**EMPLOYMENT RELATIONS TRIBUNAL**

**ORDER**

**ERT/ RN 6/24**

**Before**

**Indiren Sivaramen Acting President**

**Anundraj Seethanna**  **Member**

**Christelle Perrin D’Avrincourt Member**

**Ghianeswar Gokhool Member**

**In the matter of:-**

**Registrar of Associations (Applicant)**

**And**

**Telugu Teachers and Educators Union (Respondent)**

This is an application made by the Applicant under section 7(3) of the Employment Relations Act, as amended (the “Act”), for an order directing the cancellation of the registration of the Respondent union. The Applicant was assisted by Counsel whereas the Respondent was represented by its Secretary, Mr B. Appadoo. The latter informed the Tribunal that there was no objection for the cancellation of the registration of the trade union. The Tribunal thus fixed the matter for hearing and proceeded to hear the parties at another sitting.

The representative of the Applicant deposed before the Tribunal and she produced copies of (1) the rules of the Respondent (Doc A), (2) the certificate of registration of the Respondent (Doc B), (3) a letter dated 14 March 2016 emanating from the Secretary of the Respondent informing Applicant that it was decided not to continue with the union and therefore cease any activity whatsoever of the Respondent (Doc C) and (4) the last return filed on behalf of the Respondent for the year ending 31 December 2012 (Doc D). The representative of Applicant prayed for the cancellation of the registration of the Respondent.

The representative of the Respondent did not have any question for the representative of Applicant and he stated that he had nothing to say.

The Tribunal has examined all the evidence on record. The letter dated 14 March 2016 (Doc C) is not being challenged, and in the light of the stand of the representative of the Respondent before the Tribunal, the Tribunal finds that the Respondent has indeed ceased to exist or function. The Tribunal finds that the registration of the Respondent should be cancelled on the ground specified under section 7(1)(a) of the Act. Rule 25.2 of the Rules of the Respondent provides as follows:

*25.2 All the debts and liabilities legally incurred on behalf of the Union shall be discharged and the remaining funds and property divided equally among the compliant members in the event of:*

*25.2.1 the Union being dissolved as provided in Rule 25.1.*

*25.2.2 the registration of the union being cancelled by order of the Employment Relations Tribunal.*

In the light of all the evidence on record including the stand of the representative of Respondent, the Tribunal directs the Applicant to cancel the registration of the Respondent. Any assets of the Respondent shall be disposed of as provided for by Rule 25.2 of the Rules of the Respondent. In case the Respondent is not wound up as per the above and section 7 of the Act, the Respondent shall be wound up by the Applicant in the prescribed manner.

**(SD) Indiren Sivaramen (SD) Anundraj Seethanna**

**Acting President Member**

**(SD) Christelle Perrin D’Avrincourt (SD) Ghianeswar Gokhool**

**Member Member**

**28 February 2024**