice as required under section 79*/ section 80* of the Industrial Relations Code, 2020 (Central
Act 35 of 2020).

3. The details of affected worker(s) is at Annexure II.
4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to
the Section 71 and section 72 of the Industrial Relations Code, 2020 (Central Act 35 of 2020).

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

Or

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

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

7. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true,

I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully, (Name of Employer/ ***Authorized Representative

with Seal)

(*Strike off which is not applicable)

(** Indicate number in figures and word both)

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

ANNEXURE I

(Please give replies against each item)

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

ANNEXURE II

(Details of affected workers)

Sl. No	UAN / CMPFO	Name of the Worker	Category (Highly Skilled / Skilled/ Semi-skilled / Unskilled)	Date from which in service in/ with the said establishment / Undertaking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

Copy:

- a. The Commissioner of Labour
- b. Conciliation Officer of Concerned Jurisdiction.

FORM-XXVII

(See rule 68)

Notice to the Employer/person who committed an offence for the first time under the Code, for compounding of offence under section 89 read with rule 36 of the Industrial Relation Code, 2020

The undersigned and the Compounding Officer under sub-section (1) of section 89 of the Industrial Relation Code, 2020 (Central Act 35 of 2020) hereby intimates that the allegation has been made against you for committing offence for the violation of various provision of the Code as per the details given below:-

PART - I

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

PART - II

You are advised to deposit the above mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relations Code, 2020 (Central Act 35 of 2020) along with an application dully filled in part – III of this notice.

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

(Signature of the Compounding Officer)

Place: Date:

PART – III

**APPLICATION UNDER SUB-SECTION (4) OF SECTION 89 FOR COMPOUNDING
OF OFFENCE**

1. Name of applicant (name of the employer who committed the offence under the Industrial Relation Code, 2020 (Central Act 35 of 2020) to be mentioned.....
2. Address of the applicant
3. Particulars of the offence
.....
.....
4. Section of the Code under which the offence has been committed
.....
5. Details of the compounding amount deposited (electronically generated receipt to be attached).....
6. Details of the prosecution, if filed for the violation of above mentioned offences may be given
.....
7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence
.....
.....
.....
8. Any other information which the applicant desires to provide
.....
.....
.....

Applicant (Name and signature)

Place:

Date:

FORM-XXVIII

(See rule 70)

(Complaint under Section 91 of the Industrial Relations Code, 2020 (35 of 2020))

Before the Conciliation officer/ Arbitrator / Tribunal.....,

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

A.....

Complainant(s);

Versus

B.....

Opposite Party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relation Code, 2020 (Central Act 35 of 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 management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator or Industrial Tribunal may be pleased to 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 annexure required under section 91 of the Industrial Relation Code, 2020 (Central Act 35 of 2020) are submitted herewith.

Signature of the Complainant(s) Verification

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

I do solemnly declare that what is stated in paragraph above is true to my knowledge and that what is stated in paragraph above is stated upon information received and believed by me to be true. This verification is signed by me at..... onday of.....20.....

Signature

Or

Thumb impression of the person verifying.

Signed by Committee members

Smt Shirisha (ALO)

Smt M Neelamma (DCL (Admin))

Vaidya Sai Viveknath (ACL (Trainee))

Smt Madhavi (Dy. Secretary, LET&F)

M Bhargav (ACL (Trainee))

Sri R Chandrashekaram (JCL (Admin) - Convener)