SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Source: sooperkanoon.com/act/145495

The Industrial Relations Code, 2020

Section 9 - Registration of Trade Union and cancellation thereof

(1) The Registrar shall, on beingsatisfied that the Trade Union has complied with all the requirements of the provisions of this Chapterin regard to registration, register the Trade Union by entering in a register, to be maintained in suchform as may be prescribed, the particulars relating to the Trade Union contained in the statementaccompanying the application for registration.
(2) Where the Registrar makes an order for registration of a Trade Union, he shall issue a certificateof registration to the applicant Trade Union, in such form as may be prescribed, which shall be theconclusive evidence that the Trade Union has been registered under this Code.
(3) If the Registrar has issued a certificate of registration to a Trade Union, he shall enter the nameand other particulars of the Trade Union in a register maintained in this behalf in such form as may beprescribed.
(4) Every Trade Union registered under the Trade Unions Act, 1926 having valid registrationimmediately before the commencement of this Code shall be deemed to have been registered under thisCode:
Provided that such Trade Union shall file with the Registrar a statement that the constitution of theexecutive of the Trade Union is in accordance with this Code along with the rules of the Trade Unionupdated in accordance with section 7, and the Registrar shall amend his records accordingly.
(5) The certificate of registration of a Trade Union may be withdrawn or cancelled by theRegistrar,---
(i) on the application of the Trade Union verified in such manner as may be prescribed; or
(ii) on the information received by him regarding the contravention by the Trade Union of theprovisions of this Code or the rules made thereunder or its constitution or rules; or
(iii) if he is satisfied that the members in a Trade Union falls below ten per cent. of total workersor one hundred workers, whichever is less:
Provided that not less than sixty days previous notice in writing specifying the grounds on which itis proposed to cancel the certificate of registration of a Trade Union shall be given by the Registrar tothe Trade Union before the certificate of registration is cancelled otherwise than on the application ofthe Trade Union.
(6) A certificate of registration of a Trade Union shall be cancelled by the Registrar where a Tribunalhas made an order for cancellation of registration of such Trade Union.
(7) While cancelling the certificate of registration of a Trade Union, the Registrar shall record thereasons for doing so and communicate the same in writing to the Trade Union concerned.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com