

THE TRADE UNIONS ACT, 1926

An Act to provide for the registration of Trade Unions and in certain respects to define the law relating to registered Trade Unions.

REGISTRATION OF TRADE UNIONS

Any seven or more members of a Trade Union may, by subscribing their names to the rules of the Trade Union and by otherwise complying with the provisions of this Act with respect to registration, apply for registration of the Trade Union under this Act.

Appointment of Registrars.

The appropriate Government] shall appoint a person to be the Registrar of Trade Unions

Application for Registration.

Every application for registration of a Trade Union shall be made to the Registrar, and shall be accompanied by a copy of the rules of the Trade Union and a statement in accordance of section 6 of Act, such as name of the union and its objects, admission of the members, creation of fund, subscription rate, the executive of the union, amendment of rules etc.

Registration

If the Registrar is satisfied that the union has complied with the requirement of the Act, He shall register the union and will issue a Certificate of Registration in favour of the union.

F. A. Q.

Q. What is the object of Trade Union Act, 1926 ?

A. It is an Act to provide for the registration of Trade Unions and in certain respects to define the law relating to registered Trade Unions.

2. What are the minimum requirement of strength for registration of Trade Unions ?

A. Any seven or more members of a Trade Union may apply for registration of the Trade Union under this Act.

3. Who can enroll his name in the Trade Union?

A. The admission of ordinary member who shall be persons actually engaged or employed in an industry with which the Trade Union is connected.

4. What is the procedure for applying for the registration?

A. Every application for registration of a Trade Union shall be made to the registrar, shall be accompanied by a copy of the rules of the Trade Union and a statement of the following particulars :-

(a) The names, occupations and addresses of the members making the application.

(b) The name of the Trade Union and the address of its head office and

(c) The titles, names, ages, addresses and occupations of office bearers of the Trade Union.

5. How the registration will be made?

A. The registrar, on being satisfied that the Trade Union has complied with all the requirements of this Act, shall register the Trade Union by entering in a register and shall also issue a certificate of registration.

6. What should be the minimum subscription of a member of the Trade Union?

A. This shall not be less than –

- (a) One rupee per annum for rural workers
- (b) Three rupees per annum for workers in other disorganized sectors, and
- (c) Twelve rupees per annum for workers in other cases.

7. How the return shall be sent/submitted ?

A. (i) The return shall be sent annually to the registrar on or before such date as may be prescribed

(ii) A general statement audited in the prescribed manner, of all receipts and expenditures of every registered Trade Union during the year ending on the 31st day of (December) next preceding such prescribed day of (December)

(iii) Statement of assets and liabilities of the Trade Union existing on such 31st day of December.

(iv) Any change of office bearers etc. should also be incorporated in the said general statement to be submitted to the registrar.

8. What happens in case of failure to submit return ?

A. Failure to submit returns shall be punishable with fine which may extend to five rupees and, in the case of a continuing default, with an additional fine which may extend to five rupees for each week after the first during which the default continues.

9. When a registration will be cancelled?

A. A certificate of registration of a Trade Union may be withdrawn or cancelled by the registrar –

- (a) On the application of the Trade Union to be verified in such manner as may be prescribed.
- (b) If the registrar is satisfied that the certificate has been obtained by fraud or mistake, or that the Trade Union has ceased to exist or has willfully and after notice from the registrar contravened any provision of the Act.
- (c) If registrar is satisfied that a registered Trade Union of workmen ceases to have the requisite number of members.

10. Where the appeal shall be made for any dispute in connection with refusal or registration, withdrawal or cancellation of registration.

A. No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try the offence under this Act.