

MINISTRY OF LABOUR AND EMPLOYMENT**NOTIFICATION**

New Delhi, the 8th May, 2026

G.S.R. 342(E).—Whereas, the draft of the Industrial Relations (Central) Rules, 2025, as required under sub-section (1) of section 99 of the Industrial Relations Code, 2020 (35 of 2020) were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i) vide number G.S.R. 930(E), dated the 30th December, 2025 inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the said draft notification were made available to the public on the 30th December, 2025;

And whereas, objections and suggestions received from persons and stakeholders have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (35 of 2020) and in supersession of the Industrial Disputes (Central) Rules, 1957, in so far as they relate to Part II and Parts V to VIII; and the Industrial Employment (Standing Orders) Central Rules, 1946, in so far as they relate to these rules except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

**CHAPTER I
PRELIMINARY**

1. Short title and commencement.— (1) These rules may be called the Industrial Relations (Central) Rules, 2026.

(2) They shall come into force on 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 (35 of 2020);

(b) “electronically” means any information submitted by email or uploading on the official portal or digital payment in any mode for the purposes of the Code;

(c) “Form” means the forms set forth in the Schedule to these rules;

(d) “section” means a section of the Code.

(2) Words and expressions used in these rules which are not defined, but are defined in the Code, shall have their respective meanings assigned to them in the Code.

3. References of certain authorities and officers of industrial establishments under the Code.— (1) The reference to the Central Government or the Government of India, in relation to an industrial dispute in respect of a Union territory without legislature, shall be construed as a reference to the Administrator of such Union territory, for which the appropriate Government is the Central Government; and the reference to the Chief Labour Commissioner (Central), Deputy Chief Labour Commissioner (Central), Regional Labour Commissioner (Central) and the Assistant Labour Commissioner (Central) shall be construed as reference to the respective appropriate authority, appointed in that behalf by the Administrator of that Union territory.

(2) For the purposes of these rules, with reference to clause (m) of section 2 of the Code, it is hereby specified that—

(a) in relation to an industry, not being an industry referred to in sub clause (ii) thereof, carried on by or under the authority of a Ministry or Department of the Central Government or a State Government, the officer-in-charge of the industrial establishment shall be the employer in respect of that establishment; and

(b) in relation to an industry concerning railways, carried on by or under the authority of a Ministry or Department of the Central Government,—

(i) the General Manager thereof shall be the employer in respect of regular railway servants other than casual labour in the case of an establishment of a Zonal Railway;

(ii) the Officer-in-charge of the establishment shall be the employer in respect of regular railway servants other than casual labour in the case of an establishment independent of a Zonal Railway; and

(iii) the District Officer-in-charge or the Divisional Personnel Officer or the Personnel Officer, as the case may be, shall be the employer in respect of casual labour employed on Zonal Railway or any other railway establishment independent of a Zonal Railway.

4. Memorandum of settlement.— (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in Form I.

(2) The settlement shall be signed, —

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

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

(i) the President; or

(ii) the Vice-President; or

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

(iv) the Joint Secretary; or

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

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

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

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

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

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

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

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

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

CHAPTER II

BI-PARTITE FORUMS

5. Works Committee and its constitution.— (1) Every employer to whom an order made by the Central Government under sub-section (1) of section 3 of the Code relates, shall forthwith proceed to constitute a Works Committee (hereinafter in this chapter referred to as the “Committee”) to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, as specified in these rules.

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

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

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

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

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

(4) Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions, the employer shall request such registered Trade Union or Trade Unions to inform him in writing as to—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) The date of election fixed under clause (i) shall be notified seven days in advance and such notice shall specify the number of seats to be elected and shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers.

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

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

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

(ii) A nomination paper shall be held to be not valid under clause (i), if—

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

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

Provided that where a candidate or an attesting person is not able to be present at the time of scrutiny, the candidate may send a duly authorised nominee for this purpose.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) In case any member fails to attend three consecutive meetings of the Committee without obtaining leave from the Committee, his membership shall be forfeited.

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

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

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

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

(19) (i) The employer shall provide a place for holding meetings of the Committee and provide all necessary facilities for carrying out the work of the Committee.

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

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

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

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

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

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

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

(3) The representative of workers of the Grievance Committee shall be chosen in the following manner, namely: —

(a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14 of the Code, such negotiating union shall nominate the worker’s representatives of the Grievance Committee;

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

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

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

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

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

(5) Where there is no recognised negotiating union or negotiating council and if any dispute arises regarding choosing of the worker’s representative to the Grievance Committee, the matter may be referred to the concerned Regional Labour Commissioner (Central), who shall, after hearing the parties, decide the matter, whose decision shall be final.

7. Application to Grievance Committee.— (1) Any aggrieved worker may file an application stating his grievance before the Grievance Committee, along with name, designation, worker code or token number, department where he is posted, length of his service in years, category of worker, address for correspondence, contact number, details of grievance and the relief sought therefor.

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

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

8. Application to conciliation officer.— Any worker aggrieved by the decision of the Grievance Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application online on designated portal of the Ministry of Labour and Employment, or by speed post, or in person, within a period of sixty days from the date of the decision of the Grievance Committee or from the date on which the period specified in sub-section (6) of section 4 of the Code expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member:

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

CHAPTER III

TRADE UNIONS

9. Manner of recognition of negotiating union or negotiating council.-

(1) Matters for negotiation.— The matters pertaining to workers which the negotiating union or the negotiating council, as the case may be, shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 of the Code are specified, below: -

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

(2) Criteria for recognising single registered Trade Union.- under sub-section (2) of section 14 of the Code.— Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than thirty per cent. of the total workers employed in the industrial establishment, the employer of such industrial establishment shall recognise such Trade Union as the sole negotiating union of the workers.

(3) Manner of verification of membership of Trade Unions under sub-sections (3) and (4) of section 14 of the Code.— (a) (i) The Central Government shall appoint a verification officer (hereinafter in this chapter, referred to as the verification officer) for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

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

(ii) The verification officer may utilise the services of other officers to assist him depending upon the quantum of work of membership verification.

(iii) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the Central Government.

(b) The employer of the industrial establishment shall bear all the expenses and make arrangements in connection with the verification of membership of Trade Unions under clause (a).

(c) The Trade Unions may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be, on fulfillment of the following conditions namely,-

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

(ii) the application for recognition by the Trade Union is accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the Trade Union submitted to the Registrar of Trade Unions.

(d) (i) In case the negotiating union or negotiating council, is constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be.

(ii) The date of reckoning of verification of membership of the Trade Unions shall be fixed by the verification officer for the industrial establishment.

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

(iv) On receipt of the documents and records, the verification officer shall scrutinise the records and documents submitted by the Trade Union to ascertain the status of registration of Trade Unions and related matters.

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

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

(4) Verification of membership through secret ballot.- (a) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment sixty days before the date of actual voting to decide -

- (i) the publication of voters list;
- (ii) the date, time, mode of voting, place of voting;
- (iii) the date, time and place of counting; and
- (iv) other modalities relating to secret ballot.

(b) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions.

(c) All participating Trade Unions shall be allotted symbols in the same meeting.

(d) In case no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, the decision of the verification officer shall be final and he shall publish the schedule, programme and procedure of such secret ballot election.

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

(f) The voters list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in clause (e) and the voters list shall contain the name, father's name, designation, worker number or identity card number issued by the employer and place of posting of the worker.

(g) The final voter list shall be published by the employer after obtaining the approval of verification officer and be displayed at notice board at the main entrance and also on website, if any, of the industrial establishment within two days of finalisation of the list and a copy of such voters list shall also be sent to the participating Trade Unions by hand or by speed post or through electronic mode.

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

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

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

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

(6) Recognition of Trade Union as negotiating union or constituents of negotiating council.- (a) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to the Trade Union as a negotiating union or a constituent of negotiating council.

(b) The recognition granted under clause (a), either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually agreed by the employer and the Trade Union, as the case may be.

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

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

(b) The employer of the industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker.

(c) The office bearers of the negotiating union or negotiating council shall be treated on duty while holding meetings with the employer.

(8) Application for adjudication of dispute before Tribunal.- Where any dispute arises between –

- (i) one Trade Union and another; or
- (ii) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or
- (iii) one or more workers who are refused admission as members and the Trade Union; or
- (iv) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorised in this behalf by the Trade Union,

the aggrieved worker or the Trade Union, as the case maybe, may make an application in Form-II to the Tribunal having jurisdiction within a period of one year from the date on which the dispute arises, electronically or by speed post or in person.

CHAPTER IV

STANDING ORDERS

10. Model Standing Orders. - The Model Standing Orders for the purposes of the Code in respect of industrial establishments in mine sector, manufacturing sector and service sector shall be those set out under the Model Standing Orders, 2026.

Forwarding of information to certifying officer.— (1) In case the employer adopts the Model Standing Orders of the Central Government referred to in section 29 of the Code with respect to matters relevant to his industrial establishment or undertaking, the employer shall inform the concerned certifying officer electronically or in person or by speed post, the specific date from which the provisions of the Model Standing Orders have been adopted.

(2) The Model Standing Order adopted under sub-rule (1) shall apply to the industrial establishment and to all its units.

(3) On receipt of information under sub-rule (1), the certifying officer shall enter the details of the industrial establishment which has adopted the Model Standing Order in the register specified in rule 17.

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

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

(6) The provisions of the Model Standing Orders adopted in accordance with the provisions of these rules shall come in force with effect from the date specified in sub-rule (1).

(7) The certifying officer shall not raise any observation, if the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the standing orders apply.

11. Choosing of representatives of workers for issuing notice where there is no Trade Union.— (1) Where there is no Trade Union in the industrial establishment or undertaking, the certifying officer shall call a meeting of the workers to choose their representatives, to whom shall, upon their being chosen, issue notice along with a copy of the standing order or modification, as the case may be, in the language spoken and understood by the majority of the workers, requiring comments or suggestions, if any, which the workers may desire to make to the draft standing orders to be submitted within fifteen days from the date of receipt of such notice.

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

12. Authentication of certified standing order.— The certified standing orders or the modifications in the standing orders shall be authenticated by the certifying officer and shall be sent electronically and a hard copy thereof by speed post, within seven days from the date of such authentication to the employer and all the registered Trade Unions or chosen representative of workers:

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

13. Statement to accompany draft standing orders.— (1) The draft standing order shall be accompanied with a statement containing, the name of the industrial establishment or undertaking concerned, address, e-mail address,

contact number and the strength and details of workers employed therein including particulars of Trade Unions, if any, to which such workers belong.

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

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

(4) The Model Standing Orders, if modified, shall also apply to all the units of the industrial establishment or undertaking.

14. Conditions for submission of draft standing orders in similar establishment.— In case of group of employers engaged in similar industrial establishments, they may, after consultation with the concerned Trade Union, submit a joint draft of standing order under section 30 of the Code and the provisions of these rules shall apply:

Provided that the joint draft of standing orders, in cases of group of employers engaged in similar industrial establishments, shall be drafted and submitted to the Additional Chief Labour Commissioner (Central), who shall, in consultation with the concerned certifying officers, certify such joint draft standing orders, after recording reasons therefor:

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

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

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

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

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

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

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

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

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

16. Serving of order and text of standing orders. - (1) The order of the appellate authority shall be served electronically or otherwise within three days of the disposal of appeal to the employer or Trade Union or the negotiating

union or negotiating council or any union or representative body of the workers, as the case may be, by whom the appeal has been filed.

(2) The text of the standing orders as finally certified or deemed to have been certified or adopted model standing orders under this Chapter, shall be maintained by the employer in Hindi, English and local language.

(3) The certified standing orders shall be displayed in legible manner by the employer on the special board to be maintained for the purpose at the entrance or near the entrance of the industrial establishment through which majority of workers enter and may also be posted on the designated portal/website, if any, of such industrial establishment.

17. Register of standing orders.— (1) The certifying officer shall maintain electronically, a register in Form-III of all finally certified standing orders or deemed to have been certified or adopted Model Standing Orders, of all the concerned industrial establishments, which shall contain details of –

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

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified standing orders referred to in sub-rule (1) to any person applying therefor, on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be.

(3) The payment of fee for getting certified standing orders may also be made electronically.

18. Application for modification of standing orders.— (1) The application for modification of existing standing orders shall be submitted electronically or in person or by speed post.

(2) The application specified in sub-rule (1) shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force and proposed modifications therein, reasons thereof and the details of registered Trade Unions operating therein.

(3) The statement mentioned in sub-rule (2) shall be signed by a person authorised by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers, as the case may be, who has submitted such application for modification.

CHAPTER V

NOTICE OF CHANGE

19. Notice for change.— (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in Form- IV electronically or by speed post or in person, to such workers likely to be affected by such change and shall also upload such notice on the designated portal, if any, of the industrial establishment.

(2) The notice mentioned in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on the electronic notice board at the main entrance of the industrial establishment:

Provided that when there is a registered Trade Union or registered Trade Unions or a negotiating union or negotiating council relating to the concerned industrial establishment, a copy of such notice shall also be served in the

manner specified in sub-rule (1) on the secretary of such Trade Union or each of the secretaries of such Trade Unions, or secretary of the negotiating union or constituent of negotiating council, as the case may be.

CHAPTER VI

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

20. Form of arbitration agreement and manner of signing by parties — (1) The employer and workers may agree to refer any industrial dispute to arbitration by entering into an arbitration agreement in Form- V.

(2) The arbitration agreement referred to in sub-rule (1) shall be signed by the parties to the said agreement and it shall be accompanied by the consent, either in writing or electronically, of arbitrator or arbitrators.

(3) The arbitration agreement referred to in sub-rule (1) shall be signed, -

- (i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the company or corporation authorised for such purpose;
- (ii) in the case of workers, by the officer of the registered Trade Union authorised in this behalf or by five representatives of the workers duly authorised in this behalf at a meeting of the concerned workers held for such purpose; and
- (iii) in the case of an individual worker, by such worker himself or by an officer of the registered Trade Union, of which the worker is a member, or by another worker in the same establishment duly authorised by him in this behalf.

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

- (a) in case of an association of the employers, means any officer of such association of the employers authorised for such purpose; and
- (b) in case of a registered Trade Union, means any of the following officers of such Trade Union authorised for such purpose, namely:—
 - (i) the President; or
 - (ii) the Vice-President; or
 - (iii) the Secretary (including the General Secretary); or
 - (iv) a Joint Secretary; or
 - (v) any other officer of such Trade Union authorised in this behalf by the President and Secretary of such Trade Union.

21. Issuing of notification.— Where an industrial dispute has been referred to arbitration and the Central Government is satisfied that the persons making the reference represent the majority of each party, it shall issue a notification in this behalf and upload it on the website of the Ministry of Labour and Employment for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute so that they may present their case before the arbitrator or arbitrators appointed for such purpose.

22. Choosing of representatives of workers where there is no Trade Union.— Where there is no Trade Union to present the case before the arbitrator or arbitrators, the representative of workers shall be chosen by a resolution passed by the majority of concerned workers in Form- VI authorising to represent the case and the workers shall be bound by the acts of their representatives who have been so chosen to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER VII

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

23. Conciliation proceedings— (1) Where the conciliation officer receives any—

- (a) notice of a strike or lockout given under rule 25 or rule 26; or
- (b) application in respect of an existing industrial dispute; or
- (c) information regarding apprehension of an industrial dispute,

such officer shall—

- (i) in case of clause (a), enter the details on the designated portal and hold conciliation proceedings and inform the concerned parties the date of sitting for such purpose;
- (ii) in case of clause (b), enter the details on the designated portal and examine the application and if such dispute pertains to the jurisdiction of State Government, transfer the application to the concerned authority or otherwise proceed with the application and hold the conciliation in respect thereof; and
- (iii) in case of clause (c), enter the details on the designated portal and issue fresh notice to the parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer's representative and the worker's representative shall, on receipt of the notice referred to in sub-rule (1), submit their respective statements in respect of the said dispute in the first meeting of the conciliation proceedings.

(3) The conciliation officer shall, without delay, ascertain the facts and circumstances relating to the dispute and enquire into all matters affecting the merits and right settlement thereof and hold conciliation proceedings between the parties to the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute.

(4) If no settlement is arrived at in the conciliation proceedings referred to in sub-rule (3), the conciliation officer shall, within seven days from the date on which the conciliation proceedings are concluded, upload a report on designated portal of the Ministry of Labour and Employment and forward a copy thereof electronically or by speed post or in person to the parties to the dispute and to the Central Government.

(5) The report shall be made accessible to the parties concerned on the said designated portal by the Ministry of Labour and Employment.

(6) If settlement of the dispute or of any of the matters in dispute is arrived at in the course of the conciliation proceedings, the conciliation officer shall, apart from submitting a report to the Central Government or an officer duly authorised in this behalf by that Government along with a memorandum of the settlements signed by the parties to the dispute, also upload such report and memorandum of settlement on the designated portal of the Ministry of Labour and Employment.

(7) All evidences before the conciliation officer, except the documentary evidence, shall be filed in the form of an affidavit and the parties to the dispute shall also file the application or, as the case may be, file reply or rejoinder thereof in the form of an affidavit.

(8) The report referred to in sub-rule (4) shall, *inter alia*, contain the submissions of the employer, worker or Trade Union, as the case may be, involved in the dispute and it shall also contain the efforts made by the conciliation officer to bring the parties to an amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion arrived at by the conciliation officer.

(9) Where any dispute is not settled during the conciliation proceeding, the concerned party may make an application in Form II before the Tribunal electronically or by speed post or by speed post with value added services-Registration or POD (Proof of Delivery), within ninety days from the date of the report under sub-rule (5).

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

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

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

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

CHAPTER VIII

STRIKES AND LOCK-OUTS

25. Notice of strike, person or persons to whom notice be given and manner of giving such notice.— (1) The notice of strike referred to in sub-section (1) of section 62 of the Code shall be given in Form-XI, to the employer of an industrial establishment, which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to the concerned industrial establishment, endorsing the copy thereof electronically or by speed post to the concerned conciliation officer, Chief Labour Commissioner (Central) and the Secretary, Ministry of Labour and Employment.

(2) The date of receipt of the notice referred to in sub-rule (1) shall be the date of receiving the notice for the purposes of clause (a) of sub-section (1) of section 62 of the Code.

(3) If the employer of an industrial establishment receives any notice of strike from any person employed, then the employer shall, within five days from the date of receiving of such notice, intimate the same electronically to the concerned conciliation officer and Chief Labour Commissioner (Central).

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

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on electronic board at the main entrance to the industrial establishment and a copy of the said notice may also be posted on the designated portal, if any, of such industrial establishment and the date of receipt of such notice by the conciliation officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 23.

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

CHAPTER IX

LAY-OFF, RETRENCHMENT AND CLOSURE

27. Service of notice before retrenchment.— If an employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year, such employer shall serve prior notice of retrenchment in Form-XIII to the Central Government and to the concerned Deputy Chief Labour Commissioner (Central) through e-mail or speed post, in the following manner, namely, —

- (a) where prior notice is given to a worker under clause (a) of section 70 of the Code, notice of such retrenchment shall be served within three days from the date on which such notice is served on the worker;
- (b) where no prior notice is given to the worker under clause (a) of section 70 of the Code, and he is paid one month's wages in lieu thereof, notice of such retrenchment shall be sent within three days from the date on which such wages are paid; and

- (c) where retrenchment is carried out under an agreement, which specifies a date for the termination of service, notice of such retrenchment shall be sent so as to reach the Central Government and a copy thereof to the Deputy Chief Labour Commissioner (Central), at least one month before such date:

Provided that if the date of termination of service agreed upon is within thirty days of the agreement, the notice of retrenchment shall be sent to Central Government along with a copy thereof to the Deputy Chief Labour Commissioner (Central) concerned within three days of the agreement.

28. Re-employment to retrenched workers.— (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment, at least seven days before the actual date of retrenchment.

(2) When any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling such vacancies, the employer of such industrial establishment shall, if such workers are citizens of India and have given their willingness for employment, give them preference over other on the basis of their seniority.

(3) The employer shall arrange for the display on the notice board in a conspicuous place in the premises of the industrial establishment the details of vacancies, at least fifteen days before the date on which such vacancies are to be filled and shall also give information of those vacancies by speed post or through e-mail to all the retrenched workers eligible to be considered, on the latest address or e-mail given by each of them at the time of retrenchment or at any time thereafter:

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

Provided further that where duration of the vacancy is of less than one month there shall be no obligation on the employer to inform of such vacancy:

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

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

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

29. Service of notice for intended closure.— (1) If an employer intends to close down an industrial establishment, the employer shall give notice in Form-XIII at least sixty days before the date of intended closure to the Central Government and a copy thereof to the concerned Deputy Chief Labour Commissioner (Central) by e-mail or speed post.

(2) A copy of the notice referred to in sub-rule (1) shall also be sent to the registered Trade Unions or authorised representatives of workers, as the case may be, operating in the Industrial establishments.

CHAPTER X

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

30. Application for intended lay-off and manner of serving copy of such application to workers.— (1) An application shall be made by the employer in Form-XIV to the Central Government seeking permission for lay-off of a worker stating clearly therein the reasons for the intended lay-off and a copy of such application shall be served simultaneously to the worker concerned, electronically or in person or by speed post.

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

31. Application to continue lay-off.— The employer shall, in case of an industrial establishment being a mine, where the workers other than *badli* workers or casual workers have been laid-off 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, make an application in Form-XIV to the Central Government electronically and by speed post with a copy to the concerned Deputy Chief Labour Commissioner (Central) for permission to continue the lay-off—

- (a) specifying the number of days;
- (b) specifying the number of workers to be laid off;
- (c) the total number of workers employed in the industrial establishment;
- (d) the date of lay-off; and
- (e) the reasons for continuation of such lay-off.

32. Review of order.— (1) The Central Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission for the lay-off.

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

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

33. Application for intended retrenchment and manner of serving copy of such application to workers.— (1) An application shall be made in Form- XIV by the employer to the Central Government electronically, stating clearly the reasons for the intended retrenchment therein and a copy of such application shall be sent to the concerned workers electronically, or in person, or by speed post.

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

34. Review of order.— (1) The Central Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission for the retrenchment.

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

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

35. Application for intended closing of industrial establishment and manner of serving copy of application to representatives of workers.— An employer who intends to close down an industrial establishment, to which the provisions of Chapter X of the Code apply, shall apply in Form XIV to the Central Government electronically for prior permission, at least ninety days before the date on which the intended closure is to become effective, stating clearly therein the reasons for such 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 in person, or by speed post.

36. Review of order.— (1) The Central Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission for the closing down of an industrial establishment.

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

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

CHAPTER XI

WORKER RE-SKILLING FUND

37. Worker re-skilling fund.— (1) Every employer who has retrenched a worker in industrial establishment, shall, within ten days from the date of such retrenchment, electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the fund (name of the account) shall be displayed on the website of the Ministry of Labour and Employment and Chief Labour Commissioner (Central) to be maintained by the Chief Labour Commissioner (Central) or the office of the Deputy Chief Labour Commissioner (Central) or the office of the Regional Labour Commissioner (Central) or the office of the Assistant Labour Commissioner (Central), as the case may be.

(2) The fund so received under sub-rule (1) shall be transferred by the office of the Chief Labour Commissioner (Central) or the office of the Deputy Chief Labour Commissioner (Central) or the office of the Regional Labour Commissioner (Central) or the office of the Assistant Labour Commissioner (Central), electronically to each of the retrenched worker account within forty-five days of retrenchment to enable them to utilise that amount for his re-skilling.

(3) The employer shall also submit the list containing the name of the retrenched worker, the amount equivalent to fifteen days of wages last drawn by such retrenched worker along with his bank account details, to the office of the Chief Labour Commissioner (Central) or the office of the Deputy Chief Labour Commissioner (Central) or the office of the Regional Labour Commissioner (Central) or the office of the Assistant Labour Commissioner (Central), as the case may be.

CHAPTER XII

OFFENCES AND PENALTIES

38. Manner of composition of offence.— (1) The officer notified by the Central Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the “compounding officer”) shall, send a notice to the accused in Form XV through the designated portal of the Ministry of Labour and Employment.

(2) The accused to whom the notice is served under sub-rule (1), may send the duly filled up application in Part III of Form XV to the compounding officer electronically and deposit the compounding amount electronically, within fifteen days of the receipt of the notice.

(3) Where the prosecution has already been instituted against the accused in the court of competent jurisdiction, the accused may make an application to such court to allow composition of the offence against him and that court may, after considering the application, allow composition of the offence by the compounding officer in accordance with the provisions of section 89 and procedure specified in this rule.

(4) In case the accused is willing to compound by submitting the application under sub-rule (2), the compounding officer shall compound the offence and—

- (a) in case the offence is compounded before the institution of prosecution, no complaint for prosecution shall be instituted against the accused;
- (b) in case the offence is compounded pending proceeding under section 85 of the Code, the compounding officer shall inform the composition to the officer referred to in that section, who shall, after such information, close the proceeding in respect of such offence against the accused; and
- (c) in case the offence is compounded after the institution of prosecution with the permission of the court, the compounding officer shall treat the case as closed and inform the compounding of the offence to the competent court by which such composition was allowed and after receiving such information, the court shall discharge the accused.

CHAPTER XIII

MISCELLANEOUS

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

(2) Any change in the incumbency of any officer of the Trade Union referred to in sub-rule (1), shall be communicated to the employer by such Trade Union within fifteen days of such change.

(3) The employer shall, within fifteen days of the receipt of the names and addresses from the Trade Union under sub-rule (1) and subject to the provisions of sub-section (3) and (4) of section 90 of the Code recognise such workers as protected workers for the purposes of the said section and communicate to such Trade Union in writing, the list of workers recognised as protected workers for a period of twelve months from the date of such communication.

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

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

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

(5) Where a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of protected workers under this rule, such dispute shall be referred to the Deputy Chief Labour Commissioner (Central) or Regional Labour Commissioner (Central) or Assistant Labour Commissioner (Central) concerned, whose decision thereon shall be final.

40. Complaint by aggrieved employee.- (1) Every complaint of an aggrieved employee under section 91 of the Code shall be made in Form-XVI electronically, or by speed post and shall be accompanied by as many copies thereof for each of the opposite parties mentioned in such complaint.

(2) Every complaint under sub-rule (1) shall be verified by the aggrieved employee making the complaint or by the authorised representative of such employee to the satisfaction of the conciliation officer, arbitrator, Tribunal or the National Industrial Tribunal, as the case may be, acquainted with the facts of the case.

41. Authorisation of worker for representing in proceeding.— Where the worker is not a member of any Trade Union, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed, may be authorised in Form-VI by such worker to represent him in any proceeding relating to a dispute in which that worker is a party.

42. Authorisation of employer for representing in proceeding.— Where an employer is not a member of any association of employers, an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged, may be authorised in Form-VI to represent him in any proceeding relating to a dispute in which that employer is a party.

43. Parties bound by acts of representative.— A party appearing through a representative shall be bound by the acts of that representative.

44. Enquiry.— (1) On receipt of a complaint of an offence committed under sub-sections (3), (5), (7), (8), (9), (10), (11) and (20) of section 86 and sub-section (7) of section 89, the complaint shall be enquired into by an officer not below the rank of Under Secretary to the Government of India, appointed by the Central Government for such purpose under sub-section (1) of section 85 (hereinafter referred to as the “enquiry officer”).

(2) On receipt of the complaint, the enquiry officer shall call upon the person or persons through notice to be sent electronically, or by speed post and upload a copy of the same on the designated portal of the Ministry of Labour and Employment, to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the complainant of the date so specified.

(3) Where a party so desires, he may request in writing to the enquiry officer to issue notice in the enquiry only by post and also in cases where the enquiry officer feels that no electronic means of communication are available to the parties concerned, he may send such notice by speed post.

(4) In case the person to whom notice has been issued under sub-rule (2), the person or his representative fails to appear on the specified date, the enquiry officer may proceed to hear and determine the complaint *ex-parte*.

(5) In case the complainant fails to appear on the specified date without any information to the enquiry officer on two consecutive dates, the enquiry officer may dismiss the complaint:

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

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

(6) The authorisation to appear on behalf of any person under sub-section (2) of section 85 of the Code shall be given by a certificate or electronic certificate, as the case may be, which shall be presented to the enquiry officer during the hearing of the complaint and shall form part of the record.

(7) Any person who intends to appear in the proceeding on behalf of the complainant shall present before the enquiry officer and submit a brief statement in writing explaining the reason for his appearance.

(8) The enquiry officer shall record an order on the statement referred to in sub-rule (7) permitting the person referred to in that sub-rule to appear in the proceeding on behalf of the complainant, and in the case of refusing such permission, the enquiry officer shall include reasons for the same and incorporate it in the record.

(9) The complaint or other documents relevant to the complaint may be presented in person to the enquiry officer at any time during hours fixed by the enquiry officer or may be sent to him electronically or by speed post and the opposite party shall have the right to reply to the complaint and such other documents.

(10) The enquiry officer shall endorse or cause to be endorsed on each document, the date of its presentation or receipt, as the case may be, and if the documents are submitted electronically, no such endorsement shall be necessary.

(11) The enquiry officer may refuse to entertain a complaint, if considers that the complaint is incomplete and may request the complainant to rectify the defects within the time specified for such purpose:

Provided that if the enquiry officer observes that it is not possible to rectify the defects in the complaint, he may at once return such complaint indicating the defects.

(12) Where the complaint is presented after rectification of the defects, the date of such re-presentation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 85 of the code.

(13) The enquiry officer may, after giving the complainant an opportunity of being heard, refuse to entertain a complaint, if satisfied for reasons to be recorded in writing, that—

- (a) the complainant is not entitled to present the complaint; or
- (b) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;
- (c) the complainant fails to comply with the directions given by the enquiry officer under sub-section (2) of section 85 of the Code.

(14) The enquiry officer shall, in all cases mention the particulars at the time of passing of order containing the details, such as, the date of complaint, name and address of the complainant, name and address of the opposite party or opposite parties, section-wise details of the offence committed, plea of the opposite party, findings and brief statement of the evidence taken including cross examination, reasons and penalty imposed with his signature, date and place.

(15) The enquiry officer shall, in respect of the procedure be guided by the provisions of the Code of Civil Procedure, 1908 (5 of 1908), with such alterations as the enquiry officer may deem fit, not affecting their substance, for adapting them to the matter before him except where they are in conflict with the express provisions of the Code or these rules.

(16) The enquiry officer shall, after the case has been heard, pass an order or give directions on the same day or on a future date to be fixed for this purpose.

(17) Any person, who is either a complainant or an opposite party or any person permitted under sub-rule (8) shall be entitled to inspect any complaint or any other document filed with the enquiry officer.

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

46. Publication for communication.— For the purposes of communication to effect service of messages and documents under these rules, the Central Government, the National Industrial Tribunal, the Industrial Tribunal, every employer for which the Central Government is the appropriate Government, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads.

47. Maintenance of records, registers, forms, notice and display board.— (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under these rules shall be maintained in electronic manner in the required format or containing the information as is required.

(2) The records and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the concerned authority specified in this behalf under the Code.

48. Appointment of Commissioner.— For the purposes of computing the money value of a benefit referred to in sub-section (2) of section 59 of the Code, the Tribunal may appoint —

- (a) person with experience in the particular industry, trade, business or field encompassing the question referred to in sub-section (2) of the said section; or
- (b) person who had been a judge of a civil court; or
- (c) stipendiary magistrate; or

(d) Registrar or Secretary of a Tribunal constituted under any Central Act or a Tribunal or a National Industrial Tribunal constituted under the Code.

49. Fee for Commissioner, etc.- (1) The Tribunal shall, after consultation with the parties, estimate the probable duration of enquiry by the Commissioner referred to in rule 48 and fix the fee and other incidental expenses incurred.

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

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

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

(4) The Tribunal may, at any time, for reasons to be recorded in writing, vary the amount of the fee.

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

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

50. Time for submission of report.- (1) Every order for the appointment of Commissioner shall indicate a date, allowing sufficient time for the Commissioner to submit the report.

(2) If, for any reason the Commissioner anticipates that the date fixed for the submission of his report is likely to be exceeded, the commissioner shall apply, before the expiry of the said date, for extension of time setting forth grounds thereof and the Tribunal shall, after consideration, pass suitable orders on such application:

Provided that the Tribunal may, if it deems fit for sufficient cause, grant extension of time where no application for such extension has been received from the Commissioner.

SCHEDULE

FORM-I

[See rule 4]

(MEMORANDUM OF SETTLEMENT ARRIVED AT IN THE COURSE OF CONCILIATION PROCEEDINGS OR OTHERWISE)

Names of parties:

..... Representing employer(s);

..... Representing worker(s);

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witnesses:

(1)

(2)

*Signature of conciliation officer

In case the settlement is 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 Deputy Chief Labour Commissioner (Central).

FORM - II
[See sub-rule (8) of rule 9/ sub-rule (9) of rule 23]

(APPLICATION TO TRIBUNAL)

Before the Central Government Industrial Tribunal -----(place of the Industrial Tribunal having jurisdiction where dispute arises)

(A) Name and address of applicant(s)

Versus

(B) Name and address of opposite party(ies)

Brief facts of the dispute (statement regarding specific issues of dispute may be mentioned) which are connected with and relevant to the dispute under sub-section (1) of section 22/sub-section (6) of section 53* of the Industrial Relations Code, 2020 (35 of 2020).

Prayer:

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

Name and signature of the worker(s) or
Officer of Trade union raising the dispute/Party in dispute*

(* strike off which is not applicable)

FORM III
(See rule 17)

(REGISTER FOR CERTIFIED STANDING ORDERS)

PART-I

Industrial Establishment

| Unique and continuous number | Name of the industrial establishment | Nature of the industrial establishment | The areas of operation of the industrial establishment | Whether standing order is (a) model standing order, or (b) deemed standing order or (c) certified standing order | Date of adoption or date of deemed authentication or date of certification / authentication of standing order |
|------------------------------|--------------------------------------|--|--|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) |

| Date of filing appeal | Date and nature of decision | Amendment made on appeal, if any | Date of the dispatch of the copy of standing orders as settled on appeal | Any other relevant detail |
|-----------------------|-----------------------------|----------------------------------|--|---------------------------|
| (7) | (8) | (9) | (10) | (11) |

PART-II

Enclose the certified copy of the standing orders electronically.

FORM- IV
(See rule 19)

(NOTICE OF CHANGE OF SERVICE CONDITIONS)

Name of employer.....
Address.....
Dated the day of 20.....

In accordance with sub-section (1) of section 40 of the Industrial Relations Code, 2020 (35 of 2020), I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to the said Code.

Signature.....
Designation

ANNEXURE

(Specify the change/changes intended to be effected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any/Secretary, negotiating union/constituent of negotiating council.
2. Concerned Deputy Chief Labour commissioner(Central).

FORM-V
(See rule 20)
(AGREEMENT FOR VOLUNTARY ARBITRATION)

Between

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

And

..... Name of the parties representing worker

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

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

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

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

Signature of the parties representing employer/ any officer of the Trade Union / Representing worker / workers.

Witnesses:

1.

2.

Copy to: (i) The conciliation officer [Enter office address of the conciliation officer for the area concerned].

(ii) The Secretary to the Government of India, Ministry of Labour and Employment.

FORM- VI

(See rules 22, 41 and 42)

(AUTHORISATION BY WORKER, GROUP OF WORKERS, EMPLOYER OR GROUP OF EMPLOYERS TO BE REPRESENTED IN PROCEEDING BEFORE THE AUTHORITY)

Before the authority
(Mention the authority concerned)

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

.....workers

Versusemployer

I/we hereby authorise Shri / Shrimati/Kumarito represent me/us in the above matter.

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

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

Address

Accepted.

Signature of representative(s)

Address

FORM- VII
(See rule 24)

(APPLICATION UNDER SECTION 59(1) OF THE INDUSTRIAL RELATIONS CODE, 2020) FOR RECOVERY OF MONEY

To,

- (1) The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.
- (2) The Deputy Chief Labour Commissioner (Central)..... (here insert the name of the region).

Sir,

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

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

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

Signature of the applicant(s)

Address(es)

Station:

Date:.

ANNEXURE

(Specify the details of the amount(s) claimed.)

FORM- VIII*(See rule 24)*

[APPLICATION BY A PERSON AUTHORISED BY A WORKER OR BY THE ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SECTION 59(1) OF THE INDUSTRIAL RELATIONS CODE, 2020]

To

- (1) The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.
 (2) The Deputy Chief Labour Commissioner (Central).....(here insert the name of the region).

Sir,

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

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

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

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

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

Station.....

Signature of the authorised person/assignee/heirs

Date.....

Address.....

ANNEXURE

(Specify the details of the amount claimed.)

FORM - IX
(See rule 24)

[(APPLICATION TO TRIBUNAL UNDER SECTION 59(2) OF THE INDUSTRIAL RELATIONS CODE, 2020
BY WORKER)]

Before the Central Government Industrial Tribunal at

..... between..... and.

(1) Name of the applicant(s)

(2) Name of the employer

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

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

Signature or thumb impression (s) of the applicant(s)

Address (es)

Place.....

Date.....

ANNEXURE

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

FORM- X
[See rule 24]

(APPLICATION UNDER SECTION 59(2) OF THE INDUSTRIAL RELATIONS CODE, 2020 BY ASSIGNEE/
HEIR OF DECEASED WORKER)

Before the Central Government Industrial Tribunal at Between

(i) Name of the applicant/applicants

(ii) Name of the employer

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

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

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

Name and Address of worker.....

Signature of the assignee/heirs

Address (es)

Place.....

Date.....

ANNEXURE

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

FORM-XI
(See rule 25)

[NOTICE OF STRIKE BY UNION (NAME OF UNION)/ GROUP OF WORKERS]

Name of Union

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

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

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code, 2020 (35 of 2020) I/We hereby give you notice that I propose to call a strike / we propose to go on strike on20....., for the reasons explained in the Annexure.

Yours faithfully,

(Secretary of the Union)

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

ANNEXURE

Statement of the Case.

Copy to:

- (1) Conciliation officer [Enter the office address of the Assistant Labour Commissioner (Central) / Regional Labour Commissioner (Central)/ Deputy Chief Labour Commissioner (Central) of the concerned area.]
- (2) Chief Labour Commissioner (Central) New Delhi
- (3) Secretary, Ministry of Labour and Employment, New Delhi

FORM -XII

(See rule 26)

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

Name of employer

Address.....

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

In accordance with the provisions of sub-section (2) of section 62 of the Industrial Relations Code, 2020 (35 of 2020) , I/we hereby give notice to all concerned that it is my/our intention to effect 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 Secretary of the Registered Union, if any
- (2) Conciliation officer [Enter the office address of the Assistant Labour Commissioner (Central) / Regional Labour Commissioner (Central)/ Deputy Chief Labour Commissioner (Central) of the concerned area.]
- (3) Chief Labour Commissioner (Central) New Delhi
- (4) Secretary, Ministry of Labour and Employment, New Delhi

FORM -XIII
(See rules 27 and 29)

(NOTICE OF RETRENCHMENT/CLOSURE TO CENTRAL GOVERNMENT UNDER CHAPTER IX OF THE INDUSTRIAL RELATIONS CODE, 2020)

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

Name of industrial establishment /undertaking/ employer.....
Labour Identification Number

Dated.....

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

To,

The Secretary to the Government of India,
Ministry of Labour and Employment
New Delhi

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

or

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

2. The reason for retrenchment / closure is

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

or

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

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

or

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

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

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

Yours faithfully,

(Name of employer/ ***authorised representative
with seal)

(* Strike off which is not applicable.)

** Indicate number in figures and words both)

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

Copy to :

(1)Deputy Chief Labour Commissioner (Central) of the concerned area.

(2) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM- XIV

(See rules 30, 31, 33 and 35)

(APPLICATION FOR PERMISSION TO LAY-OFF/CONTINUATION OF LAY-OFF/ RETRENCHMENT/ CLOSURE TO THE CENTRAL GOVERNMENT UNDER CHAPTER X OF THE INDUSTRIAL RELATIONS CODE, 2020)

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

Name of industrial establishment or undertaking or employer.....

Labour Identification Number.....

Dated.....

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

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

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

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

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

To,

The Secretary to the Government of India,
 Ministry of Labour and Employment
 New Delhi

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

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission to continue the Lay-offworkers** out of total of laid off workers** in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY) for the reasons explained in Annexure-I.

or

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

or

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

* (Lay-off/Continuation of Lay-off) The worker(s) concerned were given on (DD/MM/YYYY) notice in writing as required under section 78(2)*/ section 78(3)* of the Industrial Relations Code, 2020 (35 of 2020).

or

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

or

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

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

or

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

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

The permission sought for may please be granted.

Yours faithfully,

(Name of employer/ ***authorised representative
with seal)

(* Strike off which is not applicable.)

** Indicate number in figures and word both)

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

ANNEXURE I

(Please give replies against each item)

| | | |
|----|--|--|
| 1. | Name of the undertaking with complete postal address, email, mobile and land line. | |
| 2. | Status of undertaking— (i) Whether Central public sector/State public sector/ like other, (ii) Whether a private limited company/ partnership firm/ partnership firm (ii) Whether the undertaking is licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate numbers. | |
| 3. | (a) Corporate Identification Number | |
| | (b) Goods and Service Tax Identification Number (GSTIN) | |

| | | |
|----|---|---------------|
| 4. | (i) Annual production, item wise for preceding three years- (ii) Production figures, month-wise, for the preceding twelve months, | |
| 5. | Audit report of the legal entity that own the establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years. | To be annexed |
| 6. | Names of the inter-connected companies or companies under the same management. | |
| 7. | Reasons for the intended lay-off/continuation of lay-off/ retrenchment/closure | |
| 8. | Details of lay-off/ retrenchment resorted to in the last three years including the periods of such lay-offs/ retrenchment the number of workers involved in each such lay-off/ Retrenchment / continuation of lay off | |
| 9. | Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure. | |

ANNEXURE II
(Details of affected workers)

| Sl. No | UAN/ CMPFO | Name of worker | Category (highly skilled / skilled/ semi-skilled / unskilled) | Date from which in service in/with the said establishment /undertaking/ employer | Wage as on date of application | Remark |
|--------|------------|----------------|--|--|--------------------------------|--------|
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |

FORM-XV

[See rule 38]

(NOTICE TO THE EMPLOYER/PERSON WHO COMMITTED AN OFFENCE FOR THE FIRST TIME)

The Compounding Officer, hereby informs you that the allegation has been made against you for violation of various provisions of this Code as per the details given below:—

PART - I

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

PART – II

You are advised to deposit the above mentioned amount within fifteen days from the date of receipt of this notice for compounding of the offence read with rule 38, along with an application duly filled in Part – III of this notice.

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

(Signature of the compounding officer)

Date:

Place:

PART – III

1. Name of applicant (name of the employer/person who committed the offence under the Industrial Relations Code 2020 (35 of 2020) to be mentioned.....
2. Address of the applicant
3. Particulars of the offence
.....
.....
4. Section of the Code under which the offence has been committed
.....
5. Details of the compounding amount deposited (electronically generated receipt to be attached).....

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

.....

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

.....

.....

.....

8. Any other information which the applicant desires to provide

.....

.....

.....

Applicant

(Name and signature)

Dated:

Place:

Form- XVI
(See rule 40)

(COMPLAINT UNDER SECTION 91 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National 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 Relations Code, 2020 as shown below:

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

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National 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 40 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..... onday of.....20.....

Signature
or thumb impression of the person verifying_____.

[F. No. S-11025/01/2026-IR(PL)]

DEEPIKA KACHHAL, Jt. Secy.