

**DRAFT STANDING ORDERS FOR THE WORKMEN OF U.K. SEEDS
AND TARAI DEVELOPMENT CORPORATION LIMITED, PANTNAGAR
P.O. HALDI DISTRICT U.S. NAGAR.**

1. Date Of Enforcement :

These orders shall come into force in accordance with Section 7 of the Industrial Employment (Standing Orders) Act, 1946.
2. Definition:

In these orders unless there is anything repugnant in the subject or context.

 - (a) (i) “Act” means the Industrial Employment (Standing Orders) Act, 1946 and ‘Rules’ means the U.K. Industrial Employment (Standing Orders) Rules, 1946.
(ii) The following terms shall have the same meanings as given in the Act and Rules.
 - (a) Appellate Authority;
 - (b) Certifying Officer;
 - (c) Labour Commissioner;
 - (d) Labour Officers;
 - (e) Association of employers;
 - (f) Workman;
 - (b) The masculine includes the feminine and singular shall imply plural, where relevant, unless specifically stated to the contrary.
 - (c) “Corporation” means U.K. Seeds and Tarai Development Corporation Limited having its Regd Office at Pantnagar P.O. – Haldi, Distt.- U.S.Nagar.
 - (d) “INDUSTRIAL ESTABLISHMENT” or “FACTORY” means U.K. Seeds And Tarai Development Corporation Seed processing plants.
 - (e) “Employer” includes Board of Directors, Managing Director, Director, the person in over all charge of the establishment or any other person to whom any or all the powers and functions of the Employer are delegated.
 - (f) “Manager” means the person who manages the Industrial Establishment or a person notified as such by the employer displayed on the notice board of the Industrial Establishment.
 - (g) “Ticket” includes a card, Pass or token.
 - (h) “Muster Roll” means the Attendance Register or Register maintained in the Industrial Establishment as a record of the daily attendance of the Workmen employed therein, such as that maintained in Factories under provision of Factories Act for the time being in force.
 - (i) “Night Shift” means a shift which starts after 10.00 p.m.
 - (j) “Notice” means a notice in writing required to be given or posted for the purposes of these standing orders.
 - (k) “Notice Board” means the Notice Board specially maintained in a conspicuous place at near the main entrance to the Industrial Establishment for the purpose of displaying notice required to be posted or affixed under the provisions of these “Standing Orders”, and clearly method “Standing Orders”.
 - (l) “Superior” means any person who by the nature of his duties exercises authority, supervision or control over a workman whilst in the premises of the Industrial Establishment.

3. Classification of Workmen:

(a) Workman shall be classified as: -

1. Permanent.
2. Probationer.
3. Temporary.
4. Apprentice.
5. Casual.
6. Substitute.

(b) A “Permanent Workmen” is a Workmen who is employed on permanent basis against permanent post and also includes Workmen who is engaged as a probationer against permanent post and has completed the probationary period of 6 months or as extended by the Corporation to the entire satisfaction of the Employer/Manager and has been confirmed by an order in writing.

(c) A “probationer” is a Workmen who is employed on probation to fill a permanent vacancy and not completed six months in that vacancy and has not completed six month in that occupation provided that the employer may extend the period of any probationer by a further period of three months at a time, and the period so extended shall not exceed six months in all.

Note: The period of probation mentioned in clauses 3 (b) & (c) shall be determined on actual number days, the department in which the workmen is employed operates, if a “Permanent” workmen is employed as a probationer” in a new occupation, he may at any time during the probationary period be reverted to his old permanent post by an order in writing signed by the Employer/Manager.

(d) A “Temporary” workman is one who is engaged for a work,

- (i) Which is of an essentially temporary or seasonal character; or
- (ii) Who is engaged temporarily in connection with a permanent post which is temporarily vacant provided that he has not been in continuous employment for one year, or
- (iii) Who is engaged temporarily in connection with temporary increase in permanent type of work.

(e) An “Apprentice” is a learner whether paid or unpaid during the period of his training.

(f) A “casual Workman” means a workman who is employed on daily wages for the extra work taken up by the company or for completing and executing the works within a stipulated time or for casual works.

(g) A “substitute” is one who is employed on the post of a permanent workman or probationer who is temporarily absent on leave or otherwise and whose name is entered in the register of substitutes.

4. **ENROLMENT, MUSTER ROLL, TICKETS, GARLS OR TOKEN:**

(a) Any person seeking employment may be required to make an application in writing and/ or to fill in and sign a prescribed form. The form and the application will contain such particulars and terms as may be specified from time to time by the Employer or the Manager generally or specifically in respect of any individual case.

(b) All Workmen on appointment will be deemed to have been appointed on the basis of information furnished and/or facts disclosed in the application of the firm for appointment. In case any such fact or information is found at any time to

be false or incorrect, the services of such workman are liable to be terminated forthwith without any reference to him.

- (c) Appointment of a workman will be subject to his being found medically fit for his duties on a medical examination by a medical doctor approved and/or nominated by the employer or manager, and all appointment will be deemed to be provisional till a certificate of fitness has been obtained from such medical doctor appointed and/or approved for the purpose by the employer or the manager. Provided further that at any time during employment a workman may to be medically examined as and when the employer or the manager deems it necessary by the registered medical practitioner appointed, prescribed or recommended by the employer, as well as to submit to any inoculations or vaccinations.
- (d) In case a workman during his employment is found to be medically unfit for further service in the company as a result of a medical examination by a medical doctor appointed and/or nominated by the Employer or the manager, the services of such a workman are liable to be terminated forthwith on grounds of medical unfitness.
- (e) The name of every workman without exception shall be entered in the Muster Roll.
- (f) In the Muster Roll against the name of every workman without exception of the classification to which he belongs shall be clearly indicated.
- (g) The Manager or any person authorised by the manager will record the age of every workman at the time of his appointment and such entry shall also be attested by the workman and shall thus be final. Any of the following documents listed in orders of preference shall be conclusive proof of age.
 - (i) Birth Certificate
 - (ii) School Leaving Certificate
 - (iii) Insurance Policy

In absence, the opinion of the Medical Officer, appointed by the company, regarding the age, shall be taken as final and binding. The date of birth once accepted by the Management will be not revised and will be final.

TICKETS:

- (h) (i) Every permanent workman shall be provided with permanent ticket bearing his name, classification, name of the department and his number, and such other particulars as the Employer/Manager may think fit, and shall on being required to do show it to any person authorised by the Manager to inspect it, and shall surrender such ticket at the time of ceasing to be in the employment of the company.
- (ii) Every seasonal/temporary workman shall be provided with a seasonal/temporary ticket, which he shall surrender on his discharge.
- (iii) Every casual and substitute workman shall be provided with a card on which shall be entered the days on which he has worked in the establishment and which shall be surrendered when so required by the Management.
- (iv) Every workman shall when entering the establishment, deliver his ticket/token at the place provided and shall show his ticket/token whenever required (except when it is not in his possession by the reasons of having been so delivered) to any person authorised by the Employer/Manager in this behalf.
- (v) Loss of the ticket card shall immediately be notified to the Employer Management or any other authority specified in this behalf; a duplicate shall be issued on payment of Rs. 0.50 by the workman concerned.

5. NOTICES SPECIFYING CLOSURE DAYS AND PAYMENT OF WAGES DAY TO BE POSTED

- (a) The days on which the establishment will be closed; and
- (b) The days on which wages will be paid; shall be posted by the Employer/Management in the industrial Establishment in a conspicuous place. The notice regarding the days on which wages shall be paid shall be posted in accordance with the provisions of the payment of wages Act for the time being in force, and copies of both the notice shall be sent to the Regional Assistant Labour Commissioner of the area concerned.

6. NOTICE SPECIFYING RATES OF WAGES TO BE POSTED :

In accordance with the provisions of payment of wages Act and Rules made there under for the time being in force, a notice in the specified form in English and Hindi shall be displayed in a conspicuous place in the establishment and/or near the entrance to each department or group of departments, specifying the rates of wages payable to all classes of workman.

7. NOTICE SPECTFYING WORKING TIME TO BEPOSTED:

The periods and hours of work for all classes of workman in each shift shall be exhibited in English and Hindi on the Notice Board.

8. SHIFT WORKING:

- (a) Shifts shall be regulated in accordance with the provisions of the Factories Act for the time being in force. More than one shift may be a worked in a Department or Departments or any section of a Department at the discretion of the Employer/Manager.
- (b) Shifts may be alternated at the discretion of the Employer/Manager.
- (c) Shift working shall be so arranged that no workman will be employed in the night shift for more than a fortnight at a time after which he must be transferred to other shift for a period not less than that worked by him in the night shift provided that if three eight hours shifts are worked, the changes of the shifts shall be by rotation in accordance with the Factories Act.
- (d) Shift working may be altered or discontinued after posting a notice on the Board. Notice of 15 days of discontinuance of shift whenever possible shall be given provided that it shall not be necessary to give 15 days notice if as a result of alteration or discontinuance of the shifts no permanent workman is discharged. Provided also that it shall not be necessary to give 15 days notice of the discontinuance of a 'Temporary Shifts' which at the time of its inception had been declared to be temporary shift by a notice posted on the Notice Board.
- (e) If as a result of the discontinuance of a shift any permanent workman is likely to be discharged, he shall be discharged having regard to his length of service being in his category, those with the shortest length of service discharged first.
- (f) If a shift other than a temporary shift is restarted, seven days notice thereof whenever possible shall be given by posting a notice on the Notice Board and the workman, if he presents himself at least 24 hours before the time of restarting the shift, shall have preference in being re-employed having regard to his previous length of services in his category in the Industrial Establishment, with the longest length of service being reemployed first.

- (g) If the employer so desired, he may introduce the system of working on all seven days of a week, in which case the workman will be divided into batches and different batches will be given weekly holidays on different days of the week, so that every workman will be given one day holiday during the week in accordance with the Factories Act.
- (h) If more than one shift is worked in the Establishment Workmen shall be liable to be transferred from one shift to another and from one plant to another owned by the Corporation.

9. HOURS OF WORK:

- (a) The Period and hours of work for which Workmen or any of them are required to work will be notified from time to time on Notice Board, as provided by the Factories Act and the Employer/Manager may vary the periods and hours of work within the limits at his discretion.
- (b) A workman may be called upon by an order in writing given personally or affixed on the Notice Board, to work over-time or work on any weekly rest day or other holiday in accordance with the provisions of Factories Act or any other law in force for the time being and the workmen shall be bound to comply with the same.

10. ATTENDANCE:

- (a) Every workman shall be at work at the time fixed and which have been notify by a notice posted on the Notice Board. Any workman attending late by more than five minutes is liable to be shut out and treated as absent.
- (b) Any workman who after presenting his ticket, card or token is found absent from his proper place of work during working hours without permission or without any sufficient reason, shall be liable to be treated as absent for the period of his absence. If however, he is so absent from the premises of the Industrial establishment during working hours without written permission, he shall be liable to be treated as absent commence before the recess period, and for half a day in case his absence commences after the recess period.
- (c) If the workman is so absent from the premises of the industrial establishment with the written permission of the head of the Department, his wages for the period of absence only shall be liable to be deducted as provided in the law for the time being in force.
- (d) The deduction from wages to be made for the period of absence under this standing order shall be made in accordance with the provisions of the payment of Wages Act; PROVIDED always that the Employer will also be entitled at its discretion to take any action including disciplinary action provided for under the provisions of this Standing Order.

11. HOLYDAYS AND LEAVE OF ABSENCE:

- (a) All permanent workmen of the Industrial Establishment shall be following leaves and holidays with full wages during a calendar year:
 - (i) Earned leave with wages in accordance with the provisions of the Factories Act, 1948. The conditions for grant of leave shall be governed by the provisions of the aforesaid Act.
 - (ii) 8 days festival holidays in each calendar year with full wages including 3 National holidays prescribed under U.K. Establishment (National Holidays) Act, 1961. A list of festival holidays intimating the date on which each holiday will be observed shall be prepared by the Employer and pasted on the Notice Board of the Factory in the beginning of the January, each year.

- (b) Application for leave of absence for less than three days duration shall be made in writing at least 24 hours previous to the time from which the leave is required except of medical grounds or death in the family, in which case the application may be made on the same day. Leave applied for on Medical Certificate of the Medical Officer of Pantnagar University Hospital or Haldi Dispensary or Registered Medical Practitioner.
- (c) Applications for leave of absence for more than 6 days duration of non-urgent character shall be made in writing at least 15 days previous to the date from which the leave is required.
- (d) Orders in writing shall be passed by the Officer on all the applications for leave for absence latest within three days following the receipt of the application, either refusing or sanctioning the leave of absence applied for, provided that in the case of applications is refused, the reasons for such refusal shall be recorded, and if so required by the applicant, communicated to him. The orders passed by the officer shall immediately be communicated to the applicant orally if he is present and in writing when the applicant has given his address and has enclosed is not present provided that the applicant necessary postage for a reply. In no case a workman shall avail the earned leave without period sanction of the Employer/ Manager.
- (e) A record shall be maintained of all leave of absence which is sanctioned.
- (f) In the event of workman applying for an extension of the period of his leave, he shall make an application in writing to the Employer before the expiry of the period of his originally sanctioned leave, and the Employer shall immediately on receipt of such application, inform the workman in writing to the address recorded by him, whether the extension of leave applied for has been sanctioned, and if so, for what period. A certificate of posting granted by the post office shall be deemed to sufficient proof of a reply having been sent. Provided always that the application for the extension of leave shall be made by the workman in sufficient time by reply paid registered post, enclosing a stamp and addressed envelope so that a reply may reach the workman before the date of expiry of his leave, and that an extension of leave shall only be granted on Medical grounds or death in the family. A certificate granted by registered Medical practitioner may be accepted. In proof of Medical grounds advanced by a workman. Provided that the Employer may in his discretion requires that the workman seeking extension of leave on medical grounds to be examined by a Government Medical Officer/ Chief Medical Officer of the District or by a doctor to be nominated by the Employer. The medical report issued by such doctors shall be final.
- (g) A workman remaining absent or overstaying without permission beyond the period of leave originally granted or subsequently extended, shall lose his lien on his appointment and his employment shall automatically stand terminated unless he returns within eight days of his absence or expiry of the sanctioned leave and explains to the

satisfaction of the employer has reasons for absence or inability to resume his duty immediately on expiry of his sanctioned leave.

12. PAYMENT OF WAGES TO EMPLOYEE WORKMAN NOT PRESENT ON USUAL DAY OF PAY:

(a) Any wages due to a workman but not paid on the usual pay day on account of their being unclaimed, shall be paid by the Employer on a working day, once in a week, to be specified by the Employer and notified by a notice on the Notice Board after a demand is made by the workman, or on his behalf by his legal representative in accordance with the payment of Wages Act. If the workman is unable to present himself, the Employer shall send his pay by money order at his cost, if requested by him so to do.

(b) Any wages due to a workman, who has died, Shall be paid to his heir or on his behalf by a legal representative provided that such claim is submitted within three years of the death of the workman.

13. ENTRY AND EXIT ONLY BY GATES APPOINTED:

No workman shall enter or leave the premises of the Industrial Establishment except by the gate or gates appointed for the purpose.

14. WORKMAN TO LEAVE THE PREMISES OF THE ESTABLISHMENT IMMEDIATELY, IF NOT WORKING:

Any workman who has been granted leave, Laid off, suspended, discharged, or has resigned, or if not working for any reason, shall leave the premises of the Industrial Establishment immediately.

15. LIABILITY TO SEARCH ON ENTRING AND LEAVING THE PREMISES OF THE INDUSTRIAL ESTABLISHMENT:

(a) All male workman shall be liable, on entering or leaving the premises of the Industrial Establishment or whilst inside the Industrial Establishment, to be searched by the gateman or any other authorised and notified person and all female workman shall be liable to be detained by the gateman or any authorised and notified person for search by another female if the gateman or such other person acting without malice suspects that a workman who is so detained is in possession of any objectionable article or wrongful possession of any property belonging to the Industrial Establishment.

(b) Visitors are not allowed in the Industrial Establishment without proper authorization, and no worker will take with him in the Industrial Establishment any out side person without written orders.

16. LAY-OFF OWING TO CLOSURE DUE TO FIRE, BREAKDOWN OF MACHINERY FAILURE OF POWER, ETC:

(a) The Employer may at any time or time, in the event of a fire, catastrophe, and breakdown of machinery or stoppage of the power or supply, epidemic, civil commotion or for any other causes whether of a life nature or not, beyond the control of the Employer, without any notice or payment in lieu of it or compensation stop any machine or machines or department or departments wholly or partly or the whole Establishment for any reasonable periods.

(b) In the event of stoppage of any machine or department under this order, the workman affected shall be notified by notices pasted in the department and

on the notice board, as soon as practicable, when work will be resumed and whether they are to remain or to leave the Industrial Establishment.

- (c) The period of detention in Industrial Establishment shall not ordinarily exceed two hours after the commencement of the stoppage.
- (d) If the Period of detention exceed two hours, the workman so affected may leave the Industrial Establishment if they so desires;
- (e) If the period of detention does not exceed two hours the workman so detained shall not be paid for the period of detentions.
- (f) If the period of detention in the Industrial Establishment exceeds two hours, the workman so detained shall be entitled to receive wages for the whole of the time for which they were detained in the Industrial Establishment as a result of the stoppage.
- (g) In the case of piece workers the average daily earning for the previous wage period shall be taken to daily wages.

17. LAY-OFF FOR TRIAL PURPOSE:

- (a) A workman may be laid off at any time or times in the event of shortage of order raw material or for any trade reasons, for similar reasons and the Employer may stop any machine or machines or department or departments wholly or partly in accordance with the provisions of U.K.I.D. Act, 1947. Rights and liabilities of the Employers and workmen in so far as they relate to lay-off under this clause shall be determined in accordance with the provisions of lay-off under U.K.I.D. Act, 1947, if applicable.
- (b) If during any period of 12 months a workman is laid off under Standing Orders 16 & 17 hereinabove for more than 15 days whether continuously or intermittently and the lay off after the expiry of the said 45 days continues, the workman shall also not be paid compensation for any of the days for such subsequent period or periods of lay off, even if the compensation for lay off is payable as per provisions of U.K.I.D. Act. 1947.

Provided that it shall be lawful for the employer to retrench the workman in accordance with law at any time after expiry of first 45 days of lay off.

- (c) Every workman whose name is borne on the muster rolls of the Industrial Establishment and who presents himself for work at the Establishment at the time appointed for the purpose during normal working hours on any day and is not given employment by the Employer within two hours of his so presenting himself shall be deemed to have been laid off for that day within the meaning of this clause.

Provided that if the workman instead of being given employment at the commencement of any shift for any day is asked to present himself for the purpose during the second half of the shift for the day and is given employment than he shall be deemed to have been laid off only for one half of that day, in case, however, he is not given any such employment even after so presenting himself he shall be not deemed to have been laid off for the second half of the shift for the day and shall be entitled to full basic wages and dearness allowance for that part of the day.

- (d) If a workman is “Played off” under this order for a period of 6 days in the aggregate in any one calendar month, he may leave his employment on intimation of his intention to do so without any further notice or the manager may retrench his services.

Pay-off (with its grammatical variation and cognate) means the liture, refusal or inability of the Employer on account of shortage of coal, power or raw material of the accumulation of the stock or the breakdown of the machinery or shortage of orders or for any trade reasons to give employment to a workman whose name is borne on the Muster Roll of the Industrial Establishment and who has not been retrenched.

- (e) If any workman is “Played off” under the provisions of this standing order, they shall be given a “played off” pass, but if it necessary to “play off” and it shall be sufficient to affix line or departmental notice on the notice board and in the department concerned specifying the line or department which the concerned are “played off”.

18. Unless it is nit possible to do so, a reasonable notice shall be given of resumption of normal work by means of a notice posted on the notice board and all workman laid-off under orders 16 and 17 who present themselves to work at least 24 hours before the normal working is resumed shall have preference for employment.

19. CLOSURE DUE TO STRIKE OR GO-SLOW:

- a. The Employer may, in the event of a strike or go-slow affecting either wholly or partially, any one or more department or departments of the Industrial Establishment close down either wholly or partially, such department or departments affected by such closing down, and for any period or periods, and without notice or payment of compensation or any other relief in lieu of notice to the workman employed in such department or departments.
- b. The fact of such closure shall be notified by a notice posted on the notice board and in the department or departments concerned. The workmen concerned shall be notified by a general notice on the Notice Board prior to the resumption of work as to when work will be resumed. A copy of this general notice shall also be supplied to the Regional Assistant Labour Commissioner of the area and also to the recognised Trade Union, if any.

EXPLANATION:

“Go slow” means giving less than the normal average production, which for any of the plants, means one day’s average production achieved in the plant during the week, immediately preceeding the period in which the question of “go slow” arises.

20. TERMINATION OF SERVICE BY INDUSTRIAL ESTABLISHMENT

- a. For terminating the employment of a permanent workman, a notice in writing shall be given by the Employer of the workman. One month notice in case of monthly rated workman and two weeks notice in case of other workmen, one

month's or two week's pay as the case may be, be paid in lieu of notice, for any reason including the following: -

1. Continuous illness for more than three months or frequent intermittent illness;
2. Physical or mental disability or infirmity, defective eye sight, or hearing, etc.;
3. Reasonable apprehension that it is inexpedient or against the safety or security or interest of the Industrial Establishment, to continue to employ the workman.
4. Absence on account of arrest or for similar reasons for more than 10 days.
5. Conviction by a criminal court;
6. Giving of incorrect or false information or declaration in the application for any appointment at the time of seeking employment;
7. Commission of any criminal or undesirable act of moral turpitude prejudicial to management not amounting to misconduct;
8. The character of a workman/employee will be verified through police and if found of suspicious character, will be liable for termination without assigning any reason.

b. The services of any workman other than permanent may be terminated without giving any reason and without any notice or pay in lieu of notice, but in accordance with the terms and conditions of their appointments if any.

c. Where the employment of any workman is terminated by or on behalf of the Employer, the wages earned by him shall be paid before the expiry of second working day from the day on which his employment was terminated in accordance with the provisions of the payment of wages Act for the time being in force.

21. NOTICE BY WORKMEN LEAVING INDUSTRIAL ESTABLISHMENT SERVICE:

a. For terminating the employment of a permanent workman one month's notice in writing shall be given by the workman, or his employer or one month's pay, paid in lieu of notice as the case may be.

b. A workman other than a permanent workman may leave the service of the employer without notice. The wages due to such a workman who has left the employment of the Industrial Establishment shall be paid within two days of the demand being made.

c. In case a workman resigns, it will not be necessary for the employer to send him any letter accepting the resignation. The said resignation cannot be withdrawn except with the consent of the employer.

d. Provided, however on the cessation of services on account of resignation, termination, dismissal, loss of lien, etc., the

workman shall give proper account of all papers, books tools, instruments and other property of the company in his possession, custody or charge. The value of all shortage in and/or damages to the company's tools, instruments and other property in the workman's possession, custody or charge shall be recoverable from him.

22. ISSUE OF SERVICE CERTIFICATE:

Every permanent workman, who leaves service or retires, or is dismissed or discharged shall without avoidable delays, be given a service certificate.

23. ACTS OF OMISSION CONSTITUTING MISCONDUCT:

Without prejudice to the generality of the meaning of misconduct, the following acts and omissions on the part of a workman shall amount to the major misconducts.

- (a) In subordination or disobedience whether along or in combination with another or others of any lawful and reasonable order of superior.
- (b) Participation in an illegal or unjustified strike or sit-in strikes whether alone or in combination with others.
- (c) Abetting or inciting or committing or instigating or acting in furtherance thereof, any workman to strike work or violence or sabotage or gross indiscipline amongst workmen.
- (d) Theft, fraud or dishonesty in connection with the employer's business or property.
- (e) Soliciting abetting, taking, offering or giving bribes or any illegal gratification or borrowing or accepting valuable presents or money from subordinates or persons having business dealings with the establishment.
- (f) Late attendance repeated on not less than three occasions within three months.
- (g) Habitual absence without leave or absence without leave for more than three consecutive days.
- (h) The collection or canvassing for the collection of any moneys whatsoever for, purposes not authorised by employer within the premises of the Industrial Establishment.
- (i) Drunkenness, fighting, riotous or disorderly behaviour or conduct likely to cause breach of peace, or conduct endangering the life or safety of any other person or any act subversive of discipline, good conduct and efficiency any act involving moral turpitude, committed within or outside the premises of the Industrial Establishment.
- (j) Negligence or neglect of work repeated on not less than three occasions within six months or any act of gross negligence.
- (k) Breach of any standing order or any law or rules applicable to the Establishment or any rules made thereunder.
- (l) Smoking and spitting within the premises of the Industrial Establishment except in place where these are permitted.
- (m) Damage to work in process or to any other property of the Industrial Establishment.
- (n) Indiscipline or failure to observe safety instructions unauthorised removal, interference or damage to machinery guards, facing or other safety device installed in the premises of the Industrial Establishment.

- (o) Distributing or exhibiting inside the premises of the Industrial Establishment any newspaper, hand bills, pamphlets or posters without the previous sanction in writing of the Employer/Manager.
 - (p) Refusal to work on another machine of the same type or do work of nature similar to the work he has been doing.
 - (q) Organization, attending, holding meetings inside the premises of the Industrial Establishment without the previous written sanction of the Employer/Manager.
 - (r) Abusing, threatening, intimidating or coercing any employee in connection with the work of the Establishment.
 - (s) Disclosing to any unauthorised person or persons any information in regard to the working of process of the Industrial Establishment, which comes into the possession of a worker during the course of his work.
 - (t) Gambling within the premises of the Industrial Establishment.
 - (u) The sale or canvassing for the sale of tickets or chances in any lotteries or raffles within the premises of the Industrial Establishment.
 - (v) The sale or canvassing for the sale of any commodity within the premises of the Industrial Establishment.
 - (w) The sale or canvassing for the sale of tickets, coupons or other tokens in connection with any scheme for the sake of any commodity or article within the premises of the Industrial Establishment, without the previous sanction of the employer or Manager.
 - (x) Sleeping whilst on duty.
 - (y) Maligning, deliberate delaying of production or not carrying out of any lawful orders.
 - (z) Habitual commission of any act or omission for which a censure notice for a fine may be imposed.
- (za) Engaging in trade including money lending or borrowing within the premises of the Industrial Establishment without the written permission of the employer or manager.
 - (zb) Unauthorized possession of any lethal weapon in the Establishment
 - (zc) Engaging in other employment while still in the service of the establishment without the previous permission of the employer/manager.
 - (zd) Doing private, or personal work within the Establishment with or without tools or materials belonging to the Establishment, without the previous permission of the Employer/Manager/Head of the Department.
 - (ze) Allowing an unauthorised person to operate his machine.
 - (zf) Any act of bad faith towards the employer or any intentional act likely to harm the interest of the employer.
 - (zg) Abetment of or incitement to commit any act of misconduct.
 - (zh) Refusal to accept charge sheet, any order over or written communications served as in accordance with these Standing Orders.
 - (zi) Committing any obscene act, or picketing or making demonstration within the premises of the Industrial or standing gheraos.
 - (zj) Falsification of records and/or defalcation of moneys of the Industrial Establishment.

- (zk) Canvassing for union membership or the collection of union dues within the premises of the Industrial Establishment except with the permission of the Manager.
- (zl) Loitering, entering or being found, without permission previously obtained on any part of the premises of the Establishment on which he is not called or expected to go during working hours.
- (zm) Deliberately making false vicious or malicious statements, public or otherwise against the Establishment or any member of or employee of the Establishment.
- (zn) Committing an act subversive of discipline or of good behaviour on the premises or outside if it adversely affects the discipline or business of the Establishment.

EXPLANATION:

No act of misconduct, which is committed on less than three occasions within the space of one year or lesser period, shall be treated as "HABITUAL".

24. PENALTIES FOR MISCONDUCT:

- a. If on conclusion of enquiry or of the criminal proceedings the workman has been found guilty of a charge or charges found proved against him such a workman is liable to be summarily dismissed or alternatively to be suspended for a discharged without notice or compensation in lieu of notice, or period not exceeding 4 days or to be fixed or demoted to next lower grade or in rank or to be punished by way of stoppage of annual increments.
- b. The orders indicating punishment imposed upon him shall be in writing and shall briefly mention the reason on which it is based and shall communicated to the workman.
- c. No order or punishment under this standing order for misconduct shall be made unless the workman concerned if present is informed in writing of the misconduct alleged against him and is given an opportunity to produced evidence in his defence. The workman against whom enquiry is instituted shall be given a charge sheet by the manager or the employer clearly setting forth the allegations against him and requiring him to give an explanation in writing within a period not less than 24 hours. The workman, on an enquiry being initiated, shall be given full opportunity to produce evidence in his defence and to be defended by any other workman working in Industrial Establishment and to cross examine any witnesses on whose evidence the charge rests.
- d. Before awarding punishment under these standing orders the employer shall take into account the gravity of misconduct, the previous record, if any, of the workman and other extenuating or aggravating the circumstances that may exist.
- e. If a workman refused to accept charge sheet order or other communication served in presence of at least two witnesses he shall be told verbally the time and place on which the enquiry into alleged misconduct is to be held and an intimation of the time and place of enquiry shall also be sent to him under registered A.D. cover at his last known address. The date of enquiry shall be fixed after at least 10 days

from the date of despatch of the regd. Notice, and if he refused to accept it or fails to attend the enquiry, the enquiry shall be concluded ex-parte, or adopt such procedure as he thinks fit..

25. ACTS OF OMISSION FOR WHICH CENSURE NOTICE OR FINES MAY BE IMPOSED:

Workman may be fined or alternatively be given a censure of warning notice if found guilty of undernoted acts or omissions provided that for offences under standing orders 25(b) and 25(d) a censure of warning notice only may be issued.

- a. Late attendance or absence from duty without leave without sufficient cause on one occasion.
- b. Negligence in work or neglect of work.
- c. Entering or leaving the premises of the Industrial Establishment except by the gate or gates provided for the purpose.
- d. Absence without leave or without sufficient cause from the appointed place or work or machine.
- e. Low production or less work on any one-day.
- f. Expectorating or otherwise committing a nuisance on the premises of the Industrial Establishment.
- g. Failure to wear tight fitting clothing provided by the employers in accordance with rule 53 of the U.K. Factories rules 1950 are the uniform supplied by employers for use while on duty.
- h. Use of uniform, supplied by the employers, out-side of the duty hours.
- i. Misuse of company property or product.

26. PROCEDURE FOR IMPOSITION OF FINES AND CENSURE NOTICE:

- a. Fine shall be imposed only in accordance with the provisions of the payment of wage Act of for the time being in force and by the officers authorised to impose fines under the said act.
- b. Without prejudice to the provisions of the payment of wages Act and (U.K.) rules, the person desiring to impose a fine on an employed person shall give him an opportunity to explain the act or omission alleged against him before imposing fines. The amount of the said fines shall also be intimated to him.
- c. Fine on the basis of absence without leave on any day will be based upon the pay sheets or the registers in which the attendance of workers is noted. If the workman challenges the entries in the register as incorrect it will be enquired into and in case his contention is found correct, the fine if realized, will be refunded.
- d. Censure or warning notices shall be in writing and shall only be issued by the employer or officer whose name shall have been duly notified by a notice posted on the notice board.

27. DEDUCTIONS FOR DAMAGE TO OR LOSS OF GOODS OR MONEY:

In accordance with section 7, sub-section 2(c) of the payment of wages act, deductions may be made for damage to or loss of goods expressly entrusted to the employed person for custody or for loss of money for which he is required to account where such damage or loss is directly attributable to his neglect or default.

28. PAYMENT OF SUBSISTENCE ALLOWANCE DURING SUSPENSION:

1. When a disciplinary proceeding against workman is contemplated or is pending or while criminal proceeding against him in respect of an offence

which amount to misconduct under these standing orders, are under investigation or pending in a court of law and the employer is satisfied that it is necessary or desirable to place the workman under suspension he may by an order in writing suspend him pending enquiry with effect from such date as may be specified in the order.

2. Whenever a workman is placed under suspension by the employer, such workman shall be paid for the period of suspension by the employer, subsistence allowed at the following rates: -
 - i. Where the enquiry contemplated or pending is departmental the subsistence allowance shall for the first 90 days from the date of suspension be equal to 50% of his wages payable to him immediately before his suspension. If the departmental enquiry gets prolonged and the workman continues to be under suspension for a period exceeding 90 days, the subsistence allowance shall for such extended period be equal to $\frac{3}{4}$ th of his above said wages.

PROVIDED THAT where such enquiry prolonged beyond a period of 90 days for reasons directly attributable to the workman the subsistence allowance shall for the period exceeding 90 days be reduced to $\frac{1}{4}$ th of his wages.

- ii. Where the enquiry against a workman is being made by an outside agency or where criminal proceedings against the workman are under investigation or trial, as the case may be, the subsistence allowance shall, for the first 180 days from the date of suspension, be equal to $\frac{1}{2}$ of his wages payable to him immediately before his suspension. In case such enquiry or criminal proceedings get prolonged and the workman continues to be under suspension for a period exceeding 180 days, the subsistence allowance shall for the period beyond 180 days be equal to $\frac{3}{4}$ th of his wages.

PROVIDED THAT where such enquiry or criminal proceedings are prolonged beyond a period of 180 days, for reasons attributable to the workman, the subsistence allowance for the period exceeding 180 days, be reduced to $\frac{1}{4}$ th of his above said wages.

- iii. A workman shall not be liable to refund the subsistence allowance paid to him, but if he is exonerated of the charges or charges the total subsistence allowance paid to him during the period of suspension shall be adjusted against the total wages, if any admissible to him for the period of suspension.
 - iv. Where a workman is suspended he shall be liable to obey instructions issued from time to time by the employer in respect of attendance and residence.
 - v. The employer may deduct house rent, if any, and the workman contribution towards employees State Insurance Scheme, etc. from the subsistence allowance.
 - vi. A workman shall not be entitled to pay subsistence if he accepts employment during the period of suspension in any place other than the Industrial Establishment where he had been working immediately before his suspension.

- vii. Payment of subsistence allowance shall be made to the workman at the same time and on the same date on which payment of wages is made to other workman according to the provisions of the payment of wages Act.

EXPLANATION:

For the purpose of this standing order “wages” shall have the same meaning as is given in section 2(f) of the U.K. Industrial Disputes Act, 1947.

29. PRODUCER FOR ENQUIRING INTO COMPLAINTS:

All complaints arising out of his employment including those relating to unfair treatment or wrongful exaction on the part of the employer or his agent or servant shall be submitted by a workman to the labour officer of the establishment, or if there is none, to any other officer appointed by the employer in this behalf. The officer to whom the complaint has been submitted shall personally and expeditiously investigate the complaints. The workman shall have the right to be present at such investigations. The decision of the Investigation Officer and the action, if any taken by him shall be intimated to the complainant, in writing provided that the complaints are relating to: -

1. Assault or abuse by any person holding a supervisory position, or
2. Refusal of an application for urgent leave, shall be enquired into without avoidable delay by the Investigating Officer.

Where the complaint alleges unfair treatment or wrongful exaction of the part of his employer or his agent or servant, a copy of the order finally made on such complaint shall be supplied to the complainant if he asks for one and also to the Employer. In other case, the decision of the Investigating Officer and the action if any taken by him shall be intimated to the complainant and a copy of the same, supplied to the complainant and the copy of the same submitted to the employer.

30. RESPONSIBILITY OF MANAGER OF THE INDUSTRIAL ESTABLISHMENT FOR OBSERVANCE OF STANDING ORDERS AND RULES IN REGARD TO EMPLOYMENT OF WORKMEN AND CHILDREN:

The Manager of the Industrial Establishment shall be personally held responsible subject the provisions of sub-section (2) of section 3 of the Act, for the proper and faithful observance of the standing orders and of the special rules made under Factories Act and posted in the Industrial Establishment, particularly regarding the employment and working of the women and children under him.

31. PROCEDURE REGARDING NOTICES:

All notices required to be posted under these Standing Orders shall be in Hindi and shall be in a legible and clean condition. Any order notice, charge sheet, letter of communication may be served on the workman in any of the following manners: -

- a. By delivery to the person concerned if he is present.
- b. If the workman is not on duty than sending it at his last known address by regd. Post. In case any such communication is sent to a workman by Registered post, it shall be deemed to have reached him in ordinary course.
- c. If a workman whilst on duty refuses to receive the communication, than by affixing it on a notice board in the department to which the concerned workman belongs.
- d. It will be the duty of the workman to notify to the employer any change in his address from time to time and in case he does not do so and any communication is sent to him at his last known address, it will be deemed to have been duly served him.

32. WAGE SLIPS:

- i. Every permanent workman working in the Industrial Establishment shall be provided with a registered card. In addition to this every workman shall be given a wage slip which shall contain the following information:

- a. Number of days worked
- b. Total production
- c. Rate payable
- d. Over-time (number of hours)
- e. Total basic wages earned
- f. Dearness Allowance
- g. Other Allowance (to be specified)
- h. Gross earnings
- i. Deduction
- j. Net amount payable

Every workman shall be allowed to retain the wage slip issued to him.

- b. Any objection as to the correctness of the entries in the wage slip may be made by a workman within 24 hours of the receipt of and the employer shall make enquiry and decide the objection within one week of its receipt.

33. PROMOTIONS:

Promotion of workman will be at the discretion of the employers. Promotions, if any will be made without any discrimination and with due regard to seniority, ability, efficiency, initiative and prescribed qualifications and also the past service record in this establishment.

34. RETIREMENT AND AGE OF SUPERANNUATION AND GRATUITY:

A workman unless his services are terminated earlier, shall retire from the service of the company on reaching the age of 60 years. The company may, however, at its sold discretion or as agreed upon extend the services of the workman concerned from year to year up to a maximum of two extensions. On sup-erannuation of retirement the workman shall be paid gratuity according to any Act, rules or Govt. order for the time being in force.

35. STANDING ORDERS TO BE POSTED ON NOTICE BOARD:

A copy of these orders in English and Hindi shall be posted on the notice board and in such places on the premises of the Industrial establishment as employers may decide, and shall be kept in a legible and clean condition.

36. ENGLISH VERSION TO BE FOLLOWED IN CASE OF CONFLICT OF MEANING

If there is any conflict between the English and Hindi version of these Standing Orders, the English version shall be followed.

37. PROCEDURE REGARDING DISPLAY OF NOTICES:

All notices required to be posted under these Standing Orders shall be in Hindi and shall be in a legible and clean condition.

38. Nothing in these Standing Order shall have the effect of taking away from workman any rights benefits of privileges to which they might otherwise be entitled under any law, regulation, rule or order for the time being in force.

DECLARATION

The information and details given by me are all correct. If found incorrect my services are liable for termination as per terms of the Standing Orders.

Dated.....

Signature of the Applicant

Medical Examination Report
.....
.....

Dated.....

Medical Officer

Report of the Departmental Incharge
.....
.....

Date

Signature of Departmental Incharge

I..... Son of Caste of
..... in District do hereby accept employ with mess rs/
..... on terms and conditions of service prescribed in the standing orders for said the Industrial Establishment as certified by the certifying officer for the time being in force.

I also accept the condition that I shall be liable to be transferred to any other establishment of the company under the same employer whether already established or established at any time here after at any place in India and that I shall be liable to be transferred from one Department to another subject to the condition that my conditions of service in relation to wages, care not affected to my disadvantage.

In the presence of

1.

(signed)

2. At date

The workman named above is hereby employed on the terms and conditions herein before mentioned.

Sd.....

FRONT

Name of the Industrial Establishment
Serial No.....Name of the association of
Employers.....
If Industrial establishment is
member there of.

(.....)

WORKMAN'S APPLICATION FOR EMPLOYMENT

Name Father's Name
Married/Unmarried Caste
Date Of Birth Year Month
Proof of Age Past experience
Name Address: Village Thana
P.O. District
House No..... Room No.....
Local address name of the house Owner
Road Mohalla
Whether suffering from any disease
Whether Medically Fit
For this post
Present employment (if employed)

PREVIOUS EMPLOYEMNT

Sl.No.	Name of Employer	Address	Duration	Capacity	Reason for leaving
1					
2					
3					

Post desired

Other posts be can fill

References

1. INDUSTRIAL ESTABLISHMENT

Name	Father's Name	Department	Capacity	T.No.

2. OUTSIDER

Name	Father's Name	Address	Occupation

Date.....

Sig. or L.T.I. of applicant

FORM 'E'

Standing Order No. 10 (c)

EXIT CARD

Name of the Industrial Establishment

Sl. dated

This is to certify that Sri Son of Sri.....

Department

Has been allowed to remain absent from duty on

(Dated from)

(Time) To (time)

Signature of Manager/
Head of the Department