



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, FRIDAY, JANUARY 23, 2026 (MAGHA 3, 1947 SAKA)

GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR
NOTIFICATION

The 29th December, 2025

No.Lab0MISC/192/2025-4L/1076.- The following draft rules, which the Governor of Punjab proposes to make in exercise of the powers conferred by sub-section (2) of section 99 of the Industrial Relations Code, 2020 (Central Act 35 of 2020) and all other powers enabling him in this behalf, is published as required by sub-section (1) of section 99 of the said Act, for information of the persons likely to be affected thereby.

Notice is hereby given that the said draft will be taken into consideration by the Government on or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette, together with any objection and suggestion, which may be received by the Labour Commissioner, Punjab, Model Welfare Centre (Kirat Bhawan), Phase-X, Sector-64, Sahibzada Ajit Singh Nagar (Mohali), (Email: supdthq.disp.imp@gmail.com) from any person or organization with respect to the said draft before the expiry of the period so specified, namely :-

DRAFT RULES
CHAPTER-I
PRELIMINARY

1. Short title, application and commencement- (1) These rules may be called the Industrial Relations (Punjab) Rules, 2026.

- (2) They extend to whole of the State of Punjab.
(3) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. Definitions: - (1) In these rules, unless the context otherwise requires:

- (a) "Code" means the Industrial Relations Code, 2020;
(b) "Form" means forms appended to these rules;
(c) "section" means the section of the Code; and
(d) "State Government" means the Government of the State of Punjab in the Department of Labour.

(2) The words and expressions used in these rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.

Sections 2(zi)
and 99(2)(a)

3. Written Agreement for the settlement before the Conciliation Officer under clause (zi) of section 2.- The Agreement under clause (zi) of section 2 for written agreement between the employer and worker shall be in form specified in **Form-I** and shall be signed by the parties in the agreement and a copy thereof shall be sent to the concerned Conciliation Officer.

CHAPTER II

BI-PARTITE FORUMS

Sections 3 and
99(2)(b)

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

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

Provided that the total number of members of the Works Committee shall not exceed twelve (12) and with minimum of six members:

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

(3) Representatives 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 in direct touch with, or associated with, the working of the industrial establishment.

(4) Representatives of workers: - (a) If there is any single registered trade union in the establishment, the said union shall nominate such number of workers as members in works committee subject to resolution passed by majority of the members of the registered trade union from amongst the workers of the establishment.

(b) If there is more than one registered trade union, such registered trade unions may choose their representatives as members for works committee in the proportion of their memberships subject to resolutions passed by majority of the members of each registered trade unions.

Provided that if some workers are not associated with any of registered trade union, such workers may choose amongst themselves representatives for works committee in the same proportion by way of resolution passed by majority of the workers not associated with the registered trade unions.

(c) Where there is no registered trade union in the establishment, workers may choose amongst themselves representatives for works committee by way of resolution passed by majority of the workers of the establishment.

(5) The Works Committee shall have among its office-bearers a Chairman, a Vice-Chairman, a Secretary and a Joint-Secretary. The Secretary and the Joint-Secretary shall be elected every year;

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

(7) (a) The Vice-Chairman 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- Chairman, the matter shall be decided by draw of a lot:

(b) 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 worker and vice versa:

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

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

(c) In any election under clause (b), in the event of equality of votes, the matter shall be decided by a draw of lot.

(8) Term of Office: - (a) The term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be two years;

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

(c) A member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall cease his membership, provided that such member shall be given an opportunity of being heard.

(9) Vacancies: - In the event of worker's representative ceasing to be a member under clause (c) of sub-rule (8) or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged.

(10) 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; Provided that co-opt member should be appointed after discussion with representative of employer and employee unanimously. 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.

(11) Meetings: - (a) The Works Committee may meet as often as necessary.

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

(12) Facilities for meeting: - (a) The employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting;

(b) The Secretary of the Works Committee may with the prior concurrence of the Chairman, put up notice regarding the work of the Works Committee on the notice board of the industrial establishment.

(13) Dissolution of works committee:- The State Government, or where the power under section 3 has been delegated to any officer or authority under section 100, such officer or authority 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 he or it is satisfied that the Committee has not been constituted in accordance with these rules or that not less than two-thirds of the number of representatives of the workmen have, without any reasonable justification, failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

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

5. Manner of choosing members from the employers and the workers for Grievance Redressal Committee under sub-section (2) of section 4.-

Sections 4(2)
and 99(2)(c)

(1) The Grievance Redressal Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed ten.

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

(3) The representatives of the workers shall be chosen in such manner:

(a) If there is one registered trade union having more than twenty percent of total workforce of the industrial establishment as members of the union, then such union shall nominate one representative for every twenty percent of the workers, who are members of such union, as a member in Grievance Redressal Committee.

(b) If there are more than one registered trade unions having more than twenty percent of total workforce of the industrial establishment as members of their unions, then such unions shall nominate one

representative for every twenty (20) percent of workers, who are members of such unions, as a member in Grievance Redressal Committee.

- (c) If there is no such registered trade union, then independent workers shall nominate one representative for every twenty (20) percent of the total workforce in the industrial establishment as member in Grievance Redressal Committee subject to the resolution passed by majority of the workers in this behalf.

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

- (4) (a) The tenure of members of Grievance Redressal Committee shall be for a period of three years from the date of the constitution of the Grievance Redressal Committee

Provided that the tenure of the members of the Grievance Redressal Committee, who are representative of the trade unions, shall be co-terminus with the tenure of the members of the registered trade union.

- (b) In case Grievance Redressal Committee is not re-constituted after the period specified in clause (a) of sub-rule (4) of this rule, then the existing Grievance Redressal Committee will continue to be functional.

Provided that if the Grievance Redressal Committee is not re-constituted within one year, then the conciliation officer will intervene on application made in this behalf by any of the parties in the industrial establishment and ensure the constitution of Grievance Redressal Committee as per provisions of the Industrial relations code and rules made thereunder.

- (5) Every information regarding constitution of Grievance Redressal Committee, shall be communicated to the conciliation officer of the area within fifteen days from its constitution by the employer.

(6) Where an employer has reason to believe that the information furnished to him under sub-rule (3) is false, he may, after informing such registered trade union or representatives of workers not associated with any registered trade union, as the case may be, refer the matter to the Labour Commissioner, Punjab who shall, after hearing the parties, shall decide the matter and his decision thereon shall be final.

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

Sections 4(5)
and 99(2)(d)

7. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under sub-section (8) of section 4.- Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application electronically or otherwise to the Conciliation Officer within the period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer through the registered trade union, of which he is a member or otherwise.

Sections 4(8)
and 99(2)(e)

CHAPTER-III

TRADE UNION

8. Payment of subscription under clause (f) of section 7.- (1) The payment of a subscription shall be from ordinary as well as honorary members of the registered trade union under the code;
(2) The ordinary as well as honorary members of the registered trade union along with any of the permanent citizen of India living in any part

Sections 7(f)
and 99(2)(f)

of the country can donate towards the general fund of the union electronically or through crossed cheque or draft payable to the union;

(3) The monthly subscription shall be prescribed by State Government by notification from time to time.

Sections 7(j)
and 99(2)(g)

9. Safe Custody of the funds of the registered trade union and Annual audit under clause (j) of section 7.- (1) The funds of the registered trade union shall be deposited in any scheduled bank in the name of the union:

Provided that 2% of the total funds available with the union shall be kept at the disposal of the two executive members *i.e.* president, secretary and cashier for meeting any exigency pertaining to the routine affairs of the said union.

(2) Auditors - Annual audit of the accounts of any registered trade union shall be conducted by an auditor authorised to audit the accounts of companies under section 144 (1) of the Indian Companies Act, 1913 or under section 8 (2) of the Indian Companies (Amendment) Act.

Exception - Notwithstanding anything contained in these rules, no person, who, at any time during the year, was entrusted with any part of the funds or securities belonging to the registered trade union shall be eligible to audit the accounts of the Union.

(3) Audit of funds - The auditor or auditors appointed in accordance with these rules shall be given access to all the books of the registered trade union and shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended in **(Form-II)**, indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the return to be incorrect, unvouched or not in accordance with the Act. The particulars given in this statement shall indicate: -

- (i) every payment which appears to be unauthorised by the rules of registered trade union or contrary to the provisions of the Act;
- (ii) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person;
- (iii) the amount of any sum which ought to have been but is not brought to account by any person.

(4) Audit of separate fund to be constituted under sub-section (2) of section 15. The audit of the separate fund of a registered trade union

shall be carried out with the audit of the general account of the registered trade union by the same auditor or auditors.

10. Declaration to be made by an affidavit under clause (a) of sub-section (1) of section 8. - Every application under section 8 for registration of a trade union shall be accompanied by a declaration to be made by an affidavit (**Form-III**) along with fee payable on registration of a trade union to be notified by State Government from time to time.

Sections 8(1)(a)
and 99(2)(h)

11. Assets and Liabilities of the registered trade union under sub-section (2) of section 8 - Where a registered trade union has been in existence for more than one year before the making of an application for its registration, there shall be delivered to the Registrar, together with the application, a general statement of assets and liabilities of the registered trade union prepared in (**Form-II**) annexed to these rules.

Sections 8(2)
and 99(2)(i)

12. The form of application for registration under sub-section (1), and the form of issuing certificate of registration to be issued by the Registrar to the applicant Trade Union under sub-section (2) of section 9 - The application for registration under sub-section (1) of section 8, shall be in (**Form- IV**) and the certificate of registration to be issued by the Registrar to the applicant under sub-section (2) of section 9 shall be in (**Form-V**)

Sections 9(1) &
9(2) and
99(2)(j)

13. Register of registered trade unions under sub-section (1) and sub-section (3) of section 9 - The Register of registered trade unions as referred to above shall be maintained in (**Form-VI**).

Sections 9(3)
and 99(2)(k)

14. Cancellation/Withdrawal of Registration under sub-section (5) of section 9 - (1) The Registrar on receiving an application for the cancellation/withdrawal of registration shall, before granting the approval, satisfy himself that the resolution for withdrawals or cancellation of registrations alongwith authorization to applicants was approved and signed in the general body meeting of the registered trade union by more than fifty percent of the members of the registered trade union. For this purpose, he may call for such further particulars, as he may deem necessary and may examine any officer of the Union.

Sections 9(5)
and 99(2)(l)

(2) The Registrar can also cancel the registration of registered trade union on receiving the information under sub section 5(ii) of section 9 regarding contravention by the registered trade union of the provisions of this code.

Sections 10(1)
and 99(2)(m)

15. Appeal under sub-section (1) of section 10.- Any appeal made under sub-section (1) of section 10 of the code must be filed within sixty days of the date on which the Registrar passed the order against which the appeal is made.

Sections 11(1)
and 99(2)(n)

16. Communications and Notices to a Registered trade union under sub-section (1) of section 11 - All the communications and notices to the registered trade union shall be sent electronically, if possible, and through registered post or speed post at the address provided by the union at the time of registration or subsequent amendment of change of address, if any.

Sections 11(3)
and 99(2)(n)

17. Change in the particulars as per sub-section (3) of section 11 –
(1) The registered trade union shall inform the Registrar of any change such as contact details, email Id, membership details, or any other particulars given at the time of registration and in its constitution or rules electronically or through registered post or speed post, or manually under proper receipt duly signed by the President and General Secretary of the registered trade union

Provided that information for any change in address, bank details and assets and liabilities shall be submitted by the registered trade union alongwith resolution for such changes and authorization to applicants duly approved and signed by majority of the members of the registered trade union.

(2) The Registrar on receiving such application, on being satisfying himself, shall make such changes in the record.

Sections 14(1)
and 99(2)(o)

18. Matters to be negotiated by a negotiating union or negotiating counsel in an industrial establishment under sub-section (1) of section 14 - There shall be a negotiating union or negotiating counsel as the case may be in an industrial establishment having registered trade union for negotiating with the employer of the industrial establishment on the following matters: -

- i). Classification of workers, whether permanent, temporary, apprentices, probationers, badlis or fixed term employment;
- ii). Manner of intimating to workers periods and hours of work, holidays, pay-days and wage rates;
- iii). Shift working;

- iv). Attendance and late coming;
- v). Conditions of, procedure in applying for, and the authority which may grant leave and holidays;
- vi). Requirement to enter premises by certain gates, and liability to search;
- vii). Closing and reporting of sections of the industrial establishment, temporary stoppages of work and the rights and liabilities of the employer and workers arising there-from;
- viii). Termination of employment, and the notice thereof to be given by employer and workers;
- ix). Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct;
- x). Means of redress for workers against unfair treatment or wrongful exactions by the employer or his agents or servants;
- xi). Any other matter such as promotion, transfer, quarter allotment etc. pertaining to condition of service which may be specified by the appropriate Government by notification.

19. Criteria to recognize registered trade union as sole negotiating union of the workers under sub-section (2) of section 14 and - (1)

Sections 14(2)
and 99(2)(o)

Where only one registered trade union of workers registered under the provisions of this Code is functioning in an industrial establishment, and if said registered trade union submits to the employer having thirty-three (33) percent or more workers as members of the total workforce on the roll of establishment, then the employer of such industrial establishment shall recognize such registered trade union as sole negotiating union of the workers ensuring that thirty-three (33) percent or more workers of the industrial establishment are members of the such trade union.

(2) The employer shall inform within fifteen days of such recognition of registered trade union as negotiating union to the Registrar of trade unions.

20. Verification of a registered trade union by the employer of the industrial establishment under sub-section (3) and sub-section (4) of section 14-

Sections 14(3) &
(4) and 99(2)(p)

(1) If more than one registered trade union of workers registered under this Code are functioning in an industrial establishment, then, the registered trade union having fifty-one per cent or more workers as members of total workforce on the muster roll of that

industrial establishment then the employer of such industrial establishment shall recognize such registered trade union as sole negotiating union of the workers ensuring that fifty-one (51) percent or more workers of the industrial establishment are members of the such trade union.;

(2) If no trade union is able to satisfy the employer that the trade union does not have fifty one percent or more workers as members of the said trade union then the employer shall form negotiating council under the provisions of sub-section (4) of section 14.

(3) Where any person has support of twenty percent or more workforce of an industrial establishment, which are not associated with any of the registered trade union or negotiating council shall become member of negotiating council and before negotiating, the employer shall ensure that he has support of minimum twenty percent of the workforce.

(4) The information regarding formation and recognition of every negotiating council shall be given to the concerned Conciliation Officer by the employers of the Industrial Establishment.

20A. Application by aggrieved workers: (1) If ten (10) percent of workers are aggrieved with the recognition of Negotiating Union or Negotiating Council as per provisions of sub-section (1), (2), (3) and (4) of section 14 read with rules 19 and 20, they may file an application before the Registrar of the trade unions.

(2) Upon receipt of such application, the Registrar shall verify the details of recognition of such Negotiating Union or Negotiating Council as per provisions of the code and rules made thereunder and If in case, the Registrar finds any discrepancy in recognition of such Negotiating Union or Negotiating Council and observes that such Negotiating Union or Negotiating Council does not have requisite number of members prescribed in rule 19 and 20, then the Registrar may by way of speaking order declare such Negotiating Union or Negotiating Council null and void and shall direct the jurisdictional conciliation officer for initiation of the proceedings for re-constitution of the Negotiating Union or Negotiating Council.

21. Facilities to be provided by the Industrial Establishment under sub section 7 of section 14 - The industrial establishment may declare the executive members of the negotiating registered trade union and members of the negotiating council as protected workers as provided under sub-section (3) of section 90.

Sections 14(7) and
99(2)(p)

22. Utilization of the general funds of a registered trade union under sub-section (1) of section 15 - The general funds of a registered trade union shall not be spent on any objects other than specified below—

Sections 15(1)
and 99(2)(q)

- i) the payment of salaries, allowances and expenses to office bearers of the registered trade union;
- ii) the payment of expenses for the administration of the registered trade union, including audit of the accounts of the general funds of the registered trade union;
- iii) the prosecution or defence of any legal proceeding to which the registered 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 registered trade union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;
- iv) the conduct of trade disputes on behalf of the registered trade union or any member thereof;
- v) the compensation of members for loss arising out of trade disputes;
- vi) allowances to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members;
- vii) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness, accident or unemployment;
- viii) the 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 dependants of members;
- ix) the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such; and
- x) the payment, in furtherance of any of the objects on which the general funds of the registered trade union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall

not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the registered trade union during that year and of the balance at the credit of those funds at the commencement of that year.

Sections 15(2)
and 99(2)(q)

23. Constitution of a separate fund under sub-section (2) of section 15 - A registered trade union may constitute a separate fund, from contributions separately levied for or made to that fund, keeping in view the promotion of the civic and political furtherance of objectives such as purchase of land for construction office of the union, health benefits of the workers, welfare measures to be extended to family of workers or for any kind of litigation which is of common interest.

Provided that such contribution to this separate fund should be taken as per provisions of the sub-section (3) of section 15 of the code.

Sections 15(4)
and 99(2)(q)

24. Subscriptions payable by the members of the registered trade union under sub-section (4) of section 15 - The monthly subscription shall be prescribed by State Government by notification from time to time.

Sections
22(1) and
99(2)(r)

25. Application for adjudication before Industrial Tribunal under sub-section (1) of section 22 - In case of any dispute specified under section 22 of the Industrial Relations Code, 2020, any of the party may submit application in **FORM- XII** alongwith judicial fee notified by State Government from time to time before the Industrial Tribunal of the jurisdiction for adjudication.

Sections 24(2)
& 24(3) and
99(2)(s)

26. Manner of Amalgamation of registered trade unions under subsection (2) of section 24 - (1) Any two or more registered trade unions may be amalgamated by way of resolutions, regarding merger of such unions, passed by majority of the members of such registered trade unions.

(2) In case there is any change of name of amalgamated trade union, the amalgamated union, within a period of thirty days of amalgamation, shall submit fresh application to the Registrar for registration.

Provided that the amalgamated union shall submit an application to the Registrar for amendment, within thirty days of such amalgamation, in the case of chosen the name of the amalgamated trade union from one of the existed trade unions.

Provided further that the registered trade union, which does not remain in existence after amalgamation, shall submit the application to the Registrar for dissolution of such trade union within thirty days of such amalgamation.

(3) Wherever such amalgamation of registered trade unions takes place, the trade union comes in existence after amalgamation can receive all the assets of the merged unions and shall be responsible for existing liabilities of such trade unions at the time of merger.

(4) The amalgamated trade union shall inform the Registrar of trade unions for all the assets and liabilities taken over by the amalgamated trade union.

(5) All the applicable provisions of the code will remain applicable on such amalgamated trade union.

27. Funds of a dissolved registered trade union under sub-section (2) of section 25— Where it is necessary for the Registrar under section 25 to distribute the funds of a registered trade union which has been dissolved, the Registrar shall divide the funds among members of the registered trade union in accordance with length of membership of members with such trade union.

Sections
25(2) and
99(2)(t)

28. Annual returns under clause (a) sub-section (1) of section 26.— The annual return to be furnished under section 26 shall be submitted to the Registrar by the 31st day of March in each year and shall be in **(Form-II)**.

Sections
26(1)(a) and
99(2)(u)

29. Recognition of registered trade unions at State Level under sub section (2) of Section 27: - (1) Application shall be filed in **(Form-VII)** by the registered trade union or federation of the registered trade unions to the Registrar of trade unions.

Sections
27(2) and
99(2)(v)

Provided that every such application shall be submitted by the registered trade union with a resolution passed by majority of the members in the State of such trade union or federation of trade union.

(2) Upon receipt of the application or otherwise or Suo-moto, if it is felt by the Registrar, that the recognition of such registered trade unions or federation of trade unions at State level is necessary and expedient, the Registrar shall recognize such trade union at State level trade union or federation of trade union.

CHAPTER IV

STANDING ORDERS

sections 30(3)
and 99(2)(w)

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

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

(2) On receipt of information referred to in sub-rule (1), the certifying officer within a period of thirty days from such receipt may give his observation that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the model standing orders which have not been adopted and shall also direct the employer to amend the standing order so adopted, by way of addition, deletion or modification within a period of thirty days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the certifying officer seeks to get so amended and such report shall be sent electronically by the employer.

(3) If no observation is made by certifying officer within a period of thirty days of the receipt of the information as specified in sub-rules (1) and (2), then, the standing order shall be deemed to have been adopted by the employer.

sections 30(5)
and 99(2)(x)

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

(1) Where no trade union or council shall qualify as negotiating union or negotiating council, as prescribed in Rule 19 and Rule 20 of these rules, in an industrial establishment, as is referred to in clause (ii) of said sub-section (5), then the representatives of such workers shall be chosen from amongst the workforce by way of election in the presence of conciliation officer in such industrial

establishment. The number of such representatives shall be one for each fifty workers subject to a minimum of three representatives.

(2) Upon their being chosen, the conciliation officer shall submit the information regarding chosen representatives as per sub-rule (1) to the certifying officer.

(3) The certifying officer shall forward a notice alongwith copy of draft standing order to the elected representative as specified in sub-rule (1) and (2) of this rule; seeking objections and suggestions, if any, which the workers through elected representative may desire to make to the draft standing order. The elected representatives shall submit the relevant objections and suggestions to the certifying officer within fifteen days from the receipt of the notice.

32. Manner of authentication of certified standing orders under sub-section (8) of section 30.- The standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent electronically and physically within seven days and will be displayed at notice board of the industrial establishment and other conspicuous places within the premise(s) of such industrial establishment.

sections
30(8) and
99(2)(x)

Provided that the standing orders already certified before the date of applicability of this code shall be stand valid under the provisions of this code. However, any amendment in such standing orders shall be submitted to the certifying officer according to the provisions of this code.

33. Statement to be accompanied with draft standing orders under sub-section (9) of section 30.- A statement to be accompanied with draft standing order or draft modification in existing order shall contain:

sections
30(9) and
99(2)(y)

- i) The name of the industrial establishment or undertaking concerned, address, email address and contact number;
- ii) Number of employees;
- iii) Detail of registered trade unions;

- iv) If registered trade unions exist, whether such trade unions have fifty one percent or more members, numbers of members of such trade unions and copy of resolution passed by the majority of members of such trade unions to negotiate on the draft standing orders.
- v) Whether negotiating council exists or not, if yes, then manner of formation of negotiating council alongwith list of representatives of the such council.

sections 30
(10) and
99(2)(z)

34. Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30.- In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order to the Certifying Officer as notified by the State Government under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned registered trade union, negotiating union or negotiating council, if any.

Sections 32
and 99 (2)
(za)

35. Manner of disposal of appeal by appellate authority under section 32 - (1) An employer or registered trade union or negotiating union or negotiating council or such representative body of the workers of the industrial establishment desirous of preferring an appeal against the order of the certifying officer given under sub-section (5) of section 30 shall within sixty days of the receipt of such order shall draw up a memorandum of appeal in tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed electronically or otherwise to the appellate authority.

Provided that such appeal includes requisite number of respondents such as concerned registered trade union, negotiating council, employers and the representative body of employees.

(2) On receipt of such appeal, the appellate authority shall give notice to all the concerned and after affording an opportunity of being heard to all the concerned parties and after taking such evidence as it may have called and if produced, or considered to be relevant, shall pass an appropriate order within ninety days of the filing of such appeal,

dispose of the appeal either confirming the standing orders or directing the employer to modify the standing orders.

36. The language and the manner of maintaining standing order under sub-section (1) and (2) of section 33.- (1) The standing order finally certified by certifying officer shall be sent electronically or by the registered post.

sections
33 and 99
(2) (zb)

(2) The employer of the industrial establishment shall maintain the copy of standing order as finally certified or deemed to have been certified or adopted model standing order in English, in Hindi and in Gurmukhi in office of the industrial establishment and shall furnish such copy to any employee, trade unions and negotiating council of such industrial establishment on being asked within seven days of receipt of such application at its own cost.

37. Register for final certified copy of standing order under section 34.- (1) The certifying officer shall maintain a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments and shall make available to anybody concerned of the industrial establishment at cost to be notified by the State Government.

sections
34 and
99(2)(zc)

38. Application for modification of standing order under sub-section (2) of section 35.- The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted electronically and manually containing 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 union(s), negotiating council, representatives of workers concerned, and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

sections
35(2) and
99(2)(zd)

CHAPTER V

NOTICE OF CHANGE

39. The manner of giving of notice for change proposed to be affected under clause (i) of section 40.- (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall

sections
40 and
99(2)(ze)

give notice in **Form-VIII** to such worker or workers affected by such change.

Provided that such notice shall be properly addressed to the concerned employee.

Provided further that the such notice, as referred in proviso (1), to an individual worker shall be given with proper receipt alongwith his or her signature or thumb impression of the concerned worker.

(2) If the notice referred to in sub-rule (1) affects the service conditions of the group of workers, then the notice shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment.

(3) If the changes in conditions of service as specified in Third Schedule are different for different category of workers, then in that case, the employer shall deliver specific notices to each concerned worker separately with proper receipt alongwith their signature or thumb impression of the concerned workers.

CHAPTER VI

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

40. Form of arbitration agreement and the manner thereof under sub-section (3) of section 42. - (1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in **Form-IX** and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent in writing or electronically of arbitrator or arbitrators.

(2) The Arbitration Agreement referred to in sub-rule (1) shall be signed-
(a) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;

(b) in case of the workers or any class of workers by the authorized office-bearer of the registered trade union or negotiating council authorized in this behalf or by representatives of the workers authorized by way of resolution passed by majority of the workers at a meeting of the concerned workers held for such purpose;

(c) in the case of an individual worker, by the worker himself -

Explanation- (1) In this rule, the expression, 'office-bearer' means any officer of a registered trade union or negotiating council or negotiating union or an association of the employer authorized for such purpose;

(3) In this rule, 'office-bearer' means any of the following namely: -

- (a) the President;
- (b) the Vice-President;
- (c) the Secretary (including the General Secretary);
- (d) a Joint Secretary; and
- (e) any other office-bearer of the registered trade union authorized in this behalf, by the President and Secretary of the union.

41. Manner of issue of notification under sub-section (5) of section

42.- (1) The State Government, upon satisfaction that the persons making the reference represent the majority of each party, it shall publish the notification in this behalf in the Official Gazette of the State for 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.

sections
42(5) and
99(2)(zg)

Provided that such notification shall include the timeline for conclusion of the proceedings.

(2) The arbitrator(s) specified in sub-section (1) of section 42 of the Industrial Relations Code, 2020 shall conclude the proceedings and submit the arbitration award within ninety days from the date of the notification as referred in sub-rule (1) of this rule.

42. Manner of choosing representatives of workers where there is no registered trade union under sub-section (5) of section 42.- Where

there is no registered 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 representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

sections
42(5) and
99(2)(zh)

CHAPTER VII

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

sections 44,
46(6) and
99(2) (zi),
99(2) (zj)

43. Manner of filling up of the vacancy under sub-section (9) of Section 44 and procedure for selection, salaries and allowances and other terms and condition of Judicial Member of the State Industrial Tribunal under sub-section (6) of Section 46.- (1) The Judicial Member of the Industrial Tribunal shall be from the serving Judicial Officers not below the rank of Additional District and Session Judge deputed by the Punjab and Haryana High Court. The appointment of the Judicial member shall be notified by the State Government in the Official Gazette.

(2) A Judicial Member shall hold office till the date of his transfer or he attains the age of his superannuation, whichever is earlier.

(3) In case of casual vacancy in the office of Judicial Member, the Punjab and Haryana High Court shall appoint the Judicial Member in the same manner as prescribed under sub-rule (1) of this Rule.

(4) The salaries and allowances, resignation, removal and other terms and conditions of the Judicial Member so appointed shall be the same as are applicable to them in their respective Cadres of service.

sections 44,
46(6) and
99(2) (zi),
99(2) (zj)

44. Manner of filling up of the vacancy under sub-section (9) of Section 44 and procedure for selection, salaries and allowances and other terms and condition of Administrative Member of the State Industrial Tribunal under sub-section (6) of section 46.- (1) The Administrative Member shall be appointed by the State Government from amongst the retired Group A officers having minimum eight years of experience in Quasi-Judicial functions preferably in relation to labour laws. The appointment shall be made on the recommendation of a Search-Cum-Selection Committee (SCSC) as specified in sub-rule (2) of this rule or to be notified by the State Government from time to time.

(2) The Search-cum-Selection Committee shall comprise the following members, namely: -

- (i) Administrative Secretary, Department of Labour - Chairperson;
- (ii) Labour Commissioner - Member- Secretary;
- (iii) Representative from Department of Personnel not below the rank of Additional Secretary to Government of Punjab – Member and;
- (iv) Representative from Department of Finance not below the

rank of Additional Secretary to Government of Punjab –
Member;

(3) The Search-cum-Selection Committee (SCSC) shall invite the application from suitable candidates and, after taking into account qualification, suitability, record of past performance, integrity as well as experience keeping in view of the requirement of the Industrial Tribunal; shall appoint the suitable candidate for the said post. The appointment of the Administrative Member shall be notified by the State Government in the Official Gazette.

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

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

(6) In case of casual vacancy in the office of Administrative Member, the Search-cum-Selection Committee shall appoint the Administrative Member in the same manner as prescribed under sub-rule (1) to sub-rule (3) of this Rule.

(7) The Administrative Member shall be entitled to receive last pay drawn at the time of his retirement, Provided that if, the Member at the time of his appointment was in respect of a pension or being eligible for that elected to draw, a pension (other than disability or wound pension) in respect of any previous service under the Central Government or a State Government, his salary in respect of any service as a Member shall be reduced:

- i) By the amount of that pension;
- ii) If he had, before assuming office, received in lieu of portion of pension due to him/her in respect of such previous service, the commuted value thereof by the amount of that portion of the pension; and
- iii) by any other form of retirement benefits, being drawn or availed of or to be drawn by him.

(8) Administrative Member shall be entitled for house rent allowance at the rate as admissible to an officer of the Government of Punjab holding Group A post carrying the same pay.

(9) The Administrative member shall be able to avail leave as are admissible to an officer of the Government of Punjab holding Group A post carrying the same pay.

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

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

(11) State Government Health Scheme facilities as admissible to an officer of the Government of Punjab holding Group A post carrying the same pay shall be applicable.

(12) Travelling allowance to an Administrative Member shall be admissible as per entitlement an officer of the Government of Punjab holding Group A post carrying the same pay.

(13) An Administrative Member shall be entitled for one time leave travel concession during his or her five years tenure as admissible to an officer of the Government of Punjab holding Group A post carrying the same pay.

Provided that the administrative member has to complete more than three years of duration to avail the leave travel concession.

(14) An Administrative Member shall be entitled for conveyance/transport allowance as admissible to an officer of the Government of Punjab holding Group A post carrying the same pay.

(15) (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 Administrative Member, it shall make a preliminary scrutiny of such complaint.

(b) If on preliminary scrutiny, the State Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of an Administrative Member, it shall make a reference to the Search-Cum-Selection Committee to conduct the inquiry.

(c) The Search-Cum-Selection Committee shall complete the inquiry within six months' time or such further time as may be specified by the State Government.

(d) After conclusion of the inquiry, the Search-Cum-Selection Committee shall submit its report to the State Government stating therein its findings and the reasons therefor on each of the charges separately with such observations on the whole case as it may think fit.

(e) The Search-Cum-Selection Committee shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice and shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

(16) 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.

(17) The State Government shall, on the recommendation of the Search-Cum-Selection Committee, remove from office any Administrative Member, who-

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

Provided that where an Administrative Member is proposed to be removed on any ground specified in clauses (b) to (e), he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

(18) 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.

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

(20) 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.

sections 49
(3) (d) and
99(2)(zk)

45. Matters to trying a suit by conciliation officer, Tribunal and National Industrial Tribunal under clause (d) of sub-section (3) of Section 49:- The conciliation officer, Tribunal and National Industrial Tribunal shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, when trying a suit in respect of such matters as may be notified by the appropriate Government from time to time.

sections
53(1),(4), (6)
and 99(2)(zl)

46. Manner of holding conciliation proceedings under sub-section (1), full report under sub-section (4), and application and the manner of deciding such application under sub-section (6) of section 53.- (1) Where the Conciliation Officer receives any information about an existing or apprehended industrial dispute and he considers it necessary to intervene in the dispute, he shall give formal intimation to the parties concerned declaring his intention to commence conciliation proceedings with effect from such date as may be specified therein.

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

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

(2) Any of the parties to the dispute, during the pendency of conciliation proceedings before conciliation officer, thinks fit to approach Industrial Tribunal, may make an application in **Form-XII** before such Industrial Tribunal after expiry of forty-five days from the date of commencement of such proceedings before the conciliation officer.

(3) If no such settlement is arrived at in the conciliation proceeding referred to in sub-rule (1), the conciliation officer shall submit a report electronically or otherwise to the appropriate Government within seven days from the date on which the conciliation proceedings are concluded.

(4) The report referred to in sub-rule (3) shall be communicated electronically or otherwise to the parties concerned.

(5) The report referred to in sub-rule (3) shall contain inter-alia the submissions of the employer, worker or registered trade union, as the case may be, and it shall also contain the efforts made by the conciliation officer to bring the parties to the amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion of the conciliation officer.

(6) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in **Form-XII**, before the Tribunal electronically within ninety days from the date of the report under sub-rule (3).

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

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

list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.

(9) 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.

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

(11) 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.

(12) 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.

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

Provided that the Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed ex- parte, if it is satisfied that the absence of the party

was on justifiable grounds, and proceed further to decide the matter as contested.

(14) The Tribunal shall communicate its award electronically to the parties concerned and the State Government within one month from the date of the pronouncement of the award.

(15) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court within the meaning of sections 345, 346 and 348 of the Code of Criminal Procedure, 1973 (1 of 1974).

(16) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Tribunals.

(17) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee electronically in the Tribunal in the following manner, namely: -

- (a) fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of rupees Two per page.
- (b) For certifying a copy of any such award or order or document, a fee of rupees Two per page shall be payable.
- (c) Copying and certifying fees shall be payable electronically.
- (d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

(18) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal or State Industrial Tribunal when evidence has been called.

(19) The proceedings before Tribunal shall be held in open court: Provided that the Tribunal may direct any proceeding before it to be held by video conferencing.

Provided further that Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

CHAPTER VIII

STRIKES AND LOCK-OUTS

sections
62(4) and
99(2)(zm)

47. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62. – (1) The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in **Form- XIII** which shall be duly signed by the office-bearers of the trade union. However, such notice must accompany a resolution signed by majority of the members of the trade union.

sections
62(5), (6) and
99(2)(zn)

48. Manner of giving notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62. - (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form-XIV** to the President or General Secretary of every registered trade union relating to such industrial establishment endorsing a copy thereof to the concerned conciliation officer, the Labour Commissioner, Punjab and the State Government electronically or otherwise. The notice shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

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

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

CHAPTER IX

LAY-OFF, RETRENCHMENT AND CLOSURE

sections
70(c) and
99(2)(zo)

49. Manner of serving notice before retrenchment of the worker under clause (c) of section 70.- (1) If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him, then, such

employer shall give notice of such retrenchment in **Form-XV** to the State Government, the Labour Commissioner, Punjab and the concerned officer of the area jurisdiction, through e-mail or, by registered or speed post.

(2) If notice referred in sub-rule (1), on scrutiny, contains incomplete information in any of the aspects such as retrenchment, compensation, gratuity, leave encashment or any other dues then such incomplete notice shall not be considered as notice and in such case, the concerned officer shall write back to the employer that such notice is not considered as retrenchment notice under the provisions of the code.

50. Manner of giving an opportunity for re-employment to the retrenched workers under Section 72.- In case of any vacancy arisen in an Industrial establishment within the period of one year from the date of retrenchment, the employer of such industrial establishment shall inform such retrenched workers about the vacancy through registered post or speed post and on their email ID with an information to the concerned conciliation officer. The employer of the Industrial establishment shall consider such retrenched workers for re-employment against the vacancies within thirty days from such communication to the retrenched worker.

sections
72 and
99(2)(zp)

51. Manner of serving notice by the employer for intended closure under sub-section (1) of section 74 - If an employer intends to close down an industrial establishment, he shall give notice of such closure in **Form-XV** to the State Government, the Labour Commissioner, Punjab and the concerned officer of the area jurisdiction, by e-mail or registered post or speed post.

sections
74(1) and
99(2)(zq)

CHAPTER X

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

52. Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78- An application for permission under sub-section (1) of section 78 shall be made by the employer in **Form-XVI** stating clearly therein the reasons for the intended lay off and a copy of such application shall be served

sections
78(2) and
99(2)(zr)

simultaneously to the worker concerned electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

sections
78(3) and
99(2)(zs)

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

sections
78(7) and
99(2)(zt)

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

sections
79(2) and
99(2)(zu)

55. Manner of making application to the State Government by the employer for the intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79.-An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in **Form-XVI** stating clearly therein the reasons for the intended retrenchment electronically and a copy of such application shall also be sent to workers electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

sections
79(6) and
99(2)(zv)

56. Time-limit for review under sub-section (6) of section 79.-The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or

refusing to grant permission under sub-section (3) of section 79 within a period of thirty days from the date on which such orders is made.

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

sections
80(1) and
99(2)(zw)

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

58. Time-limit for review under sub-section (5) of section 80.- The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80 within a period of thirty days from the date on which such order is made.

sections
80(5) and
99(2)(zx)

CHAPTER XI

WORKER RE-SKILLING FUND

59. Contribution to Workers Re-skilling fund and Manner of utilization of fund under section 83.- (1) The contribution from such other sources towards worker re-skilling fund as may be notified by the appropriate Government from time to time.

sections
83(2) (b),
83(3) and
99(2)(zy),
99(2)(zz)

(2) Every employer who has retrenched a worker or workers under this Code, shall, within ten days, at the time of retrenching a worker or workers shall electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in an account to be notified by the State Government. The funds so received shall be transferred by the State Government to each worker or workers' account electronically within forty-five days of receipt of funds from the employer. The employer shall also submit the list containing the name of each worker retrenched, the amount equivalent to fifteen days of wages

last drawn in respect of each worker along with their bank account details to enable the State Government to transfer the amount in their respective account.

CHAPTER XII

OFFENCES AND PENALTIES

Section
85 (1) and
99(2)(zzf)

60. Officer for holding enquiry— For the purpose of Section 85 (1), the Appropriate Government may, by notification, appoint any officer, as the officer appointed for holding enquiry.

sections
89(1), (4)
and
99(2)(zza)

61. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89.— (1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer), shall in the offences in which prosecution is either or not instituted, if the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under section 89, he shall send a notice electronically or otherwise to the accused in **Form XVII** consisting of three parts. In Part-I of such Form, the compounding officer shall inter-alia specify the name of the offender and his other particulars, the details of the offence and in which section the offence has been committed, the compounding amount required to be paid towards the composition of the offence. Part II of the Form shall specify the consequences, if the offence is not compounded and Part III of the Form shall contain the application to be filled by the accused, if he desires to compound the offence. Each notice shall have a continuous unique number containing alphabets or numeric and other details such as officer sending notice, year, place, type of inspection for the purpose of easy identification.

(2) The accused to whom the notice referred to in sub-rule (1) is served, may send the Part III of the Form duly filled by him to the compounding officer electronically or otherwise and deposit the compounding amount electronically or otherwise in the account to be notified by State

Government from time to time, within fifteen days of the receipt of the notice.

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

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

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

(5) The compounding officer shall issue a receipt in PART IV of the form against the amount of money deposited by the accused for composition of the offense.

CHAPTER XIII

MISCELLNEOUS

62. Protected Workmen under sub section (4) of Section 90- (1) Every registered trade union or negotiating council connected with an industrial establishment, to, which the code applies, shall communicate to the employer, before the [31st December] every year, the names and addresses of such office-bearers of the union or representatives of the negotiating council who are employed in that establishment and who, in the opinion of the union or negotiating council, should be recognized as “protected workmen” in the industrial establishment. Any change in the incumbency of any such office-bearer or representative shall be

sections
90 (4) and
99(2)(zzf)

communicated to the employer by the trade union or negotiating council, as the case may be, within fifteen days of such change.

(2) The employer shall recognize such workmen to be [protected workmen for a period of twelve months from the date of such communication] for the purposes of sub-section (4) of the said section 90 and communicate to the registered trade union or negotiating council, in writing, within fifteen days of the receipt of the names and address under sub-rule (1), the list of workmen recognized as protected workmen.

(3) where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workmen, admissible for the industrial establishment, under Section 90, sub-section (4), the employer shall recognize as protected workmen only such maximum number of workmen:

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 workmen” in individual unions bear roughly the same proportion to one another as the membership figures of the unions. The employer shall in that case intimate in writing to the President or the Secretary of the union the number of protected workmen allotted to it:

Provided further that where the number of “protected workmen” allotted to a union under this sub-rule falls short of the number of office bearers of the unions seeking protection, the union shall be entitled to select the office bearers to be recognized as protected workmen. Such selection shall be made by the union and communicated to the employer within five days of the receipt of the employer’s letter.

(4) When a dispute arises between an employer and any registered trade union or negotiating council where a particular workman should be recognized as a “protected workman” or not, the dispute shall, be referred to the Conciliation Officer concerned for decision. An appeal against the decision of the Conciliation Officer shall lie to the Labour Commissioner, Punjab, whose decision thereon shall be final.

sections 91
and
99(2)(zzc)

63. Manner of making complaint by an aggrieved worker under section 91.- (1) Every complaint under section 91 of the Code shall be made electronically and by registered post or speed post in **Form** –

XVIII and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

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

Provided that the complaint referred in sub-rule (1) and sub-rule (2) made before conciliation officer or arbitrator or Industrial Tribunal shall be disposed within thirty days from the date of its filing.

64. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94.- Where the worker is not a member of any registered trade union, then, any member of the executive or other office-bearer of any registered trade union connected with or by any other worker employed in the industry in which the worker is employed may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in **Form-X**.

sections
94(1) and
99(2)(zzd)

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

sections
94(2) and
99(2)(zze)

66. Collection of statistics: - The employer shall submit the details of strike, lock-out, lay-off, retrenchment and closure statistics required under these rules electronically in Form and manner from time to time to the State Government as well as to the Office of Director General, Labour Bureau.

sections
99(2) and
99(2)(zzf)

67. Repeal and savings - The Industrial Disputes (Punjab) Rules, 1958, the Industrial Employment (Standing Orders) Punjab Rules, 1978 and the Punjab registered trade union Regulations, 1927 are hereby repealed:

Section
99(2)(zzf)

Provided that any order issued or any action taken under the aforesaid rules and regulations so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

Sd/-

MANVESH SINGH SIDHU, IAS

Secretary to Government of Punjab

Department of Labour

FORM I
(See rule 3)

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

Names of Parties:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witnesses:

(1)

(2)

*Signature of Conciliation Officer

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

FORM II**{See Rule 9 (3), Rule 11 and Rule 28}**

Annual Return to be furnished by the registered trade union for the year ending 31
March, 20...

Part-A

1. Name of the Union _____
2. Address of the Union _____
3. Registered Head Office _____
4. Contact number: _____
5. Email address: _____
6. Number and date of certificate of registration _____
7. Classification of Industry: [Please state to which of the following four categories the union belongs] -
 - (a) Public Sector - Central Sphere;
 - (b) Public Sector - State Sphere;
 - (c) Private Sector - Central Sphere; and
 - (d) Private Sector - State Sphere]
8. Name of the All-India Body/Federation to which affiliated _____
9. Affiliation number _____
10. Affiliation fee paid during the year _____
11. Number and date of receipt for payment of affiliation fee _____
12. Membership fee per month _____
13. No. of members on books at the beginning of the year _____
14. No. of members admitted during the year _____
15. No. of members who left during the year _____
16. No. of the members on books at the end of the year (i.e. on 31st March, 20__)
Male _____ Female _____ Total _____
17. No. of members contributing to political or separate fund _____
18. No. of members who paid their subscription for the whole year _____.
19. A copy of the rules of the registered trade union corrected upto the date of despatch of this return is appended.
20. Part B of the return over-leaf has been duly completed.

Date the

President or General Secretary

Part B

Statement of Liabilities and Assets of the 31st Day on March, 20__.

Liabilities	Rs. Ps.	Assets	Rs. Ps.
Amount of general fund		Cash -	
Amount of political fund		In hands of Treasurer	
Loans from		In hands of Secretary	
		In hands of	
		In the Bank	
		Securities as per list below	
		Un-paid subscription due for -	
		*(a) the year	
		*(b) previous year	
		Loans to -	
		(a) Officers	
		(b) members	
		(c) others	
Debts due to -		Immovable property	
Other liabilities (to be specified)		Goods and Furniture	
		Other assets (to be specified)	
Total liabilities		Total Assets	

List of Securities

Particulars	Face Value	Cost Price	Market price at date on which accounts have been made up	In hands of

GENERAL FUND ACCOUNT

			Treasure
Income		Expenditure	
	Rs Ps.		Rs. Ps.
Balance at the beginning of the year		Salaries, allowance and expenses of Officers	

Subscription from members (including unpaid subscriptions due for the year)		Travelling allowance, salaries, allowances and expenses of establishment	
		Auditors' fee	
		Legal expenses	
(a) Subscriptions received		Expenses in conducting trade disputes	
(b) Subscription in arrears for three months or less		Compensation paid to members for loss arising out of trade disputes	
(c) Subscription in arrears for more than three months		Funeral, old age, sickness, unemployment benefits etc.	
		Educational, Social and religious benefits	
Donations		Cost of publishing periodicals	
Sale of periodicals, books, rules, etc.			
Interest on investments Income from Miscellaneous sources (to be specified)		Rents, rates and taxes, Stationery, Printing and postage Expenses incurred under section 15 of the Industrial Relations Code, 2020 (to be specified)	
		Other expenses (to be specified)	
		Balance at the end of year	
Total		Total at	

Political Fund Account

	Rs Ps.		Rs Ps.
Balance at the beginning of year		Payments made on objects specified in section 15 of the Industrial Relations Code, 2020 (to be specified)	
Contribution from members		Expenses of management (to	

at per member		be fully specified)	
		Balance at end of year	

Treasurer

Auditors Declaration

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

Auditor

The following changes of [office bearers] have been made during the year.

[officer bearers] Relinquishing Office

Name of [Office bearer]	Date of relinquishing office

[Office Bearers] Appointed

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

Elections

Date of last election of
officer bearers _____

Date of next election of
officer bearers _____

President or General Secretary

FORM III**(See rule 10)**

(Form of Affidavit)

I, _____ S/O Sh. _____ Age _____ yrs. R/o _____ do hereby solemnly

affirm and declare as under: -

1. That I am the elected /designated (post) of _____ (Name of Trade Union) with its Head Office situated at _____ (Address of Trade Union).
2. That to the best of my knowledge and belief no Union / Association by the name of “_____ Union (Name of Union)” is registered in Punjab 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, Punjab.
4. That no member or office bearer has ever been convicted by Courts of India for any offence involving moral turpitude and sentenced to imprisonment.
5. That all particulars supplied as per Forms and Schedules 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 there are _____ employees are working in _____ (Name of Establishment) and out of which _____ employees are members of our union.
8. That I shall furnish such other documents and/or information as required by the Registrar for the purpose of this application.
9. That this is my true statement and it conceals nothing and that no part of it is false.
10. That the authority shall be at liberty to take appropriate action against me if any information/ document furnished is found to be false, frivolous or incorrect.
11. That the list of Trade Union Member along with attested Aadhar Number for verification is appended with the affidavit and no member has been compelled or force to share the Aadhar.

DEPONENT

Verification: -

Verified at _____ (Place) on _____ (Date) that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent.

FORM-IV**{ SEE Rule 12 }**

Application for Registration of registered trade union

Dated _____ day of _____ 20

To

The Registrar,

Trade Unions, Punjab.

1. We hereby apply for the registration of a registered trade union under the name of _____
2. The address of the head office of the union is _____
3. Contact number _____
4. Email address _____
5. The union came into existence on the _____ day of _____
(if the existence is more than one year before the making of an application for its registration; a general statement of the assets and liabilities of the Trade Union in Schedule- I as required with the provisions of sub-section (2) of Section 8 of Industrial Relations Code, 2020)
6. Details of Bank account:
 - (a) Account No. _____
 - (b) Name of the Bank _____
 - (c) Address of the Bank Branch _____
 - (d) IFSC code- _____
 - (e) Type of account (Savings or current) _____
7. Affiliation, if any _____
8. Affiliation Number _____
9. The union is union of employers/workers engaged in the industry _____ or (profession).
10. Classification of Sector - (a) Public Sector - Central Sphere
(b) Public Sector - State Sphere;

(c) Private Sector - Central Sphere; and

(d) Private Sector - State Sphere]

11. Every application for registration of a Trade Union shall be made to the Registrar electronically or by speed post/ registered post and be accompanied by*

(a) a declaration to be made by an affidavit in FORM-III of the Industrial Relations (Punjab) Rules, 202 as required by Section 8(1) (a) of the Industrial Relations Code, 2020;

(b) copy of the rules of the Trade Union together with a copy of the resolution by the members of the Trade Union adopting such rules as required with the provisions of section 8 (1)(b) of Industrial Relations Code, 2020;

(c) a copy of the resolution adopted by the members of the Trade Union authorizing the applicants to make an application for registration as required with the provisions of section 8 (1)(c) of Industrial Relations Code, 2020; and

(d) in the case of a Trade Union, being a federation or a central organization of Trade Unions, a copy of the resolution adopted by the members of each of the member Trade Unions, meeting separately, agreeing to constitute a federation or a central organization of Trade Unions as required with the provisions of section 8(1)(d) of the Industrial Relations Code, 2020.

12. We have been duly authorised to make this application by* _____

Sr. No.	Name	Post held in the trade union	Occupation	Address	Signature
1					
2					
3					
4					
5					
6					
7					

Schedule I

(This Need Not Be Filled in If the Unions Came into Existence Less Than One
Year Before the Date of Application for Registration)

Statement of Liabilities and Assets of the _____.

Liabilities	Rs. Ps.	Assets	Rs. Ps.
Amount of general fund		Cash -	
Amount of political fund		In hands of Treasurer	
Loans from		In hands of Secretary	
		In hands of	
		In the Bank	
		Securities as per list below	
		Un-paid subscription due for -	
		*(a) the year	
		*(b) previous year	
		Loans to -	
		(a) Officers	
		(b) members	
		(c) others	
Debts due to -		Immovable property	
Other liabilities (to be specified)		Goods and Furniture	
		Other assets (to be specified)	
Total liabilities		Total Assets	

List of Securities

Particulars	Face Value	Cost Price	Market price at date on which accounts have been made up	In hands of

GENERAL FUND ACCOUNT

			Treasure
Income		Expenditure	

	Rs Ps.		Rs. Ps.
Balance at the beginning of the year		Salaries, allowance and expenses of Officers	
Subscription from members (including unpaid subscriptions due for the year)		Travelling allowance, salaries, allowances and expenses of establishment	
		Auditors' fee	
		Legal expenses	
(a) Subscriptions received		Expenses in conducting trade disputes	
(b) Subscription in arrears for three months or less		Compensation paid to members for loss arising out of trade disputes	
(c) Subscription in arrears for more than three months		Funeral, old age, sickness, unemployment benefits etc.	
		Educational, Social and religious benefits	
Donations		Cost of publishing periodicals	
Sale of periodicals, books, rules, etc.			
Interest on investments Income from Miscellaneous sources (to be specified)		Rents, rates and taxes, Stationery, Printing and postage Expenses incurred under section 15 of the Industrial Relations Code, 2020 (to be specified)	
		Other expenses (to be specified)	
		Balance at the end of year	
Total		Total at	

Political Fund Account

	Rs Ps.		Rs Ps.
Balance at the beginning of year		Payments made on objects specified in section 15 of the	

		Industrial Relations Code, 2020 (to be specified)	
Contribution from members at per member		Expenses of management (to be fully specified) Balance at end of year	

Treasurer

Signature of Applicants with stamp

FORM V
{See rule 12}

Certificate of Registration of registered trade union

No.

It is hereby certified that _____ has been registered under the Industrial Relations Code, 2020 this _____ day of _____ 20____ having its affiliation to _____ (Not applicable if not affiliated). The registration certificate has been issued for the following purposes:

1. It is registered for the category of _____ (Public/Private) Sector at _____ [Central/State (Punjab)] level.
2. The jurisdiction of the trade union is _____ (Industry or profession or unorganized sector).

The registration certificate has been issued subject to the condition that the trade union will abide by all the provision of the Industrial Relations Code, 2020 and rules or regulations or any other orders, notifications made thereunder.

Registrar of registered trade
unions

'Seal'

FORM VI**(See rule 13)**

Register of registered trade unions

1. Serial number.
2. Date of registration.
3.
 - (a) Name of the members making the application.
 - (b) Occupations of members making the application.
 - (c) Addresses of the members making the application.
4. Name of trade Union.
5.
 - (a) Address of the head office of trade Union.
 - (b) Contact number
 - (c) Email address
 - (d) Bank account details
6. Date of establishment of Trade Union.
7. Officers of Trade Union-
 - Title
 - Name
 - Age
 - Post in trade union
 - Occupation
 - Address
8. Whether provision has been made for a separate fund under section 16 and, if so, from what date.
9.
 - (a) Date of intimation for alteration of rules
 - (b) Date of Registration of alteration of rules and its notification to the Secretary of the Trade Union.
10.
 - (a) Date of registration of change of address of registered office.
 - (b) Address of the Trade Union as changed.
 - (c) If the changed address is in another State whether extracts of registration sent to the Registrar of the other province.

11. (a) Date of registration of change of name.
(b) Name of the Trade Union as changed.
12. (a) Date registration of amalgamation.
(b) Name of the amalgamated union.
(c) Registration number of the amalgamated Union.
13. (a) Date of application for cancellation of registration under section 9 (5)(i).
(b) Date of giving notice for cancellation or withdrawal under provision of section 9(5)(iii).
(c) Date of issue of order withdrawing or cancelling registration.
14. (a) (1) Names of the members applying for dissolution.
(2) Occupation of the members applying for dissolution.
(3) Address of the members applying for dissolution.
(b) Date of registration of dissolution and issue of certificate to that effect.
(c) Number and date of Registrar's proceedings ordering distribution of fund under section 25(2) if any.

Signature of the Registrar

FORM VII
(See Rule 29)

To,

The Registrar

registered trade unions, Punjab

Subject: Request for granting Recognition as State registered trade union at the State Level

Respected Sir,

It is submitted that ours is a registered trade union /federation of registered trade union registered under the _____ (Name) as per provisions of Industrial Relations Code, 2020 vide Regd. No. _____ dated _____ having total membership of _____ members, which constitutes _____ percentage of the total workforce of the State. The copy of the resolution passed by majority of the members of the trade union is annexed with this application. Therefore, it is requested that our registered trade union/ Federation of registered trade unions may be accorded recognition under section 27 (2) of the Industrial Relations Code, 2020 and the rules made thereunder.

Annexure- copy of resolution

Dated the

President or General Secretary

FORM VIII**(See rule 39)**

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

Ref. No.

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

From

Name of employer

Address.....

To

Name of the worker/union/class of workers

Address of the worker/union/class of workers

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

Signature.....

Designation

ANNEXURE

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

Copy forwarded to:

1. The President or General Secretary of registered trade union, if any.
2. The Concerned Conciliation Officer of the area.

Signature.....

Designation

FORM IX**(See rule 40)****(Agreement for voluntary arbitration)****BETWEEN**

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

And

..... Representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of [here specify the name(s) and address(es) of the arbitrator (s). In case of even number of arbitrator (s), ... [here specify the name(s) and address(es) of the umpire

- (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/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 Principal Secretary to the Government of Punjab, Department of Labour.
- (iii) The Labour Commissioner, Punjab.

FORM X**(See rule 42, rule 64 and rule 65)**

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

Before the Authority
(Here mentions the authority concerned)

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

.....workers

Versus

.....Employer

I/we hereby authorise Shri / Sarva Shri (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

Signed and accepted by

FORM XI**{See sub - rule (18) of rule 44}****Form of Oath of Office for Administrative Member of Industrial Tribunal**

I, A, B., having been appointed as 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:

Copy to the Principal Secretary to Government of Punjab, Department of Labour

FORM XII**(See Rule 25 and Sub-rules (2) and (6) of rule 46)**

(Application to be submitted before the Tribunal)

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

In the matter of:

..... Applicant

Address.....

Versus

..... Opposite party (ies)

Address.....

The above-mentioned applicant begs to state as follows: -

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

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

Date

Place

Form XIII
(See rule 47)

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

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

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

To
(The name of the employer).

Dear Sir/Sirs,

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

Yours faithfully,

(President or General

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) Conciliation Officer of the concerned area.
- 2) Labour Commissioner, Punjab.

FORM XIV
(See rule 48 (1))

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

Ref. No. _____ Dated the day of..... 20....

From

Name of employer

Address.....

To

Name of the union/class of workers

Address of the union/class of workers

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

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons
-----------	-----------------------------

Copy forwarded to:

- (1) The President or General Secretary of the Registered Union, if any
- (2) Conciliation officer [Here enters office address of Conciliation Officer of the concerned area.]
- (3) Labour Commissioner, Punjab
- (4) The Principal Secretary to the Government of Punjab, Department of Labour.

Form XV**(See rule 49 and rule 51)****(Notice of Intimation of Retrenchment/Closure to be given by an employer to the State Government)**

[In cases of Part I, the prior notice of intimation should be served one month's notice before the commencement of retrenchment and in cases of Part II, i.e., closure, prior notice of intimation of sixty days is required to be given before the commencement of closure]

Ref. No.....

Dated(DD/MM/YYYY).

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

To,

The Principal Secretary,
Government of Punjab,
Department of Labour, Punjab.

Sir,

Part I
(Retrenchment)

- Under clause (a) of section 70 of the Industrial Relation Code, 2020, 1.
(Retrenchment) (a) Under Section 70(C) of this Code, 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) **Annexure I (include detail such as name, employee code, Date of joining, detail of salary drawn at the time of notice of retrenchment of such retrenched worker/workers**

and date of notice of retrenchment, date of retrenchment, amount of compensation to be given and reason for retrenchment etc.)

2. The workers concerned have been given on the.....(DD/MM/YYYY) one month's notice in writing as required.

or

The worker(s) have been given on the.....(DD/MM/YYYY) one month's pay in lieu of notice as required.

3. The total number of workers employed in the industrial establishment/undertaking are and the total number of those who are being retrenched are.....
4. All the retrenched workers have been paid their gratuity, leave encashment, bonus and all other dues owe to them as per the statutory laws.
5. I/We undertake (s) that in case we propose to take into employment any person within one year of such retrenchment, the retrenched workers/workers shall be considered for re-employment in compliance with the provisions of section 72 of the Industrial Relations Code, 2020.

Part II

(Closure)

1. Under sub-section (1) of section 74 of the Industrial Relation Code, 2020, I/ we hereby inform you that I/we have decided to close down..... (name of the industrial establishment or undertaking or employer) with effect from.....(DD/MM/YYYY) for the reasons explained in the **Annexure I (include detail such as name, employee code, Date of joining, detail of salary drawn at the time of notice of closure to worker/workers and date of notice of closure, date of closure of the establishment, amount of compensation to be given and reason for closure etc.)**
2. The number of workers whose services would come to an end on account of the closure of the industrial establishment or undertaking are..... (number of workers).

Number of workers

Category and designation of workers, who have been affected due to closure.

I/We hereby declare that the worker/workers concerned has/have been/will be paid compensation due to them under section 75 of this Code before or on the date of expiry of the notice period.

Yours faithfully,

(Name & Designation of the

(employer/Authorized Representative)

Copy to:

1. To the office of Labour Commissioner, Punjab (Only for statistical purpose)
2. Conciliation Officer of the concerned area

FORM XVI**(See rule 52, rule 55 and rule 57)**

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

To,

The Principal Secretary,
Government of Punjab,
Department of Labour, Punjab.

Sir,

*1. Under *sub-section (2) of Section 78 of the Industrial Relations Code, 2020, I/we hereby apply for “permission to lay-off.....workers (indicate number in figures and words) out of total of.....workers (indicate number in figures and words) employed in my/our establishment with effect from (DD/MM/YYYY) for the reasons set out in the Annexure-I (**include name, employee code, Date of joining, detail of salary drawn at the time of lay-off and date of lay-off of the worker/workers, amount of compensation to be given and reason for lay-off etc.**).

*2. Under sub-section (2) of section 79 of the Industrial Relation Code 2020, I/we hereby apply for permission for proposed retrenchment of..... Workers (indicate number in figures and words) with effect from (DD/MM/YYYY) for the reasons set out in the Annexure-I (**include name, employee code, Date of joining, detail of salary drawn at the time of retrenchment and date of retrenchment of the worker/workers, amount of compensation to be given and reason for retrenchment etc.**).

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

*4. Under section 80(1) of the Industrial Relation Code, 2020, I / we hereby inform you that I/we propose to **close down the undertaking specified below of (name of the industrial establishment). (Give details **include name, employee code, Date of joining, detail of salary drawn at the time of closure and date of closure of the establishment, amount of compensation to be given and reason for closure etc.** as in **Annexure II**) with effect from (DD/MM/YYYY)

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

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

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

6. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of this Code.
7. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)* / section 79* / section 80* of this Code before or on the expiry of the notice period.

or

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

8. 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.

9. 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.

Yours faithfully,
(Signature)

(*Strike off which is not applicable)

(** The application for permission in case of closure must be given at least 90 days before of the intended closure)

ANNEXURE I

Part A

1. Name of the worker
2. employee code,
3. Date of joining,
4. detail of salary drawn at the time of lay-off/ retrenchment
5. date of lay-off/ retrenchment of the worker/workers,
6. amount of compensation to be given to laid-off/retrenched workers
7. reason for lay-off/ retrenchment

Part B

	Total no. of workers/ no. of to be retrenched	Unskilled (total no. of workers/ to be retrenched)	Semi- skilled (total no. of workers/ to be retrenched)	Skilled (total no. of workers/ to be retrenched)	Highly skilled (total no. of workers/ to be retrenched)
1.					
2.	Reasons for lay-off/retrenchment/Closure (strike out whichever is not applicable)-				

ANNEXURE II

Part-A

1. Name of the worker
2. employee code,
3. Date of joining,
4. detail of salary drawn at the time of closure
5. date of closure,
6. amount of compensation to be given to workers at the time of closure

7. reason for closure

Part B

	Particulars	Remarks, if any
1.	Name of the industrial establishment/ undertaking with complete postal address along with Pin Code, e-mail, telephone number(s).	
2.	Status of undertaking— (i) Whether State Public sector/State public sector/Foreign majority company /joint sector company, etc., (In case of foreign holding company then indicate the extent of foreign holding)	Indicate the status of the company
	(ii) Whether a private limited company/ partnership firm or proprietorship firm	
3.	(a) MCA number	
	(b) GSTN number	
	(c) Registration number of the labour department	
4.	(a) *Names and identification number of the affected workers proposed to be laid-off/retrenched/ to be affected by closure.	The identification number UAN of EPFO under SS Code.
5.	(i) Annual production, item wise for pre-ceding three years-	
	(ii) Production figures, month-wise, for the preceding twelve months,	
6.	Balance sheets, profit and loss accounts and audit reports for the last three years.	To be annexed
7.	Net worth of the company	
8.	Names of the inter-connected companies or companies under the same management.	

9.	Details of lay-off/ Retrenchment resorted to in the last three years (other than the lay-off/ Retrenchment for which permission is sought), including the periods of such lay-offs/ Retrenchment the number of workmen involved in each such lay-off/ Retrenchment / continuation of lay off	
10.	Any other relevant details which have bearing on lay-off or retrenchment or Closure.	

FORM XVII**{See rule 61}**

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

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

PART - I

1. Name and Address of the offender Employer-
2. Address of the Establishment
.....
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 issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relation Code, 2020, along with an application dully filled in part – III of this notice.

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

(Signature of the Compounding Officer)

Date:

Place:

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

1. Name of applicant (name of the employer who committed the offence under the Industrial Relation Code 2020 to be mentioned.....

2. Address of the applicant

3. Particulars of the offence

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

4. Section of the Code under which the offence has been committed

.....

5. Details of the compounding amount deposited (electronically generated receipt or Demand draft to be attached)

6. Details of the prosecution, if filed for the violation of above-mentioned offences may be given

7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence

.....
.....

8. Any other information which the applicant desires to provide

.....
.....

Applicant
(Name and signature)

Dated:

Place:

PART-IV**Receipt**

No.

dated: _____

A sum of Rs. _____ by the way of Demand draft no. _____ dated _____ issued by the bank _____ (Name of the bank) has been received from _____ (Name of the employer/manager) of M/s _____ (Name of the establishment) _____ (Address of the establishment) on dated _____ on account of composition of offence under the Industrial Relations Code, 2020 and the rules made thereunder.

Signature of the compounding Officer

FORM XVIII**{See rule 63(1)}**

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

Before the Conciliation officer/Arbitrator/Industrial Tribunal -----,

In the matter of: Reference

No.....

A.....

Complainant(s);

Versus

B.....

Opposite Party(ies).

Address:

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

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

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal 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 rule 91 of the Industrial Relation Code are submitted herewith.

Dated this.....day of.....20 Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph..... above is true to my

Knowledge and that what is stated in 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

[F.No.]

Sd/-

MANVESH SINGH SIDHU

Secretary to Government of Punjab

Department of Labour