

EMPLOYMENT RELATIONS TRIBUNAL

ORDER

ERT/ RN 74/24

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

**Union of Workers of Packaging Industry Company Limited
(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 Ally Hossen Goolfee. 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 both parties at another sitting.

The representative of the Applicant deposed before the Tribunal and she produced copies of (1) the certificate of registration of the Respondent (Doc A), (2) the rules of the Respondent (Doc B), (3) a letter emanating from the Respondent and signed among others by Mr Ally Hossen Goolfee to the effect that the union is "no longer in activities" (Doc C), a letter signed by 46 workers to the effect that they had received Rs 14,932 divided by 46 workers, meaning a sum of Rs 324.60 each from the union (Doc D), a

statement from the Treasurer of the Respondent that a voluntary dissolution of the trade union was approved by all its members (Doc E), and statements from other officers to the effect that they had no objection for the cancellation of the registration of the union (Docs F to I). Based on all the documents produced, the representative of the Applicant prayed for the cancellation of the registration of the Respondent.

The representative of the Respondent stated that he had no statement to make to the Tribunal.

The Tribunal has examined all the evidence on record. In the light of the unchallenged evidence on record and the stand of the representative of the Respondent, the Tribunal has no hesitation in finding 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.

For the reasons given above, 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

Acting President

(SD) Anundraj Seethanna

Member

(SD) Christelle Perrin D'Avrincourt

Member

(SD) Ghianeswar Gokhool

Member

20 September 2024