Delhi Trade Union Regulations, 1927

No.3854-With reference to Chief Commissioner's Notification No.7842-Industries, dated the 22nd December, 1926 and in exercise of the powers conferred by section 29 of the Indian Trade Unions Act, 1926, the Chief Commissioner, Delhi, is pleased to make the following regulations under the said Act :-,

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

2. In these Rugulations :-

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

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

   (c) "Section" means a section of the Act:

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

4. The Register of Trade Unions referred to in section 8 shall be maintained in Form B.

5. The Certificate of Registration issued by the Registrar under section 9 shall be in Form C.

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

7. (1) The Registrar, on receipt of a notice of removal of the registered office to another province, will forward to the Registrar of the province to which the head office of the Trade Union has been transferred a copy of all the entries contained in the register prescribed by regulation 4 of these regulations.

   (2) Where the head office of the Trade Union is transferred from another province to the province of Delhi, the Registrar shall on receipt of particulars relating to the Trade Union from the Registrar from whose jurisdiction the transfer has been effected enter these particulars in his register and notify the fact that he has done so to the Secretary of the Trade Union.

8. The fee payable for the registration of a Trade Union shall be Rs. 25.

9. (1) On receiving a copy of an alteration made in the rules of a Trade Union under section 28 (3), the

Registrar, unless he has reason to believe that the alteration has not been made in the manner provided by the rules of the Trade Union, shall register the alteration in a register to be maintained for this purpose and shall notify the fact that he has done so to the Secretary of the Trade Union.

(2) The fee payable for registration of alterations of rules shall be Rs.5 for each set of alterations made simultaneously.

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

11. Where it is necessary for the Registrar, under section 27 (2), to distribute the funds of a Trade Union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members by way of subscription during their membership.

12. The annual return to be furnished under section 28 shall be submitted to the Registrar by the 31 st day of July in each year and shall be in Form D.

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

(2) Where the membership of a Trade Union did not at any time during the financial year exceed 2,500, the annual audit of the accounts may be conducted -

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

(b) by any local fund auditor appointed by the local Government, or

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

(3) Where the membership of Trade Union did not at any time during the financial year exceed 750, the annual audit of the accounts may be conducted -

(a) by any two persons holding office as magistrates or judges or the members of any municipal council, district board, or legislative body, or,

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

(c) by any auditor appointed to conduct the audit of any co-operative societies by Government or by the Registrar of Co-operative Societies or by any Provincial co-operative organization recognized by Government for this purpose.

(4) Where the membership of a Trade Union did not at any time during the financial year exceed 250, the annual audit of the accounts may be conducted by any two members of the Union.

(5) Where the Trade Union is a federation of unions. and the number of unions affiliated to it at anv

time during the financial year did not exceed 50, 15 or 5 respectively, the audit of the accounts of the federation may be conducted as if it had not at any time during the year had a membership of more than 2,500m 750 or 250 respectively.

14. Notwithstanding anything contained in regulation 14, no person who at any time during the year was entrusted with any part of the funds or securities belonging to the Trade Union shall be eligible to audit the accounts of that Union.

15. The auditor or auditors appointed in accordance with the regulations shall be given access to all the books of the Trade Union and shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended to Form D, 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 unauthorised 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.

16. The audit of the political fund of a registered Trade Union shall be carried out along with the audit of the general account of the Trade Union and by the same auditor or auditors.

17. (1) The register of Trade Union maintained in accordance with regulation 4 shall be open to inspection by any person on payment of a fee of Rupees Five for each inspection.
    (2) Any documents in the possession of the Registrar received from a Registered Trade Union may be inspected by any member of that Union on payment of a fee of Rupees Five for each document inspected.
    (3) Documents shall be open to inspection every day on which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.
    (4) the Registrar may supply a certified copy of any such document to a registered trade union or a member thereof on payment of Rupees Six for the first two hundred words (or less) and Rupees three for every additional words or fractional part thereof.

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

FORM A

Application for Registration of Trade Union

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

1. We hereby apply for the registration of a Trade Union under the name of ....
2. The address of the head office of the Union is ....
3. The Union came into existence on the .... day of .... 19 ....
4. The Union is a Union of employers/workers engaged in the industry (or profession).
5. The particulars required by section 5(1) (c) of the Indian Trade Unions Act, 1926, are given in Schedule I.
6. The particulars given in Schedule II show the provisions made in the rules for the matters detailed in section 6 of the Indian Trade Unions Act. 1926.
7. (To be struck out in the case of unions which have not been in existence for one year before the date of application). The particulars required by section 5(2) of the Indian Trade Unions Act, 1926, are given in Schedule III.
8. We have been duly authorized to make this application by*

Signature	Occupation	Address	Signed
01.			
02.			
03.			
04.			
05.			
06.			
07.			
08.			

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

To the Registrar of Trade Unions for

SCHEDULE

SCHEDULE I

LIST OF OFFICERS

Title	Name	Age	Address	Occuoation

Note: Enter in this Schedule the names of all members of the executive of the Union showing in column 1 the names of any posts held by them (e.g. President, Secretary, Treasurer, etc.) in addition to their offices as members of the executive.

SCHEDULE II

REFERENCE TO RULES

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

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

SCHEDULE III

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

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

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

LIST OF SECURITIES

Particulars	Nominal value	Market value	In hands of
01.			
02.			
03.			
04.			
05.			
06.			
07.			
08.			

Signed
1.
2.
3.

4.
5.
6.
7.

FORM B

Register of Trade Unions

Serial No.	Officers
Name of Union	
Address of Head Office	
Date of Registration	

Serial No.	Year of entering in the office	Name	Age	Address	Occupation	Year of relinquishing office	Other offices held in addition to membership of executive with date
Name of Union							
Date of Registration							
Number of application from List of members applying for registration							
01.							
02.							
03.							
04.							
05.							
06.							
07.							
08.							

FORM C

Certificate of Registration of Trade Union

No.
It is hereby certified that the .... has been registered under the Indian Trade Unions Act, 1926. this .... day of .... 19 ....

Seal

Registrar of Central Trade Union

FORM D

Annual Return prescribed under section 28 of the Indian Trade Unions Act, 1926,
for the year ending 31st March, 19 ______

Name of Union,	
Registered Head Office.	
Number of certificate of registration	
Return to be made by federations of Trade Union	Number of unions affiliated at the beginning of year.
This return need not be made by federations of Trade Unions	Number of unions joining during the year.
	Number of unions disaffiliated at the end of year.
	Number of members on books at the beginning of year.
	Number of members admitted during the year(add) together.
	Number of members who left during the year(deduct).
	Total number of members on books at the end of the year.
	Males
	Female
	Number of members contributing to political fund.

A copy of the rules of the Trade Unions, corrected up to the date of

despatch of this return, is appended.

Dated the.....

Secretary

Statement of liabilities and assets on the .... day of .... 19...........

Liabilities	Rs. P.	Assets	Rs. P.

	Cash
Amount of General fund	In hands of Treasurer
Amount of political fund	In hands of Secretary
Loans................. From	In hands of-
	In the Bank
Debts due to _______________	In the Bank
Other liabilities (to be Specified)	
	Securities as per list below
	Unpaid subscription due Loans to-
	Immovable property
	Goods and furniture
	Other assets (to be specified)
Total Liabilities	Total Assets

LIST OF SECURITIES

Particulars	Nominal value	Market value at date on which accounts have been made up	In hands of

Treasurer

General Fund Account

Income	Rs. P.	Expenditure	Rs. P.
Balance at beginning of year		Salaries, allowances and expenses of officers	
Contributions from members as per member		Salaries, allowances and expenses of establishment	
Donations		Auditor's fee ..	
Sale of periodicals, rules, etc.		Legal expenses ..	
Interest on investments		Expenses in conducting trade disputes	
Income from miscellaneous sources (to be specified)		Compensation paid to members forloss arising out of traded disputes	

	Funeral old age, sickness. unemployment benefits. etc.
	Educational. social and religiousbenefits
	Cost of publishing periodical
	Rents, rates and taxes.
	Stationary, printing and postage.
	Expenses incurred under section15(j) of the Indian Trade UnionsAct, 1926 (to be specified)
	Other expenses (to be specified)
	Balance at the end of year.
Total	Total

Political Fund Account

Liabilities	Rs. P.	Assets	Rs. P.
Balance at beginning of year		Payments made on objects specified in section 16(2) of the Indian Trade Unions Act, 1926 (to be specified).	
Contribution from members as per member		Expenses of managements (to be specified)	
		Balance at the end of year.	
Total		Total	

Treasurer

Auditor's Declaration

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

Auditor.

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

Officers Relinquishing Office

Name	Office	Date of relinquishing

Officers Appointed

Name	Age	Office	Address	Occuopation	Date of Appointment

Secretary