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NOTIFICATION

No. B.14015/8/2022-LESDE, Aizawl, the 12th August, 2026: The Industrial Relations (Mizoram) Rules, 2026 was pre-published as required under sub-section (1) of section 99 of the Industrial Relations Code, 2020 (35 of 2020), in the Mizoram Gazette Extraordinary, Vol. LV, Issue No. 410, vide Notification No. B.14015/8/2022-LESDE, dated the 11th May, 2026, published on the 18th May, 2026, inviting objections and suggestions from all persons likely to be affected thereby within a period of forty-five days from the date on which copies of the Gazette containing the said notification were made available to the public on the 18th May, 2026.

Since no objections or suggestions were received from any person or stakeholder within the period specified, the Government of Mizoram, in pursuance of the decision of the Council of Ministers conveyed by the Political & Cabinet Department vide Memo No. J.11011/1/2024-POL/Vol-I, Dated 10.08.2026 and in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (35 of 2020), read with section 24 of the General Clauses Act, 1897 (10 of 1897), and in supersession of the Industrial Relations (Mizoram) Rules, 2023, except as respects things done or omitted to be done before such supersession, is pleased to make the following rules, namely:-

THE INDUSTRIAL RELATIONS (MIZORAM) RULES, 2026

CHAPTER-I
PRELIMINARY

1. Short title, application and commencement:-

1) These rules may be called The Industrial Relations (Mizoram) Rules, 2026.

2) They extend to the whole State of Mizoram.

3) They shall come into force on the date of publication in the Official Gazette.

2. Definition:-

(1) In these rules, unless the context otherwise requires,-

(a) " Code" means the Industrial Relations Code, 2020;

(b) " section" means the section of the Code;

(c) "electronically" means any information or communication submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code;

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

3. Written agreement for settlement during conciliation proceedings or otherwise under clause (zi) of section 2 of the Code.-

(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 proceedings shall be in Form-I and shall be signed by the parties to the agreement, and a copy thereof shall be sent to the concerned Conciliation Officer.

(2) The written agreement for settlement shall be signed by—

(a) in the case of the employer, the employer himself, or by his authorised agent, or where the employer is an incorporated company or other body corporate, by the agent or manager of that company;

(b) in the case of workers, any of the following officers of the Trade Union, namely—
(i) the President;
(ii) the Vice-President;
(iii) the Secretary;
(iv) the Joint Secretary; or
(v) any other officer authorised in this behalf by the President and Secretary of the Union.

CHAPTER II
BI-PARTITE FORUMS

4. Constitution of Works Committee etc. under section 3 of the Code.-

(1) Every employer to whom an order made under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee in the manner as specified as follows:-

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

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

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

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

(4) (a) where any workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such Trade Union to inform in writing the number of such Trade Union and;

(b) where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the authority as may be notified by Government of Mizoram, who, after hearing the parties, shall decide the matter and his decision shall be final.

(5) On receipt of the information called for under sub-rule (4), the employer shall provide for the selection of worker's representative on the Committee in two following groups, namely:-

(a) registered Trade Union may choose their representatives as members for works committee in the proportion of their membership;

(b) where there is no registered Trade union, workers may choose amongst themselves representatives for works committee.

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

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

(b) the Vice-Chairman shall be elected by the members, on the Works Committee representing the workers, from amongst themselves: Provided that in the event of equality of votes in the election of the Vice- Chairman, the matter shall be decided by drawing lots;

(c) the Works Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the worker and vice versa:

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

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

(d) in any election under clause (d), in the event of equality of votes, the matter shall be decided by drawing lots.

(7) (a) the term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be two years;

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

(c) a member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall forfeit his membership.

(8) In the event of worker's representative ceasing to be a member under clause (c) of sub-rule (7) or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged.

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

(10) (a) the Works Committee may meet as often as necessary but not less than once in three months;

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

(11) (a) the employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall

ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting;

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

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

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

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

(3) The representatives of the workers shall be chosen by the registered Trade Union. In case where there is no registered Trade Union the members may be chosen by the workers of the industrial establishment:

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

Provided further that the tenure of the members of the Grievance Redressal Committee shall be three years from the date of constitution of the Committee.

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

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

(b) where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the authority to be notified by Government of Mizoram who shall, after hearing the parties, decide the matter and his decision shall be final.

(5) On receipt of the information called for under sub-rule (4), the employer shall provide for the selection of workers' representatives on the Committee by the following two groups, namely:—

(a) registered Trade Union may choose their representatives as members for the Grievance Redressal Committee in the proportion of their membership.

(b) workers who are not members of a registered Trade Union may choose amongst themselves representatives for the Grievance Redressal Committee.

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

Any aggrieved worker may file an application stating his dispute therein before the Grievance Redressal Committee giving his name, designation, employee Code, Department where posted, length of service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought. Such application may be sent electronically or manually. The Grievance may be raised within one year from the date on which the cause of action of such dispute arises.

7. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under subsection (8) of section 4 of the Code:-

Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application through online or manually within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member or otherwise:

Provided that till the online portal is ready, the conciliation application may be sent through registered post or speed post, the conciliation officer shall get the same digitized after the online portal is ready and enter the particulars of the application in the online mechanism under intimation to the concerned worker.

CHAPTER III
TRADE UNION

8. Payment of a subscription by members of the Trade Union and donation from such members and others under clause (f) of section 7 of the Code:-

(1) The payment of minimum subscription by member of Trade Union which shall not be less than-

(a) twenty Rupees per annum for rural workers;

(b) thirty Rupees per annum for workers in other unorganised sectors; and

(c) fifty Rupees per annum for workers in any other case or as may be fixed by the State Government from time to time.

9. Manner of annual audit under clause (j) of section 7of the Code:-

(1) The annual audit of the account of any registered trade union or federation of union shall be conducted by an auditor authorized to audit the account of companies under section 139 of Companies Act, 2013:

Provided that where the membership of trade union did not at any time during the financial year exceed 250, annual audit of the accounts may be conducted by any two members of the union.

(2) The auditor or auditors 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 II, indicating separately on that Form under his signature or their signatures, a statement showing in what respect he or they find the return to be incorrect, unvouched or not in accordance with the Act. The particulars given in this statement shall Indicate-

(a) 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; Provided in case of Audit of political funds of a registered Trade Union, the audit

shall be carried out along with the audit of the general account of the Trade Union and by the same auditor or auditors.

10. Form of declaration to be made by an affidavit and the manner of making the same under clause (a) of sub-section (1) of section 8 of the Code:-

Every application for registration of a Trade Union shall be made to the Registrar along with a declaration made regarding the authenticity of information given through an affidavit in Form III.

11. Form of general statement of the assets and liabilities of the Trade Union under sub-section (2) of section 8 of the Code:-

The statement of the assets and liabilities of the Trade Union shall be submitted to the Registrar in Form IV along with a copy of annual audit report.

12. Form of application for registration under sub-section (1) of section 8 and form of certificate of registration to be issued by the Registrar under sub-section (2) of section 9 of the Code:-

The application for registration under sub-section (1) of section 8, shall be in form V and the certificate of registration to be issued by the Registrar to the applicant under sub-section (2) of section 9 shall be in form VI.

13. Register of Trade Unions and withdrawal or cancellation of registration under section 9 of the Code:-

(1) The Registrar shall register a Trade Union by entering the particulars relating thereto in the Register of Trade Unions maintained in Form VII, for the purposes of sub-section (1) of section 9.

(2) The Registrar shall maintain the Register of Trade Unions in Form VII containing the name and other particulars of every Trade Union registered under the Code in accordance with sub-sections (1) and (3) of section 9.

(3) Every application by a Trade Union for withdrawal or cancellation of its certificate of registration under clause (i) of sub-section (5) of section 9 shall be made to the Registrar in Form VII-A and shall be signed and verified by the President and Secretary of the Trade Union.

(4) For the purposes of clause (i) of sub-section (5) of section 9, the Registrar may verify the application for withdrawal or cancellation of registration by—

(a) examining the documents submitted along with the application;

(b) calling for additional information, records or clarification;

(c) verifying particulars relating to members or office bearers; or

(d) making such inquiry as he deems fit.

(5) Where the Registrar proposes to withdraw or cancel the certificate of registration of a Trade Union under sub-section (5) of section 9, he shall issue a notice of not less than sixty days specifying the grounds and provide the Trade Union a reasonable opportunity of being heard.

14. Period within which appeal is to be preferred by Trade Union to Tribunal under sub-section (1) of section 10 of the Code:-

If an application is refused by the Registrar for granting registration or cancel registration under sub-section (5) of section 9, the person aggrieved may appeal to the Tribunal within the period

of sixty days from the date of refusal of application or cancellation of certificate.

15. Manner of amendment and variation in rules of Trade Unions and dissolution of Trade Unions:-

(1) Notice in writing of every change in name of the trade union or variation or rescission to the rules of the trade union, shall be signed by the Secretary and by seven members of the trade union and shall be sent to the Registrar having jurisdiction.

(2) When a registered trade union is dissolved, notice of the dissolution signed by seven members and by the secretary of the trade union shall, within fourteen days of the dissolution, be sent to the Registrar, and shall be registered by him if he is satisfied that the dissolution has been effected in accordance with the rules of the trade union and the dissolution shall have effect from the date of such registration.

(3) When a registered trade union is dissolved, notice of the dissolution and any amendment in rules shall be sent to the Registrar in Form VI-A.

16. Manner of sending the communication and notices under sub-section (1) and the manner to inform the Registrar under sub-section (3) of section 11 of the Code:-

(1) All communication and notices to the registered Trade Union shall be sent by the Registrar to the address of the head office of the Trade Union as entered in the register in Form VII through registered post and electronically, if possible.

(2) All communication to the Registrar by the Trade Union for the purpose of sub-section (2) and sub-section (3) of section 11 shall be made within thirty days of the occurrence of the event and shall be preferably through electronic mode.

17. Matters on which negotiating union or negotiating council, as the case may be, in an industrial establishment may negotiate with the employer of the industrial establishment under sub-section (1) and the criteria to be followed by the employer of industrial establishment under sub-section (2) of section 14 of the Code:-

(1) The matters pertaining to workers which the negotiating union or negotiating council shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 of the Code shall include, namely:—

(a) classification of grades and categories of workers;

(b) orders passed by the employer under the standing orders applicable to the industrial establishment;

(c) wages of the workers, including wage period, dearness allowance, bonus, increments, customary concessions or privileges, compensatory and other allowances;

(d) hours of work, rest days, number of working days in a week, rest intervals and working of shifts;

(e) leave with wages and holidays;

(f) promotion and transfer policy and disciplinary procedures;

(g) allotment of quarters to workers;

(h) safety, health and working conditions;

(i) such other matters relating to conditions of service and terms of employment not covered under the foregoing clauses; and

(j) any other matter as may be mutually agreed between the employer of the industrial establishment and the negotiating union or negotiating council.

(2) In case an industrial establishment has only one registered Trade Union, the employer shall recognize such registered Trade Union as the sole negotiating union, provided that at the time of initiation of negotiation, the membership of such Trade Union is not less than thirty percent of the total number of workers employed in the industrial establishment.

18. Manner of verification of workers on the muster roll of the industrial establishment, under sub-sections (3) and (4) and the facilities to be provided by industrial establishment to a negotiating union or negotiating council under sub-section (7) of section 14 of the Code:-

(1) The verification of workers on the muster roll of the industrial establishment under sub-sections (3) and (4) of section 14 of the Code shall be carried out by the Registrar or any officer authorised by him, either—

(a) by physical verification in his presence; or

(b) on the basis of verification of payment of subscription to the Trade Union by the workers concerned, in such manner as to ensure fairness and transparency.

(2) Such verification may be undertaken on an application made by the Trade Union or the industrial establishment in Form XX.

(3) Where verification is undertaken, the Registrar shall give prior notice to the employer and the workers indicating the date, time and place of verification.

(4) The result of such verification shall be recorded by the Registrar and communicated electronically or otherwise to the Trade Union and the employer, and a copy thereof shall be displayed on the notice board of the industrial establishment.

(5) The particulars of the negotiating union recognised under sub-section (3) of section 14 or the Trade Unions forming part of the negotiating council under sub-section (4) of section 14 of the Code shall be maintained by the Registrar in Form XXI.

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

(a) notice board for the purpose of displaying information relating to activities of the negotiating union or negotiating council, as the case may be;

(b) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as the case may be, as per schedule and agenda to be settled between the employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;

(c) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;

(d) facility for entrance of the office bearers of the negotiating union or negotiating council, as the case may be, in the industrial establishment for the purposes of ascertaining the matters which are relating to working conditions of the workers;

(e) 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;

(f) when the office bearers of the negotiating union or negotiating council hold meetings with the employer as per agreed schedule between employer and such employed office bearers

shall be treated as on duty; and

(g) the employer of an industrial establishment having three hundred or more workers shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be.

19. The objects under sub-section (1) and sub-section (2) and the subscription payable under sub-section (4) of section 15 of the Code:-

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

(a) the payment of salaries, allowances and expenses to office-bearers of the Trade Union;

(b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;

(c) the prosecution or defence of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;

(d) the conduct of industrial disputes on behalf of the Trade Union or any member thereof;

(e) the compensation of members for loss arising out of industrial disputes;

(f) allowances to members or their dependents on account of death, old age, sickness, accidents or unemployment of such members;

(g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness, accident or unemployment;

(h) the provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependents of members;

(i) the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such;

(j) the payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year; and

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

(2) For the purpose of sub-section (4) of section 15 of the Code, provision of rule 8 shall be applied.

20. Manner of making application for adjudication before the Tribunal under subsection (1) of section 22 of the Code:-

(1) Where a dispute of the nature specified in sub-section (1) of section 22 of the Code arises, an application for adjudication shall be made to the Industrial Tribunal having jurisdiction over the area where the registered office of the Trade Union or Trade Unions concerned is situated.

(2) The application shall be filed within one year from the date on which the cause of action arises or, as the case may be, from the date of communication of the order passed by the Registrar in relation to such dispute:

Provided that the Tribunal may, for reasons to be recorded in writing, entertain an application filed after the expiry of the said period if it is satisfied that the applicant was prevented by sufficient cause from filing the application within such period.

(3) The application shall contain a concise statement of facts, the grounds on which the dispute has arisen, and the relief sought, and shall be accompanied by copies of all relevant documents relied upon by the applicant.

(4) On receipt of the application, the Tribunal shall issue notice to all concerned parties and afford them a reasonable opportunity of being heard.

(5) The Tribunal shall, as far as practicable, dispose of the application within forty-five days from the date of its filing.

21. Manner of amalgamation under sub-section (2), and the manner of sending signed amalgamation to the Registrar of a different State under sub-section (3) of section 24 of the Code:-

(1) On receipt of a notice of amalgamation under sub-section (3) of section 24 of the Code , if the head office of the amalgamated trade union is in the State of Mizoram, the Registrar shall consult the Registrars of trade unions in other state so amalgamated if any, before registering the amalgamated trade union under sub-section (6) of section 24 of the Code.

(2) When the amalgamated trade union is registered under sub-section (6) of section 24 of the Code, it shall be assigned a number in the register in Form VII and the Registrar shall issue a new certificate in Form VI thereof. He shall also note the fact of amalgamation against the entries, if any, relating to the trade unions so amalgamated in the register in Form VII and send intimation of the registration of the amalgamated union to the Registrars of the trade unions so amalgamated in other State, if any.

22. Distribution of funds of the Trade Union on dissolution by Registrar under sub-section (2) of section 25 of the Code:-

Where it is necessary for the Registrar, under sub-section (2) of section 25, to distribute the funds of a trade union which has been dissolved. He shall divide the funds in proportion to the amounts contributed by the members on roll at the time of dissolution by way of subscription to the several funds of the trade union during their membership. In the event of the death of a member of a trade union subsequent to the date of its dissolution but prior to the distribution of funds, the Registrar shall pay the sum payable to such member to his legal dependents.

23. The date before which a general statement shall be forwarded annually to the Registrar, the particulars to be contained in general statement and its Form, the person by whom and the manner in which such general statement shall be audited under clause (a) of sub-section (1) of section 26 of the Code:-

The annual return to be furnished under section 26 of the Code shall be submitted to the Registrar on or before the first day of June in each year and shall be in Form IX.

24. Manner and purpose of recognition of a Trade Union or a federation of Trade Unions by the State Government as a State Trade Union at the State level and the authority and the manner of deciding dispute by it under sub-section (2) of section 27 of the Code :-

(1) The State Government may recognize any Trade Union or federation of Trade union as State Trade Union if the Trade union or Federation of Union has at least a combined verified membership of Fifty Thousand or more and the membership presence is in at least four types of industries in the State. It shall be mandatory for Registrar to have the members of State Trade Union verified through Aadhar identification.

(2) The State Government may give preference to those Trade Union which are recognized as State Trade Union for the purpose of constitution of any tripartite forum formed under the provision of different codes or otherwise.

(3) In case of any dispute in relation to the recognition of State Trade Union, the Tribunal constituted in the Capital of the State under the provision of the said code, shall be the final authority for adjudicating the dispute.

CHAPTER IV
STANDING ORDERS

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

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

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

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

26. Manner of choosing representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30 of the Code:-

Where there is no such Trade Union as is referred to in clause (i) of sub-section (5) of section 30 of the Code, then, the certifying officer shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, forward a copy of the standing order requiring objections, if any, which the workers may desire to make to the draft standing order to be submitted within fifteen days from the receipt of the notice.

27. Manner of authentication of certified standing orders under sub-section (8) of section 30 of the Code:-

Standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 of the Code shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent within a week to all concerned, but there shall not be any requirement of certification in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

28. Statement to be accompanied with draft standing orders under sub-section (9) of section 30 of the Code:-

A statement to be accompanied with- (i) draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein including particulars of Trade union to which such workers belong; and (ii) draft modification in the existing standing orders, 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 provision of standing order in force and proposed modification therein and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

29. Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30 of the Code:-

In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the purpose of proceedings specified in subsections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade union:

Provided that the joint draft standing orders, in cases of group of employers engaged in similar industrial establishments, will be drafted and submitted to the Labour Commissioner, Labour, Employment, Skill Development & Entrepreneurship Department Department who shall, in consultation with the concerned certifying officers, certify or refuse to certify the said joint draft standing order, after recording reasons thereof.

30. Manner of disposal of appeal by appellate authority under section 32 of the Code:-

(1) An employer or Trade Union desirous of preferring an appeal against the order of the certifying officer given under sub-section (5) of section 30 shall within sixty days of the receipt of such order shall draw up a memorandum of appeal in tabular Form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed to the appellate authority.

(2) The appellate authority as notified by State Government 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 or a worker, to Trade Union of the workers of the industrial establishment or to the representative body of the workers concerned or to the employer, as the case may be; (b) where the appeal is filed by a Trade Union, to the employer and all other Trade Unions of the workers of the industrial establishment; and (c) where the appeal is filed by the representative of the workers, to the employer and any other worker whom the appellate authority joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.

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

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

31. The manner and language of maintaining standing order under sub-section (1) and (2) of section 33 of the Code:-

(1) The standing order finally certified by the certifying officer shall be sent to the employer and the Trade Union or the representatives of the workers concerned, except in the case of deemed certification under section 30. The copies of the order of the appellate authority under sub-section (1) of section 33 shall be sent to the employer, the Trade Union or the representatives of the workers concerned and the certifying officer within three days of the passing of such order, electronically or otherwise.

(2) The text of the standing order as finally certified or deemed to have been certified or adopted model standing order under this Chapter shall be maintained by the employer in Mizo or in English.

32. Register for final certified copy of Standing Order under section 34 of the Code:-

(1) The certifying officer shall maintain a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details of –

(a) the unique number assigned to each standing order;

(b) name of industrial establishment;

(c) nature of industrial establishment;

(d) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking;

(e) the areas of the 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 to any person applying there for on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be. The payment for such purpose can also be made through electronic mode.

33. Application for modification of Standing Order under sub-section (2) of section 35 of the Code:-

The application for modification of an existing standing orders under sub-section (2) of section 35 shall be submitted manually or by post along with sufficient number of copies or electronically and shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing orders in force, and proposed modifications therein, reasons thereof and the details of registered Trade Union(s) including their address, phone number and email functioning therein and such statement shall be signed by a person authorised by the industrial establishment or undertaking.

CHAPTER-V
NOTICE OF CHANGE

34. The manner of giving of notice for change proposed to be effected under clause (i) of section 40 of the Code:-

(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-X to such worker affected by such change.

(2) The notice referred in sub-rule (1) shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment and the office of the concerned Manager of the industrial establishment:

Provided that where there is a registered Trade Union or registered Trade Unions relating to the industrial establishment, a copy of such notice shall also be served on the Secretary of such Trade Union or each of the Secretaries of such Unions, as the case may be.

CHAPTER VI
VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

35. Form of arbitration agreement and the manner thereof under sub-section (3) of section 42 of the Code:-

(1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in Form-XI and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent either in writing or electronically of arbitrator or arbitrators.

(2) The Arbitration Agreement referred to in sub-rule (1) shall be signed. -

(a) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;

(b) in the case of the workers by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose;

(i) In the case of an individual worker, an individual worker by the worker himself or by an officer of registered Trade Union of which the worker is a member:

Explanation:-

(1) In this rule, the expression 'officer' means any officer of a registered Trade Union or an association of the employer authorized for such purpose;

(2) In this rule 'officer' means any of the following officers, namely:-

a) the President;

b) the Vice-President;

c) the Secretary (including the General Secretary);

d) a Joint Secretary; and

e) any other officer of the Trade Union authorized in this behalf by the President and Secretary of the union.

36. Manner of issuance of notification under sub-section (5) of section 42 of the Code:-

Where an industrial dispute has been referred to arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and electronically for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

37. Manner of choosing representatives of workers where there is no Trade Union under sub-section (5) of section 42 of the Code:-

Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42 of the Code, shall be chosen by a resolution passed by the majority of concerned workers in Form-XII authorizing therein to represent the case. Such workers shall be bound by the Acts of representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER-VII
MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTE

38. Manner of filling up of the vacancy under sub-section (9) of section 44 and procedure for selection, salaries and allowances and other terms and conditions of Judicial Member of the State Industrial Tribunal under sub-section (5) of section 44 of the Code.-

(1) The qualification for appointment of the Judicial Member of the Industrial Tribunal (hereinafter referred to as the Judicial Member) shall be such as provided in sub-section (4) of section 44 of the Code.

(2) The Judicial Member of the Industrial Tribunal shall be appointed by the State Government on the recommendation of a Search-cum-Selection Committee specified in sub-rule (3).

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

(a) The District and Sessions Judge — Chairperson;

(b) Secretary to the Government of Mizoram, Labour, Employment, Skill Development & Entrepreneurship Department — Member;

(c) Secretary to the Government of Mizoram, Law & Judicial Department — Member;

(d) Secretary to the Government of Mizoram, Commerce and Industries Department — Member.

(4) The Search-cum-Selection Committee shall regulate its own procedure and, after taking into account the qualifications, suitability, integrity, adjudicatory experience and record of past performance of the candidates, and keeping in view the requirements of the Industrial Tribunal, recommend a panel of two or three eligible persons for appointment to the post of Judicial Member.

(5) No appointment of a Judicial Member shall be invalid merely by reason of any vacancy or absence of any member of the Search-cum-Selection Committee.

(6) A Judicial Member shall hold office for a term of four years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.

(7) In the event of a vacancy (other than temporary absence) in the office of the Judicial Member, such vacancy shall be filled in accordance with the procedure specified in sub-rules (1) to (4) of this rule.

(8) Salary and allowances of Judicial member.-

(a) the salary and allowances of a serving Judicial Member shall be the same as those applicable to him in his parent cadre of service.

(b) in the case of appointment of a retired judicial officer, his pay shall be reduced by the gross amount of pension drawn by him.

(9) Service Condition.-

(a) in the case of a serving judicial officer, the service rendered as Judicial Member shall be counted for pension in accordance with the rules applicable to his parent cadre of service, and he shall continue to be governed by the General Provident Fund Rules and pension rules applicable to that service.

(b) in the case of a retired judicial officer, he shall be governed by the Contributory Provident Fund Scheme during the period of re-employment and no additional gratuity shall be admissible for the service rendered as Judicial Member.

(10) Leave.-

(a) in the case of a serving judicial officer, leave shall be admissible as applicable to his parent cadre of service.

(b) in the case of a retired judicial officer, leave shall be admissible as applicable to an officer of the State Government holding a Group 'A' post carrying the same pay.

(11) Leave and foreign travel sanctioning authority.-

(a) the State Government shall be the leave-sanctioning authority for the Judicial Member.

(b) the State Government shall be the authority competent to sanction foreign travel of the Judicial Member.

(12) Medical facilities under the State Government Health Scheme, as admissible to Judicial Officers or officers of the State Government holding Group 'A' posts carrying the same pay, shall be applicable to the Judicial Member.

(13) Travelling allownces.-

(a) travelling allowance shall be admissible to a serving Judicial Member as applicable to his parent cadre of service.

(b) in the case of a serving judicial officer, transfer travelling allowance for joining the Industrial Tribunal from his place of posting and on completion of tenure shall also be admissible as applicable to his parent cadre of service.

(14) Leave Travel Concession shall be admissible to a serving Judicial Member as applicable to his parent cadre of service, and to a retired judicial officer as applicable to an officer of the State Government holding a Group 'A' post carrying the same pay.

(15) Transport allowance shall be admissible to the Judicial Member as applicable to his parent cadre of service or, in the case of a retired judicial officer, as applicable to an officer of the State Government holding a Group 'A' post carrying the same pay.

(16) No person shall be appointed as Judicial Member unless he is declared medically fit by such authority as may be specified by the State Government.

(17) Complaint and procedure.-

(a) where a written and verifiable complaint alleging definite charges of misbehaviour or incapacity is received, the State Government shall conduct a preliminary scrutiny of such complaint.

(b) where the State Government is satisfied that there exist reasonable grounds for inquiry, it shall refer the matter to the Search-cum-Selection Committee for inquiry.

(c) the Committee shall complete the inquiry within six months or within such further time as may be permitted by the State Government.

(d) the Committee shall submit its report to the State Government recording its findings with reasons on each charge separately.

(e) the Committee shall be guided by the principles of natural justice and shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908.

(18) A Judicial Member may resign his office by giving notice in writing addressed to the State Government and shall continue to hold office until the expiry of three months from the date of receipt of such notice or until his successor enters upon office or until the expiry of his term, whichever is earlier, unless permitted by the State Government to relinquish office earlier.

(19) The State Government may, on the recommendation of the Search-cum-Selection Committee, remove a Judicial Member from office if he—

(a) has been adjudged insolvent; or

(b) has been convicted of an offence involving moral turpitude; or

(c) has become physically or mentally incapable of acting as such; or has acquired such financial or other interest as is likely to affect prejudicially his functions; or

(d) has abused his position so as to render his continuance in office prejudicial to the public interest:

Provided that no removal under clauses (b) to (e) shall be made unless the Judicial Member has been informed of the charges and given a reasonable opportunity of being heard.

(20) Every Judicial Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in Form-XIII appended to these rules.

(21) The salary, allowances and other terms and conditions of service of the Judicial Member shall not be varied to his disadvantage after appointment.

(22) Matters relating to conditions of service for which no express provision has been made in these rules shall be referred by the Industrial Tribunal to the State Government, whose decision thereon shall be final.

(23) The State Government may relax any of the provisions of this rule in respect of any class or category of persons for reasons to be recorded in writing.

39. Manner of filling up of the vacancy under sub-section (9) of Section 44 and procedure for selection, salaries and allowances and other terms and condition of Administrative Member of the Industrial Tribunal under sub-section (5) of Section 44 of the Code:-

(1) The qualification for appointment of the Administrative Member of the Industrial Tribunal (hereinafter in this rule referred to as the Administrative Member) shall be such as provided in sub-section (4) of section 44 of the Code.

(2) The Administrative Member shall be appointed by the State Government on the recommendation of a Search-cum-Selection Committee specified in sub-rule (3).

(3) The Search-cum-Selection Committee shall comprise the following members, namely:—
   (a) Chief Secretary to the Government of Mizoram — Chairperson;
   (b) Secretary to the Government of Mizoram, Labour, Employment, Skill Development & Entrepreneurship Department — Member;
   (c) Secretary to the Government of Mizoram, Personnel & Administrative Reforms — Member;
   (d) Secretary to the Government of Mizoram, Industries & Commerce Department — Member.

(4) The Search-cum-Selection Committee shall determine its own procedure for making recommendations and, after taking into account the qualifications, suitability, integrity, record of past performance and administrative experience of the candidates, and keeping in view the requirements of the Industrial Tribunal, recommend a panel of two or three eligible persons for appointment to the post.

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

(6) An Administrative Member shall hold office for a term of four years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.

(7) In the event of a vacancy (other than temporary absence) in the office of the Administrative Member, such vacancy shall be filled in accordance with the procedure specified in sub-rules (1) to (4) of this rule.

(8) Salary and allowances.-
   (a) the Administrative Member shall be paid a salary of Rupees Two Lakh Twenty-Five Thousand per month, and shall be entitled to draw allowances, including House Rent Allowance, as admissible to an officer of the State Government holding a Group 'A' post carrying the same pay.
   (b) in the case of appointment of a retired Government officer, his pay shall be reduced by the gross amount of pension drawn by him.

(9) Service condition.-
   (a) in the case of a serving Government officer, the service rendered as Administrative Member shall be counted for pension in accordance with the rules applicable to the service to which he belongs, and he shall continue to be governed by the applicable Provident Fund rules.
   (b) in the case of a retired Government officer, he shall be governed by the Contributory Provident Fund Scheme during the period of re-employment and no additional gratuity shall be admissible for the service rendered as Administrative Member.

(10) An Administrative Member shall be entitled to House Rent Allowance at the rate admissible to an officer of the State Government holding a Group 'A' post carrying the same pay or, where admissible, may be allotted suitable Government accommodation.

(11) Leave.-
   (a) in the case of a serving Government officer, leave shall be admissible in accordance with the rules applicable to the service to which he belongs.
   (b) in the case of a retired Government officer, leave shall be admissible as applicable to an officer of the State Government holding a Group 'A' post carrying the same pay.

(12) Leave and foreign travel sanctioning authority.-

(a) the State Government shall be the leave-sanctioning authority for the Administrative Member.

(b) the State Government shall be the authority competent to sanction foreign travel of the Administrative Member.

(13) Medical facilities under the State Government Health Scheme, as admissible to an officer of the State Government holding a Group 'A' post carrying the same pay, shall be applicable to the Administrative Member.

(14) Travelling allowances.-

(a) travelling allowance shall be admissible to the Administrative Member as applicable to an officer of the State Government holding a Group 'A' post carrying the same pay.

(b) in the case of a retired Government officer, transfer travelling allowance for joining the Industrial Tribunal and on completion of tenure shall also be admissible accordingly.

(15) Leave Travel Concession shall be admissible to the Administrative Member as applicable to an officer of the State Government holding a Group 'A' post carrying the same pay.

(16) Transport allowance shall be admissible to the Administrative Member as applicable to an officer of the State Government holding a Group 'A' post carrying the same pay.

(17) No person shall be appointed as Administrative Member unless he is declared medically fit by such authority as may be specified by the State Government.

(18) Complaint and procedure.-

(a) where a written and verifiable complaint alleging definite charges of misbehaviour or incapacity is received, the State Government shall conduct a preliminary scrutiny.

(b) where reasonable grounds for inquiry exist, the State Government shall refer the matter to the Search-cum-Selection Committee for inquiry.

(c) the Committee shall complete the inquiry within six months or such further time as may be permitted by the State Government.

(d) the Committee shall submit its report to the State Government recording its findings with reasons on each charge.

(e) the Committee shall be guided by the principles of natural justice and shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908.

(19) An Administrative Member may resign his office by giving notice in writing addressed to the State Government and shall continue to hold office until the expiry of three months from the date of receipt of such notice or until his successor enters upon office or until the expiry of his term, whichever is earlier, unless permitted to relinquish office earlier.

(20) The State Government may, on the recommendation of the Search-cum-Selection Committee, remove an Administrative Member from office if he—

(a) has been adjudged insolvent; or

(b) has been convicted of an offence involving moral turpitude; or

(c) has become physically or mentally incapable of acting as such; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions; or

(e) has abused his position so as to render his continuance in office prejudicial to the public interest:

Provided that no removal under clauses (b) to (e) shall be made unless he has been informed of the charges and given a reasonable opportunity of being heard.

(21) Every Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in Form-XX appended to these rules.

(22) Matters relating to the terms and conditions of service of the Administrative Member for which no express provision has been made in these rules shall be referred by the Industrial Tribunal to the State Government, whose decision thereon shall be final.

(23) The State Government may relax any of the provisions of this rule in respect of any class or category of persons for reasons to be recorded in writing.

40. Manner of holding conciliation proceedings under sub-section (1), full report under sub-section (4), and application and the manner of deciding such application under sub-section (6) of section 53 of the Code:-

(1) Where any industrial dispute exists or is apprehended or a notice under section 62 has been given, the conciliation officer on receipt of such application shall examine the application and if he finds that the dispute pertains to the jurisdiction of Concerned Government shall transfer the dispute to the concerned authority. In other cases, he will issue first notice to the parties concerned declaring his intention to commence conciliation proceedings.

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

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

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

(3) The report referred to in sub-rule (2) shall be accessible to the parties concerned.

(4) The report referred to in sub-rule (2) shall contain inter-alia the submissions of the employer, worker or Trade union, as the case may be, and it shall also contain the efforts made by the conciliation officer to bring the parties to the amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion of the conciliation officer.

(5) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned parties may make an application in Form-XIV, before the Tribunal within ninety days from the date of the report under sub-rule (2).

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

(7) The Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the

application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.

(8) Where the Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.

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

(10) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure of evidence.

(11) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted: Provided that the Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute, shall be granted.

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

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

(13) The Tribunal shall communicate its Award electronically to the parties concerned and the State Government and upload on the online portal within one month from the date of the pronouncement of the award.

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

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

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

(a) fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of Rs. Two per page.

(b) for certifying a copy of any such award or order or document, a fee of Rs. Five per page shall be payable.

(c) copying and certifying fees shall be payable electronically.

(d) where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

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

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

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

CHAPTER VIII
STRIKES AND LOCK-OUTS

41. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62 of the Code:-

The notice of strike referred to in sub-section (1) of section 62 of the Code shall be given to the employer of an industrial establishment in Form-XV which shall be duly signed by the Secretary and five elected representatives of the registered Trade Union relating to such industrial establishment endorsing the copy thereof electronically to the concerned conciliation officer of the district and Labour Commissioner, Labour, Employment, Skill Development & Entrepreneurship Department.

42. Manner of giving notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62 of the Code:-

(1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in Form-XVI to the Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned conciliation officer of the district and to the Labour Commissioner. The notice shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

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

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

CHAPTER IX
LAY-OFF, RETRENCHMENT AND CLOSURE

43. Manner of serving notice before retrenchment of the worker under clause (c) of section 70 of the Code:-

If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him then, such employer shall give notice of such retrenchment, in Form-XVII to the State Government, and the concerned authority of concerned areas notified by the State Government.

44. Manner of giving an opportunity for re-employment to the retrenched workers under section 72 of the Code:-

Where any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling up such vacancy, then, the employer of such industrial establishment shall offer an opportunity at least 15 days before by registered post or speed post and through e-mail to such retrenched workers who are citizens of India. If such workers give their willingness for employment then, the employer shall give them preference over other persons in filling up of such vacancy.

45. Manner of serving notice by the employer for intended closure under subsection (1) of section 74 of the Code:-

If an employer intends to close down an industrial establishment he shall give notice of such closure in Form-XVII to the State Government and a copy thereof to the concerned authority of concerned areas notified by State Government by e-mail and registered post or speed post.

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

46. Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub- section (2) of section 78 of the Code:-

An application for permission under sub-section (1) of section 78 shall be made by the employer in Form- XVIII stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

47. Manner for applying for permission from the State Government to continue the lay-off under sub-section (3) of section 78 of the Code:-

The employer shall in case of an industrial establishment being a mine specified in sub-section (3) of section 78 where the workers (other than Badli workers or casual workers) have been laid-off under sub-section (1) of section 78 of the Code for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty days from the date of commencement of such lay-off, apply to the State Government in Form – XVIII electronically or by registered or speed post with a copy to the concerned authority of concerned areas notified by State Government for

permission to continue the lay-off specifying the number of days; intimating the number of workers to be laid off, the total number of workers employed in the industrial establishment, the date of lay off and the reasons for continuation of such lay off.

48. Time-limit for review under sub-section (7) of section 78 of the Code:-

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

49. Manner of making application to the State Government by the employer for the intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79 of the Code:-

An application for permission referred to in subsection (1) of section 79 of the Code shall be made by the employer in Form- XVIII stating clearly therein the reasons for the intended retrenchment and a copy of such application shall also be sent to workers electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

50. Time-limit for review under sub-section (6) of section 79 of the Code:-

The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79 of the Code within a period of thirty days from the date on which such orders is made.

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

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

52. Time-limit for review under sub-section (5) of section 80 of the Code:-

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

CHAPTER XI
WORKER RE-SKILLING FUND

53. Contribution from such other sources to be made to the worker re-skilling fund under clause (b) of sub-section (2) of section 83 of the Code:-

(1) The State Government may contribute to worker re-skilling fund for the purpose of re-skilling of workers.

(2) The corporate bodies may contribute to the worker re-skilling fund as Corporate Social Responsibility.

(3) Any individual may contribute to re-skilling fund.

54. Manner of utilization of fund under sub-section (3) of section 83 of the Code:-

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

CHAPTER XII
COMPOUNDING OF OFFENCES

55. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89 of the Code:-

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

(2) The accused to whom the notice referred to in sub-rule (1) is served, may send the part III of the Form duly filled by him to the compounding officer electronically and deposit the compounding amount electronically, within fifteen days of the receipt of the notice, in the account specified by the compounding officer in the notice.

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

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

(a) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused; and

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

(5) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the State Government.

CHAPTER XIII
MISCELLANEOUS

56. Protected workers under sub-section (3) and (4) of section 90 of the Code:-

(1) Every registered Trade Union connected with an industrial establishment, to which the Code applies, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of the Union who are employed in that establishment and who, in the opinion of the Union should be recognised as protected workers. Any change in the incumbency of any such officer shall be communicated to the employer by the union within fifteen days of such change.

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

(3) 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 as protected workers only such maximum number of 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 Unions that the numbers of recognised protected workers in individual Unions bear practicably by the same proportion to one another as the membership figures of the Unions. The employer shall in that case intimate in writing to the President or the Secretary of each of the concerned Union the number of protected workers allotted to it:

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

(4) When a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of ‘protected workers’ under this rule, the dispute shall be referred to Registrar or any authority notified by the State Government whose decision thereon shall be final.

57. Manner of making complaint by an aggrieved worker under section 91 of the Code:-

(1) Every complaint under section 91 of the Code shall be made electronically in Form-XIV and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

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

58. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94 of the Code:-

Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in Form-XII.

59. Manner of authorization of employer for representing in any proceeding under sub-section (2) of section 94 of the Code:-

Where the employer, is not a member of any association of employers, may authorize in Form-XII an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged to represent him in any proceeding under the Code relating to a dispute in which the employer is a party.

60. Manner of holding an enquiry under sub-section (1) of section 85 of the Code.-

(1) Complaint.- On receipt of a complaint of the offence committed under sub-sections (3), (5), (7), (8), (9), (10), (11) and (20) of section 86 and sub-section (7) of section 89 of the Code, the same shall be enquired by an officer of the State Government having rank equivalent to the level of Under-Secretary of Government of India or an officer equivalent rank in the State Government appointed under under sub-section (1) of section 85 (hereinafter referred to as the enquiry officer).

(2) Issue of Notice.- If the complaint filed is admitted by the Enquiry officer, he shall call upon the person or persons through a notice to be sent electronically and a copy of the same to be posted on Online Portal 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) If 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.

(4) If the complainant fails to appear on the specified date without any intimation to the Enquiry officer on two consecutive dates, the complaint may be dismissed. Provided that not more than three adjournments may be given on the joint application made by complainant and the opposite party.

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

(5) Authorisation.- The authorisation to appear on behalf of any person, under section 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.

(6) Permission to appear.- Any person who intends to appear in the proceeding on behalf of complainant shall present before the Enquiry Officer and submit a brief written statement explaining the reason for his appearance. The Enquiry officer shall record an order on the statement and in the case of refusal shall include reasons for the same, and incorporate it in the record.

(7) Presentation of documents.- 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 registered post or speed post.

(8) The Enquiry Officer shall endorse, or cause to be endorsed, on each document the date of the presentation or receipt, as the case may be. If the documents have been submitted electronically, no such endorsement shall be necessary.

(9) Refusal to entertain complaint.-

(i) The Enquiry Officer may refuse to entertain a complaint presented under sub-section (1) of section 85 of the Code, if after giving the complainant an opportunity of being heard, the Enquiry Officer is satisfied, for reasons to be recorded in writing that—

(a) The complainant is not entitled to present the complaint; or

(b) The complainant is barred by limitation under the provisions of this Code

(c) The complainant fails to comply with the directions given by the Enquiry Officer under sub-section (2) of section 85 of the Code.

(ii) The Enquiry Officer may refuse to entertain complaint which is otherwise incomplete. He may ask complainant to rectify the defects and if the Enquiry Officer thinks that the complaint cannot be rectified he may return the complaint indicating the defects and, if he, so refuses shall return it at once indicating the defects. If the complaint is presented again, after the defects have been rectified, the date of representation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 85.

(10) Record of proceedings.- The Enquiry Officer shall in all cases mention the particulars at the time of passing of order containing the details, i.e., date of complaint, name and address of the complainant, name and address of the opposite party or parties, section-wise details of the offence committed, plea of the opposite party, findings and brief statement of the reason and penalty imposed with signature, date and place.

(11) Exercise of powers.- In exercise of the powers of a Civil Court, conferred under the Code of Civil Procedure, 1908, the Enquiry Officer shall be guided in respect of procedure by relevant orders of the First Schedule of the Code of Civil Procedure, 1908, with such alterations as the Enquiry Officer may find necessary, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of this Code or these rules.

(12) Order or direction when to be made.- The Enquiry Officer, after the case has been heard, shall make the order or direction on a future date to be fixed for this purpose.

(13) Inspection of documents .- Any person, who is either a complainant or an opposite party or his representative, or any person permitted under sub-rule (3) shall be entitled to inspect any complaint, or any other document filed with the Enquiry Officer be, in a case to which he is a party .

61. Submission of a copy each of the Form to the office of Director General, Labour Bureau under clause (zzf) of sub-section 2 of section 99 of the Code:-

A copy each of Form XV (notice of strike), Form XVI (notice of lockout), Form XVII (notice for intimation of retrenchment or closure to the State Government), Form XVII (Application for permission of lay-off or retrenchment or closure), and Form XIX (compounding of offences), shall be shared electronically with Director General, Labour Bureau in auto-mode.

Dr. Lalhriatzuali Ralte, IAS
Secretary,
Labour, Employment, Skill Development &
Entrepreneurship Department

Form-I
(See rule 3)

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

Names of Parties:

..... Representing employer(s);
..... Representing workers;

Short recital of the case Terms of settlement Signature of the parties

Witnesses:

(1)

(2)

*Signature of Conciliation Officer

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

Form II

[See rule 9(ii)]

Form of Auditors' Declaration

The undersigned having had access to all the books and accounts of the…..... Union, and having examined the foregoing statement and verified the same with the account vouchers relating thereto, certify that the…… Union has properly maintained its membership registers and its accounts and the member had paid their membership subscriptions to the Union as shown in the foregoing statement of the …….. General Fund Account of the Union subject to the remarks, if any appended hereto.

Auditor. Auditor.

FORM - III

(See rule - 10) (Form of Affidavit)

I,_____S/O Sh._____Age_____yrs.
R/o _____do hereby solemnly affirm and declare as under:-

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

DEPONENT

Verification: -

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

Deponent.

FORM - IV

(See rule -11) (Statement of Assets and Liabilities)

SCHEDULE III

Statement of Liabilities and Assets on the ……..…….. day of ……..…… 20……..

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

Liability	**Rs. P.**	**Assets**	**Rs.**
Amount of general fund Amount of political fund Loans from Other liabilities (to be specified) Total liabilities		Cash In hands of Treasurer In hands of Secretary In hands of …….. In the …….. Bank In the …….. Bank	
		Securities as per list below Unpaid subscriptions due Loans to …… Immoveable property ……..	
		Goods and furniture …… Other assets (to be specified) Total Assets	

List of Securities			
Particulars	Nominal value	Market Value	In hands of
Signed:			
1			
2			
3			
4			
5			
6			
7			

FORM - V
(See rule 12)
Application for Registration of Trade Union.

Dated the…….. day of 20……..

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 …… 20…….
4. The union is a union of employer/ workers engaged in the industry (or profession).
5. Every application for registration of a Trade Union shall be made to the Registrar electronically or otherwise and be accompanied by—*
   (a) a declaration to be made by an affidavit in such Form and manner as may be prescribed;
   (b) copy of the rules of the Trade Union together with a copy of the resolution by the members of the Trade Union adopting such rules;
   (c) a copy of the resolution adopted by the members of the Trade Union authorising the applicants to make an application for registration; and
   (d) in the case of a Trade Union, being a federation or a central organisation of Trade Unions, a copy of the resolution adopted by the members of each of the member Trade Unions, meeting separately, agreeing to constitute a federation or a central organisation of Trade Unions.
   (e) list of all members of Trade Union along with.
6. We have been duly authorized to make this application by**

	Signature	Occupation
Signed		
1		
2		
3		
4		
5		
6		
7		

* Explanation. — For the purposes of this clause, resolution adopted by the members of the Trade Union means, in the case of a Trade Union, being a federation or a central organization of Trade Unions, the resolution adopted by the members of each of the member Trade Unions, meeting separately.

** 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.

FORM VI.
(See rule 12)
CERTIFICATE OF REGISTRATION OF TRADE UNION.

No…….

It is hereby certificate that the ……. has been registered under the Industrial

Seal.

Relation Code, 20..... this day of …… 20……

Registrar of Trade Unions for the State of Mizoram.

FORM – VI-A
(See rule 15)

Notice of the Dissolution or amendment in rules of a Trade Union

Name of Trade Union : ……..
Registration number : ……..
Dated the …… day of ……. 20 ……

To,
The Registrar of Trade Unions, Mizoram

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

Or

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

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

(Signed) 1. …….
2. ……
3. …….
4. …….
5. ……..…….
6. ……...….
7. ……...…
8. …….

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

SCHEDULE - I

AMENDMENT IN RULES

The amendment in the rules for the matters detailed in column (1) and (2) are given in column (3) as follows:-

	Matter	**Original**	**Amendment**
	(1)	**Rules(2)**	**proposed (3)**
1	Name of Union		
2	Trade whole of the object for which the union has been established		
3	The whole of the purposes for which the general funds of the union shall be applicable		
4	The maintenance of a list of members		
5	The facilities provided for the inspection of the list of members by officers and members		
6	The admission of ordinary members		
7	The admission of honorary or temporary members		
8	The conditions under which members are entitled to benefits assured by the Rules		
9	The conditions under which fines or forfeitures can be imposed or varied		
10	The manner in which the Rules shall be amended, varied or rescinded		
11	The manner in which the members of the executive and the other officers of the union shall be appointed and removed		
12	The safe custody of the funds.		

Signature of the Applicant(s)

FORM VII

[See rule 13(1)&(2)] REGISTER OF TRADE UNIONS.

1. Serial number.
2. Date of registration.
3. (a) Name of the members making the application.
   (b) Occupations of members making the application.
   (c) Addresses of the members making the application.
4. Name of trade Union.
5. Address of the head office of trade Union.
6. Date of establishment of Trade Union.
7. Officers of Trade Union- Title Name Age Occupation Address
8. Signature of the Registrar.
9. (a) Whether provision has been made for a separate fund under section 16 and, if so, from what date.
   (b) Initials of the Registrar.
10. (a) Date of intimation for alteration of rules
    (b) Date of Registration of alteration of rules and its notification to the Secretary of the Trade Union.
    (c) Initials of the Registrar,
11. (a) Date of registration of change of address of registered office.
    (b) Address of the Trade Union as changed.
    (c) If the changed address is in another State whether extracts of registration sent to the Registrar of the other State.
    (d) Initials of the Registrar.
12. (a) Date of registration of change of name.
    (b) Name of the Trade Union as changed.
    (c) Initials of the Registrar.
13. (a) Date of registration of amalgamation.
    (b) Name of the amalgamated union.
    (c) Registration number of the amalgamated Union.
    (d) Initials of the Registrar.
14. (a) Date of application for cancellation of registration under section 9 (5)(i).
    (b) Date of giving notice under the proviso to sub-section (5) of section 9.
    (c) Date of issue of order withdrawing or cancelling registration.
    (d) Initials of the Registrar.
15. (a) (1) Names of the members applying for dissolution.
        (2) Occupation of the members applying for dissolution.
        (3) Address of the members applying for dissolution.
    (b) Date of registration of dissolution and issue of certificate to that effect.
    (c) Number and date of Registrar's proceedings ordering distribution of fund under sub-section (2) of section 25, if any.
    (d) Initials of the Registrar.

FORM VII-A

(See sub-rule (3) of Rule 13)

Request to Withdraw or Cancel Certificate of Registration

Name of Trade Union .....

Registration Number .....

Address .....

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

To,

The Registrar of Trade Unions,
Government of Mizoram,

The above-mentioned Trade Union desires that its certificate of registration under the Industrial Relations Code, 2020 be withdrawn (or cancelled), and at the general meeting duly held on the … day of … 20…, it was resolved as follows:

(Here give the exact signed copy of the resolution)

Certified that the above resolution is a true copy of the resolution passed by the Trade Union.

(Signature of President)

(Signature of Secretary)

*If not at a general meeting, state in what manner the request has been determined upon.

FORM VIII
(See rule 20)

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

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

…… Applicant Address ……
Versus

…… Opposite party (ies) Address ……
The abovementioned applicant begs to state as follows: -

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

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

Date …….

Place …….

FORM IX.
(See rule 23).
PART A.

Annual returns prescribed under section 26 of the Industrial Relation Code, 2020 for the year ending 31st March, 20....

1. Name of the union
2. Address of the union
3. Registered Head office
4. Number and date of certificate of registration
5. Classification of Industry to be shown as per schedule of industries attached. Dated, the ……
6. Classification of industry (to be shown to which of the following four categories the Union belongs :-
   (a) Public Sector - Central Sphere;
   (b) Public Sector - State Sphere;
   (c) Private Sector - Central Sphere; and
   (d) Private Sector - State Sphere).
7. Name of the All-India Body/ Federation to which affiliated.
8. Affiliation Number.
9. Affiliation fee paid during theyear.
10. Number and date of receipt for payment of affiliation fee.
11. Membership fee per month
12. No. of members on books at the beginning of the year.
13. No of members admitted during the year.
14. No. of members who left during the year.
15. No. of members on book at the end of the year (i.e., 03 31st march 19)- Male - …….
    Female - …….
    Total - …….
16. No. of member contributing to political Fund.
17. No. of members who paid their subscription for the whole year.
18. A copy of the rules of the Trade Union corrected up to the date of dispatch of this return is appended.
19. Part B of return has been duly completed.

Secretary

PART B

Statement of Liabilities and Assets on the 31 st day of July 20…….

Other liabilities (to be specified) Immovable Property

Good and furniture

Other assets (to be specified)

Liabilities Rs. P.	Assets- Cash- Rs. P.
Amount of General Fund Amount of Political Fund Loans from	In hands of Treasurer In hands of Secretary In hands of-
	In the …… Bank
	In the …… Bank
	_____
Debts due to	Securities as per list
	Below-Unpaid subscription due for-
	*(a) the year
	*(b) previous year Loans to-
	*(a) Officers
	*(b) Members
	*(c) Other

Total assets …….

Total liabilities

List of Securities.

Particulars	Face value.	Cost price.	Market price at date on which accounts have been made up.	In hand of.
1	2	3	4	5
	Rs.	Rs.	Rs.	

Treasurer.

Office appointed

Name	Date of Birth	Private address	Personal occupation	Title of position held in Union	Date on which appointment in column 5 was taken up	Other office held in addition to membership of executive date

1	2	3	4	5	6	7

Elections.

Date of last election of office-bearers Date of next election of office bearers

Secretary

FORM-X

[See rule 34(i)]

(Notice of change of service conditions proposed by an employer) Name of employer ……...

Address ……

Dated the ……... day of ……. 20……...

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

Signature……...……

Designation……..

ANNEXURE

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

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Registrar Trade union.

FORM-XI

(Agreement for voluntary arbitration) [See rule 35 (1)]

BETWEEN

……..Name of the parties representing employer (s)
And …….Representing worker

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

(i) Specific matters in dispute.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

(iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.

(iv) Total number of workers employed in the undertaking affected.

(v) Estimated number of workers affected or likely to be affected by the dispute. *We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of .....
(Here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the central Government or within such further time as is extended by mutual agreement between us in writing.

In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.
Signature of the parties Representing employer / Representing worker / workers. Witnesses
1
2

Copy to: (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].

(ii) The Labour Commissioner, LESDE Department.

FORM-XII
(See rules 37, 58, 59)

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

(Here mention the authority concerned)

In the matter of: (mention the name of the proceeding)
…….. workers Versus
..... Employer
I/we hereby authorise Shri / Smt (if representatives are more than one)

1.....2.....3.....to
represent me/us in the above matter.

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

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

FORM-XIII

[See rule 38 (19) and 39 (20)]

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

I, ...……. having been appointed as Judicial Member/Administrative Member (whichever is applicable) of l Industrial Tribunal (Name of the Tribunal) do solemnly affirm/ do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/Administrative Member of Industrial Tribunal (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)

Place: Date:

FORM -XIV
[See rule 40 (5)]
(Complaint under Section 91 of the Industrial Relation Code, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National Tribunal , In the matter of: …….. Reference
No ……

A.. .....Complainant(s);
Versus B… Opposite Party(ies);

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

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.) The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper. The number of copies of the complaint and its annexure required under rule 91 of the Industrial Relation Code are submitted herewith.

Dated this..... day of ..... 20 ..... Signature of the Complainant(s) Verification
I do solemnly declare that what is stated in paragraph ..... above is true to my knowledge and that what is stated in paragraphs ..... above is stated upon information received and believed by me to be true. This verification is signed by me at on ..... day of ..... 20 .....

Signature
or Thumb impression of the person verifying.

Form-XV
[See rule 41 and 61]
(Notice of Strike to be given by Union (Name of Union)/ Group of Workers)

Name of five elected representatives of workers ..... Dated the ..... day of ..... 20 .....

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

Yours faithfully, (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) DLEO of the concerned area.
2) Labour Commissioner, Mizoram

FORM-XVI
[See rule 42 (1) and 61]

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

Name of employer ..... Address .....

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

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

Signature……...
Designation……

ANNEXURE

1	**Statement of reasons**

Copy forwarded to:

(1) The Secretary of the Registered Union, if any
(2) Conciliation officer of the concerned area.
(3) Labour Commissioner, Mizoram To the office of DG Labour Bureau

Form- XVII
(See Rules 43, 45 and 61)
(Notice of Intimation of Retrenchment/ Closure to be given by an employer to the State Government under the provisions of Chapter IX of the Industrial Relations Code, 2020 and rules made there under)

(To be submitted online. In case of exigencies, on paper in the prescribed Format below)

Name of Industrial Establishment /Undertaking/ Employer.....
Labour Identification Number/ Registration Number ..... Dated .....

(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served 60 days and 30 days before commencement of Closure/Retrenchment respectively)

To,
The Labour Commissioner LESDE Department, Mizoram

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

   or

   (Closure) (b) Under Section 74(1) of this Code, 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 this Code.

   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 this Code.

4. * l*/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 this Code before or on the expiry of the notice period.

   or

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

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 this Code.

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

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

Yours faithfully,

(Name of Employer/ ***Authorized Representative with Seal)

(* Strike off which is not applicable.)
(** Indicate number in figures and words both)
(***Copy of Authorization letter issued by the employer shall be enclosed)

Copy to:

(1) To the Office of DG Labour Bureau, Ministry of Labour and Employment, (Only for statistical purpose.)
(2) Labour Commissioner of the concerned area.
(3) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM - XVIII
[See rule 46, 47, 49 and 51]

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

(To be submitted online. In case of exigencies on paper in the prescribed 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 Labour Commissioner LESDE Department, Mizoram

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

   or

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

   or

   (Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 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 Annex-I) with effect from ..... (DD/MM/YYYY).

   or

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

2. * (Lay-off/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 this Code.

   or

(Retrenchment/ Closure) The worker(s) concerned were given on .....(DD/MM/YYYY) one month's notice in writing as required under section 79/ section 80* of this Code.

or

(Retrenchment/ Closure) The worker(s) have been given on.....(DD/MM/YYYY) one month's pay in lieu of notice as required under section 79/ section 80* of this Code.

3. The details of affected worker(s) is at Annexure II.

4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of this Code.

5. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80* of this Code before or on the expiry of the notice period.

or

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

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 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 Authorization letter issued by the employer shall be enclosed)

ANNEXURE I
(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	To be annexed
2	Status of undertaking— (i) Whether Central public sector/State public sector/etc, (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) MCA Number (b) GSTN Number	
4	(i) Annual production, item wise for preceding three years (ii) Production figures, month-wise, for the preceding twelve months,	
5	Audit report of establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	
6	Names of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ Retrenchment resorted to in the last three years including the periods of such lay-offs/ Retrenchment the number of workmen involved in each such lay-off/ Retrenchment / continuation of lay off	
8	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 the Workers	Categories (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 -XIX
(See rule 55)

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

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

PART- I

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

PART - II

You are advised to deposit the above mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relation Code, 2020, along with an application dully filled in part - III of this notice.
In case you fail to deposit the said amount within the specified time, no further opportunity shall be given and necessary direction for filing of prosecution under section shall be issued.

(Signature of the Compounding Officer)

Date:
Place:

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

1. Name of applicant (name of the employer who committed the offence under the Industrial Relation Code 2020 to be mentioned .....
2. Address of the applicant .....
3. Particulars of the offence .....
4. Section of the Code under which the offence has been committed .....
5. Details of the compounding amount deposited (electronically generated receipt 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 -XX
[See rule 18 (2)]

Application for verification of membership of Trade Union for the purpose of recognition as Negotiating Union or inclusion in Negotiating Council under section 14 of the Industrial Relations Code, 2020

1. Name of the Industrial Establishment:

2. Address of the Industrial Establishment:

3. Name of the Trade Union:

4. Registration Number of the Trade Union:

5. Total number of workers on the muster roll of the industrial establishment:

6. Number of workers claimed as members of the Trade Union:

7. Purpose of verification:
   (a) Recognition as Negotiating Union under sub-section (3) of section 14; or
   (b) Inclusion in Negotiating Council under sub-section (4) of section 14.

8. Mode of verification requested:
   (a) Physical verification in presence of the Registrar or authorised officer; or
   (b) Verification on the basis of payment of subscription to the Trade Union.

Declaration

I hereby declare that the information furnished above is true and correct to the best of my knowledge and belief.

Signature of applicant:
Name & designation:
Date:

FORM -XXI

[See rule 18 (5)]

Register of Negotiating Unions and Negotiating Councils

Sl. No.	Name of Industrial Establishment	Name of Trade Union	Status (Negotiating Union / Member of Negotiating Council)	Percentage of workers verified	Date of verification	Remarks

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