

STANDARD OPERATING PROCEDURE (SOP)

Registration under The Trade
Unions Act, 1926

Department of Labour and Employment
Government of J&K

Name of Service

Registration under The Trade Unions Act, 1926

Name of Department

Department of Labour and Employment, GoJK

Policy/Government Order

The Trade Unions Act, 1926

Documents Checklist

#	Document name	Type	Mandatory
1	Constitution of Union- Particulars showing the provision made in the rules of section 6 of Indian Trade Unions Act (Schedule II) (two copies)	PDF	Yes
2	Resolution of General Body (two copies)	Pdf	Yes
3	List of Members - Particulars required by section 5-1 c of Indian Trade Unions Act, 1926 (List of Officers-Schedule I)- Two Copies	PDF	Yes
4	Bank Account of Union	PDF	Yes
5	Non-Involvement Certificate from Police Department/Passport Copy	PDF	Yes
6	Copy of identity Cards of Members	PDF	Yes
7	Photographs/Address/Telephone No's of Executive Body	PDF/JPEG	Yes
8	Inventory of Assets and Liabilities of Union- Particulars required by section 5(2) of Indian Trade Unions Act 1926 (Statement of Assets and Liabilities-Schedule III)	PDF	Yes
9	Office of Union (Photograph)	JPEG/JPG	Yes
10	Rubber Stamp of President/General Secretary	PDF	Yes
11	Cash Book, Minute Book, and Membership Register	PDF/JPG/JPEG	Yes
12	On-spot verification report along-with recommendation for registration	JPEG	Yes

#	Document name	Type	Mandatory
13	Certificate by the verifying Officer to the effect that no other identical Union exists in the areas	PDF	Yes
14	Rent deed	PDF	Yes

Schedule 1 - List of Officers (Provisions through online platform)

Title	Name	Age	Address	Occupation

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

Schedule II - Reference to Rules

(Provisions through online platform)

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

Matter	Number of Rules
Name of the Union	
The whole of the objects for which the union has been established	
The whole of the purpose 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 & Members	
The Admission of Ordinary Members	
The Admission of Honorary or Temporary Members	
The conditions under which the members are entitled to benefits assured by the rules	
The condition under which forfeitures can be imposed or raised	
The manner in which the rates shall be amended or rescinded	
The manner in which the members of the Executive and other Officers of the Union	

Matter	Number of Rules
shall be appointed and removed	
The safe custody of the Funds	
The Annual Audit of the Accounts	
The facilities for the inspection of Accounts Book by Officers and Members	
The manner in which the Union may be dissolved	

SCHEDULE III - STATEMENT OF LIABILITIES AND ASSETS ON THE DAY OF..... 20

(Provisions through online platform)

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

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

List of Securities (Provisions through online platform)

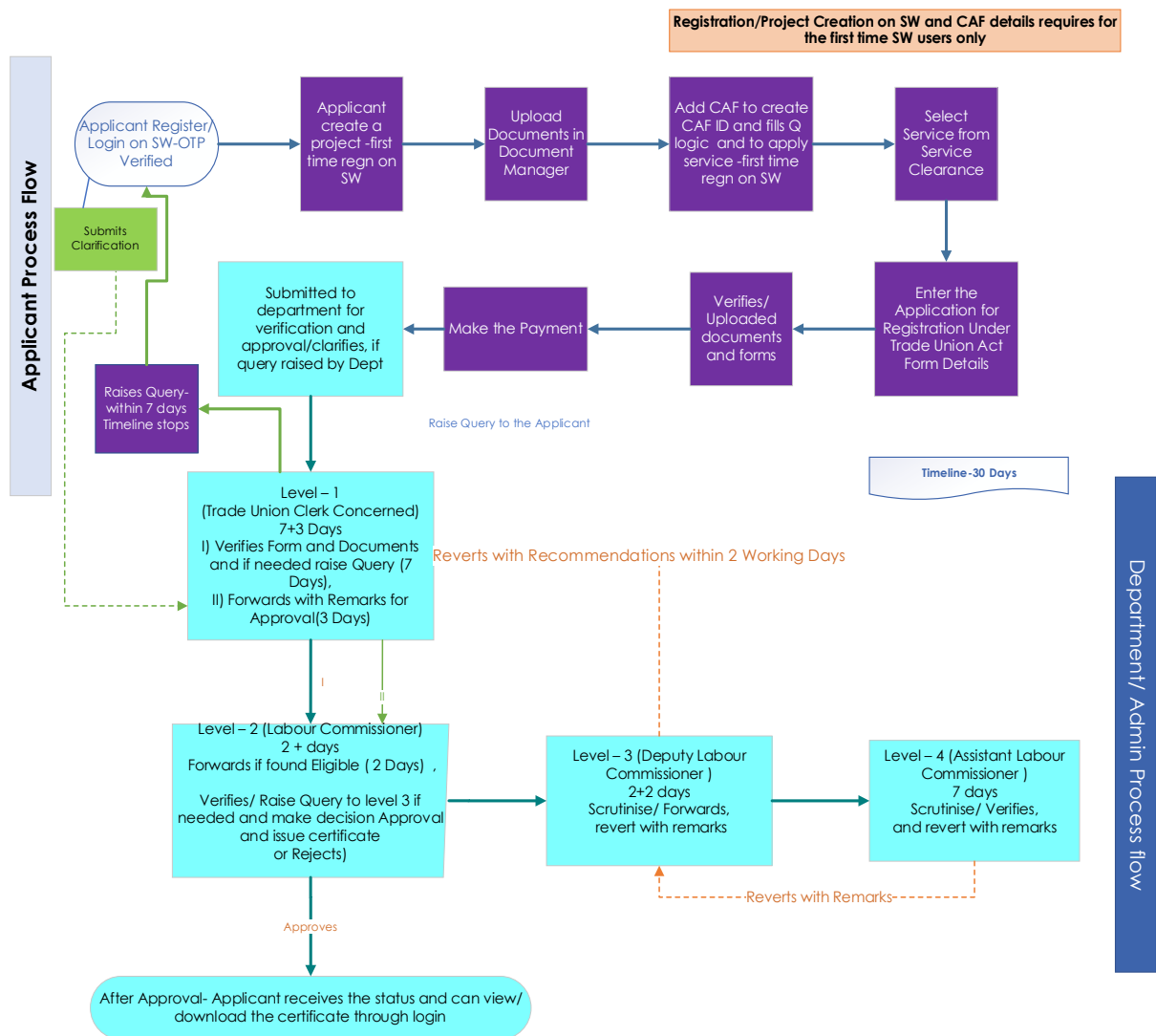
Particulars	Nominal	Market value	In hands of
1			
2			
3			
4			

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

Fees

Rs. 500 per Union at the time of making an application before the Registrar for registration of Trade Union.

Process Flow: Registration under Trade Union Act, 1926



Procedure for the application for Registration under Trade Union Act, 1926

- I. Applicant registers himself/herself on single window system <http://www.singlewindow.jk.gov.in>. If, already registered on the portal then login with the registered user id and password
- II. Applicants get the registration information on registered email id and registered mobile number.
- III. Your first step is to create a Project (a Project can be your new or existing Business/Industry).
- IV. Once a Project is created, you can fill the Common Application Form for the Project where all the common details required for the project are filled.
- V. Once CAF Id is created, from all the available Forms, click on the Form/Registration you want to apply for.
- VI. Before filling the forms, you will be given instructions about the documents required to submit along with the form. You need to upload these documents before filling the form.
- VII. Now you can apply for Application for Registration under Trade Union Act.
- VIII. Make payment of necessary application processing fees online using your debit card/ credit card/ net banking facility
- IX. Filled application form will be submitted to Concerned Trade Union Clerk
- X. After online receipt of application form for issuance of Registration under Trade Union Act with all the necessary documents mentioned above, the Concerned Trade Union Clerk shall scrutinize the application along with uploaded documents
- XI. In case of deficiency Trade Union Clerk shall report the deficiency to the applicant within 7 working days.
- XII. If there is no deficiency the Trade Union Clerk shall recommend the application to Labour Commissioner with remarks, who in turn will send the application to Deputy Labour Commissioner within 2 working days.
- XIII. Deputy Labour Commissioner will send the Application to Verifying Officer (Assistant Labour Commissioner) for verification within 2 working days.
- XIV. Verifying Officer (Assistant Labour Commissioner) will verify the Application and will forward the case with his recommendations for Registration or otherwise to Deputy Labour Commissioner within 7 Working Days.
- XV. Deputy Labour Commissioner will forward the case with his remarks to the office of Labour Commissioner within 2 days.
- XVI. The concerned clerk upon examining the file, fee and other relevant Documents shall forward the case to Labour Commissioner (Registrar Trade Union) with his remarks within 3 working days.

XVII. If the Labour Commissioner is satisfied that the case is fit for registration, he shall approve the same and certificate of registration shall be generated automatically. In case the Labour Commissioner is not satisfied, he shall send back the case to the applicant or concerned Assistant Labour Commissioner for rectification within 8 working days.

XVIII. The certificate can be downloaded from the applicant login.

Form Fields:

#	Section	Caption Name	Type of Field	Mandatory (Yes/ No)
1.	Trade Union Details	Name of Trade Union	Alpha/ numeric	Yes
2.		Address of Head Office	Alpha/ numeric	Yes
3.		City	Alpha	Yes
4.		District	Alpha/ Dropdown	Yes
5.		Pin code: *	Numeric	Yes
6.		Contact Number	Numeric	Yes
7.		Trade union came into existence	Calendar	Yes
8.		Type of Union	Dropdown	Yes
9.	Documents	Constitution of Union-Particulars showing the provision made in the rules of section 6 of Indian Trade Unions Act (Schedule II) (two copies)	Upload Option/ Dropdown	Yes
10.		Resolution of General Body (two copies)	Upload Option/ Dropdown	Yes
11.		List of Members - Particulars required by section 5-1 c of Indian Trade Unions Act, 1926 (List of Officers-Schedule I)-Two Copies	Upload Option/ Dropdown	Yes
12.		Bank Account of Union	Upload Option/ Dropdown	Yes
13.		Non-Involvement Certificate from Police	Upload Option/ Dropdown	Yes
14.		Department/Passport Copy	Upload Option/ Dropdown	Yes
15.		Copy of identity Cards of Members	Upload Option/ Dropdown	Yes
16.		Photographs/Address/Telephone No's of Executive Body	Upload Option/ Dropdown	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/ No)
17.		Inventory of Assets and Liabilities of Union- Particulars required by section 5(2) of Indian Trade Unions Act 1926 (Statement of Assets and Liabilities-Schedule III)	Upload Option/ Dropdown	Yes
18.		Office of Union (Photograph)	Upload Option/ Dropdown	Yes
19.		Rubber Stamp of President/General Secretary	Upload Option/ Dropdown	Yes
20.		Photocopy of Cash Book, Minute Book, and Membership Register	Upload Option/ Dropdown	Yes
21.		On-spot verification report along-with recommendation for registration	Upload Option/ Dropdown	Yes
22.		Certificate by the verifying Officer to the effect that no other identical Union exists in the areas	Upload Option/ Dropdown	Yes
23.		Rent Deed	Upload Option/ Dropdown	Yes
24.		Additional attachment 1 to 4	Upload Option/ Dropdown	Yes

Do's and Don'ts

Do's

1. Ensure that relevant document as mentioned in the Standard Operating Procedure is uploaded at appropriate place.
2. Reply at the earliest or in 7 days to the clarification raised by the Department Officer for the Application.
3. Raise grievances on Single Window, if Approval is not granted within specified timeline.
4. Download your Approval certificate/ License/Registration etc. from the portal only.

Don'ts

1. There is no need to visit the Dept. for approval or any clarification.
2. Don't submit any physical hard copy of document to the Dept.
3. Don't upload irrelevant documents in the Application which is not mentioned in the Document Checklist

References:

1. The Trade Union Act, 1926
(https://www.indiacode.nic.in/bitstream/123456789/2386/1/AAA1926tr_16.pdf)
2. PSGA General Administration Department, Jammu & Kashmir.
([showpdf.aspx\(jkgad.nic.in\)](showpdf.aspx(jkgad.nic.in)))

Appendix

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TRADE UNIONS ACT, 1926

FORM A

FORM A

APPLICATION FOR REGISTRATION OF TRADE UNIONS

Dated.....day of20.....

1. We hereby apply for the registration of a Trade Union under the name of
2. The address of the Head Office of the Union is
3. The Union came into existence on the day of20.....
4. The Union is a union of employees/workers engaged in the Industry (or profession).....
5. The particulars required by Sec. 5 (1) (c) of the Indian Trade Unions Act, 1926, are given in Sch. I.
6. The particulars given in Sch. II show the provisions made in the rules for the matters detailed in Sec. 6 of the Indian Trade Unions Act, 1926.
7. (To be struck out in the case of Unions which have not been in existence for one year before the date of application). The particulars required by Sec. 5 (2) of the Indian Trade Unions Act, 1926, are given in Sch. III.

Signature	Occupation	Address	Signed
1.			
2.			
3.			
4.			
5.			
6.			
7.			

To the Registrar of Central Trade Unions, Delhi

**SCHEDULE I
List of Officers**

Title	Name	Age	Address	Occupation

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

1. State here whether the authority was given by a resolution of a general meeting of the Union, if not, in what other way it was given.

FORM A

CENTRAL TRADE UNION REGULATIONS, 1938

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SCHEDULE II
Reference to Rules

The numbers of the rules making provisions for the several matters detailed in Col. (1) are given in Col. (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 rule shall be amended, varied or rescinded. The manner in which the members of the executive and the other officers of the Union shall be appointed and removed. The safe custody of the funds. The annual audit of the accounts. The facilities for the inspection of the account books by officers and members. The manner in which the Union may be dissolved.	

SCHEDULE III

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

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

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

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TRADE UNIONS ACT, 1926

FORM B

List of securities

Particulars	Nominal	Market value	In hands of
1.			
2.			
3.			
4.			
5.			
6.			
7.			

FORM B

REGISTER OF TRADE UNIONS

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

	Year of entering in office	Name	Age of entry	Address	Occupation	Year of relinquishing office	Other offices held in addition to membership of executive with date
Number of application form. List of members applying for registration.							

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

FORM C

CERTIFICATE OF REGISTRATION OF TRADE UNIONS

No.....

It is hereby certified that thehas been registered under the Indian
Trade Unions Act, 1926, this day of20.....

SEAL

.....
Registrar of Central Trade Unions

**System Generated Certificate would be provisioned and with Approval No,
applicant unit name and date**