

BEFORE THE INDUSTRIAL TRIBUNAL AT AURANGABAD

Reference (IT) No. 1 of 2020

[1] Premium Transmission Pvt. Ltd. & Ors. ...First Party.

vs.

Aurangabad Majdoor Union ...Second Party.

ORDER BELOW EXH. C-19

[Dated 06/03/2026]

1] The first party has filed present application and sought direction to the second party to produce documents and records such as; [1] Certificate issued by the Registrar of Trade Unions,[2] copy of approved constitution/ bye laws of the Union,[3] List of office bearers with their designations and proof of election/ appointment from 2018 onwards, [4] proof of compliance with Section 22 of the Trade Unions Act, 1926 (regarding proportion of office bearers connected with the Industry) from 2018 onwards, [5]Annual Returns filed with the Registrar of Trade Unions from 2018 onwards,[6] Membership register showing the names of members allegedly employed in first party -I from 2018 onwards, [7]Authorization letters / resolutions from the alleged contract labourers authorizing the Union to represent them,[8] proof of employer-employee relationship between the alleged workmen and first party – I, [9] Details of the contractor (s) through whom the alleged contract labourers are engaged, along with copies of relevant agreements, if any, [10] Any charter of demands or prior correspondence addressed to the first party -I before raising dispute before the Conciliation Officer. The first party has also sought documents as per Para (5) such as; [i] Notice of holding elections of the

Union for accounting years 2020-2021 onwards,[ii] Minutes of the Annual General Meetings (AGMs) for the years 2018-2025,[iii] Minutes regarding elections conducted for the years 2018-2025, [iv] Audit Reports for the financial years 2018-2025, duly approved by the Government Auditor / Competent Authority,[v] Annual returns submitted before the Registrar under the Trade Unions Act, 1926 along with the list of members,[vi] copy of the constitution of the Union, [vii] list of membership of the Union from 2019 onwards, [viii]Registration Certificate issued under the Trade Unions Act, 1926.

2] The second party Union has filed say at Exh.U-26 and objected the application stating that, said application is misconceived . The first party has not stated cogent reason to specify necessity of documents as claimed in the application. The Second party has not claimed any personal benefit in reference and reference is for regularization of services of workmen working in the Factory of First Party-I. Therefore documents sought to be produced from Second Party Union have not bearing on the merits of the case. Hence it is prayed to reject the application.

3] Heard both the Ld. Advocates and perused record of proceeding. Needless to say that, present reference is referred by the Appropriate Government to adjudicate the demands of second party Union. Admittedly, second party Union has raised dispute on behalf of the members of Union wherein first party was appeared. By way of present application first party has called the documents pertaining to the Second Party Union itself which are no concern with the issue of present reference. Reference is referred by Appropriate Government to

adjudicate the demands of second party Union pertaining to regularization of the workmen and not for deciding issue or dispute of the Trade Unions. After going through the documents called by first party it appears that no any document is relevant to decide issue of present proceeding. As far as registration Certificate of Union is concerned, said copy is already on record. As far as Constitution of Union is concerned by which it can be seen that, whether the second party Union has provision to represent the workmen in the Industry in which concerned workmen were employed. Therefore none of the documents is relevant to decide present reference except document mentioned in para (4) at Sr.No.(2). Hence this Tribunal proceed to pass following Order:

ORDER

1]	The Application at Exh.C-19 is partly allowed.
2]	The Second Party Union is directed to produce its Constitution on next date positively.

Date : 06/03/2026
Place:Aurangabad.

[S. D. Suryawanshi]
Presiding Officer,
Industrial Tribunal, Aurangabad.