

OFFICE OF THE COMMISSIONER (LABOUR)
LABOUR DEPARTMENT, GNCT OF DELHI
5- SHAM NATH MARG, DELHI- 110054

F.No. DLC/NW/2020/Lab/ 2978-2982

Dated:- 31/7/2023

CIRCULAR

The Labour Department, GNCTD has sought clarification from MoLE, Govt. of India regarding registration of Trade Union/Federation of Trade Union having all India Jurisdiction by Registrar Trade Union Delhi. The Ministry of Labour & Employment vide letter dated 07.07.2023 has informed as under:-

(a) As per section 2 of the Trade Unions Act, 1926, "The appropriate Government means, in relation to Trade Unions whose object are not confined to one state, the Central government, and in relation to other Trade Unions, the State Government".

(b) As per Gazette Notification (SO 318, dated 23rd January, 1962) issued by Ministry of Home Affairs, the powers and functions of the Central Government have already been delegated to the Chief Commissioner S.O. No. 2709, dated 07.09.1966) under the Indian Union Act, 1926.

Ministry of Labour & Employment has also forwarded copy of notification dated 23.01.1962. The copy of letter dated 07.07.2023 and notification dated 23.01.1962 are enclosed for reference.

You are directed to take appropriate action in respect of registration of Trade Union/Federation of Trade Union having all India Jurisdiction by Registrar Trade Union Delhi, in the light of clarification of Ministry of Labour & Employment.

(S.C. Yadav)

Additional Labour Commissioner.

To All Deputy/Joint/Additional Registrar Trade Union

Copy to:-

1. Deputy Chief Labour Commissioner(Central), Govt. of India.
2. Deputy Director, Ministry of Labour & Employment.
3. PS to Commissioner(Labour).
4. System Analyst to uploaded the circular on the website of Labour Department.

3292/odd.LC
11/3/23

C/148
2903/LC
11/7/2023

Shram Shakti Bhawan, Rafi Marg,
New Delhi, Dated 07.07.2023

To

✓ Additional Labour Commissioner,
Office of the Labour Commissioner,
Government of NCT of Delhi
5-Sham Nath Marg, Delhi

Subject: Registration of Trade Union Federation of Trade Union by Registrar Trade Union, Delhi having All India Jurisdiction.

Sir,


This is with reference to your letter No. DLC/NW/2020/46/358, dated 28.06.2022, received in this Ministry through office of the Chief Labour Commissioner (Central) on the above mentioned subject and to say the following:

- (i) As per Section 2 of Trade Unions Act 1926, "*The appropriate Government means, in relation to Trade Unions whose objects are not confined to one state, the Central Government, and in relation to other Trade unions, the State Government*"
- (ii) As per Gazette Notification (SO 318, dated 23rd January, 1962) issued by Ministry of Home Affairs, the powers and functions of the Central Government have already been delegated to the Chief Commissioner of Delhi (re-designated as Lt. Governor of Delhi vide MHA Notification S.O. No. 2709, dated 07.09.1966) under the Indian Trade Union Act, 1926. Copy of the said notifications are attached herewith.

L.A.
12/3/23

Yours faithfully,

Encl.: As above.


(K.C. Sahu)
Deputy Director

Copy to: CLC(C), New Delhi for information.

फा. सं. यू-11036/6/2023-यूटीएल

भारत सरकार

गृह मंत्रालय

नॉर्थ ब्लॉक, नई दिल्ली-110001

दिनांक, 19th जून, 2023कार्यालय ज्ञापन

विषय: ट्रेड यूनियन के पंजीकरण के लिए उपयुक्त सरकार के बारे में स्पष्टीकरण, जिसका उद्देश्य एक राज्य तक ही सीमित नहीं है।

अधोहस्ताक्षरी को उपरोक्त विषय पर श्रम और रोजगार मंत्रालय के कार्यालय ज्ञापन एस-13011/01/2023-आईआर (पीएल) दिनांक 18.04.2023 का उल्लेख करने तथा ट्रेड यूनियन अधिनियम, 1926 के तहत केंद्र सरकार की शक्तियों के प्रत्यायोजन के संबंध में निम्नलिखित अधिसूचनाओं की प्रतियां अग्रेषित करने का निदेश हुआ है:-

- (i) ट्रेड यूनियन अधिनियम, 1926 के अधीन, उप राज्यपाल, हिमाचल प्रदेश, मुख्य आयुक्त, दिल्ली, मणिपुर, त्रिपुरा और अंडमान एवं निकोबार द्वीप समूह को "केंद्र सरकार" की शक्तियों के प्रत्यायोजन के संबंध में दिनांक 23.01.1962 की अधिसूचना।
- (ii) ट्रेड यूनियन अधिनियम, 1926 के तहत प्रशासक, गोवा, दमन और दीव को "केंद्र सरकार" की शक्तियों के प्रत्यायोजन के संबंध में दिनांक 27.08.1963 की अधिसूचना।
- (iii) ट्रेड यूनियन अधिनियम, 1926 के अंतर्गत प्रशासक, पांडिचेरी को "केंद्र सरकार" की शक्तियों के प्रत्यायोजन के संबंध में दिनांक 28.09.1963 की अधिसूचना।

संलग्न:- यथा उपरोक्त

कनिष्क चौधरी
19.06.2023

(कनिष्क चौधरी)

उप समादेश (यूटीएल)

दूरभाष:- 23093446

ई-मेल: kanishk.chaudhary87@ssb.gov.in

सेवा में,

डॉ. अत्या नंद,
निदेशक (आईआर-डिबीजन),
श्रम और रोजगार मंत्रालय,
श्रम शक्ति भवन, रफी मार्ग,
नई दिल्ली।

Band
26/6/2023
ASO/Raj Kumar

(102) (15) (32)

(102)

So. 318. - In pursuance of clause (1) of article 239 of the Constitution and in partial modification of the notifications of the Government of India in the late Home Department No. F. 226/57-Public dated the 1st April, 1957 and in the late Ministry of State No. 104-J (S.R.O. 460) dated the 24th August, 1950 in so far as they relate to the exercise of powers, and the discharge of functions, under the Indian Trade Unions Act, 1926 (16 of 1926) by the Administrator of Union territories, and also in supersession of the notifications of the Government of India in the late Department of Labour No. L. 3006 dated the 8th August, 1941 and in the late Ministry of Labour No. L.R. 26(29) dated the 24th February, 1948, the President hereby directs that the Lieutenant Governor of Himachal Pradesh and the Chief Commissioners of Delhi, Manipal, Tripura and the Andaman and Nicobar Islands, shall, subject to the control of the President and until further orders, exercise the powers and discharge the functions, of the Central Government under the Indian Trade Unions Act, 1926 (16 of 1926) within their respective territories.

[No. F. 2/8/61-Just. II (2)]

Ministry of Home Affairs
New Delhi, the 29th January, 1962

(103)

(103)

So. 319. - In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the powers of the State Government and sub-section (1) of section 4 of the Criminal Law Amendment Act, 1961 (23 of 1961) shall, subject to the control of the President and until further orders, be exercised by the Lieutenant Governor or the Chief Commissioners, as the case may be, of the Union territories of Delhi, Himachal Pradesh, Manipal, Tripura and Andaman and Nicobar Islands within their jurisdiction.

[No. F. 3/2/62-J.I.]

Ministry of Home Affairs
New Delhi, the 15th March, 1962.

(104)

(104)

So. 802 and in pursuance of clause (1) of article 239 of the Constitution and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. 4(1/59-(II)-P.I, dated the 7th July, 1959, the President