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HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 5th May, 2026

No.2/28/2026-2Lab— Whereas, subsequent to the enactment of The Industrial Relations Code, 2020 (35 of 2020) (in short, the said Code) by Parliament, the draft Industrial Relations (Haryana) Rules, 2021 were published in the Gazette of Haryana *vide* Notification number No. 02/10/2021-2lab., dated 17th September, 2021 inviting objections and suggestions as required under section 99 of the said Code;

And whereas, *vide* notification number S.O. 5320 (E), dated 21st November, 2025, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (ii), all the provisions of the said Code have been brought into force;

Now therefore, the following draft rules, which the Haryana Government proposes to make in exercise of the powers conferred by section 99 of The Industrial Relations Code, 2020 (35 of 2020) read with section 24 of the General Clauses Act, 1897 (10 of 1897) and in supersession of the –

- (i) the Industrial Disputes (Punjab) Rules, 1958, as applicable to the State of Haryana;
- (ii) the Industrial Employment (Standing Orders) Punjab Rules, 1949, as applicable to the State of Haryana; and
- (iii) the Punjab Trade Union Regulations, 1927, as applicable to the State of Haryana

except as respects things done or omitted to be done before such supersession, are hereby notified, as required by sub section (1) of said section 99, for information of all persons likely to be affected thereby and notice is hereby given that the said draft notification will be taken into consideration after the expiry of a period of thirty days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public;

Objections and suggestions, if any, may be addressed to Deputy Labour Commissioner-2, Head Quarter O/o Labour Commissioner Haryana, First Floor, 30 Bays Building, Sector-17B, Chandigarh or by email - deputylabourcommissionerhq2@gmail.com. The objections and suggestions should be sent in a proforma containing columns (i) specifying the name and address of the person/organization and column (ii) specifying the rule or sub-rule which is proposed to be modified and column (iii) specifying the revised rule or sub-rule proposed to be substituted and reasons therefore; Objections and suggestions, which may be received from any person or organization with respect to the said draft notification before expiry of the period specified above, will be considered by the State Government.

DRAFT RULES**CHAPTER-I****PRELIMINARY****1. Short title, extent, application and commencement–**

- (1) These rules may be called The Industrial Relations (Haryana) Rules, 2026.
- (2) They extend to the whole of the State of Haryana in respect of the industrial establishments or undertakings and matters for which the State Government is the appropriate Government.
- (3) They shall come into force on the date of their final publication in the Official Gazette.

2. Definitions–

- (1) In these rules, unless the context otherwise requires, -
 - (a) “Code” means the Industrial Relations Code, 2020 (35 of 2020);
 - (b) “Electronically” means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purposes of the Code;
 - (c) “Form” means a form appended to the Schedule to these rules;
 - (d) “Section” means a section of the Code;
 - (e) “State Government” means the Government of the State of Haryana.
- (2) Words and expressions used in these rules which are not defined, but are defined in the Code, shall have their respective meanings assigned to them in the Code.

3. References of certain authorities and officers of industrial establishments under Code. –

- (1) The reference to the Labour Commissioner, Additional Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner and Assistant Labour Commissioner shall be construed as reference to the respective appropriate authority appointed in that behalf by the State Government.
- (2) For the purposes of these rules, with reference to clause (m) of section 2, it is hereby specified that in relation to an industry, not being an industry referred to in sub clause (ii) thereof, carried on by or under the authority of a Ministry or Department of the State Government, the officer-in-charge of the industrial establishment shall be the employer in respect of that establishment.

4. Memorandum of settlement under clause (zi) of section 2–

- (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in Form I.
- (2) The settlement shall be signed by,-
 - (a) in the case of an employer, by the employer himself, or by his authorized agent, or when the employer is an incorporated Company, or other body corporate, by the agent, manager or other principal officer of the company or such other body corporate;
 - (b) in the case of workers, where Trade Union exists, any of the following officers of Trade Union, namely:-
 - (i) the President, or;
 - (ii) the Vice-President, or;
 - (iii) the Secretary (including the General Secretary), or;
 - (iv) a Joint Secretary, or;
 - (v) any other office bearer of the Trade Union authorized in this behalf by the President and Secretary of the Union;
 - (c) in the case of workers, where no Trade Union exists, by five representatives of workers duly authorized in this behalf, at a meeting of the workers held for the purpose;
 - (d) in case of an industrial dispute between individual worker and employer, by the worker concerned.

- (3) Where the settlement is arrived at in the course of conciliation proceedings the conciliation officer shall send a report thereof to the Labour Commissioner together with a copy of the memorandum of settlement signed by the parties to the dispute.
- (4) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings before a conciliation officer, the parties to the settlement shall jointly send a copy thereof electronically or by speed post, to the conciliation officer concerned and to Labour Commissioner.
- (5) The conciliation officer shall file all settlements effected under this Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise. The register shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was effected at the intervention of conciliation officer or by mutual negotiation:

Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at otherwise than in course of conciliation proceeding:

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

CHAPTER-II

BI-PARTITE FORUMS

5. **Works Committee, its constitution and matters related thereto—**

- (1) Constitution of Works Committee: Every employer to whom an order made under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in this rule.
- (2) Number of Members:
 - (i) The number of members constituting the Works Committee shall be so fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment:
 - (ii) The total number of members of the Works Committee shall not exceed twenty.
 - (iii) The number of representatives of the workers in the Works Committee shall not be less than the number of representatives of the employer therein.

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

- (3) Representation of Employer: Subject to the provisions of this rule, the representatives of the employer in the Works Committee shall be nominated by the employer and shall, as far as may be possible, be officials dealing with, or associated with, the working of the industrial establishment.
- (4) Consultation with Trade Union:
 - (a) wherever there exists any registered Trade Union or Trade Unions, the employer shall ask such registered Trade Union or Trade Unions to inform employer in writing as to how many of the workers are members of such Trade Union or Trade Unions ; and
 - (b) where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union or Trade Unions is false, he may, after informing such Trade Union or Trade Unions, refer the matter to the Assistant Labour Commissioner or Deputy Labour Commissioner, who shall, after hearing the parties, shall decide the matter and his decision shall be final.

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

- (a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14 or a negotiating council under sub-section (4) of that section, then, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives on the Works Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in the negotiating council shall be represented in the Works Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;
- (b) where there is no recognized negotiating union or negotiating council referred to in clause (a), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Works Committee:

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

Provided further that the employer shall ensure that the votes are casted by the workers in such a manner that secrecy of vote is maintained.

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

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

- (6) Electoral Constituencies: The employer may, if he thinks fit, sub-divide the electoral constituency or constituencies, as the case may be, and direct that workers shall vote in either by groups, sections, shops or departments.
- (7) Qualification of Candidates for election: Any worker, of not less than eighteen years of age and with a service of not less than one year in the industrial establishment may be eligible for being a candidate for nomination or election as a representative of the workers on the Works Committee:

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

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

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

Explanation.- A worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified under this rule.

- (9) Fixation of schedule for Election :

(a) The employer shall fix a date as the closing date for receiving nominations from candidates for election as worker's representatives on the Works Committee;

(b) For holding the election, the employer shall fix a date which shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations;

- (c) The dates so fixed shall be notified at least seven days in advance to the workers concerned. Such notice shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers. The notice shall specify the number of seats to be elected.
- (10) Nomination of Candidates for election:
- (a) Every nomination shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers;
- (b) Each nomination paper shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department the candidate seeking election shall represent, and shall be delivered to the employer.
- (11) Scrutiny of Nomination papers:
- (a) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinized by the employer in the presence of the candidates and the attesting persons and those which are not valid shall be rejected;
- (b) For the purposes of clause(a), a nomination paper shall be held to be not valid if- (i) the candidate nominated is ineligible for being candidate under sub-rule (7); or (ii) the requirements of sub-rule (10) have not been complied with:
- Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorized nominee for the purpose.
- (12) Withdrawal of Candidates: Any candidate whose nomination for election has been accepted may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.
- (13) Voting in Election:
- (a) If the number of candidates who have been validly nominated is equal to the number of seats, the candidates as such shall be forthwith declared duly elected;
- (b) If in any constituency the number of candidates is more than the number of seats allotted to it, voting shall take place on the day fixed for election;
- (14) Officers of the Works Committee:
- (a) The Works Committee shall have among its office-bearers a Chairperson, a Vice-Chairperson, a Secretary and a Joint-Secretary.
- (b) The Chairperson shall be nominated by the employer from amongst the employer's representatives of the Works Committee and he shall, as far as possible, be the head of the industrial establishment;
- (c) The Vice-Chairperson shall be elected by the members, on the Works Committee representing the workers, from amongst themselves:
- Provided that in the event of equality of votes in the election of the Vice- Chairperson, the matter shall be decided by a draw of a lot.
- (d) The Secretary and the Joint-Secretary shall be elected every year;
- (e) The Works Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workers and vice versa:
- Provided that the post of both Secretary and Joint Secretary, as the case may be, shall not be held by either representative of the employer, or representative of the workers for three consecutive years:
- Provided further that the representatives of the employer shall not take part in the election of either Secretary or Joint Secretary, as the case may be, where such post is to be filled by the representative of workers only;
- Provided also that in the event of equality of votes in an election under this sub-rule, the matter shall be decided by a draw of lot.

- (15) Term of office:
 - (a) The term of office of the members of the Works Committee, other than a member chosen to fill a casual vacancy, shall be three years;
 - (b) A member chosen to fill a casual vacancy shall hold office for the remaining term of his predecessor;
 - (c) A member, who fails to attend three consecutive meetings of the Works Committee, without obtaining leave from the Works Committee, shall forfeit his membership.
- (16) Vacancies: In the event of worker's representative ceasing to be a member under clause (c) of sub-rule (15) or ceasing to be employed in the industrial establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged, for the remaining period of the Works Committee.
- (17) 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. Such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Works Committee.
- (18) Meetings: (a) The Works Committee may meet as often as necessary but not less often than once in three months;
 - (b) The Works Committee shall at its first meeting determine its own procedure.
- (19) Facilities for meetings, etc.:
 - (a) The employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representatives of the workers shall be deemed to be on duty while attending the meeting;
 - (b) The Secretary of the Works Committee may, with the prior concurrence of the Chairperson, put up notice regarding the functions of the Works Committee on the notice board of the industrial establishment.
- (20) Annual Return :The employer shall submit the details of the constitution and the functioning of the Works Committee as a part of unified annual return provided in the rules made in this behalf under the Occupational Safety, Health and Working Condition Code, 2020 (Central Act 37 of 2020).
- (21) Dissolution of Works Committee: The State Government, or the officer authorized on its behalf, may after making such inquiry as it or he may deem fit, dissolve any Works Committee at any time, by an order in writing, if it or he, as the case may be, is satisfied that the Works 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 Works Committee, or that the Works Committee has, for any other reason, ceased to function:

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

6. Choosing of members from the employers and the workers for Grievance Redressal Committee -

- (1) The Grievance Redressal Committee in an industrial establishment, shall consist of equal number of members representing the employer and the workers. The total number of members shall not exceed ten.
- (2) The representatives of the employer in the Grievance Redressal Committee shall be nominated by the employer and shall, as far as may be possible, be officials directly dealing with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.
- (3) The representatives of the workers in the Grievance Redressal Committee shall be chosen in the following manner, namely:-

- (a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14, or a negotiating council under sub-section (4) of that section, then, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives on the Grievance Redressal Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented in the Grievance Redressal Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;
- (b) where there is no recognized negotiating union or negotiating council referred to the clause (a), the workers of the industrial establishment shall choose amongst themselves the worker's representatives on the Grievance Redressal Committee:

Provided that, the employer may, deploy an electronic platform for choosing representative of workers, over an information technology application, online platform or such other similar platform:

Provided further that the employer shall ensure that the votes are casted by the workers in such a manner that secrecy of vote is maintained.

Provided also 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 three years.
- (5) Where there is no recognized negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Redressal Committee, the matter may be referred to the concerned Assistant Labour Commissioner or Deputy Labour Commissioner, who shall after hearing the parties decide the matter and his decision shall be final.

7. **Application in respect of any dispute to be filed before the Grievance Redressal**

Committee by an aggrieved worker -Any aggrieved worker may file an application stating such worker's dispute therein before the Grievance Redressal Committee giving name, designation, worker code or token number, department where he is 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.

8. **Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer** -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 or speed post or in person within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer.

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

CHAPTER-III

TRADE UNION

9. **Application for registration of Trade Union** -Every application for registration of a Trade Union shall be made to the Registrar electronically specified in Form II. The fee of Rupees One Thousand for the registration of a Trade Union shall be applicable and be paid electronically.

Provided that the State Government may revise such fee structure from time to time by notification in the Official Gazette.

10. **Verification of Application and Registration of Trade Unions –**

- (1) On receipt of an application under rule 9, the Registrar may require from the applicants such evidence as he may consider necessary to show that the applicants have been duly authorised to make the application on behalf of the Trade Union and that the other particulars in Form II are correct.

- (2) When the Registrar calls for further information from a Trade Union under sub-section (3) of section 8, the President or the General Secretary of such union shall supply the same within fifteen days. If information is not furnished by the Trade Union within specified time, the Registrar may reject the application.
The Registrar shall, after satisfying himself that the Trade Union has complied with all the requirements of the Act and Rules in regard to registration, register the Trade Union.
- 11. Certificate of registration of Trade Union** -The Certificate of Registration of Trade Union under sub-section (2) of section 9 shall be issued by Registrar electronically in the form specified in Form III.
- 12. Register of Trade Unions** -The Register of Trade Unions shall be maintained in the office of Registrar Trade Union electronically in the form specified in Form IV.
- 13. Verification of application of the Trade Union for withdrawal or cancellation of Certificate of Registration of Trade Union** - The Registrar on receiving an application of the Trade Union under clause (i) of sub-section (5) of section 9 for the withdrawal or cancellation of registration shall, before granting the application, satisfy himself that the withdrawal or cancellation of registration was approved by simple majority in the general meeting of the Trade Union. For this purpose, he may call for such further particulars as he may deem necessary, may examine any officer of the Union and get the verification of the application done by the concerned Conciliation Officer.
- 14. Appeal against non-registration or cancellation of registration** -An appeal against the order of the Registrar, Trade Union refusing registration of Trade Union or cancellation of certificate of registration under sub-section (1) of section 10 of the Code shall be filed within sixty days of the date of communication of such order.
- 15. Communications and notices**-All communication and notices to a registered Trade Union shall be sent electronically or otherwise on the address entered in the register by the Registrar, Trade Union.
- 16. Notice in case of Cancellation or withdrawal of registration of Trade Union**- The Registrar shall, when proposes to withdraw or cancel the certificate of registration of a Trade Union under Section 9 of the Code, causes a notice to be served on the Trade Union through its President or the General Secretary, electronically or otherwise. It shall also be posted on the Portal of Labour Department, Haryana. If the President or the General Secretary refuses to receive the notice then it may be pasted on any conspicuous place of the registered office of the Trade Union in the presence of two witnesses whose statements shall be recorded in certification of such pasting.
- 17. Surrender of Certificate of registration** - When the Registrar, Trade Union withdraws or cancels certificate of registration under section 9 of the Code, in that case the President or the General Secretary of the Union shall surrender the certificate of registration issued to the Trade Union within fifteen days to the Registrar.
- 18. Change of address of Head Office** -
 - (1) Notice of any change in the address of the Head Office of a Trade Union shall be signed by the Secretary and seven members of the Trade Union. Such notice shall be given, electronically or otherwise, to the Registrar within fifteen days of such change.
 - (2) On receipt of intimation under sub-rule (1), the Registrar shall register the change, and make entry in the register, after satisfying himself that the change has been made in accordance with the provisions of the rules of the Trade Union. The Registrar shall be competent to ask, any further information from the Trade Union before registering the change.
- 19. Change in the names of the office bearers** -
 - (1) Intimation of any change in the names of the office bearers of a Trade Union, due to election or on any other account shall be sent to the Registrar within fifteen days of the change electronically or otherwise.
 - (2) On receipt of intimation under sub-rule (1), the Registrar shall register the change in the register in after satisfying himself that the change has been made in accordance with the provisions of the rules of the Trade Union. The Registrar shall be competent to ask, any further information from the Trade Union before registering the change.

20. Change in the name of the Trade Union –

- (1) The notice of any change in the name of a Trade Union shall be signed by the Secretary and seven members of the Trade Union and shall be sent to Registrar along with the Certificate of Registration within fifteen days of such change, electronically or otherwise.
- (2) The Registrar on receiving any such notice may take such step as he thinks fit to verify or cause to be verified the facts stated therein and to satisfy himself that the notice is genuine.
- (3) When the Registrar registers a change of name under sub section (3) of Section 24 of the Code, he shall certify under his signature at the foot of the Certificate issued that the new name has been registered.

21. Change in the registration particulars etc. or alterations –

- (1) The Trade Union shall inform the Registrar electronically or otherwise, through an application signed by the Secretary and seven members, of any change or alteration in the particulars given by it in its application for registration and in its constitution or rules.
- (2) On receiving the application for change or alteration to be made in the rules of a registered Trade Union, the Registrar, unless he has reasons to believe that the change or alteration have not been made in the manner provided by the rules of the Trade Union, shall register them in a register to be maintained for this purpose.

Further, the Registrar shall inform the applicants, electronically or otherwise, about the fact that he has made the change or alteration.

22. Fee for change or alteration of rules etc.- Fee payable for every change or alteration in

the rules of the Trade Union shall be Rupees One Hundred for each such change or alteration and fee for copy of any other document relating to a Trade Union, shall be Rupees Ten per page.

Provided that the State Government may revise such fee structure from time to time by notification in the Official Gazette.

23. Manner of amalgamation, manner of sending signed amalgamation to Registrar of a different and registration of Federation of Trade Unions -

- (1) (a) Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such trade Unions or either any of them, provided that, votes of at least two third of the members of each or every such Trade Union entitled to vote are recorded, and that at least two third of the votes recorded are in favour of the proposal.
- (b) Notice of amalgamation shall be signed by the Secretary and seven members of each and every Trade Union which is party thereto. Such notice shall be sent to all concerned Registrar(s) electronically or otherwise.
- (c) When the amalgamated Trade Union is registered it shall be assigned a new number in the register in Form IV and the Registrar shall issue a new certificate in Form III thereof. Registrar shall also record the fact of amalgamation against the entries, if any, relating to the Trade Unions so amalgamated in the register and send intimation of the registration of the amalgamated union to the Registrars of the Trade Unions so amalgamated in other States/Union Territories in India, if any, electronically or otherwise.
- (2) (a) Application for registration of a Federation of Trade Unions shall be signed by the General Secretary or Secretary and seven members of each and every Trade Union, which is party thereto, by passing a resolution in this behalf in accordance with their respective Constitution. Such application, mutatis mutandis, shall be sent to all concerned Registrar(s) electronically or otherwise in the same manner as prescribed for registration of a Trade Union.
- (b) The Registrar shall register such Federation in the same manner as a Trade Union is registered under section 8 read with section 9 of the Code.

24. Payment of subscription by members of the Trade Union and donation from such members and others –

- (1) The subscription of the Trade Union shall be not less than-
 - (a) Twenty rupees per annum for workers in unorganized sectors; and
 - (b) Fifty rupees per annum for workers in any other case.
- (2) The donation from members of the Trade Union and others shall be at their will without any kind of compulsion.

25. Annual audit –

- (1) The annual audit of the account of any registered Trade Union where the membership of Trade Union during the financial year exceeds 2,500 shall be conducted by an auditor authorized to audit the accounts of companies under the Indian Companies Act, 2013.
- (2) Where the membership of Trade Union did not at any time during the financial year exceed 2,500, the annual audit of the accounts may be conducted-
 - (a) by any examiner of Local Audit Department; or
 - (b) by any Local Fund Auditor appointed by the State Government; or
 - (c) by the person, who, having held an senior auditor post under any State Government/ Central Government.
- (3) Where the membership of a Trade Union did not at any time during the financial year exceed 750, the annual audit of the accounts may be conducted-
 - (a) by any person, who, having held an auditor post under State or Central Government in any Audit or Accounts Department, or
 - (b) by any auditor appointed to conduct the Audit of any Co-operative Societies by State Government or by the Registrar of Co-operative Societies or by any State Co-operative Organization recognized by State Government for this purpose.
- (4) Where the membership of a Trade Union did not at any time during the financial year exceed 250, the annual audit of the accounts may be conducted by any two members of the Union.
- (5) Where the Trade Union is a federation of unions, and the number of unions affiliated to it at any time during the financial year did not exceed 50, 15 or 5, respectively, the audit of the accounts of the federation may be conducted as if it had not at any time during the year had a membership of more than 2,500, 750 or 250, respectively.
- (6) Notwithstanding anything contained above, no person, who, at any time during the year, was entrusted with any part of the funds or securities belonging to the Trade Union, shall be eligible to audit the accounts of that Union.
- (7) The audit of the political funds of a registered Trade Union shall be carried out along with the audit of the general account of the Trade Union and by the same auditor or auditors.
- (8) The auditor or auditors appointed in accordance with the rules shall be given access to all the books of the Trade Union and shall verify the annual return with the accounts and vouchers relating thereto and thereafter sign the auditor's declaration in Form V, indicating separately on that form under his signature or their signatures, a statement showing in what respect he or they find the return to be incorrect, un-vouched or not in accordance with the Code. The particulars given in this statement shall indicate-
 - (a) every payment which appears to be unauthorized by the rules of the Trade Union or contrary to the provisions of the Code,
 - (b) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person,
 - (c) the amount of any sum which ought to have been but is not brought to account by any person.

26. Matters in an industrial establishment having registered Trade Union for negotiation with employer for the workers employed in the industrial establishment -

The matters pertaining to workers which the negotiating union or negotiating council shall negotiate with the employer of the industrial establishment are specified, as below, namely:-

- (i) classification of grades and categories of workers;
- (ii) order passed by an employer under the standing orders applicable in the industrial establishment;
- (iii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;

- (iv) hours of work of the workers, rest days, number of working days in a week, rest intervals, working of shifts;
- (v) leave with wages and holidays;
- (vi) promotion and transfer policy and disciplinary procedures;
- (vii) quarter allotment policy for workers;
- (viii) safety, health and working conditions related standards;
- (ix) such other matter pertaining to conditions of service, terms of employment which are not covered in the foregoing clauses; and
- (x) any other matter which is agreed between employer of the industrial establishment and negotiating union or council, as the case may be.

27. Criteria for recognizing a single registered Trade Union of workers as sole

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

28. Manner of verification of membership of Trade Unions in an industrial establishment -

- (i) (a) The State Government shall appoint a verification officer for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

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

- (b) The verification officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification.
- (c) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the State Government.
- (2) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under clause (1).
- (3) (a) The Trade Unions which satisfy the following conditions may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be, namely:-

such Trade Union has a valid registration under the Trade Unions Act, 1926 (16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (35 of 2020), as the case may be; and

- (b) The application for recognition made by Trade Union shall be accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the trade union submitted to the Registrar of Trade Unions.
- (4) (a) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be;
- (b) The date of reckoning shall be fixed by the verification officer for the industrial establishment for the purpose of verification of membership of the trade unions;
- (c) The employer of the establishment shall forward the documents and records submitted by trade unions, to the verification officer.

- (d) On receipt of the documents and records, the verification officer shall scrutinize the records and documents submitted by the trade union to ascertain the status of registration of trade unions and related matters;
- (e) The verification officer shall hold meeting with representatives of employer of industrial establishment and all participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot.
- (f) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.

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

- (1) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide
 - (a) publication of voters list;
 - (b) date, time, mode of voting, place of voting;
 - (c) date, time and place of counting; and
 - (d) other modalities relating to secret ballot.
- (2) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, programme and procedure of such secret ballot;
- (3) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning, shall be eligible to cast their vote;
- (4) The voter list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in sub-rule (3) and the voter list shall contain the name, father's name, designation, Universal Account Number (UAN), if any, and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions by hand or by speed post or by electronic mode.
- (5) The verification officer shall display the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalization.
- (6) The voting and counting of votes will be held on the date, time and place fixed by the verification officer under the supervision of verification officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present.
- (7) After final counting of votes, the result shall be declared by the verification officer. The result sheet shall contain the name of all Trade Unions participated in election, total number of votes polled and the number of votes cast in favour of each of the Trade Union which participated in the election.

30. Verification report to the employer-The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.

31. Recognition of Trade Union as negotiating union or constituents of negotiation council –

- (i) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating council as per provisions of subsection (3) or sub-section (4) of section 14 of the Code, as the case may be.
- (ii) Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be.

32. Facilities to be provided by industrial establishment to a negotiating union or negotiating councils.-

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

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

33. Objects on which general funds may be spent –

The general funds of a registered Trade Union shall not be spent on any other objects than the following, namely:-

- (1) the payment of salaries, allowances and expenses to office-bearers of the Trade Union;
- (2) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;
- (3) the prosecution or defence of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Trade Union or any member thereof;
- (4) conducting trade disputes on behalf of the Trade Union or any member thereof;
- (5) the compensation to members for loss arising out of trade disputes;
- (6) allowances to members or their dependents on account of death, old age, sickness, accident, unemployment of such members.
- (7) the issue of undertaking the liability of insurance policies of members against sickness, accident or unemployment
- (8) infrastructure support such as computers/ internet service and stationery.
- (9) provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependents of members;
- (10) upkeep of any periodical published mainly for the purpose of discussing questions affecting employers or workers as such;
- (11) the payment of contribution intended to benefit members of the Trade Union in general in furtherance of any object on which the fund of the trade union may be spent

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

- (12) subject to any conditions contained in the notification, any other object notified by the State Government in the Official Gazette.

34. Objects on which political funds may be spent –

The political funds of a registered Trade Union shall not be spent on any other objects than the following, namely:-

- (1) for training and awareness of civic and political interest of its members, or;
- (2) for any expense incidental to the making of Electors Photo Identification Card of its members, or;
- (3) for holding of any meeting or the distribution of any literature or documents regarding civic and political interest of its members, or;
- (4) for any other expenses, which are to be incurred for the furtherance of civic and political interest of its members.

35. The application for adjudication before Tribunal –

Where any dispute arises between –

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

36. Distribution of funds of the Trade Union on dissolution by Registrar –Where it is necessary for the Registrar, to distribute the funds of a Trade Union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members by way of subscription during their membership.**37. Annual returns –**

- (1) The annual return to be furnished shall be submitted to the Registrar electronically by the 30th day of April in each year and shall be in Form V.
- (2) The annual return shall be audited in the manner prescribed under sub-rule 8 of rule 25.

38. Manner and purpose of recognition of a Trade Union or a federation of Trade Unions by the State Government as a State Trade Union at the State level and the authority and the manner of deciding dispute by it –

- (1) Trade Union or federation of Trade Unions whose affiliated unions have a combined membership of at least fifty thousand shall be eligible to be recognized by the State Government as State Trade Union.
- (2) The recognition shall be granted strictly in accordance with the provisions of the Code of Discipline notified by State Government.
- (3) The competent authority to grant recognition, shall be the Registrar, Trade Union.
- (4) If any dispute arises in relation to such recognition, the State Government shall refer the dispute to the Industrial Tribunal. The Industrial Tribunal shall, after giving opportunity of hearing to the aggrieved Trade Union and going through the relevant records of the case, decide the reference preferably within forty-five days and the order of the Tribunal shall be binding upon the parties.
- (5) The purpose will be to give representation to the State Trade Union to various Committees.

CHAPTER-IV

STANDING ORDER

39. Forwarding of information to certifying officer—

- (1) If the employer adopts the model standing orders of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically or in person or by speed post the specific date from which the provisions of the model standing orders which are relevant to his establishment or undertaking have been adopted.
- (2) The model standing order adopted under sub-rule (1) shall apply to the industrial establishment, and to all its units in the State.
- (3) On receipt of information under sub-rule (1), the Certifying Officer shall enter the details of the industrial establishment which has adopted the model standing order in the register maintained under Form VII.
- (4) Where, the certifying officer observes that the industrial establishment, which has intimated adoption of model standing orders, is also engaged in activities other than for which model standing orders have been adopted, then, he may, within a period of thirty days from such receipt of intimation of model standing orders so adopted, direct such employer to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct such employer to comply the same within a period of thirty days from the date of the receipt of such direction and send a compliance report only in respect of those provisions which the certifying officer has so directed to get included.
- (5) If no observation is made by certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1) then, the model standing order shall be deemed to have been certified by the certifying officer.
- (6) The provisions of the model standing orders adopted in accordance with the provisions of these rules shall remain in force with effect from the date specified in sub-rule (1).
- (7) Without prejudice to the provisions of this rule, the certifying officer shall not raise any observation if the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the standing orders apply.

40. Choosing of representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union—

- (1) Where there is no Trade Union as is referred to in clause (i) of sub-section (5) of section 30, then, the certifying officer or any authorized officer in his behalf, shall call a meeting of the workers to choose three representatives, to whom he shall, upon, their being chosen issue notice along with a copy of the standing order or modification, as the case may be, in English, as well as the translation thereof in Hindi, requiring comments or suggestions, if any, which the workers may desire to make to the draft standing orders to be submitted within fifteen days from the receipt of the notice.
- (2) Trade Union or negotiating union or constituent of negotiating council shall be given a copy of the draft standing orders or modification, as the case may be, in English, as well as the translation thereof in Hindi for seeking their comments or suggestions, if any, within fifteen days from the date of the receipt of the notice in this rule.

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

Provided that there shall not be any requirement of authentication under this rule in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

42. Statement to be accompany draft standing orders—

- (1) The statement to be accompanied with a draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e mail address, contact number and the strength and details of workers employed therein including particulars of Trade Union, if any, to which such workers belong.
- (2) The statement to be accompanied with a draft modification in an existing standing order, shall contain the particulars of such standing order which is proposed to be modified along with a tabular statement containing details of each of the relevant provision of that standing order in force and the proposed modification therein and reasons therefor.
- (3) The statement referred to in sub-rules (1) and (2) shall be signed by a person authorized by the industrial establishment or undertaking.
- (4) The model standing orders, if modified, shall also apply to all the units of the industrial establishment or undertaking in the State.

43. Conditions for submission of draft standing orders in similar establishment —In case of group of employers engaged in similar industrial establishments, they may, after consultation with the concerned Trade Union, submit a joint draft of standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof:

Provided that the joint draft of standing order, in cases of group of employers engaged in similar industrial establishments, shall be drafted and submitted to the Labour Commissioner, Haryana, who shall, in consultation with the certifying officer, certify or refuse to certify the said joint draft standing orders, after recording reasons therefor:

Provided further that certifying officer shall give notice to all the concerned parties, and ensure reasonable opportunity of being heard before certifying the standing orders.

44. Disposal of appeal by appellate authority—

- (1) An employer or Trade Union or the negotiating union or negotiating council, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking, may prefer an appeal against the order of the certifying officer made under sub-section (5) of section 30 within sixty days of the receipt of such order, and for that purpose draw up a memorandum of appeal in a tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added along with the reasons therefor, and file it electronically or in person with the appellate authority.
- (2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given, —
 - (a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;
 - (b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Unions of the workers of the industrial establishment, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and
 - (c) where the appeal is filed by a representative body of the workers, to the employer and other Trade Unions of the workers of the industrial establishment, or where there is no trade union of the workers in an industrial establishment or undertaking, any other worker who joins as a party to the appeal.
- (3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal referred to in sub-rule (1).
- (4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.
- (5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called or considers relevant, if produced and after hearing the parties, dispose of the appeal.

45. Sending of order and maintaining of standing orders–

- (1) The order of the appellate authority shall be sent electronically or otherwise within three days of the disposal of appeal to the employer or Trade Union or the negotiating union or negotiating council or any union or representative body of the workers, as the case may be, by whom the appeal has been filed.
- (2) The text of the standing orders as finally certified or deemed to have been certified or adopted model standing orders under this Chapter shall be maintained by the employer in Hindi or in English and in the language understood by majority of workers where the industrial establishment is situated.
- (3) The certified standing orders shall be displayed in legible condition by the employer on the special board to be maintained for the purpose at the entrance or near the entrance of the industrial establishment through which majority of workers enter and may also be posted on the designated portal/website, if any, of such industrial establishment.

46. Register for filing final certified copy of standing orders–

- (1) The certifying officer shall maintain electronically, a register in Form-VII, of all finally certified standing orders or deemed to have been certified or adopted model standing orders, of all the concerned industrial establishments, which shall, contain details of-
 - (a) the unique number assigned to each standing order;
 - (b) name of industrial establishment;
 - (c) nature of industrial establishment;
 - (d) date of certification or deemed certification or date of adoption of model standing orders by each establishment or undertaking;
 - (e) the areas of operation of the industrial establishment; and
 - (f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.
- (2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified standing orders referred to in sub-rule (1) to any person applying therefor, on payment of ten rupees per page of the certified standing orders or deemed certified standing orders, as the case may be.
- (3) The payment for getting certified standing orders may also be, made through electronic mode.

47. Application for modification of standing orders – The application for modification of an existing standing orders under sub-section (2) of section 35 shall be submitted electronically or in person or by speed post and shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade Unions operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers, as the case may be, who has submitted such application for modification.**CHAPTER-V****NOTICE OF CHANGE****48. Notice for change proposed to be effected–**

- (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 VIII electronically or by speed post or in person, to such workers likely to be affected by such change and shall also upload such notice on the designated portal, if any, of the industrial establishment.
- (2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on the electronic notice board at the main entrance of the industrial establishment:

Provided that where there is a registered Trade Union or registered Trade Unions or a negotiating union or negotiating council relating to the concerned industrial establishment, a copy of such notice shall also be served in the manner specified in sub-rule (1), on the secretary of such Trade Union or each of the secretaries of such Trade Unions, or secretary of the negotiating union or constituent of negotiating council, as the case may be.

CHAPTER-VI

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

49. Form of arbitration agreement and the manner of signing by parties thereto. –

- (1) The employer and workers may agree to refer any industrial dispute to arbitration by entering into an arbitration agreement as provided in Form IX.
- (2) The arbitration agreement referred to in sub-rule (1) shall be signed by the parties to the said agreement and it shall be accompanied by the consent, either in writing or electronically, of arbitrator or arbitrators.
- (3) The Arbitration Agreement referred to in sub-rule (1) shall be signed,-
 - (i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purpose;
 - (ii) in the case of the workers, by 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; and
 - (iii) in the case of an individual worker, by the worker himself or by an officer of registered Trade Union of which the worker is a member, or by another worker in the same establishment duly authorized by him in this behalf:

Explanation. - For the purposes of this rule, the term “officer”.-

- (a) in case of an association of the employers means any officer of such association of the employers authorized for such purpose; and
 - (b) in case of a registered Trade Union, means any of the following officer of such Trade Union authorized for such purpose, namely:-
 - (i) President; or
 - (ii) Vice-President; or
 - (iii) Secretary (including the General Secretary); or
 - (iv) a Joint Secretary; or
 - (v) any other officer of such Trade Union authorized in this behalf by the President and Secretary of such Trade Union.
- 50. Issuing of notification** – Where an industrial dispute has been referred to arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and upload it on the website of the Labour Department, for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.
- 51. Choosing of representatives of workers where there is no Trade Union** – Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in Form X authorizing therein to represent the case. Such workers shall be bound by the acts of their 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****52. Matters in respect of which a conciliation officer and Tribunal shall have powers of a Civil Court.-**

The Conciliation officer and the Tribunal shall have the powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), when trying a suit in respect of the following matters, namely:—

- (a) Inspection of premises of establishment and documents;
- (b) Receiving evidence on affidavit;
- (c) Discovery of the documents;
- (d) Investigation and enquiry;
- (e) Any other matters that may be prescribed by the State Government.

53. Manner of filling up of the vacancy, procedure for selection, salaries, allowances and other terms and condition of Judicial Member of the Industrial Tribunal –

- (1) A person shall not be qualified for appointment as the Judicial Member of the Industrial Tribunal unless he is, or has been, for a period of not less than three years, a District Judge or an Additional District Judge.
- (2) If such appointment is intended to be made from amongst the serving judicial officers under the Punjab and Haryana High Court, the Judicial Member shall be appointed by the State Government on the recommendations of the Punjab and Haryana High Court. Further, only those serving judicial officers will be qualified for appointment, who have a minimum of three years of service left before superannuation.
- (3) If appointment of Judicial Member is intended to be made from amongst the retired or superannuated Judicial Officers, such appointment shall be made by the State Government on the recommendations of Selection Committee as constituted under rule 55. This will be considered as fresh appointment for all intent and purposes.
- (4) A Judicial Member shall hold office for a term of three years from the date on which he enters upon his office or till he attains the age of sixty-five years, whichever is earlier.
- (5) In case of casual vacancy in the office of Judicial Member, the State Government shall appoint the Judicial Member of the other Tribunal to officiate as Judicial Member.
- (6) The salaries and allowances payable to the Judicial Member shall be as follows:-
 - (a) where a District Judge or an Additional District Judge is appointed as Judicial Member:-
 - (i) he shall take salary, and shall be entitled to draw allowance as he is getting in his parent cadre, and;
 - (ii) he shall not be entitled to any additional pension or gratuity for the period of service of the Tribunal
 - (b) where a retired judicial officer is appointed as Judicial Member, he shall be paid a salary of Rupees. Two Lakh Fifty Thousand (fixed) per month and his pay shall be reduced by the gross amount of pension drawn by him.
 - (c) in case of a retired Judicial Officer appointed as a Judicial Member, leave shall be admissible as are admissible to an officer of the State Government holding Group A post carrying the same pay provided in HCS (Leave) Rules, 2016.
- (7) in case of appointment of retired judicial officer as Judicial Member, he shall be entitled for house rent allowance at the rate as admissible to an officer of the State Government holding FPL-13.
- (8)
 - (a) in case of appointment of retired judicial officer as Judicial Member, the State Government shall be the leave sanctioning authority for the Judicial Member of the Industrial Tribunal.
 - (b) in case of appointment of retired judicial officer as Judicial Member, the State Government shall be the sanctioning authority for foreign travel to the Judicial Member of the Industrial Tribunal.

- (9) in case of appointment of retired judicial officer as Judicial Member, State Government Health Scheme facilities as admissible to an officer of the State Government holding Group A post shall be applicable to a Judicial Member.
- (10) (a) in case of appointment of retired judicial officer as Judicial Member, Travelling allowance to a Judicial Member shall be admissible as per entitlement of an officer of the State Government holding Group A post;
 (b) in case of a retired Judicial officer appointed as a Judicial Member, transfer travelling allowance for joining the Industrial Tribunal from home town to head quarter and vice-versa at the end of assignment shall also be admissible as per entitlement of an officer of the State Government holding Group A post.
- (11) In case of appointment of retired judicial officer as Judicial Member, he shall be entitled for transport allowance as admissible to an officer of the State Government holding Group A post.
- (12) No person shall be appointed as a Judicial Member unless he is declared medically fit by an authority specified by the State Government in this behalf.
- (13) (a) If a written and verifiable complaint is received by the State Government, alleging any definite charge of misbehavior or incapacity to perform the functions as Judicial Member, a preliminary scrutiny of such complaint shall be made by the State Government;
 (b) If on preliminary scrutiny, the State Government is of the opinion that there is a reasonable ground for making an inquiry into the truth of such misbehavior or incapacity of a serving Judicial Member, it shall make a reference to the Chief Justice of High Court for appropriate action or in such manner as may be decided by the State Government.
- (14) in case of appointment of retired judicial officer as Judicial Member, he may resign his office at any time by giving notice to this effect in writing under his hand addressed to the State Government:
 Provided that the Judicial Member shall, unless he is permitted by the State Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of the office, whichever is earlier.
- (15) in case of appointment of retired judicial officer as Judicial Member, the State Government shall remove such Judicial Member from office of Tribunal, who -
 (a) has been adjudged as an insolvent; or
 (b) has been convicted of an offence which, involves moral turpitude; or
 (c) has become physically or mentally incapable of acting as such a Judicial Member; or
 (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Judicial Member; or
 (e) has so abused his position as to render his continuance in office prejudicial to the public interest:
 Provided that where a Judicial Member is proposed to be removed on any ground specified in clauses (b) to (e), he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.
- (16) Every person appointed as Judicial Member shall, before entering upon his office, make and subscribe an oath of office in the Form XI annexed to these rules.
- (17) Matter relating to the terms and conditions of services of the Judicial Member with respect to which no express provisions has been made in this rule, shall be referred by the Tribunal to the State Government for its decision, and the decision of the State Government thereon shall be binding.
- (18) The State Government shall have power to relax any provision of these rules in respect of any class or categories of persons for the reasons to be recorded in writing.

54. Manner of filling up of the vacancy, procedure for selection, salaries, allowances and other terms and condition of Administrative Member of the Industrial Tribunal –

- (1) A person shall not be qualified for appointment as an Administrative Member of the Industrial Tribunal unless –
 - (a) he is, or has been Labour Commissioner in the State Labour Department having adequate experience of handling labour related matters; or
 - (b) he is, or has been an Additional Labour Commissioner or a Joint Labour Commissioner or Group A Officer of the State Labour Department, having a degree in law and at least fifteen years' experience in the State Labour Department including ten years' experience as Conciliation Officer; or
 - (c) he is, or has been Indian Administrative Service officer having experience of fifteen years of holding court.
- (2) If such appointment is intended to be made from amongst the serving officers, the Administrative Member shall be appointed on the recommendations of the Haryana Government. Further, only those serving officers will be qualified for appointment, who have a minimum of three years of service left before superannuation.
- (3) The retired Administrative Member shall be appointed by the State Government on the recommendations of Selection Committee as constituted under rule 55.
- (4) A retired Administrative Member shall hold office for a term of three years or till he attains the age of sixty-five years, whichever is earlier. This will be considered as fresh appointment for all intent and purposes.
- (5) In case of casual vacancy in the office of Administrative Member, the State Government shall appoint the Administrative Member of the other Tribunal to officiate as Administrative Member or otherwise as the case may be.
- (6) The retired Administrative Member of the Industrial Tribunal shall be paid a salary of Rupees Two Lakh Fifty Thousand (fixed) per month and his pay shall be reduced by the gross amount of pension drawn by him.
- (7) A retired Administrative Member shall be entitled for house rent allowance at the rate as admissible to an officer of the State Government holding FPL-13.
- (8) In case of a retired Administrative Member of the Tribunal, leave shall be admissible as are admissible to an officer of the State Government holding Group A post, provided in HCS (Leave) Rules, 2016.
- (9) The State Government shall be the leave sanctioning authority for the Administrative Member.
- (10) The State Government shall be the sanctioning authority for foreign travel to the Administrative Member.
- (11) The State Government Health Scheme facilities as admissible to an officer of the State Government holding Group A post shall be applicable.
- (12) (a) Travelling allowance to a retired Administrative Member shall be admissible as per entitlement of an officer of the State Government holding FPL-13.
 (b) In case of retired Government Officer, transfer travelling allowance for joining the Tribunal from home town to head quarter and vice-versa at the end of assignment shall also be admissible as entitlement of an officer of the State Government of Haryana holding Group A post.
- (13) An Administrative Member shall be entitled for transport allowance as admissible to an officer of the State Government holding Group A post.
- (14) No person shall be appointed as an Administrative Member, unless he is declared medically fit by an authority specified by the State Government in this behalf.
- (15) An Administrative Member may, resign his office at any time by giving notice to this effect in writing under his hand addressed to the State Government:

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

- (16) Every person appointed as Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the Form XI annexed to these rules.
- (17) Matter relating to the terms and conditions of services of the Administrative Member with respect to which no express provisions has been made in these rules, shall be referred by the Tribunal to the State Government for its decision, and the decision of the State Government thereon shall be binding.
- (18) The State Government shall have power to relax the provision of any of these rules in respect of any class or categories of persons for the reasons to be recorded in writing.

55. Constitution of Search and Selection Committee for selection of Judicial Members from retired Judicial Officers and of Administrative Member from retired officers-

- (1) As and when any vacancy of Administrative Member or Judicial Member in the Tribunal exist or arises, or is likely to arise, the Government may make a reference to the Search and Selection Committee in respect of the vacancies to be filled.
- (2) The Search and Selection Committee shall be headed by Chief Secretary, Haryana, and consist of Legal Remembrancer, Haryana, Administrative Secretary (Labour) and Administrative Secretary (Finance Department).
- (3) The Search and Selection Committee may, for the purpose of selection of the Judicial Member and the Administrative Member in the Tribunal shall follow such procedure as deemed fit.
- (4) The Search and Selection Committee shall shortlist two persons for each vacancy and recommend the same to the Government. Further, no judicial/administrative officer shall be shortlisted if he/she has at any time, during the entire span of judicial/administrative service being subjected to any major/minor penalty under their applicable Service Rules.
- (5) The Search and Selection committee shall make its recommendations to the Government within a period of thirty days from the date of reference made under sub-rule (1).
- (6) The Government shall within thirty days from the date of receipt of the recommendations by the Search and Selection Committee, appoint one of the two persons recommended by the Search and Selection Committee for the vacancy of the Judicial Members and Administrative Members.

56. Manner of holding conciliation proceedings, full report, and application and the manner of deciding such application –

- (1) Where the conciliation officer receives any –
 - (a) notice of a strike or lockout given under rule 59 or rule 60; or
 - (b) application in respect of an existing industrial dispute; or
 - (c) information regarding apprehended industrial dispute,
 then, he shall-
 - (i) in case of clause (a), enter the details on the designated portal and hold conciliation proceedings and inform the concerned parties the date of sitting for such purpose;
 - (ii) in case of clause (b), enter the details on the designated portal and examine the application and if he finds that such dispute pertains to the jurisdiction of Central Government, transfer the application to the concerned authority or otherwise proceed with the application and hold the conciliation in respect thereof; and
 - (iii) in case of clause (c), enter the details on the designated portal and issue a fresh notice to the parties concerned declaring his intention to commence conciliation proceedings.

- (2) The employer's representative and the worker's representative shall, on receipt of the notice referred to in sub-rule (1), 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 right 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 no settlement is arrived at in the conciliation proceedings referred to in sub-rule (3), the conciliation officer shall, within seven days from the date on which the conciliation proceedings are concluded, upload a report on designated portal of the Labour Department and forward a copy thereof through electronic mode or by speed post or in person to the parties to the dispute and to the Labour Commissioner. The report shall be made accessible to the parties concerned on the said designated portal by the Labour Department.
- (5) 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 Labour Commissioner or an officer authorized in this behalf by the State 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 Labour Department.
- (6) The report referred to in sub-rule (4) 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.

57. Proceedings before Industrial Tribunal—

- (1) In case, any dispute is not settled during the conciliation proceedings, then, either of the concerned parties may make an application in Form XII, before the Tribunal (alongwith a statement of claim with complete details, relevant documents, list of supporting documents and witnesses) through an application sent electronically or through Portal of Labour Department, Haryana or speed post or in person, within ninety days from the date of the report under sub-section (4) of section 53.
- (2) The Tribunal, after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.
- (3) Where the Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.
- (4) Evidence shall be recorded either in Tribunal or, may be filed on affidavit or recorded in the Industrial Tribunal on oath, but in the case of affidavit the opposite party shall have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Tribunal, shall make a memorandum of the substance of what is being deposed and while recording the oral evidence the Industrial Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908).
- (5) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure of evidence.

- (6) The Tribunal, shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted:
- Provided that the Tribunal, for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute, shall be granted.
- (7) A Tribunal 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.
- (8) In case any party defaults or fails to appear at any stage, the Tribunal, may proceed with the case ex- parte, and decide the application or reference, as the case may be, in the absence of the defaulting party:
- Provided that the Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed ex- parte, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.
- (9) The Tribunal, shall communicate its award electronically or through speed post or in any other manner as provided under the Code of Civil Procedure, 1908 (5 of 1908) to the parties concerned and the State Government and upload on the portal of Labour Department, within one month from the date of the pronouncement of the award.
- (10) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court within the meaning of sections of the Bharatiya Nagarik Suraksha Sanhita, 2023.
- (11) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors/experts, but such advice shall not be binding on such Tribunal.
- (12) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee electronically or by bank draft in the Tribunal, in the following manner, namely :-
- (a) fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of rupees ten per page;
 - (b) for certifying a copy of any such award or order or document, a fee of rupees ten per page shall be payable;
 - (c) copying and certifying fees shall be payable electronically;
 - (d) where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one half of the fee leviable under this rule shall be payable.
- Provided that the State Government may revise such fee structure from time to time by notification in the Official Gazette.
- (13) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal when evidence has been called.
- (14) The proceedings before the Tribunal shall be held in open court:
- Provided that the proceedings before the Tribunal may be at the request of the parties or of the directions of the Tribunal, be held by video conferencing:
- Provided further that Tribunal may, at any stage of the proceeding direct that any witness shall be examined, or its proceedings be held, in-camera.
- (15) A Judicial Member or Administrative Member of the Tribunal or any person authorized in writing by the Tribunal in this behalf may, for the purposes of any adjudication under the Code at any time between the hours of sunrise and sunset and in the case of person so authorized 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 interrogate 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.
- (16) A Tribunal may, in the interest of justice and after recording reasons therefor, admit or accept any evidence at any stage of the proceeding before it.

58. Application for recovery of dues –

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

Provided that in the case of a person authorized in writing by the worker, or in the case of the death of the worker, the assignee or heir of the deceased worker shall make the application in Form XIV.

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

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

CHAPTER-VIII**STRIKES AND LOCK-OUTS****59. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice –**

- (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 XVII which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union by five representatives of the workers duly elected at a meeting endorsing the copy thereof electronically or by speed post to the concerned conciliation officer, Labour Commissioner and the State Government.
- (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 56.
- (3) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then he shall within five days from the date of receiving of such notice, intimate the same electronically to the concerned conciliation officer, Labour Commissioner and the State Government.

60. Notice of lock-out and authority –

- (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in Form XVIII to the Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned conciliation officer, Labour Commissioner and the State Government electronically or by speed post.

Provided that where there is no Registered Trade Union, such notice shall be given to all the concerned workers by displaying the requisite notice on the notice board or on 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.

- (2) The date of receipt of such notice by the conciliation officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 56.
- (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 the same to the concerned conciliation officer, Labour Commissioner and the State Government.

CHAPTER-IX**LAY-OFF, RETRENCHMENT AND CLOSURE****61. Service of notice before retrenchment of the worker—**

If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him then, such employer shall give prior notice of intimation of such retrenchment, in FormXIX to the State Government, Labour Commissioner, concerned Deputy Labour Commissioner and Assistant Labour Commissioner through e-mail or, by speed post, in the following manner, namely:-

- (1) 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;
- (2) 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
- (3) where retrenchment is carried out under an agreement, which specifies a date for the termination of service, notice of retrenchment shall be sent so as to reach the State Government and a copy thereof to the concerned Deputy 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 State Government along with a copy thereof to the, Deputy Labour Commissioner concerned within three days of the agreement.

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

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

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

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

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

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

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

63. Service of notice by the employer for intended closure–

- (1) If an employer intends to close down an industrial establishment, he shall give notice within the time as specified in sub-section (1) of section 74 of such closure in Form XIX to the State Government and a copy thereof to the concerned Deputy Labour Commissioner, by e-mail or speed post.
- (2) A copy of the notice referred to in sub-rule (1) shall also be sent to the registered Trade Unions or authorised representatives of workers, as the case may be, operating in the Industrial establishments.

CHAPTER-X**SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND CLOSURE IN CERTAIN ESTABLISHMENTS****64. Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers –**

- (1) An application for permission under sub-section (1) of section 78 shall be made electronically by the employer in Form XX to the State Government or such authority who has been delegated such powers u/s 100 of the Code stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically or in person or by speed post.
- (2) The application referred to in sub-rule (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

65. Time-limit for review–

- (1) The State Government or such authority who has been delegated such powers u/s 100 of the Code may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78.
- (2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application, within thirty days from the date on which the order is made, to the State Government or specified authority for reviewing the order and the State Government or specified authority shall within two months from the date on which the application is made, dispose of the application after providing the concerned parties an opportunity of being heard.
- (3) Where the State Government or specified authority decides to review the order referred to in sub-section (1) on its own motion, it may take necessary steps within one month from the date on which the order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

66. Manner of making application to the State Government by the employer for the intended retrenchment and manner of serving copy of such application to workers –

- (1) An application for prior permission referred to in clause (b) of sub-section (1) of section 79 shall be made by the employer in Form XX electronically, stating clearly therein the reasons for the intended retrenchment and a copy of such application shall be sent to the concerned workers electronically, or in person, or by speed post.
- (2) The application referred to in sub-section (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

67. Time-limit for review –

- (1) The State Government or such authority who has been delegated such powers u/s 100 of the Code may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79.
- (2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application, within thirty days from the date on which the order is made, to the State Government or specified authority for reviewing the order and the State Government or specified authority shall within two months from the date on which the application is made, dispose of the application after providing the concerned parties an opportunity of being heard.

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

68. Application to the State Government by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers – An employer who intends to close down an industrial establishment to which Chapter X of the Code apply, shall apply to the State Government or specified authority electronically in Form XX for prior permission at least ninety days before the date on which intended closure is to become effective, stating clearly therein the reasons for the intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically or by speed post or in person.

69. Time-limit for review–

- (1) The State Government or such authority who has been delegated such powers u/s 100 of the Code 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.
- (2) The employer or any worker concerned may make an application along with the order referred to in sub-rule (1), within thirty days from the date on which such order is made, to the State Government or specified authority for reviewing that order and the State Government or specified authority shall, within two months from the date on which the application is made dispose of that application after providing the concerned parties an opportunity of being heard.
- (3) Where the State Government or specified authority decides to review the order referred to in sub-section (1) on its own motion, it may take necessary steps within one month from the date on which the order is made, and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

CHAPTER-XI

WORKER RE-SKILLING FUND

70. Contribution from such other sources to be made to worker re-skilling fund. -In addition to contribution of employer under clause (a) of sub-section (2) of section 83, the workers re-skilling fund may consist of contribution, donation and grant from any other source.

71. Manner of utilization of fund –

- (1) Every employer who has retrenched a worker or workers in his industrial establishment under the Code, shall, within ten days from the date of such retrenchment, electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers into the accounts [name of the account shall be displayed on the website of the Labour Department] to be maintained by the Office of the Labour Commissioner / Office of the Deputy Labour Commissioner / Office of the Assistant Labour Commissioner, as required.
- (2) The fund so received under sub-rule (1) shall be transferred by Office of the Labour Commissioner / Office of the Deputy Labour Commissioner / Office of the Assistant Labour Commissioner electronically to each of the retrenched worker account or retrenched workers' accounts, as the case may be, within forty-five days of retrenchment to enable him utilise that amount for his re-skilling.
- (3) The employer shall also submit the list containing the name of each retrenched worker, the amount equivalent to fifteen days of wages last drawn by such retrenched worker along with his bank account details to the Office of the Labour Commissioner / Office of the Deputy Labour Commissioner/ Office of the Assistant Labour Commissioner.

CHAPTER-XII**OFFENCES AND PENALTIES****72. Manner of composition of offence by a Gazetted Officer and the manner of making application for the compounding of an offence –**

- (1) The compounding officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89 shall, if he is of the opinion that any offence under the Code for which the compounding is permissible under the said section and in respect of which prosecution is not instituted, send a notice to the accused in Form XXI consisting of three parts through the designated portal of the Labour Department.
- (2) In Part I of Form XXI, the compounding officer shall, inter alia, specify-
 - (a) the name of the offender and his other particulars;
 - (b) the details of the offence and the section under which the offence has been committed; and
 - (c) the compounding amount required to be paid towards the composition of such offence.
- (3) In Part II of the Form XXI, the compounding officer shall specify the consequences if the offence is not compounded, and Part III of the said Form shall contain the application to be filed by the accused, if he desires to compound the offence.
- (4) Each notice referred to in sub-rule (1) shall have a continuous unique number containing alphabets or numerical and other details such as compounding officer concerned, industrial establishment, year, place and type of inspection for the purpose of easy identification.
- (5) The accused to whom the notice referred to in sub-rule (1) is served, may send the duly filled up application in Part III of the notice, in the account specified by the compounding officer in the notice, Form XXI to the compounding officer electronically and deposit the compounding amount electronically, or by cash, or demand draft, as the case may be, within fifteen days of the receipt.
- (6) Where the prosecution has already been instituted against the accused in the court of competent jurisdiction, the accused may make an application to such court to allow composition of the offence against him and that court may, after considering the application, allow composition of the offence by the compounding officer in accordance with the provisions of section 89 and procedure specified in this rule.
- (7) If the accused complies with the requirement of sub-rule (5), the compounding officer shall compound the offence for the amount of money deposited by the accused and –
 - (a) if the offence is compounded before the institution of prosecution, then, no complaint for prosecution shall be instituted against the accused;
 - (b) if the offence is compounded pending proceeding under section 85, the compounding officer shall intimate the composition to the officer referred to in that section, who shall, after intimation, close the proceeding in respect of the accused person of such offence; and
 - (c) if the offence is compounded after the institution of prosecution under sub-rule (6) with the permission of the court, then, the compounding officer shall treat the case as closed and intimate the composition of the offence to the competent court by which such composition was allowed and after receiving such intimation, the court shall discharge the accused person and close the prosecution.
- (8) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the State Government.

CHAPTER-XIII
MISCELLANEOUS

73. Protected workers –

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

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

Provided further that where the number of protected workers allotted to such a Trade Union under this sub rule falls short of the number of officers of such Trade Union seeking protection, then that Trade Union shall be entitled to select the officers to be recognized as protected workers; and such selection shall be made by that Trade Union and communicated to the employer within five days of the receipt of written intimation of the employer in this regard.

- (5) When a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of “protected workers” under this rule, the dispute shall be referred to the Deputy Labour Commissioner concerned, whose decision thereon shall be final.

74. Complaint by an aggrieved employee –

- (1) Every complaint of an aggrieved employee under section 91 of the Code shall be made electronically or by speed post in Form XXII and shall be accompanied by as many copies as thereof for each of the opposite parties mentioned in such complaint.
- (2) Every complaint under sub-rule (1) shall be verified by the aggrieved employee making the complaint or by the authorized representative of such employee proved to the satisfaction of the conciliation officer, arbitrator or the Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.

75. Authorization of worker for representing in any proceeding –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 X by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party.

76. Authorization of employer for representing in any proceeding –Where an employer is not a member of any association of employers, then, such employer may authorize in Form X, an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged, to represent him in any proceeding under the Code relating to a dispute in which that employer is a party.

77. **Expenses of witness**—Every person, who attends or otherwise appears on receipt of a summons, as a witness before a Tribunal or an arbitral tribunal, shall be entitled to an allowance for expenses on the same rates as applicable to witnesses in the civil court in the State where such enquiry, adjudication or arbitration, as the case may be, is being conducted.
78. **Submission of a copy of certain Forms to office of Director General, Labour Bureau**—A copy each of Form XVII (notice of strike), Form XVIII (notice of lockout), Form XIX (notice for intimation of retrenchment or closure to the State Government), Form XX (application for permission of lay-off or retrenchment or closure) and Form XXI (compounding of offences), shall be shared electronically with the Director General, Labour Bureau.
79. **Publication for communication.**—For the purposes of communication to effect service of messages and documents under these rules, the State Government, Tribunal, every employer for which the State Government is the appropriate Government, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads..
80. **Maintenance of records, registers, forms, notice, and display on board—**
- (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under the Code and under these rules shall also be maintained in electronic manner in the required format or containing the information as is required.
 - (2) The records, registers, forms, notices, display boards and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the Inspector cum-Facilitator or the concerned authority specified in this behalf under the Code or these rules.
81. **Appointment of Commissioner.**— Where it is necessary to appoint a Commissioner under sub-section (3) of section 59 for the purposes of computing the money value of a benefit referred to in sub-section (2) of the said section, the Tribunal may appoint a –
- (1) person with experience in the particular industry, trade, business or field encompassing the question referred to in sub-section (2) of the said section; or
 - (2) person who had been a judge of a civil court; or
 - (3) stipendiary magistrate; or
 - (4) registrar or secretary of a Tribunal constituted under the Code.
82. **Fees for Commissioner, etc.-**
- (1) The Tribunal shall, after consultation with the parties, estimate the probable duration of enquiry by the Commissioner referred to in rule 81 and fix the amount of his fees and other incidental expenses incurred by him.
 - (2) The Tribunal shall direct the payment of fees and other incidental expenses to the Commissioner into the nearest treasury, within a specified time, by such party or parties and in such proportion, as it may deem fit.
 - (3) The Commissioner shall not submit his report until the receipt of deposit into the treasury of the sum referred to in sub-rule (2) is filed before the Tribunal:

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

Provided further that the Tribunal may in its discretion, extend the time for depositing such sum into the treasury.
 - (4) The Tribunal may, at any time, for reasons to be recorded in writing, vary the amount of the Commissioner's fees in consultation with the parties.
 - (5) The Tribunal may direct that the fees shall be disbursed to the Commissioner in such instalments and on such date as it may deem fit.
 - (6) The undisbursed balance, if any, of the sum deposited under this rule shall be refunded to the respective party or parties who deposited the sum in the same proportion as that in which it was deposited.

83. Time for submission of report.-

- (1) Every order for the appointment of Commissioner under sub-section (3) of section 59 shall indicate a date, allowing sufficient time, for the Commissioner to submit his report.
- (2) If for any reason the Commissioner anticipates that the date fixed for the submission of his report is likely to be exceeded, he shall apply, before the expiry of the said date, for extension of time setting forth grounds thereof and the Tribunal shall, after consideration, pass suitable orders on such application:

Provided that the Tribunal may, if it deems fit for sufficient cause, grant extension of time even where no application for such extension has been received from the Commissioner within the time limit allowed under sub-rule (1).

Form I*(See Rule 4)*

(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 along with respective Aadhar Number:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witnesses

(1)

(2)

Signature & Stamp of Conciliation Officer

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

FORM II

(See Rule 9)

Application for Registration of Trade Union

To the Registrar of Trade Union,

Haryana

Dated theday of.

1. We hereby apply for the registration of a Trade Union under the name of
2. The Address of the head office of the Union is
3. The mobile number of the Secretary/General Secretary of Union is
4. The E-Mail of the Union is
5. The Union came into existence on theday of
6. The Union is a Union of employers/workers engaged in the industry.. (or profession).
7. The declaration by an affidavit required under clause (a) of sub-section (1) of section 8 of the Industrial Relations Code, 2020 is at Schedule I.
8. The particulars given in Schedule II show the provision made in the rules for the matters detailed in section 7 of the Industrial Relations Code, 2020.
9. (To be struck out in the case of unions which have not been in existence for one year before the date of application). The particulars required by of sub-section (2) of section 8 of the Industrial Relations Code, 2020 are given in Schedule III.
10. List of all members of the executive of the Union showing in Column II the names of any posts held by them (e.g., President, Secretary, Treasurer etc.,) in addition to their offices as members of the executive are given below

Sr. No.	Title	Name	Age	Address	Occupation	Mobile Number
1.						
11. We have been duly authorized to make this application by *

Name	Occupation	Address	Signature
	1		
	2		
	3		

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

SCHEDULE - I

Declaration by way of Affidavit

I, _____ s/o Sh. _____ Age _____ yrs.
r/o _____ do hereby solemnly affirm and declare as under:-

1. That I am the elected General Secretary of “ _____ (Name of union) “ _____ (Address of Union).
2. That to the best of my knowledge and belief no Union / Association by the name of “ _____ (Name of Union) ” is registered under the Industrial Relations Code, 2020 in Haryana or anywhere in India.
3. 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, Haryana.
4. That no member or office bearer has ever been convicted by Court of India for any offence involving moral turpitude and sentenced to imprisonment.
5. That all particulars supplied as per Form-III as well as other documents are true
6. That the scope of the Union shall be for the employees of ----- (Name of Establishment).
7. That neither the applicants nor the office bearer and I are the member of any other union functioning in _____ (Name of Establishment)
8. That there are approximate _____ workers working in _____ (Name of Establishment) and out of which _____ workers are members of our union.
9. That this is my true statement.

Deponent

Verification:-

Verified at _____ on _____ that the contents of the paras 1 to 9 of my above declaration by affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Deponent

SCHEDULE – II**REFERENCE TO RULES**

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

Matter

Number of rules

Name of Trade Union

The whole of the objects for which the Trade Union has been established.

The whole of the purposes for which the general fund of the Trade Union shall be applicable.

The maintenance of a list of members of the Trade Union.

The facilities provided for the inspection of the list of members by officer-bearers and members of the Trade Union

The admission of ordinary members.

The admission of honorary or temporary members.

The payment of a subscription by members of the Trade Union from such members and others

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

The conditions under which fines or forfeiture may be imposed or varied on any member

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

The holding of annual general body meeting of the members of the Trade Union

The business to be transacted at the annual general body meeting

The manner in which the members of the executive and the other office-bearers of the Trade Union shall be appointed and removed.

The safe custody of the funds of the Trade Union

The annual audit of the accounts of the Trade Union

The facilities for the inspection of the account books by the office-bearers and members of the Trade Union

The manner in which the Trade Union may be dissolved.

SCHEDULE III

STATEMENT OF LIABILITIES AND ASSETS ON THE.....DAYOF..... 20.....

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

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

List of Securities

Particulars	Nominal Value	Market Value	In hands of
1			
2			
3			
4			
5			
6			
7			

FORM III**(See Rule 11)****Certificate of Registration of Trade Union**

It is herebycertifiedthat.....has been registered under the Industrial Relations Code,
2020 thisday.....20.....

SEAL

Registrar of TradeUnion

Haryana

FORM IV*(See Rule 12)***Register of Trade Unions**

Serial No.

Name of Union.

Address of Head Office.

Date of Registration.

E-Mail

Name of Union	Year of entering office	Name	Age on entry	Address	Occupation	Year of relinquishing office	Other offices held in addition to membership of Executive with date
---------------	-------------------------	------	--------------	---------	------------	------------------------------	---

Number of application form

List of members applying for registration

- 1
- 2
- 3
- 4
- 5
- 6

FORM V*(See Rule 37)***Annual Return prescribed under Section 26 of the Industrial Relations Code, 2020 for the year ending on 31st December, 20____**

Name of Union

Registered Head Office

Number of certificate of registration

E-Mail

Return to be made by Federations of the Unions

Number of unions affiliated at the beginning of year.

Number of unions joining during the year.

Number of unions disaffiliated at the end of year.

This return need not be made by Federation of Trade Union

Number of members on books at the beginning of year.

Number of members admitted during the year (add together).

Number of members who left during the year (deduct).

Total Number of members on books at the end of the year.

Males

Females

Number of members contributing to political fund.

A copy of the rules of the Trade Union, corrected up to date of dispatch of this return, is appended.

Dated the

Secretary

Statement of Liabilities and Assets on the _____ day of _____ 20__

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

List of Securities

Particulars	Nominal Value	Market-value at the date of Accounts have been made up	In hands of Treasurer
-------------	------------------	---	------------------------------

General Fund Account

Income	Rs. P.	Expenditure	Rs.P.
Balance at beginning of year		Salaries, allowance and expenses of officers	
Contributions from members		Salaries, allowances and expenses of establishment	
as per member		Auditor's fee	
Donations		Legal expenses	
Sale of periodicals, rules etc.		Expenses in conducting trade disputes	
Interest on investments		Compensation paid to members	
Income from miscellaneous Sources (to be specified)		for loss arising out of trade disputes	
		Funeral, old age, sickness, unemployment benefits, etc.	
		Educational, social and religious benefits	
		Cost of publishing periodical	
		Rents, rates and taxes	
		Stationery, printing and postage	
		Expenses incurred under section 15 (1) of Code (to be specified)	
		Other expenses (to be specified)	
		Balance at the end of year	
.....			
Total		Total	

Political Fund Account

Rs.P. _____	Rs.P. _____
Balance at beginning of year	Payment made on objects Specified in section 15 of the Code (to be specified)
Contributions from members as per member	Expenses of managements (to be specified)
	Balance at the end of year
.....	
Total	Total
.....	

Treasurer

Auditor's Declaration

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

Auditor.

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

Officer's Relinquishing Office

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

Officers Appointed

Name	Age	Office	Address	Occupation	Date of appointment
------	-----	--------	---------	------------	---------------------

Secretary

FORM VI
(See Rule 35)

(Application to be submitted for adjudication before the Industrial Tribunal under section 22(1) of The Industrial Relations Code, 2020 regarding dispute)

Before..... (Here mention the name of the Industrial Tribunal having jurisdiction where dispute arises)

In the matter of:

..... Applicant(s) Name and Address along with Aadhar Number.....

Versus

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

The above mentioned applicant(s) begs to state as follows :- (Here set out the relevant facts, circumstances and specific issues of dispute).

Prayer:

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

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

Date.....

Place.....

Form VII**(See Rule 39 and 46)**

Register for Certified Standing Orders

Part I

Industrial Establishment

Unique and continuous number	Name of the industrial establishment	Nature of the industrial establishment	Whether standing order is (a) model standing order, or (b) deemed standing order or (c) certified standing order	Date of adoption or date of deemed authentication or date of certification / authentication of standing order
(1)	(2)	(3)	(4)	(5)

Date of filing appeal	Date and nature of decision	Amendment made on appeal, if any	Date of the dispatch of the copy of standing orders as settled on appeal	Any other relevant detail
(6)	(7)	(8)	(9)	(10)

Part II

Certified copy of the Standing Order electronically

Form VIII**(See Rule 48)**

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

Name of employer.....

Address.....

Dated the..... day of20.....

In accordance with sub-section (1) of section 40 of Industrial Relations Code, 2020 (35 of 2020), I/We hereby give notice to all concerned that it is my/our intention to effect the change/change 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 the said Code

Signature.....

Designation.....

ANNEXURE

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

Copy forwarded to:

1. Concerned Deputy Labour Commissioner.
2. The Secretary of registered Trade Union or Trade Unions or Secretary of the Negotiating Union or constituent of Negotiating Council, if any.

FORM-IX
(See Rule 49)

(Agreement for voluntary arbitration)

BETWEEN

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

And

.....Name of the parties representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of.....[here specify the name(s) and address(s) 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 State Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties representing employer/any officer of the Trade Union/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 Administrative Secretary to the Government of Haryana, Department of Labour.

FORM X

(See Rule 51, Rule 75 and Rule 76)

(Authorization by a worker, group of workers, employer, group of employers to be represented in a proceeding before the authority under the Industrial Relations Code, 2020).

Before the Authority

(Here mention the authority concerned)

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

.....workers with Aadhar Number

Versus

.....Employer

I/we hereby authorize Shri / Shrimati/Kumari (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 XI**(See Rule 53 and 54)****Form of Oath of Office for Judicial Member or Administrative Member (whichever is applicable) of Industrial Tribunal**

I, A, B., having been appointed as **Judicial Member**/Administrative Member of 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 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 XII**(See Rule 57)**

(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 & Aadhar Number

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

Signature of the applicant

Form XIII**(See rule 58)**

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

To,

(1) The Secretary to the Government of Haryana, Labour Department, Chandigarh

(2) The Labour Commissioner, Haryana.

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 (35 of 2020)/ in terms of the award dated the..... given by..... /in terms of the settlement dated the arrived at between the said M/s and their worker through..... the duly elected representatives.

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

I/We request that the said sum may kindly be recovered 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) with Aadhar Number

Address(es):.....

Station:

Date:.....

ANNEXURE

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

Form XIV**[See rule 58]**

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

To

- (1) The Secretary to the Government of Haryana, Labour Department, Chandigarh.
- (2) The Labour Commissioner, Haryana.

Sir,

I Shri/Shrimati/Kumarihave to state that Shri/Shrimati./Kumari is/was entitled to receive from M/s..... a sum of Rs..... (in words) on account of..... under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020) /in terms of the award dated the..... given by/in terms of the settlement, dated the.....arrived at between the said M/s..... and their worker through..... the duly elected representatives.

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

I request that the said sum may kindly be recovered from the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020), and paid to me as early as possible.

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

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

Address(es).....Signature of the authorized person/assignee/heirwith Aadhar Number

Station.....

Date.....

ANNEXURE

(Here indicate the details of the amount claimed.)

Form XV**[See rule 58]**

(Application under sub-section (2) of section 59 of the Industrial Relations Code, 2020)

Before the 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) with Aadhar Number

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 XVI**[See rule 58]**

(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)

Before the Industrial Tribunal at

..... between and.

.....

(1) Name of the applicant(s)

(2) Name of the employer

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

Shri/Shrimati./Kumari..... former worker of M/s. of..... 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(s)/heir(s) with Aadhar Number

Address

Place.....

Date.....

ANNEXURE

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

Form XVII**(See Rule 59)****(Notice of Strike to be given by Union(Name of Union)/ Group of Workers)**

Name of Secretary of the Union/five elected representatives of workers.....

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

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code, 2020 (35 of 2020), I/We hereby give you notice that I propose to call a strike / we propose to go on strike on.....20..... for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Union)

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

ANNEXURE**Statement of the Case**

Copy to:

- 1) The Secretary to the Government of Haryana, Labour Department, Chandigarh
- 2) Labour Commissioner Haryana
- 3) Deputy Labour Commissioner of the concerned area.
- 4) Assistant Labour Commissioner of the concerned area.
- 5) To the office of DG Labour Bureau, Ministry of Labour and Employment (Only for statistical purpose.).

Form XVIII**(See Rule 60)**

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

Name of employer

Address.....

Labour Identification Number

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

In accordance with the provisions of 62(5) of the Industrial Relations Code, 2020 (35 of 2020), I/we hereby give notice to all concerned that it is my/our intention to effect lockout in..... department(s)/ section(s) of my/our establishment with effect from for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons

Copy forwarded to:

- (1) The Secretary to the Government of Haryana, Labour Department, Chandigarh
- (2) Labour Commissioner, Haryana
- (3)..... Conciliation officer [Here enter office address of the Assistant Labour Commissioner/Deputy Labour Commissioner of the concerned area.]
- (4)..... To the office of DG Labour Bureau, Ministry of Labour and Employment (Only for statistical purpose.).
- (5) The Secretary of the Registered Union, if any
- (6) Notice board of the industrial establishment

Form XIX**(See Rule 61 and 63)****(Notice of Intimation of Retrenchment/ Closure to be given by an employer to the State Government under the provisions of Chapter IX of the Industrial Relations Code, 2020 and rules made there under)**

(To be submitted online. In case of exigencies, on paper in the specified format below) Name of Industrial Establishment /Undertaking/ Employer.....

Labour Identification Number.....

Dated.....

(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served sixty days and thirty days before commencement of Closure/Retrenchment respectively)

To,

The Secretary to the Government of Haryana, Labour Department

Chandigarh

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

or

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

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

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

or

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

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

or

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

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

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

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

Yours faithfully,

(Name of Employer/ ***Authorized Representative

with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and words both)

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

Copy to:

- (1) Labour Commissioner, Haryana
- (2) Deputy Labour Commissioner of the concerned area.
- (3) Assistant Labour Commissioner of the concerned area.
- (4) To the office of DG Labour Bureau, Ministry of Labour and Employment (Only for statistical purpose.).
- (5) To the Registered Unions/ Authorized Representatives of Workers operating in the establishments or undertakings.

FORM XX**[See Rule 64, 66 and 68]**

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

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

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

Labour Identification Number.....

Dated.....

(Note: The application to the State Government shall be served as indicated below:

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

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

Retrenchment – at least 60 days before the intended date of Retrenchment

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

To,

The Secretary to the Government of Haryana, Ministry of Labour

Chandigarh

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

or

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

or

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

2. * (Lay-off) The worker(s) concerned were given on(DD/MM/YYYY) notice in writing as required under section 78(2)* of the Industrial Relations Code, 2020 (35 of 2020).

or

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

or

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

3. The details of affected worker(s) is at Annexure II.
4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).
5. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)* / section 79* / section 80* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

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

6. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been annexed herewith.
7. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer/ ***Authorized Representative

with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and word both)

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

ANNEXURE I

(Please give replies against each item)

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

ANNEXURE II

(Details of affected workers)

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

Copy to: Labour Commissioner, Haryana & Labour Bureau

FORM XXI

(See Rule 72)

(Notice to the Employer who committed an offence for the first time, for compounding of offence under section 89 of the Industrial Relation Code, 2020 read with rule 72)

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

PART – I

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

PART – II

You are advised to deposit the above mentioned amount within fifteen days from the date of receipt of this notice for compounding the offence as per section 89 of the Industrial Relation Code, 2020 (35 of 2020) read with rule 72, along with an application duly filled in part – III of this notice.

In case you fail to deposit the said amount within the time so specified, no further opportunity shall be given to you and necessary steps shall be taken for filing of prosecution under section 87 of the said Code.

(Signature of the Compounding Officer)

Date:

Place:

PART – III

(Application under sub-section (4) of section 89 of the Industrial Relations Code, 2020 read with rule 72 for compounding of offence)

1. Name of applicant (name of the employer who committed the offence 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.....

Dated: Place:

Applicant

(Name and signature)

FORM XXII**(See Rule 74)**

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

Before the Conciliation Officer/ Arbitrator/Tribunal.....

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

A.....

Complainant(s);

Versus

B.....

Opposite Party (ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party (ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relations Code, 2020 as shown below:

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

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

The number of copies of the complaint and its annexure required under section 91 of the Industrial Relations Code, 2020 read with rule 74 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 paragraphs..... above is stated upon information received and believed by me to be true. This verification is signed by me at..... on..... day of.....
.....20.....

Signature

or Thumb impression of the person verifying.

RAJEEV RANJAN,
Principal Secretary to Government Haryana,
Labour Department.