



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 465 দিশপুৰ, সোমবাৰ, 24 আগষ্ট, 2026, 2 ভাদ, 1948 (শক)

No. 465 Dispur, Monday, 24th August, 2026, 2nd Bhadra, 1948 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LABOUR WELFARE DEPARTMENT ::: RESEARCH (RC) BRANCH

NOTIFICATION

The 21st August, 2026

No. E-379170/642.- The following draft of certain rules, which the Governor of Assam proposes to make in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (Act No. 35 of 2020), is hereby published as required under sub-section (1) of section 99 of the said Act, in cancellation of the earlier draft rules published in the Official Gazette vide Government Notification No. GLR(RC)71/2020/208, dated the 17th November, 2021 in the Assam Gazette, Extraordinary No. 565, dated the 30th November, 2021, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft Notification shall be taken into consideration on or after the expiry of the period of 30(thirty) days from the date of publication of this notification in the Official Gazette.

Any objection or suggestions which may be received from any individual with respect to the said draft rules before the expiry of the period above shall be considered by the Government of Assam.

Objections or suggestions which if any, may be sent to the Senior-Most Secretary to the Government of Assam, Labour Welfare Department, Janata Bhawan, Dispur, Guwahati-6, Assam, or sent via email to labour.assam@gmail.com.

DRAFT

THE ASSAM INDUSTRIAL RELATIONS RULES, 2026

CHAPTER-I

PRELIMINARY

- | | | | |
|------------------------------|----|-----|--|
| Short title and commencement | 1. | (1) | These rules shall be called the Assam Industrial Relations Rules, 2026. |
| | | (2) | They shall come into force on the date of their publication in the Official Gazette. |

- | | | |
|---|----|---|
| Definitions | 2. | <p>(1) In these rules, unless the context otherwise requires,-</p> <ul style="list-style-type: none"> (a) “Code” means the Industrial Relations Code, 2020 (Act No. 35 of 2020); (b) “electronically” means any information submitted by email or uploaded on the designated portal or digital payment in any mode for the purpose of the Code; (c) “Form” means a form appended to these rules; (d) “section” means a section of the Industrial Relations Code, 2020 (Act No. 35 of 2020); (e) “Government” means the Government of Assam; (f) “Works Committee” means the committee as required to be constituted under section 3(1) of the Act and under rule 4 of this rule; <p>(2) All words and expressions used in these rules but not defined herein, but are defined in the Code shall have their respective meaning as assigned to them in the Code.</p> |
| Manner of signing Memorandum of Settlement under clause (zi) of section 2 | 3. | <p>(1) Where a settlement is arrived at between an employer and worker otherwise than in the course of conciliation proceedings before a Conciliation Officer, the parties to the settlement shall jointly send a copy thereof to the Labour Commissioner, Government of Assam and the concerned Conciliation Officer.</p> <p style="padding-left: 40px;">The settlement arrived at as per clause (zi) of section 2 between the employer and worker shall be in Form-I which shall be signed by the parties in the agreement and a copy thereof shall be sent to the concerned Conciliation Officer.</p> <p>(2) The settlement shall be signed by,-</p> <ul style="list-style-type: none"> (i) in case of employer, by the employer himself, or by his authorized agent, or when the employer is an incorporated company or a body corporate; by the agent, manager or other principal officer of such company or such body corporate; and (ii) in case of workers any of the following Officers of the Trade Union, namely:- <ul style="list-style-type: none"> (a) the President; or (b) the Vice President; or (c) the Secretary; or (d) the joint Secretary; or (e) any other Officer of the Trade Union authorized in this behalf by the President and Secretary of the Union; or (f) five representatives of workers duly authorized in this behalf at the meeting of the workers held for the purpose. <p>(3) In case of industrial dispute between individual worker and employer, the settlement shall be signed by the employer and worker concerned.</p> <p>(4) Where the settlement is arrived in the course of conciliation proceedings, the Conciliation Officer shall send a report to the</p> |

Government together with a copy of the memorandum of settlement signed by the parties of the dispute.

- (5) The Conciliation Officer shall file all settlements in respect of industrial disputes in the area of his jurisdiction in the register maintained electronically or otherwise containing the following details:-

- (i) name of the industrial establishment;
- (ii) parties to the settlement;
- (iii) date of settlement;
- (iv) whether settlement was arrived at after the intervention of Conciliation Officer or by mutual negotiation:

Provided 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

BI-PARTITE FORUMS

Constitution of
Works
Committee etc.
under sub-
section (1) of
section 3

4. (1) Every employer of an industrial establishment to whom an order is made by the Government under sub-section (1) of section 3 shall forthwith proceed to constitute a Works Committee to promote measures for securing and preserving amity, 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) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and classes of workers engaged in, and to the sections, shops or departments of the establishment:

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

Provided further that, the number of representatives of the workers in the Works Committee shall not be less than the number of representatives of the employer:

Provided also that, in the industrial establishment where women workers are employed, it shall have adequate representation of women workers in the 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) Subject to the provisions of these rules, the representatives of the employer shall be nominated by the employer and shall as far as possible, be officials in direct touch with, or associated with the working of the industrial establishment,-
- (i) where workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such union, to inform him in writing as to how many of the workers are members of such unions and distribution of their membership among the sections, shops or department of the establishment;

- (ii) where an employer has reason to believe that the information furnished to him under clause (i) by any Trade Union is false, he may, after informing such union, refer the matter to the Assistant Labour Commissioner/ Labour Officer for his decision and the Assistant Labour Commissioner/ Labour Officer after hearing the parties shall take a decision in the matter which shall be final.

(4) Workers' Representatives:

On receipt of information called for under sub-rule (3) above, the employer shall provide for choosing of workers' representatives of the Works Committee in the following manner, namely:-

- (i) in case of a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union shall nominate the workers' representative of the Committee;
- (ii) in 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 represent in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;
- (iii) where there is no negotiating union or negotiating council referred to clause in (i) and (ii) above, the workers of the industrial establishment shall elect amongst themselves the workers' representatives of the Committee:

Provided that, where a registered Trade Union fails to furnish the information called under sub-rule (3) within one month of the date on which it so called for, then, such Trade Union shall be held for the purpose of this rule, as if it did not exist:

Provided further that, where any reference has been made by the employer under sub-rule (3), the process of choosing the workers' representatives relating thereto shall be held on receipt of the decision of the concerned Assistant Labour Commissioner/Labour Officer.

(5) Qualification of candidates for Election:

Any worker, with employment 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 workers' representative of the Committee:

Provided that, such one-year employment qualification shall not apply to the first election in the industrial establishment which has not been in existence for less than a year:

Provided further that, for the purpose of this sub-rule, a worker who has put in continuous employment for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the one-year employment qualification specified in the proviso above.

(6) Qualification for Voters:

All workers who have put in not less than six months' continuous employment in the industrial establishment shall be entitled to vote in the election of workers' representative of the Committee:

Provided that, for the purpose of this sub-rule, a worker who has put in continuous employment of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the employment qualification specified above.

(7) Fixation of Schedule for election:

- (i) the employer shall give a minimum time period of at least three working days for filling of nomination along with other requisite details while fixing a date as the closing date of receiving nomination from candidates for election as workers' representatives of the Committee;
- (ii) the date fixed by the employer for holding the election referred in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations;
- (iii) the date of election fixed under clause (i) shall be notified at least seven days in advance to the workers concerned and such notice, which shall specify the number of seats to be elected, shall be affixed on the notice board or electronic notice board/ website of the industrial establishment and given adequate publicity amongst the workers.

(8) Nomination of candidates for election:

- (i) Every nomination for election as workers representative of the Committee shall be made on a nomination paper to be provided by the employer and the copies thereof shall be supplied by the employer to the workers requiring them;
- (ii) Each nomination paper referred to in clause (i) above shall be signed by the candidate to whom it relates and attested by at least two other voters and shall be delivered to the employer.

(9) Scrutiny of Nomination papers:

- (i) On the day following the last day fixed for filing nomination, the nomination papers shall be scrutinized by the employer in the presence of the candidates and attesting voters and those nominations which are not valid shall be rejected;
- (ii) A nomination paper shall be held to be not valid under this sub-rule if,-
 - (a) the candidate nominated is ineligible for being a candidate under sub-rule (5); or
 - (b) the requirement of sub-rule (8) have not been complied with:

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

(10) Withdrawal of candidature:

Any candidate whose nomination for election has been accepted may withdraw his candidature within two working days of the completion of security of the nomination papers.

(11) Voting in election :

- (i) If the number of candidates who have been validly nominated for the election as workers' 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 workers' representative of the Committee is more than the number of seats, voting shall take place on the date fixed for the election.

(12) Officers of the Committee:

- (i) The Committee shall have among its members a Chairman, a Vice-Chairman, a Secretary and a Joint-Secretary.
- (ii) The Chairman shall be nominated by the employer from amongst the employer's representatives on the Committee and he shall, as far as possible, be the head of the industrial establishment;
- (iii) The Vice-Chairman 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- Chairman, the matter shall be decided by a draw of lot;

- (iv) 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 worker and the vice versa;

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

Provided further that the representatives of the employer shall not take part in the election of the Secretary or Joint Secretary if Secretary or Joint Secretary is the representative of workers, 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;

- (v) In any election under clause (iv), in the event of equality of votes, the matter shall be decided by a draw of lot;
- (vi) The Secretary and the Joint-Secretary shall be elected every year.

(13) Term of Office:

- (i) The term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be three years;
- (ii) A member chosen to fill a casual vacancy shall hold office for the unexpired term of his predecessor;
- (iii) A member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall forfeit his membership.

(14) Vacancies:

In the event of worker's representative ceasing to be a member under clause (iii) of sub rule (13) 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 from the same group to which the member vacating the seat belonged for the remaining period of the Committee.

(15) Power to Co-opt:

The Works Committee shall have the right to co-opt in a consultative capacity, persons employed in the industrial establishment having particular or special knowledge of a matter under discussion 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 placed before the Works Committee.

(16) Meetings:

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

(17) Facilities for meetings etc:

- (i) The employer shall provide accommodation for holding meetings of the Committee and also provide all necessary facilities to the Committee and to the members thereof for carrying out the work of the Committee and 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;
- (ii) The Secretary of the Committee may with the prior concurrence of the Chairman, put up notice regarding the function of the Committee on the notice board of the industrial establishment.

(18) Dissolutions of Works Committee:

The Government, or the officer authorized on its behalf, may after making such inquiry, as may deem fit, dissolve any Committee at any time, by an order in writing, on the grounds that the Committee has not been constituted in accordance with 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 Government or, as the case may be, by such officer, shall take steps to re-constitute the Committee in accordance with this rule.

Manner of
choosing
members from
the employers
and workers for
Grievance
Redressal
Committee

- 5. (1) The Grievance Redressal Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed ten members;
- (2) The representatives of the employer shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment;

under sub-section (2) of section 4

- (3) The workers' representatives 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 shall nominate the workers' representatives of the Grievance Redressal Committee;
 - (b) In the case of 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 Redressal Committee in proportion to the manner of workers of industrial establishment, who are members of such trade unions;
 - (c) Where there is no recognized negotiating union or negotiating council referred to in clause (a) or (b), the workers of the industrial establishment shall choose amongst themselves the workers' representatives of the Grievance Redressal Committee:

Provided that, the employer may, deploy an electronic platform for choosing workers' representatives under this rule or information technology application or online platform or such other like system:

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

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

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

6. Any aggrieved worker may file an application as per provision of sub-section (5) of section 4 of the Code stating his grievance and dispute therein before the Grievance Redressal Committee giving his name, designation, employee Code, department where posted, length of service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought. Such application may be sent electronically or otherwise. The grievance or dispute may be raised within one year from the date on which the cause of action of such grievance or dispute arises.

- Manner of filling application to the conciliation officer under sub-section (8) of section 4
7. Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application online on designated portal of the Government, or by speed post, or in person within the period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires as the case may be, to the Conciliation Officer through the Trade Union, of which he is a member or otherwise:

Provided that, in case of manual receipt of such application through speed post, the Conciliation Officer shall get the same recorded and enter the particulars of the application in the online mechanism with intimation to the concerned worker and Trade Union:

Provided further that, in absence of any Trade Union in the establishment, or if the worker is not a member of Trade Union, in such case, he may file application to the Conciliation Officer through a group of workers of the establishment.

CHAPTER-III

TRADE UNION

- Subscription by members to Trade Union under clause (f) of section 7 and sub-section (4) of section 15
8. The payment of minimum subscription by a member of Trade Union as per clause (f) of section 7 of the Code shall not be less than the amount notified for unorganized sector workers and organized sector workers by the Government from time to time.
- Manner of annual audit under clause (j) of section 7
9. (1) (i) Where the total annual income including the subscription fee exceed rupees five lakh, the annual audit of the Accounts shall be conducted by an auditor who is a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949 and authorised to audit the accounts of the Companies under section 2(17) of the Companies Act, 2013;
- (ii) Where the total annual income including the subscription fee does not exceed rupees five lakh, the annual audit of the accounts shall be conducted by any person, who is holding or has held an appointment under the Government in any audit or accounts department as a Gazetted Officer.
- (2) Disqualification of Auditors:
- Notwithstanding anything contained in these rules, no person who, at any time, during the year for which the accounts are to be audited, was entrusted with any part of the funds or securities of the Trade Union shall be eligible to audit the accounts of the Trade Union.
- (3) Accessibility to the books of accounts:
- The auditor or auditors appointed in accordance with these rules shall be given access to all the books of the Trade Union concerned and shall verify the general statement with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended to in **Form-II**, indicating separately on that form under his signature or their signatures, a statement showing in what aspect he or they found the return to be incorrect and not supported by vouchers or not in accordance with the Code. The particulars given in the statement shall indicate,—

- (i) every payment which appears to be unauthorized by the rules of the registered Trade Union concerned or contrary to the provisions of the Code;
 - (ii) the amount of any deficit or loss which appears to have been incurred by the negligence or misconduct of any person;
 - (iii) the amount of any sum which ought to have been, but is not brought to account by any person.
- (4) Every Trade Union shall maintain the following books and registers to facilitate the audit of its accounts:
- (i) Register of Membership and Subscriptions in **Form-III**;
 - (ii) Register of receipts and disbursements of General Fund Accounts;
 - (iii) Minutes Book to record the proceedings of all meeting;
 - (iv) Register of stock, to show the furniture, valuable documents relating to immovable property of the Union;
 - (v) Machine numbered subscription receipt;
 - (vi) Register of receipts and disbursements for the Separate Fund (if there is a Separate Fund);
 - (vii) A file of vouchers.
- Form and manner of Declaration to be made by an affidavit for registration of Trade Union under clause (a) of sub-section (1) of section 8
10. (1) Application for registration of Trade Union shall be made to the Registrar of Trade Unions in **Form-IV** along with a declaration to be made in affidavit as in Annexure-A electronically or otherwise along with the particulars mentioned in sub-section(1) of section 8 of the Code.
- (2) The Registration fee of Trade Union shall be rupees one thousand or as may be notified by the Government from time to time.
- (3) (i) The notice of any change in the name of a Trade Union shall be sent to the Registrar in **Form-V** along with a certificate of registration and resolution of general meeting with 2/3rd majority within a fortnight of change, either in person or by speed post;
- (ii) The Registrar on receiving any such notice may take such steps as he thinks fit to verify or cause to be verified the facts stated therein and to satisfy himself that the notice is genuine;
- (iii) When the Registrar registers a change of name, he shall certify under his signature at the foot of the registration certificate; and communicate the same electronically or otherwise to the Trade Union;
- (iv) The fee payable for registration of change of name to the Trade Union shall be rupees two hundred or as may be notified by the Government time to time.
- Form containing particulars of assets and liabilities of the Trade Union under sub-section (2) of section 8
11. Where a Trade Union has been in existence for more than one year, before making an application for its registration under the Code, there shall be delivered to the Registrar, together with the application, a general statement of assets and liabilities of the Trade Union as required under sub-section (2) of section 8 containing the particulars as in **Form-VI** electronically or otherwise.

Form of application of Registration and form of issuing of certificate of Registration under sub-section (1), (2), (3) and (5)(i) of section 9

12. (1) The Registrar of Trade Union on being satisfied that the applicant Trade Union has complied with all the requirements with regard to registration, shall register the Trade Union by entering in a Register the particulars relating with Trade Union contained in the statements accompanied with the application for registration in **Form-VII**. The application made for the registration for the Trade Union shall be decided upon within three months from the date of application. If, there are any deficiencies in such an application for the membership, then it shall be communicated in writing within one month from the date of application along with an opportunity to rectify them within thirty days thereafter.

(2) Where the Registrar makes an order for registration of a Trade Union, he shall issue a certificate of registration to the applicant of a Trade Union in the **Form-VIII**.

(4) The application of a Trade Union for withdrawal or cancellation of certificate of registration by the Registrar shall be made in **Form-IX** and shall be certified and signed by the President and General Secretary of the Trade Union.

(5) Verification and grant of application for withdrawal or cancellation of certificate of registration shall be done on the following conditions:

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

(6) Before cancellation of registration under clause (ii) or clause (iii) of sub-section (5) of section 9 of the Code, the Registrar shall show cause and give an opportunity of being heard to the Trade Union.

Period within which Appeal shall be preferred by Trade Union to Tribunal under sub-section (1) of section 10

13. Any person aggrieved by the refusal of the Registrar to grant registration to a Trade Union under section 9 or by cancellation of a certificate of registration under sub-section (5) of the section 9, may within sixty days prefer an appeal to the Tribunal.

Manner of sending of Communication and notices under sub-section(1) and to inform the Registrar under sub-section (3) of section 11

14. (1) All communication and notices shall be sent electronically or otherwise to a registered Trade Union by the Registrar on the postal address or email address, as mentioned in the register maintained by the Registrar.

(2) All communication and notices by a registered Trade Union with respect to any change in any particulars of the Trade Unions or its rules or membership thereof shall be sent electronically or otherwise to the Registrar on his official postal address or email address within fifteen days from the date of such change or event.

- (3) On receipt of any communication under sub-rule (2), the Registrar shall, unless he has reason to believe that such change has not been made in the manner provided by the rules of the Trade Union and is not in accordance with the provisions of the Code, register such change in the register to be maintained for this purpose and shall inform the fact to the Secretary of the Trade Union in the manner specified under sub-rule (1) above.
- (4) The fee payable for changes of rules shall be two hundred rupees or as may be fixed by the Government, from time to time, by notification and shall be paid electronically or otherwise for each set of changes made at one time.
- Matters to negotiate under sub-section (1) of section 14
15. Negotiating union or negotiating council shall negotiate with employer or employers with respect to all or any of the following matters, 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) hours of work of the workers, their rest days, number of working days in a week, rest intervals, working of shifts;
 - (iv) leave with wages and holidays;
 - (v) Promotion, transfer policy and disciplinary procedures;
 - (vi) safety, health and working conditions related standards;
 - (vii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary, concession or privileges, compensatory and other allowances;
 - (viii) such other matter pertaining to conditions of service, terms of employment which are not covered in the foregoing clauses;
 - (ix) any other matter which is agreed between the employer of the industrial establishment and negotiating union or council.
- Criteria for recognizing a single registered Trade Union of workers as sole negotiating union of workers under sub-section (2) of section 14
16. Where there is only one registered Trade Union operating in an industrial establishment having its membership of 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 the sole negotiating union of workers.
- Manner of verification of workers in an industrial establishment under sub-section (3) and (4) of section 14
17. (1) (a) The Government shall appoint a Verification Officer for the purpose of verification of membership of the Trade Unions in the industrial establishment.
- (b) The Verification Officer may appoint Additional Verification Officer(s) depending upon the quantum of work of membership verification:

Provided that, the process of verification of recognition of the negotiating union or the negotiating

- council, as the case may be, shall commence sufficiently in advance but not later than three months before the expiry of the tenure of the existing recognition period of negotiating union or negotiating council, as the case may be, recognized by the employer under the case,-
- (i) the Verification Officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification;
 - (ii) the Verification Officer shall carry out the work of membership verification in the industrial establishment within the time frame as determined by the employer.
- (c) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under clause (1);
- (d) The Trade Union which has a valid registration under this Code may submit an application to the employer of the industrial establishment to accord status of negotiating union or the member of negotiating council of workers, as the case may be;
- (e) The application for recognition made by the Trade Union shall be accompanied with a,-
- (i) copy of registration certificate;
 - (ii) name of members;
 - (iii) details of the membership subscription;
 - (iv) copy of latest annual return of the Trade Union submitted to the Registrar of Trade Unions.
- (f) The date of reckoning shall be fixed by the Verification Officer for the purpose of verification of membership of the Trade Unions;
- (g) The employer of the establishment shall forward the documents and records submitted by the Trade Unions, to the Verification Officer;
- (h) The Verification Officer shall scrutinize the records and documents of the Trade Unions to ascertain the status of registration of Trade Unions;
- (i) The Verification Officer shall hold meeting with all the participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot;
- (j) The Verification Officer may in consultation with the employer and participating Trade Unions deploy an electronic process for conducting the process of holding secret ballot throughout the online platform in addition to the traditional or in practice.
- (2) Verification of membership of Trade Unions through secret ballot:-
- (i) the Verification Officer shall convene meeting of representatives of all the registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide,-
 - (a) voter list;
 - (b) date, time, mode of voting;

- (c) place of voting;
 - (d) date, time and place of counting; and
 - (e) other modalities of secret ballot.
- (ii) the Verification Officer shall cause the minutes of the meeting to be prepared and signed by all the participating Trade Unions;
 - (iii) all the participating Trade Unions shall be allotted symbols;
 - (iv) if no unanimous decision was able to be taken regarding date, time, place, mode of voting or counting of votes, allotment of symbols and like other matters in the meeting, then, the decision of Verification Officer shall be final;
 - (v) he shall finalize the schedule, programme, and procedure of secret ballot and cause to publish/ notify by the industrial establishment on notice board in the premise of the establishment and on website of establishment if any;
 - (vi) 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 votes;
 - (vii) the voter list shall be prepared by the employer of the establishment on the basis of names of the workers borne on the muster roll;
 - (viii) the voter list shall contain the name, father's name, designation, employee number/ identity card number issued by the employer, place/ section of posting of the worker;
 - (ix) the final voter list shall be published by the employer after obtaining the approval of Verification Officer and shall be displayed at the notice board at the main entrance and website, if any, of the industrial establishment;
 - (x) a copy of such voter list shall also be sent to the participating Trade Union by hand or by speed post or through electronic mode;
 - (xi) name of the participating Trade Union with the symbol allotted to them shall be displayed on the notice board and/or website of the industrial establishment;
 - (xii) the voting and counting of votes shall be held on the date, time, place fixed by the Verification Officer under the supervision of the Verification Officer. During the voting and counting, agents of all the participating Trade Unions shall be allowed to remain present;
 - (xiii) after counting of votes, the result shall be declared by the Verification Officer;
 - (xiv) the result sheet shall contain the name of all Trade Unions participated in the election, the number of votes polled and the number of votes cast in favour of each of the Trade Unions participated.
- (3) Any differences of opinion between Verification Officer and participating Trade Unions shall be referred to the Assistant Labour Commissioner of Labour Officer having jurisdiction on such establishment and decision of the Assistant Labour Commissioner or Labour Officer as the case may be shall be final.

(4) Verification report:

The Verification Officer shall submit the verification report along with the result sheet to the employer.

(5) Recognition of Trade Union as negotiating union or negotiating council,-

(i) On the basis of verification report submitted by Verification Officer, the employer of the establishment shall grant recognition to a Trade Union as a negotiating union or a member of negotiating council as per sub-section (3) or sub-section (4) of the code, as the case may be.

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

Facilities to be provided to negotiating union or negotiating council under sub-section (7) of section 14

18. In an industrial establishment, where there is a negotiating union or negotiating council, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, namely:-

- (i) notice board for the purpose of displaying information relating to activities ;
- (ii) venue and necessary facilities for holding discussion as per schedule and agenda with the employer of the establishment;
- (iii) venue and necessary facilities for holding discussion amongst the members ;
- (iv) facilities for entrance of the office bearers of the negotiating union or negotiating council, in the industrial establishment for the purpose of ascertaining the matters which are related to working conditions of the workers;
- (v) the employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be;

(2) When the office bearers of the negotiating union or constituents of negotiating councils holding the meetings with the employer of the establishment as per the agreed schedule such employed office bearer shall be treated as on duty;

(3) The members of the negotiating union shall have the right and shall be permitted by the employer to hold discussions on the premises of the establishment with the workers:

Provided that,-

- (i) the union shall intimate, in advance to the employer the name of the members authorized for the purpose and the name of the department in which the members concerned are employed; and
- (ii) the discussion shall be held in such manner as not to interfere with the working of the industrial establishment.

- | | |
|--|--|
| Object on which General Funds may be spent under sub-section (1) of section 15 | <p>19. The General Funds of the registered Trade Union shall not be spent on any other objects other than that of the following, namely:-</p> <ul style="list-style-type: none"> (i) the payment of allowances and expenses to office bearers of the Trade Union and salaries of staff, employees of the union; (ii) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the Trade Union; (iii) the payment of any fee or expenses of any legal proceeding to which the Trade Union or any member thereof is a party; (iv) conduct of industrial dispute on behalf of the Trade Union or any member thereof; (v) the allowances to members or their dependents on account of death, old age, sickness, accident or unemployment of such member; (vi) the provisions of educational, social or religious benefits for the members (including the payment of the expenses or funeral or religious ceremonies for deceased members) or for the dependents of members subject to any condition as notified by the Government as and when required; (vii) expenses on printing, travelling allowance, meeting and propaganda; and (viii) miscellaneous income or expenditure incurred on any activity in pursuance of any objective of the Trade Union. |
| Constitution of separate fund under sub-section (2) of section 15 | <p>20. (1) A registered Trade Union may constitute a separate fund, from contributions separately levied for or made to that fund, from which payments may be made, for the promotion of the civic and political interests of its members, in furtherance of any of the objects of the union.</p> <p>(2) The objects referred to in sub-rule (1) are,-</p> <ul style="list-style-type: none"> (i) election of a person or persons as member of any legislative body constituted under the Constitution of India, or of any local authority; (ii) holding of any meeting or the distribution of any literature or documents in support of any candidate; (iii) the running of office of any person who is a member of any legislative body constituted under the Constitution of India or of any local authority; or (iv) Any other objectives as notified by the Government. <p>(3) No member shall be compelled to contribute to the fund constituted under sub-section (1) and a member who does not contribute to the said fund shall not be excluded from any benefits of the Trade Union or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the Trade Union (except in relation to the control or management of the said fund) by reason of him not contributing to the said fund and contribution to the said fund shall not be made a condition for admission to the Trade Union.</p> <p>(4) The funds of the Trade Union shall be deposited in a Scheduled Bank and operated jointly in the name of the President and at least two members of the Trade Union.</p> |
| Manner of making application for adjudication before the Tribunal under clause (d) sub-section (1) of section 22 | <p>21. The application before the Industrial Tribunal shall be filed within six months of occurrence of any dispute as provided under section 22 along with the relevant copies of the documents related to such dispute and mentioning the cause of such dispute, in Form-X electronically, or by speed post or in person.</p> <p>The Tribunal shall give an opportunity of hearing to all concerned parties before passing the order.</p> |

- | | | |
|--|-----|--|
| Manner of amalgamation of Trade Union and sending it for the Registrar thereof under sub-section (2) and (3) of section 24 | 22. | <p>(1) Any two or more registered Trade Unions may amalgamate together as one Trade Union with or without dissolution or division of the funds of such Trade Unions, provided that the votes of at least one half of the members of each or every Trade Union entitled to vote are recorded, and that at least sixty percent of the votes recorded are in favour of the proposal.</p> <p>(2) The Notice of every amalgamation of any two or more registered Trade Unions shall be sent to the Registrar in Form-XI either in person or by speed post.</p> <p>(3) The Registrar on receiving any such Notice may take such steps as he thinks fit to verify the facts stated therein and to satisfy himself that the notice is genuine, and if he is satisfied, he shall certify under his signature at the foot of the certificate issued under the new name that has been registered.</p> <p>(4) Notice in writing of every change of name and of amalgamation signed in the case of a change of name, by the Secretary and by seven members of the Trade Union of each and every Trade Union which is a party thereto, shall be sent to the Registrar and where the head office of the amalgamated Trade Union is situated in a different State, to the Registrar of such state either electronically or otherwise along with the Certificate of Registration within one month of such change, either in person or by speed post.</p> |
| Distribution of funds of the Trade Union on dissolution by Registrar under sub-section (2) of section 25 | 23. | <p>(1) Where a registered Trade Union is dissolved, notice of dissolution shall be sent to the Registrar in Form-XII along with the certificate of registration, either in person or by speed post with due acknowledgment.</p> <p>(2) Where the dissolution of registered Trade Union has been registered and the by-law of the Trade Union does not provide for the distribution of fund of the Trade Union on dissolution, the Registrar shall divide the funds among the members in equal proportion to the amounts contributed by them by way of subscription during their membership through the officer appointed by the Registrar of Trade Unions.</p> |
| Annual Return of Trade Union under clause (a) of sub-section (1) of section 26 | 24. | <p>(1) The audited general statement to be furnished under section 26 shall be submitted to the Registrar electronically or by speed post within 3 months i.e. by 31st March in each calendar year and shall be in Form-XIII.</p> <p>(2) The audit of the general statement shall be done in the manner as per rule 9 of these rules.</p> <p>(3) The Registrar may ask from the Trade Union in writing any other particulars about the general statement and the audit report, as he deems fit, for ascertaining the facts mentioned in such general statement and audit report.</p> |
| Recognition of Trade Unions at State Level under sub-section (2) of section 27 | 25. | <p>(1) The Government may recognise a registered Trade Union or federation of registered Trade Unions as 'Assam State Trade Union Organisation' if the following conditions are fulfilled,-</p> <ul style="list-style-type: none"> (i) consisting of fifty thousand or more members, including the members of affiliated registered Trade Unions; (ii) functioning in ten or more districts of State of Assam; (iii) functioning in more than 5 industries; <p>(Explanation - registration of the federation of Trade Unions is not mandatory but the registration of the affiliated Trade Unions is mandatory.</p> |

- (2) The Government shall decide a date of reckoning for the verification of the members of the Trade Unions which shall not be less than a year before the notification.
- (3) Applications shall be invited from the registered Trade Union or federation of registered Trade Unions by issuing a Notification which shall be published in newspapers for recognition as 'Assam State Trade Union Organisations'.
- (4) Application shall be submitted in the prescribed format electronically or otherwise to the Government as per **Form-XIV**.
- (5) The following information shall be furnished by the Trade Union or federation of Trade Unions,-
 - (i) name of the Trade Union or federation of Trade Unions;
 - (ii) address of the Trade Union or federation of Trade Unions;
 - (iii) name and address of the President and of the Secretary of Trade Union or federation of Trade Unions;
 - (iv) name of the Industries or Sectors or Districts in which the Trade Union or federation of Trade Unions is functioning;
 - (v) total number of the members including the members of the affiliated registered Trade Unions;
- (6) The following details of the affiliated registered Trade Unions shall be furnished,-
 - (i) name of the Trade Union;
 - (ii) address of the Trade Union;
 - (iii) registration number of the Trade Union;
 - (iv) name and address of the Registrar where the Trade Union is registered;
 - (v) affiliation number and date of affiliation;
 - (vi) date of submission of the Annual Return to the Registrar of the Trade Unions;
 - (vii) number of members of the Trade Union;
 - (viii) name of industries or Sectors or Districts in which the Trade Union is functioning;
 - (ix) name and address of the President and Secretary of the Trade Union:

Provided that Members of unregistered affiliate Trade Union shall not be considered for the eligibility for the recognition.
- (7) The applications shall be scrutinized by the Government and Trade Unions or federation of Trade Unions which prima-facie does not fulfill the eligibility criteria for the recognition shall be rejected.
- (8) The claims received from all the Trade Unions or federation of Trade Unions shall be shared with all the other participating Trade Union or federation of Trade Unions.
- (9) The participating Trade Unions or federation of Trade Unions shall be given a month time for raising their objections on the claim filled by other Trade Unions or federation of Trade Unions.
- (10) Only the following objections shall be entertained and verified,-
 - (i) Trade Union not registered;
 - (ii) Trade Union not affiliated;

- (iii) Membership inflated.
- (11) Verification of the Trade Union,-
- (i) Registration status of Trade Union as on the date of reckoning;
 - (ii) Status of submission of the annual return for the year ending one year before the date of reckoning. However, if not filed, one notice shall be given to the trade union for filing the same in one month of such notice. If even within one month of notice, the Trade Union has not filed the annual return, membership of such Trade Union shall not be verified;
 - (iii) If the Trade Union is not found affiliated on the date of reckoning, members of such union shall not be counted for the purpose of recognition.
- (12) Verification of membership in case of,-
- (i) objection raised by any other participating Trade Union or federation of Trade Unions that membership is affiliated;
 - (ii) if membership claimed is more than 25% of the number of members as per the annual return filed by the Trade Union before the date of reckoning, verifications shall be done in the following manner,-
 - (a) Number of members by checking the register of members of the Trade Union;
 - (b) Verification of the proof of payment by the members of membership subscription to the Trade Union by checking the counter foils of at least six months in preceding one year of date of reckoning or through bank transfer or subscription of Trade Union deducted by the employer. Any member, who has not paid membership subscription of at least of six months during the year preceding the date of reckoning, shall not be treated as member of the Trade Union;
 - (c) Interrogation and recording the statement of the members, that is whether he/ she was a member of the Trade Union as on date of reckoning. The members shall be selected randomly from the following sample size,-
 - (i) if the members as verified from records of Trade Union is-
 - (a) less than a hundred, 50% of the members,
 - (b) more than a hundred but less than five hundred, 30% of members subject to a minimum of 50,
 - (c) more than five hundred but less than one thousand, 20% of members but subject to minimum of 150.
 - (d) if more than one thousand, 5% of members, subject to the minimum of 200.
 - (ii) interrogation of members shall be done not in the presence of the office bearer of the Trade Union or management of the establishment;
 - (iii) in the case of an illiterate member, his statement with his or her thumb impression and shall be countersigned by some other person;
 - (iv) in case, Trade Union is functioning in unorganised sector or in agriculture sector, members shall be

produced by the Trade Union but the statement shall be recorded not in the presence of the office bearer of the Trade Union;

- (v) in case of the denial of the membership by a worker so claimed as a member, the total membership shall be reduced proportionately to the percentage of the sample of members interrogated;
 - (vi) the final verified membership shall be the total members as verified from the membership register and have paid subscription of at least of six months during one year preceding the date of reckoning and further reduced proportionately to the percentage of the members interrogated under the above rules.
- (13) Finally verified membership of all the Trade Unions affiliated to the federation of Trade Unions shall be compiled and shall be declared by the Government.
 - (14) The recognition shall be for five years or till the next recognition based on the fresh verification as per these rules.
 - (15) The fresh verification of the membership shall be initiated by the Government not less than one year before the ending date of the existing recognition.

CHAPTER-IV

STANDING ORDERS

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

- 26. (1) If the employer adopts the Model Standing Orders referred to in section 29 of the Code 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 have been adopted. The adopted Model Standing Orders shall apply to the industrial establishment and to all its units in the State of Assam.
- (2) On receipt of information in sub-rule (1), the Certifying Officer within a period of thirty days from such receipt may give his observation, that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the Model Standing Orders which have not been adopted and shall also direct the employer to amend the Standing Orders so adopted, by way of addition, deletion or modification within a period of thirty days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the Certifying Officer seeks to get so amended and such report shall be sent electronically or otherwise by the employer.
- (3) If no observation is made by Certifying Officer within a period of thirty days of the receipt of the information as specified in sub-rule (1) and (2), then, the Standing Orders shall be deemed to have been certified by the Certifying Officer.
- (4) Without prejudice to the provisions of the rule, the Certifying Officer shall not raise any observation if the industrial establishment is engaged in activities which are wholly covered by the adopted Standing Orders.

- (5) The provision of the Model Standing Orders opted in accordance of those rules shall remain in force with effect from the date specified in the sub-rule (1).
- Manner of choosing representatives of the workers where there is no Trade Union operating under clause (ii) of sub-section (5) of section 30
27. Where there is no Trade Union, negotiating union or negotiating council, as is referred to in clause (ii) of sub-section (5) of section 30, then, the Certifying Officer shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, forward a copy of the Standing Orders or modification, as the case may be, for comments, suggestions, objections, if any, which the workers may desire to make in the draft Standing Order to be submitted within fifteen days from the receipt of the notice in **Form-XV**.
- Manner of Authentication of certified Standing Orders under sub-section (8) of section 30
28. The Standing Orders or modification in the Standing Orders, certified in pursuance of sub-section (8) of section 30 of the Code shall be authenticated by the Certifying Officer, and shall be sent electronically or otherwise within a week from the date of such authentication to all concerned, but there shall not be any requirement of authentication under sub-section (3) of section 30 of the Code and in cases where the employer has certified adoption of model Standing Orders.
- Statement to be accompanied with draft Standing Orders under sub-section (9) of section 30
29. (1) The statement to be accompanied with the draft Standing Orders shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein in the industrial establishment including particulars of Trade Union to which such workers belong, in **Form-XVI**; and
- (2) Draft modification in the existing Standing Orders, shall contain the provisions of such Standing Orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provision of Standing Orders in force and proposed modification therein and reasons thereof in **Form-XVII** and such statement shall be signed by a person authorized by the industrial establishment or undertaking.
- Conditions for submission of draft Standing Orders by group of employers under sub-section (10) of section 30
30. In cases of group of employers engaged in similar industrial establishments, they may submit a joint draft Standing Order under section 30 of the Code and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade Union, negotiating union or negotiating council or five workers representatives from each industrial establishment in case no Trade Union exist:
- Provided that, the joint draft Standing Orders, in cases of group of employers engaged in similar industrial establishments, shall be submitted to the Labour Commissioner, Assam who shall, in consultation with the concerned Certifying Officers, certify or refuse to certify the said joint draft Standing Orders, after recording reasons therefore:
- Provided further that the Certifying Officer shall issue notice to all the concerned parties and ensure opportunity of being heard before certifying the Standing Orders.

Manner of disposal of appeal by the appellate authority under section 32

31. (1) An employer or Trade Union or negotiating union or negotiating council or where there is no negotiating union or negotiating council or representatives of workers of the establishment or undertaking desires of preferring an appeal against the order of the Certifying Officer given under sub-section (5) of section 30 of this Code within sixty days of the receipt of such order shall draw-up a memorandum of appeal in tabular form, stating therein the provisions of the Standing Orders which are required to be altered or modified or deleted or added and the reasons thereof and shall be filed electronically or otherwise to the appellate authority.
- (2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given,—
- (i) where the appeal is filed by employer to Trade Unions, the negotiating Union or negotiating Council, as the case may be or where there is no Trade Union to such representatives of the workers of industrial establishment;
 - (ii) where the appeal is filed by a trade union or negotiating union or negotiating council, to the employer, negotiating union or negotiating council and all the other Trade Unions or where there is no Trade Union to such representatives of the workers of industrial establishment;
 - (iii) where the appeal is filed by a representative of workers, to the employer, Trade Unions, the negotiating union or the negotiating council as the case may be.
- (3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.
- (4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.
- (5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called or consider to be relevant if produced and after hearing the parties dispose of the appeal;
- (6) The order of the appellate authority shall be sent electronically or otherwise to the employer or Trade Union or negotiating union or negotiating council or representatives of workers, as the case may be, by whom the appeal has been filed.

Language and manner of sending copies and maintaining Standing Order under sub-section (1) and sub-section (2) of section 33

32. The text of the Standing Orders as finally certified or deemed to have been certified under this Chapter shall be maintained by the employer in Assamese, English and the official language applicable to the locality and shall be posted at the portal and/or website of the industrial establishment and on a notice board maintained or near the main entrance of the establishment.

Register for Standing Order under section 34

33. (1) The Certifying Officer shall maintain electronically or otherwise, a register in **Form-XVIII** 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,-

- (i) the unique number assigned to each Standing Order;
- (ii) name of the industrial establishment;
- (iii) nature of the industrial establishment;
- (iv) date of certification or deemed certification or date of adoption of model Standing Order by each establishment or undertaking;
- (v) the areas of operation of the industrial establishment; and
- (vi) 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 therefore, on payment of five rupees or as may be notified by the Government time to time per page of the certified Standing Orders or deemed certified Standing Orders, as the case may be.
- Application for modification of Standing Order under sub-section (2) of section 35
34. The application for modification of an existing Standing Order under sub-section (2) of section 35 shall be submitted electronically or otherwise and contain the particulars of such Standing Orders which are proposed to be modified along with a tabular statement in **Form-XVII** containing details of each of the relevant provisions of Standing Order in force, and proposed modifications therein, and reasons thereof and details of the Trade Unions and such statement shall be signed by a person authorized by the industrial establishment or undertaking or workers or a Trade Union or other representatives of the workers as the case may be, who has submitted such application for modification.

CHAPTER V

NOTICE OF CHANGE

- The manner of giving of notice for the change proposed to be effected under clause (i) of section 40
35. (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-XIX** to such workers likely to be affected by such change, electronically or by speed post, or in person and shall also upload such notice on the designated portal if any of the establishment.
- (2) The notice referred to in sub-rule (1) above shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment or the electronic notice board:
- Provided that, where there is a registered Trade Union or negotiating union or negotiating council or any other 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

- Manner and Form of arbitration agreement under sub-section (3) of section 42
36. (1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in **Form-XX** and shall be signed by the parties to the agreement and accompanied by the consent of arbitrator or arbitrators as the case may be.
- (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 company or corporation authorized for such purposes;

- (ii) in case of Association of employers, officer of such association;
- (iii) in case of the workers, the officer of the registered Trade Union authorized in this behalf or by five representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose;
- (iv) in case of an individual worker, by the worker himself or by an officer of the registered Trade Union of which the worker is a member or by another worker in the same establishment duly authorized by him in this behalf.

Explanation: In case of a registered Trade Union or association of employers '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 or association of employers authorized in this behalf by the President and Secretary of the union or association as the case may be.

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

37. Where an industrial dispute has been referred to arbitration and the Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and upload it on the website of Department of Labour Welfare for the information of the employer 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.

Manner of choosing representatives if there is no Trade Union under clause (c) of sub-section (5) of section 42

38. Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators shall be chosen by a resolution passed by the majority, of concerned workers in **Form-XXI** 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.

CHAPTER-VII

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

JUDICIAL AND ADMINISTRATIVE TWO DIFFERENT CADRES

Terms and Conditions of members of Tribunal under sub-section (5) and filling up of vacancies under sub-section (9) of section 44

39. (1) Qualification for the appointment of Judicial Member of the Industrial Tribunal constituted under section 44 of the Code:

A person shall not be qualified for the appointment as a Judicial Member of the Industrial Tribunal, unless,-

- (i) he has been a judge of a High Court; or
- (ii) he has been a District Judge or Additional District Judge; or
- (iii) he has been a member of a State Judicial Service for not less than 7 years.

- (2) The Judicial Member shall be appointed by the Government on the recommendation of a Search-cum-Selection Committee comprising of the following members, namely:-
 - (a) Chief Justice of Gauhati High Court or Judge of Gauhati High Court;
 - (b) Chief Secretary to the Government of Assam;
 - (c) Senior Most Secretary of the Department of Labour Welfare;
 - (d) Senior Most Secretary of the Department of Industry and Commerce.
- (3) Qualification for the appointment of Administrative Member of the Industrial Tribunal constituted under section 44 of the Code:-

A person shall not be qualified for the appointment as an Administrative Member of the Industrial Tribunal unless he has held a post not below the rank of Secretary to the Government of Assam or an equivalent post in Assam Government or in the Central Government or in any State Governments.
- (4) The appointment of the Administrative Member shall be done by the Government of Assam on the recommendation of a Search-cum-Selection Committee comprising of the following members:
 - (a) Chief Secretary, Government of Assam or an officer nominated by him;
 - (b) Senior Most Secretary of the Department of Labour Welfare;
 - (c) Senior Most Secretary of the Department of Industry and Commerce;
 - (d) One expert of Labour Laws.
- (5) No business of Search-cum-Selection Committee shall be transacted at any quorum unless at least 3 (three) of the members are present.
- (6) 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 adjudicatory experience keeping in view of the requirement of the Industrial Tribunal, recommend a panel of two or three persons as it deems fit for appointment to each post.
- (7) No appointment of a Judicial Member or Administrative member shall be declared invalid merely by reason of a vacancy or absence of any member in the Search-cum-Selection Committee.
- (8) A Judicial Member or Administrative member shall hold office for a term of five years from the date on which he enters upon his office or till he attains the age of sixty-five years, whichever is earlier.

A Government Officer appointed as member of the Industrial Tribunal shall have to resign from the Government employment before joining as or Administrative member.
- (9) In case of casual vacancy in the office of Judicial Member or Administrative Member, the Government shall appoint the Judicial Member or Administrative Member of other Industrial Tribunal to officiate as Judicial Member or Administrative member, as the case may be.

- (10) (i) A Judicial Member or Administrative member shall be paid a salary of rupees 2,25,000/- (fixed) per month and shall be entitled to draw allowances as are admissible to an officer of the Government holding Group A post carrying the same pay;
- (ii) In case of appointment of retired Judge or retired officer as the case may be, his pay shall be reduced by the amount of pension drawn by him.
- (11) (i) In case of serving Judges, the service rendered in the Industrial Tribunal shall be counted for pension to be drawn in accordance with the extant rules of the service to which they belong and they shall be governed by the provisions of General Provident Fund (Central Service) Rules, 1960 and the rules for pension applicable to them;
- (ii) In case of retired Judges, they shall be entitled to join Contributory Provident Fund Scheme as per rules during the period of their re-employment and additional gratuity shall not be paid for the service rendered in the Industrial Tribunal.
- (12) In case of retired members, leave shall be admissible as are admissible to an officer of the Government holding Group A post carrying the same pay.
- (13) (i) the Government shall be the leave sanctioning authority for the Judicial Member or Administrative Member, as the case may be;
- (ii) the Government shall be the sanctioning authority for foreign travel to the Judicial Member or Administrative Member, as the case may be.
- (14) A Member of the Industrial Tribunals shall be entitled for rent free furnished accommodation or house rent allowance, Government Health Scheme facilities, Leave Travel Concession, Government vehicle or travelling allowance as admissible to an officer of the Government holding Group A post carrying the same pay.
- (15) No person shall be appointed as Member unless he is declared medically fit by an authority specified by the Government in this behalf.
- (16) (i) If a written and verifiable complaint is received by the Government, alleging any definite charge of or incapacity to perform the functions as Member, it shall make a preliminary scrutiny of such complaint;
- (ii) If on preliminary scrutiny, the Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any charge or incapacity of a Member, it shall make a reference to the Search cum Selection Committee to conduct the inquiry;
- (iii) The Search-cum-Selection Committee shall complete the inquiry within six months' time or such further time as may be specified by the Government;
- (iv) After conclusion of the inquiry, the Search-cum-Selection Committee shall submit its report to the Government stating therein its findings and the reasons therefore on each of the charges separately with such observations on the whole case as it may think fit;

- (v) The Search-cum-Selection Committee shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (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.

- (17) A Member may, resign his office at any time by giving notice to this effect in writing under his hand addressed to the Government:

Provided that, the Member shall, unless he is permitted by the 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.

- (18) The Government shall, on the recommendation of Search-cum-Selection Committee, remove from office any Member, who,-

- (a) has been adjudged as an insolvent; or
- (b) has been convicted of an offence which, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as such a Member; or
- (d) has so abused his position as to render his continuance in office prejudicial to the public interest;
- (e) has acquired such financial or other interest as is likely to affect prejudicially function as a member:

Provided that, where a Member is proposed to be removed, he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

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

- (20) Matter relating to the terms and conditions of services of the Member with respect to which no express provisions have been made in these rules, shall be referred to the Government for its decision, and the decision of the Government thereon shall be binding.

Matter in respect of which a conciliation officer, Tribunal shall have the same powers as are vested in a civil court under clause (d) of sub-section (3) of section 49

40. A Conciliation Officer, Judicial Member or an Administrative Member of the Industrial Tribunal in this behalf may, for the purposes of any conciliation or adjudication under the Code at any time and in the case of person so authorised, after giving reasonable notice in writing, may enter any building, factory, workshop, or other place or premises whatsoever, and inspect the same or any work machinery, appliance or article therein or enquire any person therein in respect of anything situated therein or any matter relevant to the subject matter of conciliation or adjudication, as the case may be.

The Conciliation Officer, may summon and examine any person whose evidence appears to it to be material and shall be deemed to be a civil court within the provisions of Bharatiya Nagarik Suraksha Sanhita 2023 Code.

Manner of holding conciliation

41. (1) When the Conciliation Officer receives any,-
- (a) notice of strike or lockout under section 62; or

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

- (b) application in respect of existing industrial dispute; or
 - (c) information regarding apprehended dispute,
- then, he shall –
- (i) in case of clause (a), enter the details on the designated portal or record it otherwise, issue the notices concerned parties the date and time for the meeting and hold conciliation;
 - (ii) in case of clause (b) or (c) enter the details on the designated portal or record it otherwise, issue the notices concerned declaring his intention to commence conciliation proceedings.
- (2) Parties to the dispute, on receipt of the notice referred in sub-section (1), shall submit their respective statements in respect of the said dispute in the first meeting of the conciliation proceedings.
 - (3) The Conciliation Officer shall, without delay, ascertain the facts and circumstances relating to the dispute and enquire into all matters affecting the merits and rights of settlement thereof and hold conciliation proceedings between the parties to 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 of the dispute.
 - (4) If a settlement of the dispute or of any of the matters in dispute is arrived at in the course of the conciliation proceedings, the Conciliation Officer shall, apart from submitting a report thereof to the Government along with a memorandum of the settlements signed by the parties to the dispute, also upload such report and memorandum of settlement on the designated portal of Department of Labour Welfare.
 - (5) If no settlement is arrived at in the conciliation proceeding, the Conciliation Officer shall, within seven days from the date on which the conciliation proceedings are concluded, upload a report on the designated portal of the Department of Labour Welfare and forward a copy thereof through electronic mode or by speed post or in person to the parties to the dispute and to the Government. The report shall be made accessible to the parties concerned on the said designated portal by the Department of Labour Welfare.
 - (6) The report referred to in sub-rule (5) shall, inter alia, contain the submissions of the employer, worker or Trade Union, as the case may be, involved in the dispute and it shall also contain the efforts made by the Conciliation Officer to bring the parties to an amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion arrived at by the conciliation officer.
 - (7) All the evidences before the Conciliation Officer, except the documentary evidence, shall be filed in the form of affidavit and the parties to the dispute shall also file the application or, as the case may be, reply or rejoinder thereof in the form of an affidavit.
 - (8) The Conciliation Officer shall conduct the proceedings expeditiously and in such manner as he may deem fit.
 - (9) Proceedings before the Tribunal:
 - (i) Where any dispute is not settled during the conciliation proceedings, then, either of the concerned parties to such

dispute may, within ninety days from the date of the report under sub-rule (5), make an online application in **Form-XXIII** with statement of claim with complete details along with the relevant documents, list of supporting documents and witnesses to the Tribunal through the designated portal of the Department of Labour Welfare or by speed post or in person;

- (ii) On receipt of the application referred to in sub-rule (i), the Industrial 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 such application is filed if not attached with application and a copy of such statement may be sent electronically or uploaded on the designated portal of the Department of Labour Welfare or through speed post, for service on each of the opposite parties to the dispute;
- (iii) The Industrial Tribunal shall, 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, fix the date of hearing as soon as possible and within a period of one month from the date of receipt of the application;
- (iv) The opposite party or parties shall file their written statement together with supporting documents along with the list thereof and list of witnesses, if any, within a period of thirty days from the date of the first hearing and simultaneously forward a copy thereof to the opposite party or parties electronically or upload on the designated portal of the Department of Labour Welfare;
- (v) Where the Tribunal is satisfied that any of the party to the dispute, despite its direction has, due to reasonable cause, failed to comply with the procedure for service provided under sub-rules (ii) and (iii) or sub-rule (iv), it shall direct the concerned party who is at default to furnish the copy of the statement or written statement, as the case may be, within fifteen days to the concerned party in accordance with the procedure specified in sub-rule (ii), or as the case may be, sub-rule (iv);
- (vi) Evidence shall be recorded or may be filled as an affidavit before the Tribunal and where an affidavit has been filed, the opposite party concerned shall have the right to cross-examine each of the deponents filing such affidavit;
- (vii) Where the oral examination of each witness proceeds, the Industrial Tribunal shall make a memorandum of the substance of what is being deposed and while recording the oral evidence, the Industrial Tribunal shall follow the procedure as laid down in the Code of Civil Procedure 1908 (5 of 1908);
- (viii) 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 date of closure of evidence;
- (ix) The Industrial Tribunal, shall, at the instance of the parties to the dispute and for reasons to be recorded in writing, not ordinarily grant an adjournment for a period exceeding a week at a time;

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

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

- (xi) The Industrial 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 of the Bharatiya Nagarik Suraksha Sanhita, 2023;
- (xii) Where assessors or experts are appointed to advise the Industrial Tribunal under sub-section (5) of section 49 in relation to a proceeding before it, the Industrial Tribunal, shall obtain the advice of such assessors or experts, as the case may be, but such advice shall not be binding on Industrial Tribunal;
- (xiii) The Industrial Tribunal or Arbitrator may, at any time, correct any clerical or arithmetical mistake or error arising from an accidental slip or omission in any proceedings, report, award or decision, either of its or his own motion or on application of any of the parties;
- (xiv) The Industrial Tribunal, shall communicate its award electronically to the parties concerned and to the Government, and upload it on the designated portal of the Department of Labour Welfare within seven days from the date of the pronouncement of such award;
- (xv) Every party to an award, who wants to obtain a copy of such award or other document may obtain a certified copy of the award or any other document filed in any proceedings of the Industrial Tribunal after depositing the fee notified by the Government, electronically;
- (xvi) The representatives of the parties appearing before Industrial Tribunal shall have the right of examination, cross-examination and of addressing such Industrial Tribunal when evidence has been called;
- (xvii) The proceedings before the Industrial Tribunal shall be held in open court:

Provided that, the proceedings before the Industrial Tribunal, at the request of the parties or of the directions of the Industrial Tribunal, may be held by video conferencing:

Provided further that Industrial Tribunal, at any stage of the proceeding direct that any witness shall be examined, or its proceedings be held, in-camera.

- (xviii) The Industrial Tribunal may, in the interest of justice and after recording reasons therefore, admit or accept any evidence at any stage of the proceeding before it.
- (10) Application for recovery of dues:
- (i) 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 of the Code, the worker or the group of workers, as the case may be, may apply in **Form-XXIV** for the recovery of such money due:

Provided that, in the case of a person authorised in writing by the worker, or in the case of the death of the worker, the assignee or heir of the deceased worker shall make the applications in **Form-XXV**.

- (ii) 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 Industrial Tribunal having jurisdiction, in **Form-XXVI** for the determination of the amount due or, as the case may be, the amount at which such benefit should be computed, and Industrial Tribunal shall decide the application within a period not exceeding two months from the date on which the application is filed:

Provided that, in the case of death of a worker referred to in this sub-rule, application shall be made in **Form-XXVII** by the assignee or heir of the deceased worker.

CHAPTER-VIII

STRIKE AND LOCK-OUT

Notice of strike under sub-section (4) of section 62

42. (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-XXVIII**, which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to the concerned industrial establishment, endorsing the copy thereof electronically or by speed post to the concerned Conciliation officer, Labour Commissioner and Department of Labour Welfare.
- (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 40.
- (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 or by speed post or in person to the concerned Conciliation Officer, Labour Commissioner and the Department of Labour Welfare.

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

43. (1) The notice of lock-out referred in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form-XXIX** to the Secretary of every registered Trade Union or group of workers relating to such industrial establishment by speed post or electronically endorsing a copy thereof to the concerned Conciliation Officer, Labour Commissioner and Department of Labour Welfare electronically.
- (2) The notice referred to in sub rule (1) shall be displayed conspicuously by the employer on a notice board or on an electronic board at the main entrance to the industrial establishment and a copy of the said

notice may also be posted on the designated portal, if any, of such industrial establishment and date of receipt of such notice by the Conciliation Officer shall be the date of receiving the notice for the purpose of sub rule (1).

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

CHAPTER IX

LAY-OFF, RETRENCHMENT AND CLOSURE

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

44. 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-XXX** to the Government, and the concerned Assistant Labour Commissioner and Labour Commissioner through e-mail or by speed post or in person in the following manner, namely-
- (i) 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;
 - (ii) 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
 - (iii) 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 concerned Assistant Labour Commissioner and Labour Commissioner, 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 the concerned Assistant Labour Commissioner and the Labour Commissioner within three days of the agreement.

Manner of giving an opportunity to the retrenched workers under section 72

45. Where 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 up such vacancy, then, the employer of such industrial establishment shall display on notice board of the industrial establishment the details of vacancies, offer an opportunity at least fifteen days by speed post and through e-mail to such retrenched workers who are citizens of India. If such workers give their willingness for employment then, the employer shall give them preference over other persons on the basis of their service seniority in filling up of such vacancy.

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

46. (1) If an employer intends to close down an industrial establishment, he shall give notice of such closure in **Form-XXXI** to the Department of Labour Welfare, Labour Commissioner and a copy thereof to the concerned Assistant Labour Commissioner by e-mail or speed post.
- (2) A copy of the notice referred in rule (1) shall also be sent to the registered Trade Unions or representatives of workers, as the case may be, operating in the industrial establishment.

CHAPTER-X

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

- | | |
|---|--|
| Manner of making application for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78 | 47. An application for permission under sub-section (1) of section 78 shall be made by employer in Form-XXXII to the Government and Labour Commissioner stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically and by speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on an electronic board at the main entrance of the industrial establishment. |
| Manner of applying to the appropriate Government for lay-off by the employer under sub-section (3) of section 78 | 48. The employer shall in case of an Industrial establishment specified in sub-section (3) of section 78 where the workers (other than 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 days from the date of commencement of such lay-off, apply in Form-XXXII to the concerned Labour Commissioner and the concerned Assistant Labour Commissioner through e-mail or, by speed post for permission to continue the lay-off. |
| Time-limit for review under sub-section (7) of section 78 | 49. The Government may, either on its own motion or on the application made by employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of section 78 within a period of thirty days from the date on which such order is made after providing the concerned parties an opportunity of being heard. |
| Manner of making application for retrenchment under sub-section (2) of section 79 | 50. An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in Form-XXXII to the Government stating clearly therein the reasons for the intended retrenchment electronically or otherwise and a copy of such application shall also be sent to the Labour Commissioner, concerned workers electronically and by speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on an electronic board at the main entrance of the industrial establishment. |
| Time-limit for review under sub-section (6) of section 79 | 51. The Government may, either on its own motion or on the application made by employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79 within a period of thirty days from the date on which such orders is made after providing the concerned parties and opportunity of being heard. |
| Manner of making application by the employer for intended closing down of an | 52. An employer who intends to close down an industrial establishment to which Chapter-X of the Code applies shall apply electronically or otherwise for prior permission at least ninety days before the date on which intended closure is to become effective to the Government in Form-XXXII , 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 |

undertaking of an industrial establishment under sub-section (1) of section 80

representatives of the workers electronically or by speed post and shall be conspicuously displayed by the employer on a notice board or on an electronic board at the main entrance of the industrial establishment.

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

53. The Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80 within a period of thirty days from the date on which such order is made after providing the concerned parties and opportunity of being heard.

CHAPTER XI

WORKER RE-SKILLING FUND

Contribution to the worker re-skilling fund under clause (b) of sub-section (2) of section 83

54. (1) The contribution from other sources for the Worker Re-Skilling Fund may be from the following, namely:-

- (i) Corporate Social Responsibility Fund within the meaning of the Company Act, 2013;
- (ii) Donation from Industries or Employer or Builders Association;
- (iii) Donation from the employees Association, or Trade Union;
- (iv) Any other source as may be notified by the Government.

(2) The Workers Re-skilling Fund shall be opened in every district.

Manner of utilization of fund under sub-section (3) of section 83

55. Every employer who has retrenched a worker or workers under this Code, shall, within ten days, at the time of retrenching a worker or workers electronically or otherwise, transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account. The fund so received shall be transferred by the Government to each worker or workers' individual bank account electronically or by speedpost or by email within forty-five days of receipt of funds from the employer and the worker shall utilize such amount for his re-skilling. The name of the account shall be displayed on the website of Department of Labour Welfare, Labour Commissioner. The employer shall also submit the list containing the name of each worker retrenched, the amount equivalent to fifteen days of wages last drawn in respect of each worker along with their bank account details to enable the Government to transfer the amount in their respective bank account.

CHAPTER XII

OFFENCES AND PENALTIES

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

56. (1) The officer notified by the 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, shall send a notice by speedpost or by email to the accused in **Form-XXXIII** consisting of three parts. In Part I of such Form, the Compounding Officer shall inter alia specify the name of the accused and his other particulars, the details of the offence and the section of the offence that 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 alphabets 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 by speed post and deposit the compounding amount electronically or by speed post, within fifteen 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 the 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-
- (i) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused; and
 - (ii) 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 shall 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 Government.

CHAPTER-XIII MISCELLANEOUS

- | | | |
|---|-----|--|
| Manner of choosing and recognizing of protected workers under sub-section (4) of section 90 | 57. | <p>(1) Every registered Trade Union functioning in an industrial establishment shall give to the employer the names and addresses of such officers of such Trade Union who are employed in the establishment who shall be recognized as protected workers before 30th April every year;</p> <p>(2) Any change in the incumbency of any officer of the Trade Union referred to in sub-rule (1) shall be communicated by such Trade Union within fifteen days of such change;</p> <p>(3) The employer shall, within fifteen days of receipt of the names, recognize such workers to be protected workers for a period of twelve months from the date of communication;</p> <p>(4) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers under section 90, the employer shall recognize only such maximum number of protected workers;</p> <p>(5) If there is more than one registered Trade Union in the establishment, the maximum number of workers shall be so distributed among the Trade Unions that the number of protected workers in the individual Trade Unions bears practicably the same proportion to one another as the total members of Trade Unions employed as worker in the industrial establishment;</p> <p>(6) Where a dispute arises between employer and any registered Trade Union in any matter connected with the recognition of protected worker such dispute shall be referred to Assistant Labour Commissioner or Labour Officer concerned, whose decision shall be final.</p> |
| Manner of making complaint by an aggrieved employee under section 91 | 58. | <p>(1) Every complaint under section 91 of the Code shall be made electronically and by speed post in Form-XXXIV and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.</p> <p>(2) Every complaint under sub-rule (1) above shall be verified by the employee making the complaint or by authorised representative of the employee proved to the satisfaction of the Conciliation Officer, arbitrator, Tribunal or the Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.</p> <p>(3) The person verifying the complaint shall specify, by references to the numbered paragraphs of the complaint, what he verifies of his own knowledge and what he verifies upon information received and believed to be true.</p> <p>(4) The verification shall be signed by the authorized person making it and shall state on which and the place at which it was signed.</p> |
| Manner of authorization for representing worker in any proceeding under sub-section (1) of section 94 | 59. | 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 in Form-XXI by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party. |

- | | | |
|--|-----|---|
| Manner of authorization of employer for representation in any proceeding under sub-section (2) of section 94 | 60. | Where the employer is not a member of any association of employers, an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged may be authorised in Form XXI to represent him in any proceeding under the Code relating to a dispute in which the employer is a party. |
| Repeal and savings | 61. | <p>(1) The Assam Industrial Dispute Rules, 1958, The Assam Trade Union Regulations, 1927 and The Assam Industrial Employment (Standing Orders) Rules, 1947 are hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done, any action taken or any order passed under these Rules so repealed shall be deemed to have been validly done, taken or passed under the corresponding provisions of these Rules so repealed.</p> |

FORM-I

[see rule 3(1) and 3(5)]

(Memorandum of settlement arrived at during conciliation/ or settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding)

Names of Parties:

..... Representing employer(s); /Phone No./ E-mail Address

..... Representing workers(s);/ Phone No./ Email-Address

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

.....

Witnesses:-

(1)

(2)

*Signature with seal of Conciliation Officer

Copy to:-

- (1) The Secretary to the Government of Assam, Labour Welfare Department.
- (2) Labour Commissioner, Assam, Shram Bhawan, Ulubari, Guwahati-781007
- (3) Assistant Labour Commissioner local area concerned
- (4) Conciliation Officer concerned.
- (5) Parties concerned

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 Labour Commissioner, Assam.

FORM-II
[see rule 9(3)]
Auditors' Declaration

The undersigned having had access to fill the books and accounts of the and having examined the foregoing statements and verified the same with the account vouchers relating thereto, now sign the same as found to be correct, duly vouched and in accordance with the law, subject to the remarks, if any, appended hereto and also certify that the had properly maintained its membership register and its accounts and the members had paid their membership subscription Rs. P to the as shown in the foregoing statement of the general fund account of the trade union, subject to the remarks, if any, appended hereto.

(1) Auditor

(2) Auditor

Register of Membership and subscription

[illegible]

FORM-IV
[see rule 10(1)]

Application for registration of Trade Union under the Industrial Relations Code, 2020.

To,

The Registrar of Trade Unions, Assam,
Shram Bhawan, Ulubari, Guwahati-781007

Date:

1. We hereby apply for registration of a trade Union under the name of
2. The address of the head office of the Union is:
.....Phone No.& Email-Address
3. The Union came into existence on the day of 20.....
4. The Union is a Union of employers /workers engaged in the Industry (for the profession).
5. The particulars required by section 7 of the Industrial Relations Code, 2020 are given in the Schedule – I
6. The particulars given in Schedule –II show the provision made in the Rules for the matter detailed in section 8(2) of the Industrial Relations Code, 2020(to be struck out in the case of Union 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 are given in Schedule –III.
7. We have been duly authorized to make this application by a resolution No.
adopted unanimously in the General Meeting of workers held on

Sl. No.	Name	Signature	Occupation	Address
1				
2				
3				
4				
5				
6				
7				

Schedule –I
List of officers

Sl. No.	Name	Age	Phone No.	Address	Occupation

Schedule –II

Matters	Number of Rules
Name of Union	
The whole of the purpose for which the Union has been established	
The whole of the purpose for which the General Fund of the Union shall be applicable	
The maintenance of list members	
The facilities provided for the inspection of the list of members by officers and members	
The admission of ordinary members	
The admission of honorary members or temporary members	
The Conditions under which members are entitled to benefits assured by Rules	
The manner in which the rules shall be amended, varied or rescinded	
The manner in which the members of the Executive and the other officers of the Union shall be appointed and removed	
The safe custody of funds	
The annual audit of the Accounts	
The facilities for the inspection of the Accounts Books by Officers and members	
The manner which the Union may be dissolved	

President.....
Or General Secretary.....
Official Seal of the Union

Schedule –III

FORM OF DECLARATION BY AFFIDAVIT
(Under Section 8(1)(a) of the Industrial Relations Code, 2020)

BEFORE THE REGISTRAR OF TRADE UNIONS, ASSAM

IN THE MATTER OF: Application for registration of.....
..... (Name of the Trade Union)

AFFIDAVIT

I,(Name of Deponent), son/daughter/wife of....., aged about years, residing at working as(Designation/Occupation), do hereby solemnly affirm and declare on oath as under:

1. That, I am the(President / General Secretary / Authorized Representative) of(Name of Trade Union) and am duly authorized by a resolution dated (DD/MM/YYYY) passed by the executive body of the said Union to make this declaration on its behalf.

2. That, (give no. of members) members of the Trade Union have duly subscribed their names to the Rules of the Trade Union.

3. That, on the date of application, the total number of members enrolled in the Trade Union is (Give number of members) which is more than 10% of the workers engaged in.....(Name of Establishment/Industry) with which the Trade Union is connected.

4. That, the rules of the Trade Union have been framed in strict conformity with the requirements set forth under Section 7 and Section 8 of the Industrial Relations Code, 2020.

5. That, all particulars, statements, list of members, rules, and details of office-bearers submitted along with the application for registration in Form IV are true, correct, and complete to the best of my knowledge and belief.

6. That, I undertake to furnish such further information, documents, or clarification as may be required by the Registrar of Trade Unions for the purpose of satisfying himself that the application for registration complies with the provisions of the Industrial Relations Code, 2020.

7. That in case of any legitimate claimant of union's name, we will surrender the certificate and change name of the union as per directions of the Registrar Trade Unions, Assam.

8. That, this is my true statement and no material fact has been concealed, suppressed, or misrepresented in the application or in this affidavit.

DEPONENT

Place :

Signature:.....

Date :

Name:.....

Designation:.....

Address:.....

VERIFICATION

Verified at on this day of, 20....., that the contents of paragraphs 1 to 8 above are true and correct to the best of my knowledge, information, and belief. No part of it is false, and nothing material has been concealed there from.

DEPONENT

(Signature and Seal of the Deponent)

Solemnly affirmed and signed before me on this day of, 20....., at,

NOTARY PUBLIC / EXECUTIVE MAGISTRATE
(With Seal and Stamp)

FORM-V
[see rule 10(3)(i)]

(Notice of any change in the name of a Trade Union)

Name of the Trade Union already registered:

Registration No:

Address:

Phone No. / Email-Address:

To,

The Registrar of Trade Unions, Assam,
Shram Bhawan, Uhubari, Guwahati-781007

1. Notice is hereby given as required under that the provision of Section of the said Code having been complied with name of the abovementioned Trade Union has been changed to

2. The above, mentioned decision was reached at a meeting of the Union held on The total number of members on the register of members on that date was..... out of this total number of members attended the meeting and members gave their consent to the change of name.

3. A true copy of the resolution authorized the undersigned members to give this notice passed at the same meeting is also enclosed.

4. The Certificate of registration is enclosed.

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

Dated this

(Signature)

President

Or General Secretary.....

Official Seal of the Trade Union

FORM-VI

[see rule 11]

Register of Trade Unions

Serial No.							
Name of Union Address of Head office Date of Registration Phone No. & Email:	Year of entered on office	Name	Age entry	Address	Occupation	Year of relinquishing office	Other office held in additional member slip of executive with date.
1. Number of application form 2. List of members applying for registration 1. 2. 3. 4. 5. 6. 7.							

FORM-VII
[see rule 12(1)]

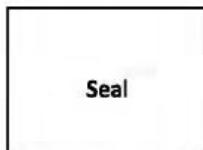
Certificate of Registration

No.

It is hereby certified that the Trade Union (name).....

..... (Address of the Union) has been registered under

Chapter –III of the Industrial Relations Code, 2020 on this day of20.....



Signature of Registrar of Trade Unions, Assam

FORM-VIII
[see rule 12 (2)]

Application for the withdrawal or cancellation of the certificate of registration

Name of Trade Union:

Registration No.:

Address:

.....

Phone No.& E-mail

Dated the day 20

1. The Registrar of Trade Unions, Assam
2. The above-mentioned Trade Union hereby applies for the withdrawal or cancellation of its certificate of registration issued to it under the Industrial Relation Code, 2020. A statement of the reason for the withdrawal or cancellation of the certificate of registration duly signed by the President or the General Secretary is enclosed.
3. This decision was reached at the General Meeting of the Trade Union held on and a copy of the resolution of the meeting embodying this decision and authorizing the undersigned to make this application is also enclosed.
or
A majority of the members of the Union are in favour of this application
4. The Undersigned declare that the statements made herein are true to the best of their knowledge and belief.
5. The certificate of registration is enclosed.

President
or General Secretary

Sl. No.	Name of the Members	Occupation & address of place work	Signature

FORM-IX
[see rule 12(4)]

Statement of Assets and Liabilities			
1. Liabilities	Rs.	2. Assets	Rs.
2. Amount of General Fund		Cash in hand with Treasurer	
3. Amount of Separate Fund		(i) in hand with Secretary	
		(ii) In hand of (any other office bearers/ Members)	
		(iii) In the bank	
		(iv) Securities as per list	
		(v) Below due for	
		(a) The year	
		(b) The Previous	
		Lost	
		(a) Office bearers	
		(b) Members	
		(c) Others	
4. Immovable properties good and furniture, other asset (to be specified)			

FORM-X

[see rule 21]

**(Application for Adjudication of disputes of Trade Unions)
Before the Industrial Tribunal..... (Name and Place)**

Whereas dispute arises between

(A) Name & Address & 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 corrected with relevant to the dispute under sub section (1) of Section 22 of Industrial Relations Code, 2020.

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

Place :

Date :

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

FORM-XI

[see rule 22(2)]

Notice of amalgamation of Trade Union

To,

The Registrar of Trade Union, Assam.

Notice is hereby given that in accordance with the requirement of Rule 22 (2) of the Assam Industrial Relations rule, the members of each of the below mentioned Trade Union have resolved to become amalgamated together as one Trade Union, henceforth to be called and its registered office will be located at

1. Votes of the members of each and every of these unions are taken and the votes of not less than fifty percent of the total number of members of each and every union entitled to vote were recorded of the votes recorded not less than 60 percent were in favour of amalgamation.

2. The number of members of each union and the members who have voted in favour of the amalgamation.

Trade Union	No. of members	No. of members who voted in amalgamation
-------------	----------------	--

1.

2.

3.

4.

5.

The following are the term of said amalgamation.

Phone No. and E-mail of Unions:

FORM-XII

[see rule 23(1)]

(Notice of dissolution of a Trade Union)

Name of the Trade Union:

Registration No:

Dated the day of 20.....

To,

The Registrar of Trade Unions, Assam

Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the Rules thereto on the day of 20.....

or

Notice is hereby given that the following rules of the trade union given under Schedule I are proposed to be amended in pursuance of the Rules thereof on the Day of 20.....

We have dully authorized by the union to forward this notice on its behalf, such authorization consisting of a resolution passed at a general meeting on the day of 20, copy of which is enclosed.

(Signed) 1.
2.
3.
4.
5.

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

Application for declaring the Trade Union as Negotiating Union or Member of the Negotiating Council

Name of the Union:

Address:

Dated:

To,

The Registrar of Trade Unions, Assam.

Sir,

I beg to state that the above-mentioned Trade Union is to be declared as Negotiating Union/ as the member of the Negotiating Council for the Industrial Establishment, namely address under sub section 3 and 4 of section 14 of the Industrial Relation Code, 2020 and I request that it may be registered accordingly in the records of the Register. A copy of the particulars and other documents in this behalf signed by the authorised person is enclosed.

1. The Union was registered on the Day of 20.... Under Certificate No. issued by the Registrar of Trade Unions of Assam.
A Copy of rules of the Union is attached.
2. The Address of the Head office of the Union to which all the communication may be addressed is
3. The Union has members in the Industrial Establishment named above and represents..... per cent of the total number of employees employed in the Industrial Establishment named.

Yours faithfully,
Authorised Signatory

FORM-XIII
[see rule 24(1)]
Annual Return of Trade Union

ANNUAL RETURN FOR THE YEAR

PART-A

1. Name of the Union :
2. Address of the Union :
3. Registered Head Office :
4. Number & Date of Certificate of Registration :
5. Classification of Industry (to be shown as per
Schedule of the industries attached) :
6. Classification of sector :
 - (a) Public sector central sphere :
 - (b) Public sector state sphere :
 - (c) Private Sector – central sphere :
 - (d) Private sector-state sphere :
7. Name of the all India Body, Federation with affiliates :
8. Affiliation Number :
9. Affiliation fee paid during the year :
10. Number & Date of receipt for Payment of affiliation fees :
11. Membership per month :
12. Number of member on back at the beginning of the year :
13. Number of members admitted during the year :
14. Number of members who left during the year :
15. Number of members on book at the end of the year Male Female ...
(i.e. or 31st December) Total
16. Number of members contribution to the Separate fund :
17. Number members who paid their subscription for the whole year :
18. A copy of the rules of trade union connected up to date if
despatch of this return is appended. :
19. Part 'B' of the Return overleaf has been duly completed :

Secretary
Seal and Signature:
Date:

PART-B

[(I) GENERAL FUND ACCOUNT]

<u>INCOME</u>	Rs.	<u>EXPENDITURE</u>	Rs.
Balance at beginning of the year		Salaries and allowances of office bearers	
Subscription from Members		Travelling Allowances, Salaries,	
(including unpaid subscription due		Allowances and Expenses of	
for the year)		Establishment	
		Auditor's Fees	
(a) Subscription		Legal Expenses	
Received admission Fees		Expenses in conducting Trade Dispute	

(b) Subscription in Arrears for more than three months	Compensation paid to members for loss arising out of trade disputes
Donation	
Sales of periodicals, Books etc.	Funeral, old age, sickness, unemployment benefit etc.
Interest on Investment	Educational, Social and Religious benefit
Income from miscellaneous Sources (to be specified)	Cost of publishing periodicals Rents, rates and taxes, expenses incurred under rule 20 of the Industrial Relations (Assam) Rules, 2026 (to be specified)
	Other expenses (to be specified)
	Balance at the end of the year
	Cash in hand
Total	Total

(II) SEPARATE FUND ACCOUNT

<u>INCOME</u>	Rs.	<u>EXPENDITURE</u>	Rs.
Balance at beginning of the year		Payment made or objects specified in rule 21 of the Industrial Relations (Assam) Rules, 2026 (to be specified)	
		Expenses of Management (to be specified)	
Total		Total	

TREASURER**(III) STATEMENT OF ASSETS AND LIABILITIES OF THE 31ST DAY OF DECEMBER**

<u>LIABILITIES</u>	Rs.	<u>ASSETS</u>	Rs.
Amount of General Fund		Cash	
		in hand of Treasurer	
		in hand of Secretary	
		in hand of	
		in the Bank	
		in the Bank	
		Securities as per list	
		Below;	
		Duc for	
		(a) The year	
		(b) The previous year	
		Lost	
		(a) Office Bearer	
		(b) Members	
		(c) Others	
		Immovable property goods and furniture,	
		Other assets (to be specified)	
Total Liabilities		Total Assets	

(IV) LIST OF SECURITIES**PARTICULARS, NOMINAL VALUE, CASH PRICE,**

MARKET PRICE AT DATE ON
WHICH ACCOUNTANT HAVE
BEEN MADE

TREASURER**(V) AUDITORS REPORT**

We have audited the foregoing General Fund Account'

In part 'B' and 'Separate Account 'C' of the

..... (Name of Trade Union the year ending 31.12 and the
statement if Liabilities and Assets in part O and the List of Securities in part E of the said Trade
Union

as on 31.12 and that.

1. We have obtained all the information and explanations have had the access to at the best and accounts of the Trade Union which were necessary for the purpose of our union.
2. The Trade Union has properly maintained its membership register and its books of accounts as required by law.
3. Subject to whatever remarks or qualification the auditor wants to make an opinion and to the best of our information and according to explanation given to us the forgoing account statement and list have been properly drawn up and they give true and correct view of income, expenditure, assets and liabilities of the Trade Union.

Note: if the statement of account is such the auditors is unable to express the opinion of the true and correct aspect of the accounts, statement and the list, he should state his reason therefore.

- 1.
- 2.

Auditor

(auditor authorised under rule 9 of the Assam Industrial Relations Rules, 2026)

(VI) OFFICE BEARERS RELINQUISHING OFFICE

The following change of office bearers have been made during the year

Name	Office	Date of relinquishing Office
------	--------	------------------------------

(ADDITIONAL INFORMATIONS)**QUESTIONNAIRE NO. 1****Annual Reports of Labour Organization Final position**

1. Income of each month of year

January	:
February	:
March	:
April	:
May	:
June	:
July	:
August	:
September	:
October	:
November	:
December	:

Total :

2. Expenditure during each month of the year

January	:
February	:
March	:

April	:
May	:
June	:
July	:
August	:
September	:
October	:
November	:
December	:

Total	:
--------------	----------

3. Cash payments, if made to the members for the following purpose during year

- (a) Death benefit
- (b) Strike benefit
- (c) Employment benefits
- (d) Sickness & Accident benefit
- (e) Old age pension
- (f) Any other benefits

4. Sources from which these benefits are paid

The Trade Unions,

Described generally the activities in which the Trade Union is engaged drawing on the information on the following lines.

- 5. Representation of the grievances of the workers to employer's details should be given of the relief obtained if any, number of case.
- 6. Help given to the workers in obtaining relief under the Payment of Wages Act and the Maternity Benefit Act.
- 7. Education, medical or other types of co-operative activities in which the Trade Union was engaged.
- 8. Propaganda, any newspaper conducted by the Trade Union State its policy social activities organized.
- 9. Statistical investigation, if any undertaken by the Trade Union for studying the problems of labour e.g. particulars of working condition, housing etc.

INDUSTRIAL DISPUTE**10. Cases of statement of industrial disputes**

- (i) By means of collective bargaining agreements through the Agency of Trade Union
- (ii) Strike conducted by the Trade Union
 - (a) Successful
 - (b) Partially successful
 - (c) Failures
 - (d) Token strike

QUESTIONNAIRE NO. 2

Description and nature of labour organization

- 1. Name of all India Federation to which the union affiliated :
- 2. If the Trade Union is a provincial federation give the number :
and the name of the trade union affiliated
- 3. Give the membership of the Trade Union : Male :
Female :
- (a) Total number of members :
- (b) Of these numbers unemployed if any
- 4. Constitution of the Trade Union
- 5. What are the Occupation or Industries which the Trade Union :
leaders cover
- 6. Are the leaders drawn from the workers? If not wholly, give :
the extent to which they are

(VII) OFFICER APPOINTED

Name	Date of Birth	Private address	Personal Occupation	Title of position held in Union	Date of Appointment	Other Office held in addition to membership of executive with date
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(VII) Election

Date of last election of the office bearers

Secretary

Date of next election of office bearers

GENERAL FUND ACCOUNTS ANALYSIS OF INCOME BY SOURCE

Sl. No.	Name of Trade Union and Activities	Contribution from members	Donation	Sales of periodicals books, rules etc.	Interest on investment	Income from misc. sources	Total income	Remarks
1	2	3	4	5	6	7	8	9

**MAJOR INCOME AND COL 7 TO BE SPECIFIED
GENERAL FUND ACCOUNT (DISTRIBUTION EXPENDITURE)**

Sl. No.	Salaries & Allowances expenditure of officer	Expenses of establishment	Auditors fees	Legal expenses	Expenses in conducting trade disputes	Compensation paid to members for loss arising of Trade Dispute
1	2	3	4	5	6	7

Funeral old age sickness unemployment	Educational Social religious benefits	Cost of Publishing periodicals	Other expenses	Total Expenditure	Remarks
8	9	10	11	12	13

FORM-XIV
[See Rule 25 (4)]

APPLICATION FORM FOR RECOGNITION AS 'ASSAM STATE TRADE UNION ORGANISATION' / FEDERATION OF TRADE UNIONS AT THE STATE LEVEL

To,
The Registrar of Trade Unions, Assam,
Shram Bhawan, Guwahati-781007

PART A: BASIC INFORMATION

Name of the Trade Union / Federation:
Address of the Head Office / Registered Office:
Registration No. & Date :
Affiliation Details (if the applicant is a Federation):
Name of Affiliated Unions: (Attach separate sheet if necessary)
Total number of affiliated units in the State of Assam:
Total number of districts covered :

PART B: ELIGIBILITY CRITERIA VERIFICATION

Total Verified Membership in the State of Assam:
Total Paid Members:
Geographical Spread / Operational Reach:
Number of Districts in Assam where the Trade Union/Federation has active :
List of Districts:
.....
.....

Diversity of Industrial Establishments: (yes/no)
Number of different types of industrial establishments represented:
(Brief details/categories of industries:

PART C: DOCUMENTS ATTACHED CHECKLIST

1. Copy of the valid Trade Union Registration Certificate.
2. Updated copy of the Constitution/Rules of the Trade Union or Federation.
3. Certified statement of membership verified across districts and industrial sectors.
4. Annual Return submitted for the preceding financial year under the Industrial Relations Code, 2020.
5. Resolution passed by the Executive Body/General Body of the Trade Union or Federation seeking State-Level Recognition.

DECLARATION

I/We hereby declare that the particulars given above are true, correct, and complete to the best of my/our knowledge and belief. I/We undertake to abide by the provisions of the Industrial Relations Code, 2020 and the Assam Industrial Relations Rules, 2026 as amended from time to time.

Signature of the President / General Secretary:
(Name & Designation):
Seal of the Trade Union / Federation:
Place:
Date: ____ / ____ / ____

FORM-XV

[see rule 27]

OFFICE OF THE CERTIFYING OFFICER, ASSAM

"Shram Bhawan, Ulubari, Guwahati-781007"

No.

Dated, the 20.....

I,, Certifying Officer, Assam, forward herewith a copy of the draft Standing Orders proposed by the employer for adoption in the industrial establishment and submitted to me for certification under the Industrial Employment (Standing Orders) Act, 1946. Any objection which the workmen may desire to make to the draft Standing Orders should be submitted to me within fifteen days from the receipt of this notice.

Certifying Officer and Labour Commissioner, Assam.

To,

The Secretary..... Union.

Name.....

Representatives elected under

Occupation Address

Signature of the Certifying Officer

FORM-XVI

[see rule 29(1)]

Particulars to be submitted along-with Draft Standing Orders

[section 30(9) of the Industrial Relation Code, 2020]

Dated 20.....

To,

The Certifying Officer, Assam,
ShramBhawan, Ulubari, Guwahati-781007

Sir,

Under the provisions of section 30(9) of the Industrial Relation Code, 2020, I enclose five copies of the draft Standing Orders proposed by me for adoption in
..... (Name)

Address Email Address

Contact No. Number of workers (in details) in Form A, B and C

The said establishment own/control by me with the request that this order may be certified under the terms of the code.

.....
(Signature)

Employer

.....

Manager

Phone No.& E-mail:

FORM-A

Matters which shall
be provided for
in the Standing Orders

Orders where Provided

Reference to the
paragraph or clause
of the Standing

1

2

1. Classification of workmen, e.g., whether permanent, temporary, apprentice, probationers, or badlis.
2. Manner of intimating to workmen periods and hours of work, holidays, pay-days and wage rates.
3. Shift working.
4. Attendance and late coming.
5. Conditions of, procedure in applying for, and the authority which may grant, leave and holidays.
6. Requirement to enter, premises by certain gates and liability to search.
7. Closing and re-opening of sections of industrial establishment, temporary stoppages of work and the rights and liabilities of the employer and workmen arising there from.
8. Termination of employment, and the notice thereof to be given by employer and workmen.
9. Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct.
10. Means of redressal for workmen against unfair treatment or wrongful exactions by the employer or his agent or servants.
11. Any other matter which may be prescribed.

FORM-B

(Standing Orders - Establishment other than Plantations)

Total number of workmen employed	Number of permanent workmen	Number of temporary workmen	Number of badlis or substitutes	Number of probationers	Number of apprentices	Remarks

FORM-3

(Standing Orders - Establishment other than Plantations)

Name of trade Union which represent the workmen	Address in full	Approximate Number of workmen it claims to represent	Whether recognized by the employer	Remarks

FORM-XVII

[see rule 29(2) & 34]

(Draft Modification in Standing Order)

The Certifying Officer, Assam

Sl. No.	Relevant Provision of Standing Order	Proposed Modifications	Reason

Signature of Employer

Phone No.& E-mail:

CC to:-

The Deputy Labour Commissioner, Assam, Shram Bhawan, Ulubari, Guwahati-781007

NB: All required documents prescribed in the rule to be submitted

Number of Modifications	Justification

Signature of Secretary and members

Phone No.& E-mail:

FORM-XVIII

[see rule 33(1)]

Register of Standing Orders

the unique number assigned to each standing order	name of the industrial establishment	nature of the industrial establishment	date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking	the areas of operation of the industrial establishment; and	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
---	--------------------------------------	--	--	---	---

FORM-XIX

[see rule 35(1)]

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

Name of employer.....

Address.....

Dated theday of 20.....

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

Signature

Designation

Phone No.& E-mail:

ANNEXURE

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

Signature of the Employer:

Name of the Industrial Establishment:

Date:

Copy forwarded to:-

1. The Labour Commissioner, Assam, Shram Bhawan, Ulubari, Guwahati-781007
2. The Secretary of registered Trade Union, if any.

FORM-XX
[see rule 36(1)]

(Agreement for voluntary arbitration)

BETWEEN

..... Name of the parties representing employer (s) / Phone No.& Email

and Representing worker/ Phone No. & Email:

It is hereby agreed between the parties to refer the following dispute to the arbitration of [here specify the name(s) and address(es) of the arbitrator(s)].

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

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

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

Signature of the parties Representing employer/ Representing worker/Workers

Witnesses

1.

2.

Copy to:-

- (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned]
- (ii) The Labour Commissioner, Assam, Shram Bhawan, Ulubari, Guwahati-781007

FORM-XXI

[See rule 38, 59 & 60]

(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)

.....worker(s)

Versus

.....Employer(s)

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.....

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

Accepted

FORM-XXII
[see rule 39(19)]

**Form of Oath of Office for Judicial Member or Administrative Member
(whichever is applicable) of National Industrial Tribunal**

I,, having been appointed as Judicial Member/ Administrative Member (whichever is applicable) of National 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 National 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-XXIII

[See rule 41(9)(i)]

(Application to be submitted before the Tribunal in the matter not settled by the Conciliation Officer)

Before..... (here mention the name of the Tribunal having jurisdiction over the area) In the matter of:

..... Applicant

Address.....

Versus

..... 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.

Date:

Place:

Form-XXIV

[See rule [41(10)(i) & (ii)]]

(Application for recovery of money due under sub-section (1) of section 59 of the Industrial Relations Code, 2020)

To,

(1) The Secretary to the Government, Labour Welfare Department, Govt of Assam

(2) The Divisional Labour Commissioner (here insert the name of the region).

Sir,

I/We have to state that I am/we are 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/We further state that I/we served the management with a demand notice by speed 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 from 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:

ANNEXURE

[(Here indicate the details of the amount(s) claimed.)]

FORM XXV
[See rule 41(10)(i)]

(Application by a person authorised 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, Labour Welfare Department, Govt of Assam

(2) The Divisional Labour Commissioner(here insert the name of the region).

Sir,

I Shri/Shrimati.....have to state that Shri/Shrimati.....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 speed post onfor 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 authorised 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.....

Date.....

Address.....

Signature of the authorized person/assignee/heirs

ANNEXURE
(Here indicate the details of the amount claimed.)

FORM-XXVI
[See rule 41(10)(ii)]

**(Application for determination of the amount due under sub-section (2) of section 59
of the Industrial Relations Code, 2020 (35 of 2020))**

Before the State Government Industrial Tribunal at.
..... between..... and.

(1) Name of the applicant(s)

(2) Name of the employer

The petitioner(s)a worker ofM/s.of
.....The 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-XXVII

[See rule 41 (10)(ii)]

(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 State Government Industrial Tribunal at Between

(i) Name of the applicant/applicants

(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-XXVIII

[see rule 42(1)]

(Notice of Strike to be given by 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 (4) of section 62 of the Industrial Relation Code I/We hereby give you notice that I propose to call a strike / we propose to go on strike on/from.....to....., for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Union)

Phone No.& Email.....

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

ANNEXURE

Statement of the Case

FORM-XXIX

[see rule 43(1)]

(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(6) of this code, I/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.....

Phone No. & Email:

ANNEXURE

Statement of Reasons

Copy forwarded to:-

- (1) The Labour Commissioner, Assam, Shram Bhawan, Ulubari, Guwahati - 07
- (2) The Secretary of the Registered Union, if any
- (3) Conciliation Officer [Here enter office address of the Assistant Labour Commissioner of the concerned area/ Deputy Labour commissioner/ Labour Commissioner]

FORM-XXX

[see rule 44]

(Notice of Retrenchment/ Closure to be given by an employer to State Government)

[Where Part II of the notice is applicable it must be served at least 90 days before the closure)]

Name of employer:-.....

Address:-.....

Dated:.....day of..... 20.....

Phone No.& E-mail:

To,

The Secretary to the Government of Assam,

Labour Welfare Department,

Janata Bhawan, Dispur, Guwahati-781006

Sir,

(Application for employee stating reason of retrenchment)

To,

The Labour Commissioner, Assam,

Shram Bhawan, Ulubari, Guwahati-781007

Sir,

Under rule 45 of the Assam Industrial Relation Rules, 2026, I/We hereby inform you that I/We have laid off out of a total of..... workmen employed in the establishment with effect from for the reasons explained in the Annexure.

2. Such of the workmen concerned as are entitled to compensation under section 67 of the Industrial Relations Code, 2020, shall be paid compensation due to them.

Yours faithfully,

Phone No.& Email:

Annexure**Statement of Reason****Part I****(Retrenchment)**

1. Under sub sec (a) of section 70 of the Industrial Relation Code, I/We hereby inform you that I/we have decided to retrench (No.) workers with effect from for the reasons explained in the Annexure.

2. The workers concerned were given one month's notice on20... in writing as required under clause (a) of section 70 of this code.

3. Retrenchment is being effected in pursuance of an agreement, a copy of which is enclosed. The workers were given one month pay on the20.... in lieu of notice as required under clause (a) of section 70 of this Code.

4. The total number of workers employed in the industrial establishment is and the total number of those who will be affected by the retrenchment are

FORM-XXXI

[see rule 46(1) & 52]

(Notice of Retrenchment/ Closure to be given by an employer to State Government)

[Where Part II of the notice is applicable it must be served at least 60 days before the closure)]

Name of employer
 Address.....
 Datedday of..... 20.....
 Phone No.& E-mail:
 To,
 The Secretary to the Government of Assam
 Labour Welfare, Department
 Janata Bhawan, Dispur, Guwahati-781006

Sir,

Part – II
(Closure)

1. Under section 74(1) of the Industrial Relation code, I/We* hereby inform you that I/We have decided to close down (name of the establishment/ undertaking) with effect from(date) for the reason's explained in the annexure.

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

- a. Number of workers
- b. Category and designationof workers,
who are laid off/ to be retrenched/ to be terminated due to closure.

I/We hereby declare that the worker/workers concerned has/ have been/ shall be paid compensation due to them under section 70/section 75 of this code /the expiry of the notice period.

Yours faithfully,

(Name & Designation of the employer/
 Representative)
 Phone No.& Email:

ANNEXURE**Statement of Reasons**

Copy to:-

- (1) The Labour Commissioner, Assam, Shram Bhawan, Ulubari, Guwahati - 07
- (2) Assistant Labour Commissioner of the concerned area.

FORM-XXXII

[see rule 47, 48, 50 & 52]

[Form of application for permission to **Lay-off, Retrenchment, Closure** in industrial establishments to which provisions of Chapter X of the Industrial Relation Code 2020 applies]

To,
The Secretary to the Government of Assam,
Labour Welfare Department,
Janata Bhawan, Dispur, Guwahati-781006.

Sir,

*1. Under *sub-section (2) of section 78 of the Industrial Relation Code, I/we hereby apply for "permission to lay-off/ permission to continue Lay off workers of a total of workers employed in my/ our establishment with effect from for the reasons set out in the Annexure.

*2. Under sub-section (2) of section 79 of the Industrial Relation Code 2020, I/we hereby apply for permission for proposed retrenchment of (no.) workers with effect from for the reasons set out in the Annexure.

The workers *concerned have been given notice in writing as required under clause(a) of sub-section (1) of section 79 have not been given notice since the retrenchment is under an agreement (copy of which is enclosed) as provided in the proviso to the said clause.

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

*3. Under section 80(1) of the Industrial Relation code, I / we hereby inform you that I/we propose to **close down the undertaking specified below of (name of the industrial establishment) (Give details of the undertaking)with effect from..... for the reasons explained in the Annexure.

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

Permission is solicited for the lay-off/ to continue Lay off, or retrenchment of the workers, or, closure of the said establishment.

All Such workers permitted to be laid-off/ retrenched or terminated due to closure will be paid such compensation, to which they are entitled under section 67 read with section 78(10) or 79(9) or 80(8) or on expiry of the notice period respectively of this Code as per the details given below:-

Yours' faithfully

(Signature)

Phone No.& Email:

(*Strike off which is not applicable)

(**The application for permission in case of closure must be given at least 60 days before of the intended closure)

ANNEXURE- I

Category & designation of the workers to be retrenched	Number of workers	
	Employed	To be retrenched
(1)	(2)	(3)

ANNEXURE- II

(Please give replies against each item)

1. Name of the undertaking with complete postal address, including telegraphic address and telephone number.	
2. Status of the undertaking - (i) Whether Central public sector/ State public sector/ foreign majority company joint sector, etc. (ii) If belongs to large industrial house, please indicate the controlling group; and if a foreign majority company, indicate the extent of foreign holdings, (iii) Whether the undertaking is Licensed/ registered and if so, name of licensing/ registration authority and license/ registration certificate numbers.	
3. (a) *Names and addresses of the affected workers proposed to be laid-off/ retrenched/ to be affected by closure and the dates from which each of them to be laid-off/ retrenched/ affected by closure. (b) The nature of the duties of the workmen referred to in sub-item (a) the units/ sections/ shops where they are or were working and the wages drawn by them.	
4. (i) Annual production item wise for pre-ceding three years - (ii) Production figures, month-wise, for the preceding twelve months,	
5. Number of working days in a week with the number of shifts per day and the strength of workers per each shift.	
6. Balance sheets, profit and loss accounts and audit reports for the last three years.	
7. Financial position of the company	
8. Names of the inter-connected companies or companies under the same management.	
9. (i) The total number of workers (category wise), and the number of employees other than workmen as defined under the Code employed in the undertaking, (ii) Percentage of wages of workmen to the total cost of production.	
10. Details of lay-off/ Retrenchment resorted to in the last three years (other than the lay-off/ Retrenchment for which permission is sought), including the periods of such lay-offs/ Retrenchment the number of workmen involved in each such lay-off/ Retrenchment/ continuation of lay off	

FORM-XXXIII

[see rule 56(1)]

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

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

PART - I

1. Name and Address of the offending 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 (15) days from the date of issue of this notice for compounding of the offence as per section 89 (1) of the Industrial Relation Code, 2020, along-with an application duly 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 the provisions of this Code shall be issued.

Date:

Place:

(Signature of the Compounding Officer)

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

1. Name of applicant (name of the employer who committed the offence under the Industrial Relation Code 2020 to be mentioned) ..
2. Address of the applicant ..
3. Particulars of the offence ..
4. Section of the Code under which the offence has been committed ..
5. Details of the compounding amount deposited (electronically generated receipt to be attached) ..
6. Details of the prosecution, if filed for the violation of above-mentioned offences may be given ..
7. Whether the 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)

FORM-XXXIV

[see rule 58(1)]

(Complaint under section 91 of the Industrial Relations Code)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National 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 Relations Code, as shown below:-

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

The complainant(s) accordingly prays/ pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National 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 Relations Code are submitted herewith.

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

Signature of the Complainant(s)**Verification:**

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

Signature

or

Thumb impression of the person verifying

Phone No. & Email:

NARSING SAMBHAJI PAWAR,
Secretary to the Government of Assam,
Labour Welfare Department.