THE U.P. TRADE UNIONS REGULATIONS, 1927

Regulations under the Indian Trade Unions Act, 1926

1. These regulations may be called the U.P. Trade Union Regulations, 1927.

2. In these regulations—

(a) *"the Act"* means the Indian Trade Unions Act, 1926;

(b) *"Form"* means a form appended to these rules;

(c) *"section"* means a section of the Act.

3. Every application for registration of a Trade Union shall be made in Form A.

4. The register of Trade Unions referred to in Section 8 shall be maintained in Form B.

5. The certificate of registration issued by the Registrar under Section 9 shall be in Form C.

The fee payable for the registration of a Trade Union shall be Rs. 20].

7. Every application by a Trade Union for the withdrawal or cancellation of its certificate of registration shall be sent to the Registrar in Form D.

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

9. Any appeal made under Section 11(1) of the Act must be filed within sixty days of the date on which the Registrar passed the order against which the appeal is made.

10. Notice of any change in the address of the registered head office of a Trade Union shall be given to the Registrar in Form E.

11. (1) The Registrar, on receipt of a notice of the removal of the office to another State, will forward to the Registrar of the State to which the head office of the Trade Union has been transferred a copy of all the entries contained in the register prescribed by Regulation 4.

(2) The Registrar of the State to which the head office of the Trade Union has been transferred shall thereupon enter in his register the particulars relating to the Trade Union and shall notify the fact that he has done so to the Secretary of the Trade Union.

1. *Subs,* by Noti. No. 1034 (V)/XXXVI-3-50(v)-75 dt. 19.7.1976, published in the U.P. Gazette, Extra., dt. 19.7.1976.

12. (1) On receiving a copy of an alteration made in the rules of a Trade Union under Section 28(3) the Registrar, unless he has reason to believe that the alteration has not been made in the manner provided by the rules of the Trade Union, shall register the alteration in a register to be maintained for this purpose and shall notify the fact that he has done so to the Secretary of the Trade Union.

(2) The fee payable for the registration of alteration of rule shall be Re. 1 for each set of alterations made simultaneously.

13. (1) The notice of any change of the name of a Trade Union shall be sent to the Registrar in Form F.

2.) When the Registrar registers a change of name under Section 25, sub-section (3), he shall certify under his signature at the foot of the certificate, issued under Regulation 5, that the new name has been registered. The Secretary shall present the certificate to the Registrar for making this entry.

14. Notice of every amalgamation shall be sent to the Registrar in duplicate in Form G.

15. When a registered Trade Union is dissolved notice of the dissolution shall be sent to Registrar in Form H.

16. Where it is necessary for the Registrar, under Section 27(2), to distribute the funds of a Trade Union which has been dissolved, he shall divide the funds amongst the members on the books of the Trade Union on the date on which notice of dissolution is issued, in proportion to the amounts contributed by such members by way of subscription during their membership.

17. The annual return to be furnished under Section 28 shall be submitted to the Registrar by the 31st day of July in each year and shall contain a full and correct statement of the particulars prescribed in Form I, duly audited according to the provision of Regulations 18 and 21.

18. (1) Save as provided in sub-clauses (2), (3),' (4) and (5) of this regulation the annual audit of the accounts of any registered Trade Union shall be conducted by an Auditor authorized to audit the accounts of companies under Section 144(1) of the Indian Companies Act, 1913.

19. Where the membership of a Trade Union did not at any time during the financial year exceed 5,000 the annual audit of the accounts may be conducted—

(a) by an examiner of local fund accounts; or

(b) by any local fund Auditor appointed by the Local Government; or

(c) by any person, who having held an appointment under Government in any audit or accounts department, is in receipt of a pension from Government of not less than Rs. 200 per mensem.

20. Where the membership of a Trade Union did not at any time during the financial year exceed 750 the annual audit of the accounts may be conducted—

(fl) by any two persons holding office as Magistrate or Judge or as member of any Municipal Board, District Board, or Legislative body; or

(b) by any person, who having held an appointment under Government in any audit or accounts department, is in receipt of a pension from Government of not less than Rs. 75 a month; or

(c) by any Auditor appointed to conduct the audit of any Cooperative Societies by Government or by the Registrar of Cooperative Societies or by any State Co-operative Organization recognized by the Government for this purpose.

21. Where the membership of a Trade Union did not at any Lime during the financial year exceed 250, the annual audit of the account may be conducted by any two members of the Union.

22. Where the Trade Union is a federation of unions, and the number of unions affiliated to it at any time during the financial year did not exceed 50, 15 or 5 respectively the audit of the accounts of the federation may be conducted as if it had not at any time during the year had a membership of more than 5,000, 750 or 250 respectively.

23. Notwithstanding anything contained in Regulation 18 no person who, at any time during the year, was entrusted with any part of the funds or securities belonging to the Trade Union, shall be eligible to audit the accounts of that Union.

24. The Auditor or Auditors appointed in accordance with the regulations shall be given access to all the books of the Trade Union and shall verify the annual return with the accounts and vouchers relating thereto, and shall thereafter sign the Auditor's declaration appended to Form I, indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the return to be incorrect, unvouched or not in accordance with the Act. The particulars given in this statement shall indicate— (fl) every payment which appears to be unauthorized by the rules of the Trade Union, or contrary to the provisions of the Act;

(b) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person;

(c) the amount of any sum which ought to have been but is not brought to account by any person.

25. The audit of the political fund of a registered Trade Union shall be carried out along with the audit of the general account of the Trade Union and by the same Auditor or Auditors.

26. 2. (1) The register of Trade Unions maintained in accordance with Regulation 4 shall be open to inspection by any person on payment of a fee of Rs. 5.

1. *Subs,* by Noti. No. 1034 (V)/XXXVI-3-50(v>-75 dt. 19.7.1976, published in the U P. Gazette, Extra., dt. 19.7.1976.

(2) Any documents in the possession of the Registrar received from a registered Trade Union may be inspected by any member of that Union on payment of a fee of Rs. 5 for each document inspected.

(3) Documents shall be open to inspection every day on which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.

(4) Any member of a registered Trade Union shall, on payment of 00.12 paise for every hundred words or fractional part thereof required to be copied, in addition to a general stamp of 00.50 paise be entitled to receive a copy or extract certified by the Registrar of any document which has been filed by that Union.

FORMA

(See Regulation 3)

Application for Registration of a Trade Union

Dated the.....day of.....19 .....

1. We hereby apply for the registration of a trade union under the name of

2. The address of the head office of the union is.....

3. The union came into existence on the .....day of 19.... and has on its roll on the date of this application members.

4. The union is a union of employers/workers engaged in the..... industry (or profession).

5. The particulars required by Section 5(1)(c) of the Indian Trade Unions Act, 1926 are given in Schedule I.

6. The particulars given in Schedule II show the provision made in the rules for the matters detailed in Section 6 of the Indian Trade Unions Act, 1926.

7. To be struck out in the case of unions which have not been in existence for one year before the date of application. The particulars required by Section 5(2) of die Indian Trade Unions Act, 1926, are given in Schedule III.

8. We have been duly authorised to make this application by[1] .....

.....Signature_____Occupation Address _____

Signed 1..... 2_____ 3 _____ 4 _____

5..... 6_____ 7 _____

9. Written declaration from the officers of the trade union that they had given their consent to their being elected as such officers is given in Schedule IV.

To,

The Registrar of Trade Unions.

SCHEDULE I

List of Officers

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

Title	Name	Age	Address	Occupation

Note.—Enter in this Schedule the names of all members of the executive including all honorary or temporary members) of the union shown in column 1, the names of any posts held by them *(e.g.,* President, Secretary, Treasurer, etc.), in addition to their offices as members of the executive.

SCHEDULE II

Reference to Rules

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

1	2
Matter	Numbers of rules
Name of union	
The whole of the objects for which the union has been established	
The whole of the purposes for which the general funds of the union shall be applicable	
The maintenance of a list of members	
The facilities provided for the inspection of the list of members by officers and members	
The admission of ordinary members	
The admission of honorary or temporary members	
The conditions under which members are entitled to benefits assured by the rules	
The conditions under which fines or forfeitures can be imposed or varied	
The manner in which the rules shall be amended, varied or rescinded	
The manner in which the members of the executive and the other officers of the unions hall be appointed and removed	
The safe custody of the fund	
The annual audit of the accounts	
The facilities for the inspection of the account books by officers and members	
The manner in which the union may be dissolved	

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SCHEDULE III

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

Statement of Liabilities and Assets on the.....
day of..... 19....

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

List of Securities

Particulars	Nominal value	Market value	In hands of

Signed 1 .....

2 .....

3 .....

4 .....

5 .....

6 .....

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SCHEDULE IV

We hereby declare having consent to our being elected as officers of the ..... (name of the trade union).

Signature Designation

Signed :

1.....

2.....

3.....

4.....

5.....

6.....

7.....

8.....

9.....

10.....

11.....

12.....

13.....

14.....

15.....

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FORMB

THE INDIAN TRADE UNIONS ACT, 1926

Register of Trade Unions

1. Serial No. 2. Name of union 3. Address of head office 4. Date of registration 5. Number of application forms 6. Light of members applying for registration	Officers						
	Yegr of entering on office	Name	Age on entry	Address	Occupation	Year of relinquishing office	Other offices held in addition to membership of executive, with dates
	Q)	(2)	(3)	(4)	(5)	(6)	CT_
(1) (2) (3) (4) (5) (6) (7)							

FORMC

THE INDIAN TRADE UNIONS ACT, 1926

Certificate of Registration of Trade Union No.

It is hereby certified that the .....has been registered under the Indian Trade Unions Act, 1926, this..... day of..... 19....

Seal.

Registrar of Trade Unions, U.P.

FORMD

THE INDIAN TRADE UNIONS ACT, 1926

Application for withdrawal or cancellation of certificate of registration

Name of trade union .....

(Address)

Registration No.....

*Dated the ..... day of .....*19....

To,

The Registrar of Trade Unions,

The above-mentioned trade union desires that its certificate of registration under the Trade Unions Act, 1926, may be withdrawn or cancelled. Resolution passed at a general meeting[2] duly held on the 19 is as follows day of:

(Here give exact and true copy of the resolution). (Signed)

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FORME

THE INDIAN TRADE UNIONS ACT, 1926

Office of the Registrar of Trade Unions

Place.....

Notice before withdrawal or cancellation of certificate of registration under clause *(b)* of Section 10 of the Act

Registration No..... ..... trade union

Notice is hereby given to the above-mentioned trade union that it is the intention of the Registrar to proceed on the date of..... 19 .... , to withdraw or cancel the certificate of registration of the trade union, unless cause be shown to the contrary in the manner.

The ground of such proposed withdrawal or cancellation is that the certificate of registration has been obtained by fraud or mistake, or that the Trade Union has ceased to exist or has wilfully and after notice from me violated the provisions of the above-mentioned Act, or allowed its rule to continue ..... in force which is/a re inconsistent with the provisions of the Act, or has rescinded its rule .....providing for a matter provision for which is required by Section 6.

2 If not ata general meeting, state in what manner the request has been determined upon.

(The facts should be briefly specified when practicable).

Seal. (Signature)

Registrar

Date .....day of.....19...

To,

The Secretary of

Here enter name of trade union)

The date entered here shall not be less than two months from the date of notice.

FORMF

THE INDIAN TRADE UNIONS ACT, 1926

Notice of Change of Name

Name of trade union already registered .....

Address .... ----------

Registration No ....

Dated this ..... day of. .....19....

To,

The Registrar of Trade Unions,

Notice is hereby given that subject to the provisions of Section 23 of the Trade Unions Act, 1926 the name of the above-mentioned trade union has been changed to..... .....

The conser.: of die members was obtained by[3]

(Signed) 1 ***Secretary.***

2.

3.

4. **Airman**

5.

6.

7.

8.

FORMG

THE INDIAN TRADE UNIONS ACT, 1926

Notice of amalgamation of trade unions

A. Name of registered trade union.....

Number of registration.....

3*i.e.,* **by referendum resolution of a ~~general~~ meeting. If ~~procedure~~falnnaAsrereBad by any rule, quote number ot the rule.**

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B. Name of registered trade union .....

Number of registration (and so on if more than two).

(Address).....

*Dated the.....day of. .....*19....

To,

The Registrar of Trade Unions,

Notice is hereby given that in accordance with the requirements of Section 24 of the Trade Unions Act, 1926, the members of each of the above-mentioned trade unions have resolved to become amalgamated together as one trade union.

And that the following are the terms of the said amalgamation (state the terms).

And that it is intended that the trade union shall henceforth be called the

Accompanying this notice is a copy of the rules intended to be henceforth adopted by the amalgamated trade union which are the rules (if so) of the

(To be signed by seven members and the Secretary of each trade union)

(Signed) 1. *Secretary.*

2.

3.

4. *Members.*

5.

6.

7.

FORM H

THE INDIAN TRADE UNIONS ACT, 1926

Notice of the dissolution of trade union

Name of the Union.....

Registration No .....

(Address).....

*Dated this.....day of. .....*19...

To,

The Registrar of Trade Unions,

Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the rules thereof on the.....day of ... 19....

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We have been duly authorised by the union to forward this notice on its behalf, such authorisation is based on a resolution passed at a general meeting on the[45] ..... day of ..... 19....

(Signed) 1. *Secretary.*
2.
3.
4. Members.
5.
6.
7.

FORM I

THE INDIAN TRADE UNIONS ACT, 1926

Annual return (prescribed under Section 28 of the Indian Trade Unions Act, 1926) for the year ending 31st March, 19

Name of Union.....
Registered Head Office.....
Number of certificate of registration.....

Return to be made by federation of trade unions.	A. Number of unions affiliated at the beginning of the year.[2]
	B. Number of unions joining during the year.[6][7]
	C. Number of unions disaffiliated during the year.[4]
	D. Number of unions affiliated at the end of the year.
(This return need not be made by federations of trade unions).	Number of members on books at beginning of the year.
	Number of members admitted during the year (add together).
	Number of members who left during the year (deduct).
	Total number of members on books at the end of the year.
	Males ..... Females.....

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

5 The names of the affiliated and disaffiliated unions should be given in separate statements marked 'A', 'B' and 'C'.

6 The names of the affiliated and disaffiliated unions should be given in separate statements marked 'A', 'B' and 'C'.

7 The names of the affiliated and disaffiliated unions should be given in separate statements marked 'A', 'B' and 'C'.

Number of members contributing to political fund.....

A copy of the rules of the trade union corrected up to the date of despatch of this return is appended.

Date the.....19 ... *Secretary.*

Statement of Liabilities and Assets on .... day of.....19

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

List of Securities

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

Treasurer.

General Fund Accounts

Income	Rs. P.	Expenditure	Rs. P.
Balance at the beginning of the year. Contributions from members at ..... per member. Donations ..... Sales of periodicals, books, rules etc. Interest on investments Income from miscellaneous sources (to be specified)		Salaries, allowances and expenses of officers Salaries, allowances and expenses of establishment ..... Auditor's fees Legal expenses ..... Expenses in conducting trade disputes..... Compensation paid to members for loss arising out of State disputes..... Funeral, old age, sickness, un-employment benefits, etc., educational, social and religious benefits	

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Cost of publishing periodicals.....

Rents, rates, and taxes, stationery, printing and postage .....

Expenses incurred under Section 150 of the Trade Unions Act, 1926 (to be specified) .....

Other expenses (to be specified)....

Balance at the end of the year.....

Total Total

Political Fund Accounts

Income	Rs. P	Expenditure	Rs. P.
Balance at the beginning of the year.		Payments made on objects specified in Section 16(2) of the Trade Unions Act, 1926 (to be specified).	
Contributions from members at.....per member.		Expenses of management (to be fully specified).	
		Balance at the end of the year.	
Total Total			

Treasurer.

Auditor's Declaration

The undersigned, having had access to all the books and accounts of the trade union, and having examined the foregoing statements and verified them with the account vouchers relating thereto, now sign the statements as found to be correct, duly vouched and in accordance with the law,Subject to the remarks, if any, appended hereto.

Auditor..

Auditor.

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Officers Relinquishing Office

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

Name Office Date of relinquishing office

Officers appointed

Name	Date of birth	Private aoaess	Personal occupation	Title of position held in union	Date on which appointment in column 5 was taken up	Other offices held r addition to memoersrc of executive we oaaes
1	2	»	*	5	6	7

Secretary' of Union.

1. *Delete* the words, if no remarks are made.

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Notification

English translation of ShraniAnubhag-2, Noti. No. 6741(HI)/XXXVI-2—40(T.U.)-84, dated 29.11.1990, published in the U.P. Gazette, Extra., Part 4, Section (kha), dated 29.11.1990

In exercise of the powers under sub-section (2) of Section 3 of the Trade Unions Act, 1926 (Act No. 16 of 1926), the Governor is pleased to appoint all the Regional Additional Labour Commissioners and the Regional Deputy Labour Commissioners posted in different regional offices, as Additional Registrars and Deputy Registrars of Trade Union respectively to exercise and discharge all the powers and functions of Registrar in the areas of their respective jurisdictions, except the powers and functions relating to the registration of trade unions and cancellation of registration, change of name and amalgamation of Trade Unions under Sections 8, 10, 23 and 24 respectively of the said Act, under the superintendence and directions of the Registrar.