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No. 2

GOVERNMENT OF GOA

Department of Labour

Notification

24/19/2021/LAB/VOL-I/489 Date: 26-Oct-2026

Whereas, the draft Rules, namely, the Industrial Relations (Goa) Rules, 2026, which the Government of Goa proposes to make in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (Central Act No. 35 of 2020) were pre-published as required by sub-section (1) of Section 99 of the said Code, vide Notification No. 24/19/2021/LAB/Part-I/208 dated 24th April, 2026 of the Labour Department in the Official Gazette (Supplement), Sr. I No.5 dated 30th April, 2026 inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty days from the date of publication of the said Notification in the Official Gazette.

And whereas, the said Official Gazette was made available to the public on 30/04/2026;

And whereas, objections and suggestions received from the public on the said draft Rules have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (Central Act No.35 of 2020), and all other powers enabling it in this behalf, the Government of Goa, hereby makes the following rules, namely:-

CHAPTER – I

Preliminary

1. *Short title and commencement.*— (1) These rules may be called the Industrial Relation (Goa) Rules, 2026.

(2) They shall extend to the whole of the State of Goa and to the industrial establishments and matters for which the Government of Goa is the appropriate Government.

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

2. *Definitions*.— (1) In these rules, unless the context otherwise requires,—

(a) "Code" means the Industrial Relations Code, 2020 (Central Act 35 of 2020);

(b) "District Judge" shall have the same meaning as defined in article 236 of the Constitution of India;

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

(d) "Form" means forms set forth in the schedule to these rules;

(e) "State Government" means Government of Goa;

(f) "Section" means the section of the Code.

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

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

(2) The settlement shall be signed,—

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

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

(i) the President; or

(ii) the Vice-President; or

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

(iv) the Joint Secretary; or

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

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

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

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

(5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post to the Commissioner, Labour and Employment, and to the conciliation officers of the area having jurisdiction of the establishment.

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

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

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

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

CHAPTER – II

Bi-Partite Forums

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(14) (a) The Committee shall have among its office-bearers a Chairman, a Vice- Chairman, a Secretary and a Joint-Secretary.

(b) The Chairman of the Committee 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;

(c) 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-Chairperson, the matter shall be decided by a draw of lot.

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

(e) The Committee shall elect the Secretary and the Joint Secretary and where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the 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 three 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, and the representatives of the worker shall be entitled to vote in such elections for the post of Secretary or Joint Secretary:

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

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

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

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

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

(17) The Committee shall have the right to co-opt 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.

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

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

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

(b) The 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;

(c) The Secretary of the 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.

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

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

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

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

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

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

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

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

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

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

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

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

(5) Where there is no recognized negotiating union or negotiating council and if any dispute arises regarding choosing of workers' representative to the Grievance Committee, the matter may be referred to the Commissioner, Labour and Employment, who shall after hearing the parties, decide the matter, whose decision shall be final.

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

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

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

7. *Application to Conciliation Officer*.— Any worker who is aggrieved by the decision of the Grievance Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application electronically or by speed post or in person within the period of sixty days from the date of the decision of the Grievance Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer on his motion in case of discharge, dismissal or retrenchment of an individual worker by the employer or through the Trade Union, of which he is a member:

Provided that in case the online portal is not available, the manual receipt of such application through speed post or in person, the conciliation officer shall get the same digitalized and enter the particulars of the application in the online mechanism under intimation to the concerned Trade Union and worker.

CHAPTER – III

Trade Union

8. *Payment of subscription by members of the Trade Union under clause (f) of section 7 and sub-section (4) of section 15*.— (1) A Registered Trade Union may collect the subscription from its members, officers bearers or from others, as provided under the rules of Trade Union approved by the Registrar on monthly, quarterly, half yearly or yearly basis which shall not be less than one thousand per annum.

9. *Manner of audit under clause (j) of section 7*.— (1) Save as provided in sub-rule (2), (3), (4) and (5) of this rule, 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 141 of the Companies Act, 2013 (Central Act No. 18 of 2013).

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

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

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

(c) by any person, who, having held an appointment under State Government in any auditor accounts department, is in receipt of a pension of not less than fifty thousand rupees in a month.

(3) Where the total receipt of any Trade Union did not, at any time during the year during the financial year exceeds one lakh rupees, the annual audit of the accounts may be conducted:—

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

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

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

(4) Where the total receipt of any Trade Union did not any time during the financial year exceed fifty thousand rupees the annual audit of the accounts may be conducted by any two members of the Union who were not on the executive during the period to which the accounts pertain.

(5) Where the Trade Union is a federation of Unions, the audits of accounts of federation shall be conducted in the same manner as prescribed in sub-rules (2), (3) and (4) for audit of trade unions.

10. *Disqualification of auditors*.— Notwithstanding anything contained in these rules, no person who, at any time during the year was entrusted with fund or any part thereof or securities belonging to a Trade Union shall be eligible to audit the accounts of that Union.

11. *Accessibility to the books of accounts*.— The auditor or auditors appointed in accordance with these rules shall be given access to all the books of the registered Trade Union concerned and shall verify the general statement with the accounts and vouchers relating t and shall thereafter sign the auditors declaration in Form II indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the returns to be incorrect, not supported by vouchers or not in accordance with the Industrial Relations Code, 2020. The particulars given in the statement shall indicate,—

(a) Every payment which appears to be unauthorized by the rules of the registered Trade Union concerned, or contrary to the provisions of the Industrial Relations Code, 2020.

(b) The amount of any deficit 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.

12. *Manner of amendment and variation in rules of Trade Unions and dissolution of Trade Unions under clause (k) and (l) of section 7*.— (1) When a registered Trade Union is dissolved, notice of the dissolution and any amendment or variation in rules shall be sent to the Registrar in Form III.

(2) On receiving the notice under sub-rule (1) any amendment or variation made in the rules of a Trade Union under clause (k) of section 7,the Registrar shall, unless he has reasons to believe that the amendment or variation in the rules has not been made in the manner provided by the rules of the Trade Union or unless the amendment or variation in the rules is not in accordance with the provisions of the Act, register the amendment or variation in the rule 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.

(3) On receiving the notice under sub-rule (1) of rule 12 for dissolution of a Trade Union the Registrar shall enter the details in the register maintained in respect of the registered trade unions.

13. *Registration of Trade Union and cancellation thereof under section 8 and 9*.— (1) Every application for registration of a Trade Union shall be made to the Registrar in Form IV electronically or otherwise along-with the documents as required under the provisions of the Industrial Relations Code 2020.

(2) Every such application shall be accompanied by an affidavit of the applicant as required under clause (a) of sub-section (1) of section 8 in Form V.

(3) If a Trade Union has been in existence for more than one year before making an application for registration than, a general statement of the assets and liabilities of the Trade Union in Form XV shall also be attached with the application.

(4) Upon receipt of an application for registration of a trade union, the Registrar may require from the applicants such evidence, as may seem to be necessary to show that the applicants have been duly authorized to make the application on behalf of the Trade Union and that the other particulars in Form VI.

(5) The fee payable for registration of a Trade Union shall be Rs. 1000/- (Rupees One thousand only) or as may be fixed by the State Government from time to time and shall be paid electronically or otherwise.

(6) The register of Trade Union referred to in sub-section (1) of section 9 to be maintained by the Registrar shall be in Form VII.

(7) The Certificate of Registration issued by the Registrar under sub-section (2) of section 9 shall be in Form VIII after due verification of information and particulars submitted with the application, either by himself or through any other officer authorized by him and found proper.

(8) The certificate of registration shall be issued electronically or otherwise. If no decision is taken and communicated electronically or otherwise on such application by the Registrar within 30 days, the registration shall be deemed to be issued.

(9) Every application by a Trade Union for withdrawal or cancellation of its certificate of registration shall be sent electronically or otherwise to the Registrar through speed post or speed post or hand delivery to the Registrar in Form IX.

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

14. *Appeal against non-registration or cancellation of registration under section 10*.— Any appeal against the order of the Registrar for refusal to grant registration to the Trade Union or cancellation of a certificate of registration shall be filed by any aggrieved person within thirty days from the date of receipt of the order to the Industrial Tribunal by filing an application mentioning the cause of the appeal accompanied with a certified copy of the order of the Registrar.

15. *Communication to trade union and change in its registration particulars by the Registrar and by Trade Union to Registrar under section 11*.— (1) All communication and notices to a registered Trade Union shall be sent by the Registrar to the address of the Trade Union as entered in the register maintained by the Registrar electronically or otherwise by speed post.

(2) All communication and notices to the Registrar by the registered Trade Union with respect to any change in any particulars of trade unions or its rules or office bearers or membership falling below 10 percent or one hundred, whichever is less under sub-section (2) and (3) of section 11 shall be sent electronically or otherwise by speed post or speed post or hand delivery within 30 days from such date of such change or event.

(3) On receipt of any communication under sub-rule (2), the Registrar shall, unless he has reason to believe that such communication has not been made in the manner provided by the rules of the Trade Union and is not in accordance with the provisions of the Code, register such alteration in the register to be maintained for this purpose and he shall inform the fact to the Secretary/General Secretary of the Trade Union in the manner specified under sub-rule (1).

(4) The fees payable for such communication or alteration of rules shall be one hundred rupees or as may be fixed by the State Government, from time to time, by notification and be paid electronically or otherwise for each set of alteration made at one time.

(5) The notice of any change in the name of the Trade Union shall be sent electronically or otherwise to the Registrar in Form X.

(6) When the Registrar registers a change in name or any other particulars, he shall certify under his signature at the foot of the certificate issued that the new name and the change in particulars has been registered and communicated the same electronically or otherwise.

16. *Matters on which negotiating union or negotiating council may negotiate under sub-section (1) and criteria to be followed to by employer under sub-section (2) of section 14*.— (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) and sub-section(2) of section 14 as below, namely:-

(i) the classification of grades and categories of workers;

(ii) order passed by an employer under the standing orders applicable in the industrial establishment;

(iii) the wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;

(iv) hours of work of the workers their rest days, number of working days in a week, rest intervals, working in shifts;

(v) leave with wage and holidays;

(vi) promotion and transfer policy and disciplinary procedures;

(vii) quarter allotment policy for workers;

(viii) safety, health and working conditions related standards;

(ix) the matters pertaining to conditions of service, terms of employment of the workers which are not covered in the foregoing clauses; and

(x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council as the case may be.

(2) Where there is only one registered Trade Union of the worker which is registered and operating in an industrial establishment, having its membership not less than thirty percent of the total workers employed in the industrial establishment, the employer of such industrial establishment shall recognize such Trade Union as the Sole negotiating union of the workers.

17. *Manner of verification of membership of Trade Unions in an industrial establishment under sub-sections (3) and (4) of section 14*.— (1)(a) The State Government or the Commissioner, Labour and Employment shall appoint a verification officer (hereinafter in this rule, referred to as " verification officer") for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

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

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

(c) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the State Government or Commissioner, Labour and Employment.

(2) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under sub-rule (1).

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

(i) such Trade Union has a valid registration under the Trade Unions Act, 1926 (16 of1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (No.35 of 2020) as the case may be; and

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

(4) (a) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be;

(b) The date of reckoning shall be fixed by the verification officer for the industrial establishment for the purpose of verification of membership of the trade unions;

(c) The employer of the establishment shall forward the documents and records submitted by trade unions to the verification officer;

(d) On receipt of the documents and records, the verification officer shall scrutinize the records and documents submitted by the trade union to ascertain the status of registration of trade unions and related matters;

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

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

(5) The list of Negotiating Unions and members of Negotiating Council referred to in section 14 and verified under sub-rule (2), (3) and (4), shall be maintained by the Registrar in Form XI.

(6) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide—

(a) publication of voters list;

(b) date, time, mode of voting, place of voting;

(c) date, time and place of counting; and

(d) other modalities relating to secret ballot.

(7) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, programme and procedure of such secret ballot election.

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

(9) The voters list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in sub-rule (3) and the voters list shall contain the name,

father's name, designation, employee number/identity card number issued by the employer and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions by hand or by speed post or through electronic mode.

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

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

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

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

(14) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating council as per provisions of sub-section (3) or sub-section (4) of section 14 of the Code, as the case may be.

(15) Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be.

18. *Facilities provided by Industrial establishment to a negotiating union or negotiating councils under sub-section (7) of section 14*.— 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:—

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

(ii) 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 employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;

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

(iv) 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;

(v) employer of an industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker;

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

(vii) 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. *Objects of funds under sub-section (1) and (2) and subscription under sub-section (4) of section 15.*— (1) The general funds of a registered Trade Union shall not be spend on any other objects other than that of 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 of defense of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution of defense is undertaken for the purpose of securing or protecting any rights of the Trade Union as such any rights arising out of the relations of any members with his employer or with a person whom the member employs;

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

(e) the compensation of members for loss arising out of trade 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 provisions of educational, social or religious benefits for the members (including the payments of the expenses or 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 contribution to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contribution in any financial year shall not at anytime 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) The funds constituted under sub-section (2) of section 15 shall not be spend on any object other than:—

(a) the payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of any legislative body constituted under the Constitution or of any local authority, before, during, or after the election in connection with his candidature or election; or

(b) the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or

(c) the maintenance of any person who is a member of any legislative body constituted under the Constitution or for any local authority; or

(d) the registration of electors or the selection of a candidate for any legislative body constituted under the Constitution for any local authority; or

(e) the holding of political meetings of any kind, or the distribution of political literature or political documents of any kind.

(3) The subscription to the fund created for civic or political interests shall be desperately levied on members of the trade union and shall not be more than twice of the annual subscription of the member to general fund.

(4) Audit of such funds shall be done in the same manner as specified under the Code and these rules.

(5) Any complaint of misappropriation of any funds of the registered Trade Union shall be entertained by the Registrar and the Registrar shall enquire and pass an appropriate order to the trade Union, if any misappropriation is proved and such order shall be binding upon the trade Union.

20. *Application for adjudication before Tribunal*.— Where any dispute arises between,—

(a) one Trade Union and another; or

(b) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or

(c) one or more workers who are refused admission as members and the Trade Union; or

(d) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorized in this behalf by the Trade Union, then, the aggrieved workers may make application to the Tribunal having jurisdiction in Form XII within a period of one year from the date on which the dispute arises, electronically or by speed post or by speed post or in person.

21. *Amalgamation and change of name of trade union under sub-sections (2) and (3) of section 24*.— (1) Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such trade Unions or either any of them, provided that, votes of at least two third of the members of each or every such Trade Union entitled to votes are recorded, and that at least two third of the votes recorded are in favour of the proposal.

(2) Notice of every amalgamation shall be sent to the Registrar electronically or otherwise by the speed post or speed post in duplicate in Form XIII by the applicant trade union.

(3) When the Registrar registers the amalgamation, he shall certify under his signature of such amalgamation and issue the certificate electronically or otherwise by speed post or by speed post to all the concerned trade unions and shall make entry in the records of such amalgamation.

(4) The notice of any change of the name of the Trade Union shall be sent to the Registrar electronically or otherwise by speed post or by speed post in Form X.

(5) When the Registrar registers the change of name, he shall certify under his signature of such change and issue the certificate electronically or otherwise by speed post or by speed post to all the concerned trade unions and shall make entry in the records of such amalgamation.

22. *Dissolution of Trade Union and distribution of funds under sub-section (1) and (2) of section 25*.— (1) When a registered trade union is dissolved, notice of dissolution shall be sent, electronically or otherwise by speed post or speed post to the Registrar in Form XIV.

(2) 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 by way of subscription during their membership.

23. *Annual Returns of Trade Union*.— (1) The annual return to be furnished under section 26 (1) (a) shall be submitted to the Registrar by the 31st day of March in each year and shall be in Form XV.

(2) For the purpose of satisfying himself that the information containing in the general statement furnished under sub-rule (1) is correct, the Registrar may require any registered Trade Union to produce before him any documents or to furnish such information or may make or may authorize any person to make such investigation as he thinks necessary.

24. *Recognition of Trade Union at State Level under sub-section (2) of section 27*.— (1) For the purpose of recognition as a State Trade Union at State Level, a trade union or federation of trade unions having presence in at least sixty percent of the industries in the State shall make an application signed by the Secretary of the trade union or federation of trade unions accompanied by the resolution of trade union or federation of trade unions to the Officer notified by the State Government in FORM XVI.

(2) On receipt of the application under sub rule (1), the Officer notified by the State Government may, after conducting such enquiry as he considers necessary, issue a general or special order for the purpose of recognition as State Trade Union as specified therein and send the copy of the decision to the applicant and State Government.

(3) If any dispute arises in relation to such recognition, the Officer Notified by the State Government shall refer the dispute to the Tribunal. The Tribunal shall, after giving opportunity of hearing to the applicant and going through the relevant records of the case, decide the appeal within sixty days and the order of the Tribunal shall be binding upon the parties.

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

CHAPTER – IV

Standing Orders

26. *Manner of forwarding information to certifying office*.— (1) If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically or in person or by speed post or otherwise, the specific date from which the provisions of the model standing order which are relevant to his establishment have been adopted.

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

(3) On receipt of the information under sub-rule (1), the certifying officer shall enter the detail of the industrial establishment which has adopted the Model Standing Order in the register specified in rule 32.

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

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

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

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

27. *Manner of choosing of representatives of workers for issuing notice where there is no Trade Union*.— Where there is no Trade Union or negotiating union or negotiating council operating then, the certifying officer shall call a meeting of the workers or shall direct 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.

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

28. *Authentication of certified standing orders*.— The certified standing orders or the modifications in the standing orders certified in pursuance of sub-section (8) of section 30 shall be authenticated by the certifying officer and shall be sent electronically, and a hard copy thereof by speed post or speed post, within seven days from the date of such authentication to all concerned, that is to say, the employer and all the registered Trade Unions or chosen representative of workers:

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

29. *Statement to accompany draft standing orders*.— (1) The 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.

(2) The draft modification in the existing standing orders, shall contain the particulars of such standing orders which are proposed to be modified along with tabular statement containing details of each of the relevant provision of standing order in force and proposed modification therein and reasons thereof.

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

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

30. *Conditions for submission of draft standing order in similar establishment*.— In cases of group of employers engaged in similar industrial establishments, they may, submit a joint draft standing order under section 30 and the provisions of these rules shall apply.

Provided that, the joint draft standing order, in case of the group of employers engage in similar establishment, shall be drafted and submitted to the Deputy Labour Commissioner of the area, who shall certify or refuse to certify the said joint draft standing orders, after recording reasons therefor:

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

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

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

(a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be or where there is no negotiating union or negotiating council in an industrial

establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;

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

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

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

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

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

32. *Serving of orders and text of standing orders*.— (1) The order of the appellate authority shall be served electronically or otherwise within three days of the disposal of appeal to the employer or Trade Union or the negotiating union or negotiating council or any union or representative body of the workers so the case may be by whom the appeal has been filed.

(2) The text of the standing order as finally certified or deemed to have been certified or adopted model standing order shall be maintained by the employer in Hindi or in English or Local language.

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

33. *Register for final certified copy of Standing Order under section 34*.— (1) The certifying officer shall maintain electronically or otherwise, a register in Form XVII 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) the name of industrial establishment;

(c) the nature of industrial establishment;

(d) the date of certification or deemed certification or date of adoption of model standing 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 all such standing orders.

(2) The certifying officer shall furnish a copy of the certified standing order(s) or deemed certified order(s) to any person applying there for on payment of two rupees per page of the certified standing order(s) or deemed certified standing order(s), as the case may be. The payment for such purpose can also be made through electronic mode or otherwise.

34. *Application for modification of Standing Orders*.— The application for modification of an existing standing order shall be submitted electronically or otherwise by speed post or speed post or hand delivery and contain the particulars of such standing orders which are proposed to be modified alongwith a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade union(s) operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers as the case may be, who has submitted such application for modification.

35. *Notice for change*.— (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in Form XVIII electronically or by speed post or in person, to such workers likely to be 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 or a negotiating union or negotiating council relating to the industrial establishment, a copy of such notice shall also be served in the manner specified in sub-rule (1) on the secretary of such Trade Union or each of the secretaries of such Trade Unions or secretary of the negotiating union or constituent of negotiating council, as the case may be.

CHAPTER – V

Voluntary Reference of Disputes to Arbitration

36. *Form of arbitration agreement and the manner thereof under sub-section (3) of section 42*.— (1) The employer and workers may agree to refer any industrial dispute to arbitration by entering into an arbitration agreement as provided in Form XIX.

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

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

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

(ii) in the case of workers, by the officer of the registered Trade Union authorised in this behalf or by five representatives of the workers duly authorised in this behalf at a meeting of the concerned workers held for such purpose; and

(iii) in the case of an individual worker, by such worker himself or by an officer of the registered Trade Union, of which the worker is a member, or by another worker in the same establishment duly authorised by him in this behalf.

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

(a) in case of an association of the employers, means any officer of such association of the employers authorised for such purpose; and

(b) in case of a registered Trade Union, means any of the following officers of such Trade Union authorised for such purpose, namely:–

(i) President; or

(ii) Vice-President; or

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

(iv) a Joint Secretary; or

(v) any other officer of such Trade Union authorised in this behalf by the President and Secretary of such Trade Union.

37. *Manner of issue of notification under sub-section (5) of section 42*.— 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, upload it on the website of the Labour Department and also submit electronically or otherwise 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.

38. *Manner of choosing representatives of workers where there is no Trade Union under sub-section (5) of section 42*.— 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, shall be chosen by a resolution passed by the majority of concerned workers in Form XX authorizing therein to represent the case. Such workers shall be bound by the acts of their representatives who have been so chosen to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER – VI

Mechanism for Resolution of Industrial Dispute

39. *Manner of appointment, term of office, salaries and allowances, resignation and other terms of conditions of service of Judicial and Administrative Members of the Industrial Tribunal under sub-section (5) of section 44 of the Code*.— (1) (a) The Judicial and Administrative members of the (1) Industrial tribunal shall be appointed by the State Government on the recommendation of the search-cum-selection committee.

(b) The Judicial members of the Industrial Tribunal shall be appointed from serving and retired Judges of High Court, members of higher Judicial services and members of State Judicial Services, who have been a District Judge or Additional District Judge for not less than three years.

Provided that in case of appointment on deputation of serving Judge as Judicial Member, the normal period of appointment on deputation shall be for a period of five years and in case of retired Judges, the appointment shall be till the age of 67 years.

(c) The Administrative members of the Industrial Tribunal shall be appointed from the serving and retired members, who has held a post not below the rank of Joint Secretary to the Central Government or an equivalent rank in the State Government, of:

(i) Indian Administrative Services who have served at least three years in this service having experience in labour laws; or

(ii) Goa Civil Service who have served atleast five years in this service having Law Degree, Knowledge and experience in labour laws; or

(iii) Departmental service who have served at least for seven years in the Department as Conciliation Officer having Law Degree or Diploma in Labour Laws:

Provided that in case of appointment on deputation of serving Officer as Administrative Member, the normal period of appointment on deputation shall be for a period of three years and in case of retired Officers, the appointment shall be till the age of 67 years.

(2) For the purpose of appointment of Judicial and Administrative members of Industrial Tribunal, the State Government shall prepare a list of suitable persons after due consideration of applications received in which the qualifications of all persons, their past performance and experience shall be clearly stated.

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

(i) Chief Justice of High Court at Bombay or a Judge of High Court at Bombay nominated by him— Chairperson;

(ii) Retired judge or judge of High Court nominated by the Chief Justice of High Court of Bombay at Goa— Member;

(iii) Chief Secretary, Government of Goa— Member:

(iv) Secretary to the Government of Goa in the Law Department— Member;

(v) Secretary, to the Government of Goa in the Labour Department— Member,

(vi) Commissioner, Labour & Employment— (Convener)

Explanation: The role of the Member (convener) is merely to ensure co-ordination among the members of Search-cum-Selection Committee. He shall have no formal say in the selection and functioning of the Committee in any manner whatsoever.

(4) The Search-cum-Selection Committee shall determine its procedure for making its recommendation and after taking into account qualification, suitability, record of past performance, integrity as well as experience in view of the requirement of the Industrial Tribunal, shall recommend a panel of one along with one in waiting, as it deems fit, for appointment to each vacant post. In this matter, the decision of the Chairperson shall be final.

(5) A Judicial/Administrative Member shall hold office for a term of Five years from the date on which he enters upon his office or till he attains the age of sixty seven years, whichever is earlier.

(6) The salary and allowances of the Judicial and Administrative members of the Tribunal shall be at the rate as admissible under the applicable Service Rules or as decided by the State Government from time to time, as case may be:

Provided that in case of an appointment of a person as a Judicial or Administrative Member, who has retired from service and who is in receipt of or has received or has become entitled to receive any retirement benefit by way of pension, shall be treated as re-employed and will be entitled to receive the salary at the rate of last pay drawn minus the total amount of pension.

(7) A retired person appointed as Judicial/ Administrative Member shall be entitled for rent free accommodation or house rent allowance at the rate as admissible under the applicable Service Rules or as decided by the State Government from time to time, as case may be.

(8) A retired person appointed on the post of Judicial member or administrative member shall not be entitled to any temporary or ad-hoc increase in pension.

(9) If retired person appointed as Judicial or Administrative member does not join within a period of one month from the date of appointment, then the State Government may cancel his appointment and thereafter the vacant post shall be filled from the person in waiting list.

(10) (a) If a written and verifiable complaint is received by the State Government, alleging any definite charge of misbehavior or incapacity to perform the functions as Judicial/Administrative Member, it shall make a preliminary scrutiny of such complaint.

(b) If on preliminary scrutiny, the State Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of a Judicial/Administrative Member, it shall set up an inquiry which shall be headed by a person nominated by the Chairperson of the search cum selection committee:

Provided that in case of inquiry against judicial member, the Chief Justice of High Court shall be consulted.

(c) The inquiry officer shall complete the inquiry within a time of six months or such further time as may be specified by the Chairperson of the Selection Committee.

(d) After conclusion of the inquiry, the inquiry Officer shall submit its report to the State Government stating its findings and the reasons therefore on each of the charges separately with such observations on the whole case as it may think fit.

(e) The selection committee shall not be bound by the procedure laid down by the Code of Civil Procedure.1908 (Act No. 5 of 1908), but shall be guided by the principles of natural justice and shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

(11) The State Government after affording the principles of natural justice, may remove any Judicial/Administrative member from Industrial Tribunal.

(12) A retired person appointed as Judicial/Administrative Member may resign from his office at any time by giving notice to this effect in writing under his hand addressed to the State Government.

(13) The State Government shall, on the recommendation of Search-cum-Selection Committee, remove from office any Judicial/Administrative Member, who—

(a) has been adjudged as an insolvent; or

(b) has been convicted of an offence which, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as such a Judicial Member or Administrative member; or

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

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

Provided that where a Judicial/Administrative Member is proposed to be removed on any ground specified in clauses (b) to (e), he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges:

Provided further that in case of removal of Judicial member, the Chief Justice of High Court shall be consulted.

(14) Matter relating to the terms and conditions of services with respect to which no express provisions have been made in these Rules, shall be decided by the State Government after consulting the Chairperson of the selection committee.

(15) In case of retired Judicial/Government Officer, transfer travelling allowance for joining the Industrial Tribunal from home town to head quarter and vice-versa at the end of assignment shall also be admissible under the applicable Service Rules or as decided by the State Government from time to time, as case may be.

(16) The State Government shall have power to relax the provision of any of these rules in respect of appointment, salary and allowances, resignation and other terms and conditions of service of Judicial/Administrative member of Industrial Tribunal.

(17) Every person appointed as Judicial Member or Administrative Member, as the case may be, shall before entering upon his office, make and subscribe an oath of office and secrecy in Form XXI.

(18) A person appointed to the post under these Rules after retirement from State Government Service on reaching the age of superannuation, will be entitled to all kind of leave admissible to a temporary State Government servant or as decided by the State Government from time to time, as case may be.

40. *Manner of filling up the vacancy under sub-section (9) of section 44*.— (1) If for any reason any vacancy occurs in Industrial Tribunal it shall be filled in the manner prescribed in rule 38 of these rules of these rules.

41. *Matters in respect of which a conciliation officer and Tribunal shall have powers of a Civil Court under clause (d) of sub-section (3) of section 49*.— The Conciliation officer and the Tribunal shall have the powers of a Civil Court as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), when trying a suit in respect of the following matters, namely:—

(a) inspection of premises of establishment and documents;

(b) receiving evidence on affidavit;

(c) discovery of the documents;

(d) investigation and enquiry.

42. *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*.— (1) Where any industrial dispute exists or is apprehended or a notice under section 62 has been given, the Conciliation Officer shall if he finds that the dispute pertains to the jurisdiction of Central Government, transfer the dispute to the Concerned authority. In other cases, he will issue notice to the parties concerned declaring his intention to commence conciliation proceedings.

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

(3) The Conciliation Officer shall without delay, ascertain the facts and circumstances relating to the dispute and enquire into all matters affecting the merits and right settlement thereof and hold conciliation proceedings between the parties to the dispute 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 of the dispute.

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

(5) The report shall also be made accessible to the parties concerned on the designated portal if any.

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

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

(8) In case of an industrial dispute which has not been settled during the conciliation proceedings, a claim with complete details may be made before the Tribunal by either of the parties concerned for adjudication. along with relevant documents, list of supporting documents and witnesses within thirty days. A copy of such claim may be sent electronically or speed post for service on each of the opposite parties in the dispute.

(9) The Tribunal after ascertaining the facts 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.

(10) 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.

(11) 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 of1908).

(12) 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.

(13) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time and in any case not more than three adjournments in all at the instance of the parties to the dispute shall be granted:

Provided that the Industrial Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time more than three adjournments at the instance of any one of the parties to the dispute.

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

Provided that the Industrial Tribunal 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.

(15) The Tribunal shall communicate its Award electronically or otherwise to the parties concerned and the State Government within one month from the date of the pronouncement of the award.

(16) 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 384, 385 and 387 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No.46 of 2023).

(17) 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 on such Tribunals.

(18) 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 or otherwise in the Tribunal in the following manner, namely:—

(a) Fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal at the rate of rupees two per page shall be payable.

(b) For certifying a copy of any such award or order or document, a fee of rupees two per page shall be payable.

(c) 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 livable under this rule shall be payable.

(19) 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.

(20) The proceedings before Industrial 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, the Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

(21) A conciliation officer, Judicial Member or an Administrative Member of the Tribunal or any person authorized in writing by the Conciliation Officer, Tribunal in this behalf may, for the purposes of any conciliation or adjudication under the Code at any time between the hours of sunrise and sunset and in the case of person so authorised, after giving reasonable notice in writing, may enter any building, factory, workshop, or other place or premises whatsoever, and inspect the same or any work, machinery, appliance or article therein or enquire any person therein in respect of anything situated therein or any matter relevant to the subject matter of conciliation or adjudication, as the case may be.

(22) A Tribunal may, in the interest of justice and after recording reasons thereof, admit or accept any evidence at any stage of the proceeding before it.

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

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

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

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

CHAPTER – VII

Strikes and Lock-Outs

44. *Manner of giving notice of strike under sub-section (4) of section 62*.— (1) 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 XXVII which shall be duly signed by the President or General Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to such industrial establishment endorsing the copy thereof electronically or otherwise to the concerned Conciliation Officer of the area and Office of the Commissioner, Labour and Employment and the State Government.

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

(3) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then the employer shall within five days from the date of receiving of such notice, intimate the same electronically or otherwise to the concerned Conciliation Officer of the area and to the Commissioner, Labour and Employment.

45. *Manner of giving notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62*.— (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 XXVIII to the President or General Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned Conciliation Officer of the area, the Commissioner, Labour and Employment and the State Government electronically or otherwise.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment and a copy of the said notice may also be posted on the designated portal, if any, of such industrial establishment and the date of receipt of such notice by the Conciliation Officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 41.

(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 electronically or otherwise the same to the concerned conciliation officer and to the Commissioner, Labour and Employment.

CHAPTER – VIII

Lay-Off, Retrenchment and Closure

46. *Manner of serving notice before retrenchment of the worker under clause (c) of section 70*.— 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 retrenchment in Form XXIX to the State Government, the Commissioner, Labour and Employment and the concerned Conciliation officer of the area having jurisdiction, through e-mail or, by registered or speed post or hand delivery in the following manner namely,—

(a) Where prior notice is given to a worker under clause (a) of section 70 of the Code, notice of such retrenchment shall be served within three days from the date on which such notice is served on the worker.

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

(c) where retrenchment is carried out under an agreement which specifies a date for the termination of service, notice of such retrenchment shall be sent so as to reach the State Government and the copy thereof to the Commissioner, Labour and Employment and the Conciliation officer of the Area having jurisdiction of said industrial establishment at least one month before such date.

Provided that if the date of termination of service agreed upon is within thirty days of the agreement the notice of retrenchment shall be sent to the State Government and the copy thereof to the Commissioner, Labour and Employment and the Conciliation Officer of the Area having jurisdiction of said industrial establishment within three days of the agreement.

47. *Manner of giving an opportunity for re-employment to the retrenched workers under section 72*.— (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment at least seven days before the actual date of retrenchment.

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

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

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

Provided further that where the vacancy is of duration of less than one month there shall be no obligation on the employer to send intimation of such vacancy to individual retrenched workers:

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

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

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

48. *Manner of serving notice by the employer for intended closure under sub-section (1) of section 74*.— If an employer intends to close down an industrial establishment he shall give notice of such closure in Form XXIX at least sixty days before the date of intended closure to the State Government and a copy forwarded to the Commissioner, Labour and Employment and the concerned Conciliation Officer of the area having jurisdiction, by e-mail or speed post or speed post or hand delivery.

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

CHAPTER – IX

Special Provision Relating to Lay-Off, Retrenchement and Closure In Certain Establishments

49. *Manner of making application for lay off and serving copy of such application to workers under sub-section (2) of section 78*.— An application for permission under sub-section (1) of section 78 shall be made by the employer in Form XXX stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically or by speed 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 of the industrial establishment.

50. *Manner of making application for the intended retrenchment and manner of serving copy of such application under sub-section (2) of section 79*.— An application for permission referred to in sub-section (2) of section 79 shall be made by the employer in Form XXX stating clearly therein the reasons for the intended retrenchment electronically or otherwise and a copy of such application shall also be sent to workers electronically and by speed 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.

51. *Time-limit for review under sub-section (6) of section 79*.— (1) 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.

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

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

52. *Manner of making application for intended closing down and serving copy of such application under sub-section (1) of section 80.*— An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply electronically or otherwise in Form XXX 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 or speed post with a copy to the concerned conciliation officer of the area having jurisdiction of the establishment.

53. *Time-limit for review under sub-section (5) of section 80.*— (1)The State Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80.

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

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

CHAPTER – X

Workers Re-Skilling Fund

54. *Contribution from such other sources to be made to worker re-skilling fund under clause (b) of sub-section (2) of section 83.*— In addition to contribution of employer under clause (a) of sub-section (2) of section 83, the workers re-skilling fund shall consist of,—

a. Corporate Social Responsibility fund of the Company;

b. Donations from Industrial or Employer or Builders Association;

c. Donation from Employees Associations;

d. Donation from Citizens of India;

e. Grants from State or Central Government;

d. Grants or donations from any institutions willing to Contribute.

55. *Manner of utilization of fund under sub-section (3) of section 83.*— (1) Every employer who has retrenched a worker or workers in industrial establishment, shall, within ten days, at the time of retrenching a worker or workers shall electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account to be maintained by the State Government. The particulars of the Account shall be displayed on the Official Web Site of the Labour Department notified 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.

(2) 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 – XI

Offences and Penalties

56. *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.— (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, send a notice to the accused in Form XXXI through the designated portal or by speed post of the Office of the Commissioner, Labour and Employment.

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

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

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

(a) in case the offence is compounded before the institution of prosecution, no complaint for prosecution shall be instituted against the accused;

(b) in case the offence is compounded pending proceeding under section 85 of the Code, the compounding officer shall inform the composition to the officer referred to in that section, who shall, after such information, close the proceeding in respect of such offence against the accused; and

(c) in case the offence is compounded after the institution of prosecution with the permission of the court, the compounding officer shall treat the case as closed and inform the compounding of the offence to the competent court by which such composition was allowed and after receiving such information, the court shall discharge the accused.

CHAPTER – XII

Miscellaneous

57. *Protected workers under sub-section (3) of section 90*.— (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 recognized 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, recognize 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 recognized 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 recognize 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 recognized protected workers in individual union bear practicable by the same proportion to one another as the membership figure of the union. The employer shall in that case intimate in writing to the President or the Secretary of the each 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 recognized 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) Where a dispute arises between an employer and any registered trade union in any matter connected with the recognition of "protected workers", under this rule, the dispute shall be referred to the Commissioner, Labour and Employment, whose decision thereon shall be final.

58. *Manner of making complaint by an aggrieved worker under section 91*.— (1) Every complaint under section 91 of the Code shall be made electronically and by speed post or speed post or hand delivery in Form XXXII 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, and the Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.

59. *Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94*.— 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 XXXIII.

60. *Manner of authorization of employer for representing in any proceeding under sub- section (2) of section 94*.— Where the employer, is not a member of any association of employers, may authorize in Form XXXIII, 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.

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

By order and in the name of the Governor of Goa.

Manesh Hari Kedar, Under Secretary (Labour).

Porvorim

FORM I

[*See* rule 3]

(Memorandum of settlement arrived at in the course of conciliation proceedings or otherwise)

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 Conciliation Officer of the area and the Commissioner, Labour and Employment.

FORM II

[*See* rule 11]

Auditors' Declaration

The undersigned, having had access to all the books and accounts of the …… Union, and having examined the forgoing statements and verified the same with the account vouchers relating thereto, now sign the same as found to be correct duly vouchered and in accordance with the law, subject to the remarks, if any, appended hereto and also certify that the ……..…… Union had properly maintained its membership registered and its accounts and the members had paid their membership, subscription to the …… Union as shown in the forgoing statements of the general account of the Union, subject to the remarks, if any, appended hereto.

Dated……

Auditor.

Auditor.

FORM III

[*See* sub-rule (1) of rule 12]

Notice of the Dissolution and Amendment or variation in the rules of a Trade Union

Name of Trade Union ……..

Registration Number ……..

Address ……..……..

Dated the day of …….20…….……

To,

The Registrar of Trade Unions
Government of Goa,
Panaji-Goa.

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……

(Signed) 1. Secretary

2.

3.

4.

5.

6.

7.

*here insert the date, or if there was no such resolution, state in what other way the authorization was given.

FORM IV

[*See* sub-rule (1) of rule 13]

Application for Registration of Trade Unions

Name of Trade Union…….……...

Address: ……...

Dated the ……. day of ……20 …….

1. This application is made by the persons whose names are subscribed at the foot hereof.
2. The name under which it is proposed that the Trade Union on behalf of which this application is made shall be registered is …… as set forth in Rule No. ……..…
3. The address of the Head Office of the Union to which all communication and notices may be addressed is ……..
4. The ……. Union came into existence on the ……. day of …….. 20…….
5. The Union is a union of employers/workers engaged in the ……. industry/or …… profession/or……. (Establishment), and has …….. members.
6. The particulars required by Section 8 of the Industrial Relations Code, 2020 are given in Schedule I.
7. The particulars given in Schedule II show the provision made in the rules for the matters detailed in Section 7 of the Industrial Relations Code, 2020.
8. (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 8) of the Indian Industrial Relations Code, 2020 are given in Schedule III.
9. One copy of the Rules of the Union, is attached to this application.

10. We have been duly authorized by the Trade Union to make this application on its behalf, such authorization consisting of*…Members.

Signature	Occupation	Address

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

To
The Registrar of Trade Unions,
Government of Goa,
Panaji.

* State here whether the authority to make this application was made by a resolution of a general meeting of the Trade Union or if not, in what other way it was given.

SCHEDULE I

List of Officers

Name of Trade Union

Serial No.	Office held in Union	Name	Age	Address	Occupation

SCHEDULE II

Reference to rules

The members of the rules making provision for the several matters detailed in column I 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 Benefits assured by the rules.

The conditions under which fines or forfeitures can be imposed or varied.

The manner in which the rules shall be amended, varied or rescinded.

The manner in which the members of the executive and the other officers of the 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 and Assets on the …….…. day of …… 20……..

Liabilities	Rs.	Assets	Rs.
Amount of general fund		Cash:	
Amount of civic Fund		In hands of Treasurer	
……..		In hands of Secretary	
Loans from…….		In hands of Bank	
Debts due to …….		In hands of bank securities as per list below:	
Other liabilities (to be specified)		Unpaid subscriptions due	
		Loans to ……	
		Immovable property.	

Total liabilities……

Goods and furniture

Other assets (to be specified)

Total Assets……..

List of Securities

Particulars	Face Value	Cost Price	Market value	In hands of

(Signed) 1.

2.

3.

4.

5.

6.

7.

FORM V

(*See* sub-rule (2) of rule 13)

I, Shri/Smt. ……..…….…….. Address ……..…….…….. Occupation…..…….…….…… Age……..… Years…..…….…….…… truly declare in writing that on this date ……..at ……., meeting of the union under the Chairmanship of ……. in which …….. (name of the union) has been registered under The Industrial Relations Code, 2020.

The name and the registration details is as follows

Sr. No.	Name	Age	Occupation	Address
1.				
2.				
3.				
4.				
5.				
6.				
7.				

The above mentioned registrants and their deputation still stand valid and are still valid members of the Union.

On this date the executive committee was elected in the general election dated ……..……..

The above mentioned persons have filed the application regarding cancellation of registration or registration in my case. According to my information, the application has been included in the list of members and the attached membership list is true.

I swear and believe that what is stated above is true to my information and knowledge.

Date:-

Signature

Place:-

FORM VI

[*See* sub-rule (4) of rule 13]

List of Officers of Trade Union

Name of the Union…….……..

Address ……..…..

Serial No.	Office held in the Union	Name	Age	Occupation	Address
(1)	(2)	(3)	(4)	(5)	(6)

** Attached copy of the resolution passed about the authorization of the applicants.

FORM VII

[*See* sub-rule (6) rule 13]

Register of Trade Unions

Name of the Trade Union ……..

Date of Registration ……..…..

Number of application form …….

Registration number ……

Address of the Head Office ……

Subsequent changes of Head Office ……..

Names of members making application 1. …… 2……..…

Officers (Transfers from one post to another count as relinquishment of appoint held)

Year of entering office	Name	Office held on entry in office	Age	Address	Occupation relinquishing office	Year of Other offices in addition to membership of executive with date

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FORM VIII

[*See* sub-rule (7) of rule 13]

Certificate of Registration of Trade Unions

Name of Trade Union ……...

Registration Number ……...

It is hereby certified that the …….…….…….Union has been registered under the Industrial Relations Code, 2020, this day of …… 20….……

Seal Signature Registrar of Trade Unions

FORM IX

[*See* sub-rule (9) 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 Goa,
Panaji-Goa.

Sir/Madam,

The above mentioned Trade Union desires that its certificate or registration under the Industrial Relations Code 2020, may be withdrawn (or cancelled) as per resolution in general meeting* duly held on the ……. day of …….20 …….. wherein it was resolved as follows:—

(Here give the exact signed copy of Resolution)

(Signature) *

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

FORM X

[*See* sub-rule (5) of rule 15 and sub-rule (4) of 21]

Notice of the Change of name of Trade Union

Name of Trade Union ……

Registration Number …….

Address ……..…..

Dated, the……. day of ……..., 20….……

To,

The Registrar of Trade Unions
Government of Goa,
Panaji – Goa.

Notice is hereby given that the provisions of section 11 of the Industrial Relations Code 2020 having been complied with and the name of the above mentioned Trade Union has been changed to ……...

The consent of the members was obtained by*

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

*i.e. by referendum, resolution of a general meeting etc. If procedure followed is covered by rule, quote number of the rule.

FORM XI

[*See* sub-rule (5) of rule 17]

Register of Negotiating Union or Member of the Negotiating Council

	Name of the Negotiating Union	Name of the member union of negotiating Council Negotiating Union	Address of the Office	Date of registration	Name of present office bearers	Number of members

Name of the Industrial Establishment	Address of the Industrial Establishment	Total number of workers which are members of the Trade Unions	Percentage of workers which are members of the Negotiating Union/ Members of the Negotiating Council	Date of declaration by the Registrar	Any other information

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FORM -XII

[*See* clause (d) of rule 20]

Application to Tribunal

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

Name and Address of the applicant(s)

Versus

Name and Address of Opposite Party(ies)

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

Prayer

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

Name and Signature of the worker (s)

or

Date:- Officer of Trade Union raising the dispute

FORM XIII

[*See* sub-rule (2) of rule 21]

Notice of the Amalgamation of Trade Unions

A. Name of Registered Trade Union
Number of Registration

B. Name of Registered Trade Union
Number of Registration

(and so on if more than two)

Address ……..…

Dated, the, …… day of ……..…, 20…….……

To,

The Registrar of Trade Unions,
Government of Goa,
Panaji-Goa.

Notice is hereby given that in accordance with the requirements of section 24 of the Industrial Relations Code 2020 the members of each (or every-one) of the above mentioned Trade Unions have resolved to become amalgamated together as one Trade Union.

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

And that it is intended that the Trade Union shall henceforth be called the ……..……..

Accompanying this notice is a copy of the rules intended to be henceforth adopted by the Amalgamated Trade Union which are the rules (if so) of the ……..…..Union.

(to be signed by seven members and
the Secretary of each Trade Union)

Name and address to which registered copy is to be sent

(Signed)

1. Secretary
2.
3.
4. Members
5.
6.
7.

FORM XIV

[*See* sub-rule (1) of rule 22]

Notice of the Dissolution of a Trade Union

Name of Trade Union …….

Registration Number ……..

Address ……..……..

Dated, the ……. day of ……..……, 20 ……..……

To,

The Registrar of Trade Unions,
Government of Goa,
Panaji – Goa.

Notice is hereby given that the above mentioned Trade Union was dissolved 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 ……

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

* here insert the date, or if there was no such resolution, state in what other way the authorization was given.

FORM XV

[*See* sub-rule (1) of rule 23]

Annual Return (General Statement) prescribed under section 26 of the Industrial Relations Code, 2020

Name of Union.…….……..……

Registered Head office ……..

Number of certificate of registration….……..……

Return to be made by federations of trade Unions:

A. Number of Unions affiliated at the beginning of year*

B. Number of Unions joining during year*

C. Number of Unions disaffiliated during year*

D. Number of Unions affiliated at the end of year.

The return need not be made by federation of Trade Unions

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…….

Females……..

Number of members contributing to political fund.

A copy of the rules of the Trade Union corrected up to the date of dispatch of this return is appended. Dated……the day of ……..20….

Secretary.

* The names of the affiliated and disaffiliated Unions should be given in separate statement marked <A>, <B> and <C>.

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

Liabilities	Rs. a.p.	Assets	Rs. a.p.
Amount of General Fund…….……		In hands of Treasurer ……..	
		In hands of Secretary ……	
Amount of Political Fund ……		In hands of	
		In the bank …..	
		In the Bank ….	
Loans from ……..		Securities as per list below	
Debts due to ——		Unpaid subscriptions due for ——	
Other Liabilities (to be specified) …….		(a) the year under report ……	
		(b) previous year Loans to—	
		Loans to –	
		(a) Officers …….	
		(b) Members …….	
		(c) Others ……	
		Immovable property, goods and furniture	
		Other assets (to be specified)	
		Total liabilities…..	
		Total assets ……	

List of securities

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

General Fund Account

Income	Rs.	Expenditure	Rs.
Balance at beginning of year ……..…		Salaries, allowances and expenses of Officers ……..…	
Contribution from members (including Unpaid subscriptions due for the year) at the rate of per member ……..…		Salaries, allowances and expenses of establishment ……	
		Auditors fees ……	
		Legal expenses …….	
(a) Contributions actually received		Expenses in conducting trade disputes	
(b) Contributions in arrears for three Months or less ……		Compensation paid to members for loss arising out of trade disputes ……	
(c) Contributions in arrears for more than three months but not more than six Months …….		Funeral, old age, sickness, unemployment, benefits etc……..…	
(d)Contributions in arrears for more than Six months ……..		Educational, social and religious benefits ……	
Donations ……..		Cost of publishing periodicals ……	
Sale of periodicals, books, rules, etc.		Rents, rates and taxes	
Interest on investments ……		Stationery, printing and postage ..	
Income from miscellaneous sources (to be specified)		Expenses incurred under Industrial Relations Code, 2020 (to be Specified) …	
		Other expenses (to be specified) ……..	
		_____ Balance at end of year _____	
Total _____	Total _____		

Treasurer.

Auditors' Declaration

The undersigned, having had access to all the books and accounts of the … Union, and having examined the forgoing statements and verified the same with the account vouchers relating thereto, now sign the same as found to be correct duly vouchered and in accordance with the law, subject to the remarks, if any, appended hereto and also

certify that the …….. Union had properly maintained its membership registered and its accounts and the members had paid their membership, subscription to the …….Union as shown in the forgoing statements of the general fund account of the Union, subject to the remarks, if any, appended hereto.

Date……. Auditor.

Auditor.

The following changes of officers have been made during the

Name	Office	Date of relinquishing office

Officers appointed

Name Birth	Date of address	Private Occupation	Personal position	Title of held In Union	Date on which appointment in column 5 was Taken up	Other officers held in addition to membership of executive with dates
1	2	3	4	5	6	7

FORM XVI

[*See* sub-rule (1) of rule 24]

Application for recognition as the State Level Trade Union

Name of the Trade Union/Federation of Trade Unions ……..

Address ……..…

Dated …….. the day of …….. 20……...

To,

The Secretary/Authorised Officer,

Sir,

I beg to state that at the general meeting of the members/at the meeting of the executive of the above mentioned Trade Union/Federation of Trade Unions which was held at …… on the day of …….. 20…… it was resolved that the union should apply to you for recognition as State Level Trade Union under subsection (2) of section 27 of the Industrial Relations Code, 2020. A copy of the resolution in this behalf signed by the President/General Secretary of the union/federation is enclosed.

2. The Trade Union/Federation of Trade Unions is duly registered on the ……. day of …… year ……..… under Certificate No…..…… issued by the Registrar of Trade Unions, Government of Goa.

3. A copy of the rules of the Trade Union/Federation of Trade Unions is attached.

4. The address of the head office of the Trade Union/Federation of Trade Unions to which all the communications may be addressed.

5. The Trade Union/Federation of Trade Unions has affiliation of other Trade Unions in the State, list of such trade unions and their addresses, registration details and membership etc. is attached herewith.

6. The Trade Union/Federation of Trade unions has total …….member (number) in the State.

Yours faithfully,

Name and Designation
Secretary/General Secretary

FORM XVII
[*See* sub rule (1) of rule 33]

REGISTER FOR CERTIFIED STANDING ORDERS

PART – I

INDUSTRIAL ESTABLISHMENT

Unique and continuous number	Number of the Industrial Establishment	Nature of the Industrial Establishment	The areas of operation of the industrial establishment	Whether Standing order is (a) model standing order, or (b) deemed standing order or (c) Certified standing order	Date of adoption of deemed authentication or date of certification/ Authentication of standing orders
(1)	(2)	(3)	(4)	(5)	(6)

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

PART – II

Enclose the certified copy of the Standing Orders electronically or otherwise.

FORM XVIII

[*See* sub-rule (1) of rule 35]

(Notice of change of service conditions proposed by an employer)

Name of employer.....

Address.....

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

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

Signature.....

Designation.....

ANNEXURE

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

Copy forwarded to:

1. The President/General Secretary of registered Trade Union, if any.

2. Concerned Deputy Labour Commissioner, Assistant Labour Commissioner of the area of jurisdiction.

3. The Commissioner, Labour and Employment, Panaji.

FORM XIX

[*See* sub-rule (1) of rule 36]

(Agreement for voluntary arbitration)

BETWEEN

……Name of the parties representing employer (s)

And

…….Representing worker (s)

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 Government of Goa 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
1. …….	1. ……..
2. …….	2. ……..

Witnesses 1. ……..…
2. ……
Copy to:
1. The Secretary to the Government of Goa, Department of Labour, Porvorim.
2. The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].
3. The Commissioner, Labour and Employment, Panaji.

FORM XX

[*See* rule 38]

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 (Mention the name of the proceedings)

……..…. Workers

Versus

……..……. Employer

I/we hereby authorize Shri/Smt./Kumari to represent me/us in the above matter.

Dated this …… day of ……..… 20

FORM XXI

[*See* sub-rule (17) of rule 39]

Form of Oath of Office for Judicial Member of State Industrial Tribunal

I, A, B., having been appointed as Judicial Member/Administrative Member of 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.

Place: …….

Date: ……..

FORM XXII

[*See* sub-rule (7) of rule 42]

(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

…….…… (mention the details of the matter)

…….……

Applicant Address…….. Versus

……..

Address…….. Opposite party(ies).

The above mentioned 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..... (Signature)

FORM XXIII

[*See* sub-rule (1) of rule 43]

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

To,

(1) The Commissioner, Labour & Employment,

…….. (here insert the address).

Sir,

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

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

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

Signature of the applicant(s)

Address(es) ……..

Station: ……..

Date: ……..

ANNEXURE

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

FORM XXIV

[*See* sub-rule (1) of rule 43]

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

To,

(1) The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.

(2) The Deputy Chief Labour Commissioner (Central) …….. (here insert the name of the region).

Sir,

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

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

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

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

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

Station .....

Date .....

Address .....

ANNEXURE
(Specify the details of the amount claimed)

FORM XXV
[*See* sub rule (2) of rule 43]

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

Before the State Government Industrial Tribunal ..... between ..... and .....

(1) Name of the applicant(s) .....

(2) Name of the employer .....

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

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

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

Address(es) .....

Place .....

Date .....

ANNEXURE

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

FORM XXVI
[*See* sub rule (2) of rule 43]

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

Before the Central Government Industrial Tribunal at ..... Between

(i) Name of the applicant/applicants .....

(ii) Name of the employer .....

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

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

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

Name and Address of worker .....

Signature of the assignee/heirs

Address(es) .....

Place .....

Date .....

ANNEXURE

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

FORM XXVII

[*See* sub-rule (1) of rule 44]

(Notice of Strike to be given by Union (Name of Union)/Group of Workers)

Name of five elected representatives of workers…….

Name of the Union ……...

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

To,

(The name of the employer).

Dear Sir/Sirs/Madam,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code 2020, I/We hereby give you notice that I propose to call a strike/we propose to go on strike on …… day of……..20….., for the reasons explained in the annexure.

Yours faithfully,

(President/General 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. Deputy Labour Commissioner, Assistant Labour Commissioner, of the concerned area of jurisdiction.

2. The Commissioner, Labour and Employment, Panaji.

FORM XXVIII

[*See* sub-rule (1) of rule 45]

(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 sub-section (6) of section 62 of the Industrial Relations Code, 2020, I/We hereby give notice to all concerned that it is my/our intention to effect lock-out in ..... department(s), section(s) of my/our establishment with effect from ..... for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons

Copy forwarded to:

1. The President/General Secretary of the Registered Union, if any.

2. The Conciliation officer[Here enter office address of the Deputy Labour Commissioner/Assistant Labour Commissioner of the concerned area having jurisdiction.]

3. The Secretary to the Government of Goa, Department of Labour, Secretariat, Porvorim.

4. The Commissioner, Labour and Employment, Government of Goa, Panaji.

FORM XXIX

(*See* rule 46 and rule 48)

(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)

Name of Industrial Establishment or Undertaking or employer……

Address……

Labour identification number ……

Dated .....(DD/MM/YYYY).

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

To,

The Secretary (Labour),
Department of Labour,
Government of Goa,
Secretariat, Porvorim, Goa.

Sir,

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

OR

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

2. The reason for retrenchment*/closure* is …….. or are given in Annexure I to this application.

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

OR

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

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

OR

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

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

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 the notice and the Annexures is true, and that I*/we*, am*/are* solely responsible for its accuracy and no facts/materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/Designation/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.

1. The Commissioner, Labour and Employment, Government of Goa, Panaji.

2. The Deputy Labour Commissioner/Assistant Labour Commissioner, of the concerned area having jurisdiction.

3. The Registered Trade Union/Authorised Representative of workers operating in the establishment or undertaking.

FORM XXX

(See rule 49 rule 50 and rule 52)

[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 the rules made thereunder]

To,

The Secretary Labour,
Department of Labour,
Government of Goa, ……..……..

Sir,

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

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 ……. laid-off workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from …….. (DD/ MM/YYYY).

OR

(Retrenchment) (c) Under section 80(1) of the Industrial Relations Code, 2020, I/we* hereby apply for permission for intended retrenchment of ……. Workers out of total …… workers** employed in my*/our* establishment (details to be given in Annexure – I) with effect from …….. (DD/MM/YYYY).

OR

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020, I we hereby inform you that I*/we* intended to close down the undertaking…….. (name of the industrial establishment or undertaking or employer) (details to be given in Annexure – I) with effect from …….(DD/MM/YYYY). The number of workers whose services would be terminated on account of 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 incompliance 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 alongwith 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,
(Signature)
(Name of the Employer/***Authorised Representative)
Seal

(*Strike off which is not applicable)
(** Indicate number in figures and words both)
(*** Copy of Authorisation letter issued by the employer shall be enclosed)
Note:- Application to the State Government shall be served as indicated below:
1. Lay-off – At least 15 days before the intended lay-off.
2. Continuation of Lay-off – At least 15 days before the expiry of earlier lay-off.
3. Retrenchment – At least 60 days before the intended date of Retrenchment.
4. Closure – At least 90 days before the intended date of closure.

ANNEXURE I

Particulars	Remarks if any
1. Name of the industrial establishment/undertaking with complete postal address along with Pin Code, e-mail, mobile number, telephone number(s).	
2. Status of undertaking (i) Whether State public sector/etc. (ii) Whether a private limited company/partnership firm. (iii) Whether the undertaking is Licensed/registered and if so, name of the licensing/registering authority and licence/registration certificate number	
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. Balance sheets, profit and loss accounts and audit reports for the last three years.	To be annexed
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 (other than the lay-off/Retrenchment for which permission is sought), 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 or retrenchment or closure.	

ANNEXURE II
(Details of affected workers)

Sr. No.	UAN CMPFO	Name of the worker	Category (Highly Skilled/Skilled/ Semi-skilled/ Un-skilled)	Date from which in service in/ with the said establishment/ Undertaking/ Employer.	wage as on date of application	Remarks
1.						
2.						
3.						

FORM XXXI

[*See* sub-rule (1) of rule 56]

(Notice to the Employer/Person who committed an offence for the first time, 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 (35 of 2020) hereby intimates you 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/Person …….

2. Address of the Establishment…….

3. Particulars of the offence…….

4. Section of the Code under which the offence is committed…….

5. 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 Relations Code, 2020 (35 of 2020) along with an application duly 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 XXXII

[*See* sub-rule (1) of rule 58]

(Complaint under section 91 of the Industrial Relations Code, 2020)

Before the Conciliation officer/Arbitrator/Industrial Tribunal----------,

In the matter of :..... Reference No…….……

A..... Complainant(s);

V/S

B..... versus 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, 2020 as shown below:

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

The complainant(s) accordingly prays/pray that the Conciliation officer/Arbitrator/Industrial Tribunal 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 Relations 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 XXXIII

[*See* rule 59, 60]

(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 authorize Shri/Sarvashri (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

Notification

24/26/2026-LAB/VOL-I/486 Date: 23-Oct-2026

Whereas, the Draft Rules, namely, the Goa Social Security Rules, 2026 which the Government of Goa proposed to make in exercise of the powers conferred by section 154 and 156 of the Code on Social Security 2020 (Central Act 36 of 2020) were pre-published as required by sub-section (1) of section 158 of the said Code in the Official Gazette, Supplement No. 2 dated 2nd May, 2026 vide Notification No. 24/26/2026-LAB/211 dated 30th April, 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 was made available to the public.

And whereas, the said Official Gazette was made available to the public on 2nd May, 2026;

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