

The Orissa Industrial Establishments (National and Festival) Holidays Rules, 1972

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Rule

THE-ORISSA-INDUSTRIAL-ESTABLISHMENTS-NATIONAL-AND-FESTIVAL-HOLIDAYS-RULES-1972

- Published on 23 February 1973
- Commenced on 23 February 1973
- [This is the version of this document from 23 February 1973.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Industrial Establishments (National and Festival) Holidays Rules, 1972Published vide Notification No. S.R.O. 457/63, dated 23rd February, 1973, Orissa Gazette

Part-3/9-3-1973Notification No. S.R.O. 457/63, dated 23rd February, 1973. - In exercise of the powers conferred by Section 12 of the Orissa Industrial Establishments (National and Festival) Holidays Act, 1969 (Orissa Act 22 of 1969) the State Government do hereby make the following rules, namely :

1.

(1)These rules may be called the Orissa Industrial Establishments (National and Festival) Holidays Rules, 1972.(2)These rules shall come into force at once.

2.

In these rules-(a)"The Act" means the Orissa Industrial Establishments (National and Festival) Holidays Act, 1969 ;(b)"Form" means a form appended to these rules;(c)words and expressions used in the Act and not defined in the rules shall have the same meaning assigned to them in the Act.

3.

Within one month from the date of publication of these rules, every employer of an industrial establishment shall submit an application to the Inspector appointed under the Act having

jurisdiction in the area or areas where the establishment and/or its branch/branches is/are situated for approval with a list of festival holidays which he intends to declare as paid holidays in Form I :Provided that in the case of the holidays to be allowed for the succeeding years, such list shall be submitted to the Inspector before the end of November every year:Provided further the in the case of the holidays to be allowed to the employees employed in an industrial establishment newly started, such list shall be submitted to the Inspector within 30 days of the starting of such industrial establishment.

4.

As soon as may be after he receives the application under Rule 3 in respect of an industrial establishment the Inspector shall-(a)where there is a registered trade union of workmen, forward a list of festival holidays proposed by the employer together with a notice in Form II, to the Secretary of such union for objections and suggestions;(b)where there is no such trade union, the Inspector shall require, the employer to display a copy of the list of festival holidays and a notice in Form III on the notice board of the establishment, for the purpose of receiving objections and suggestions from the workmen of the concerned establishment.

5.

The Inspector shall after considering the objections or suggestions, if any, received from the trade union or the workmen, as the case may be, approve the list with such alterations as he deems necessary. The approved list of the festival holidays shall be communicated to the employer and the union or the workmen, as the case may be, within seven days of the approval of the list.

6.

Before the 31st of December every year the employer shall display a statement as required by Section 4 showing the holidays for the succeeding calendar year in Form IV in the language understood by the majority of the Workmen employed in the industrial establishment in a conspicuous place.

7.

The Inspector shall, on each inspection of an industrial establishment, satisfy himself-(a)that the statement as prescribed under Rule 6 has been displayed,(b)that the muster roll prescribed in Rule 9 is correctly maintained, and(c)that the amount of wages for the holidays has been paid.

8.

Every employer of an industrial establishment shall, before the 31st January of every year, submit to the Inspector (having jurisdiction in the area appointed under the Act), an annual return in Form V for the year ending 31st December immediately preceding.

9.

(1) Every employer of an industrial establishment shall maintain a muster roll in Form VI : Provided that if the Inspector is of opinion that any muster roll or register maintained as part of the routine of an industrial establishment gives in respect of any or all the employed persons in the industrial establishment the particulars required in the form prescribed under this sub-rule, he may by an order in writing direct that such muster roll or register shall, to the corresponding extent, be maintained in place of and be treated as the register required to be maintained under this sub-rule. (2) All entries in the muster roll shall be made in ink and maintained up-to-date and it shall be made available when demanded for inspection by the Inspector in the premises during working hours. (3) The employer may enter in the muster roll such other particulars as may be required for any other purposes.

10.

Any employer who contravenes any of the provisions of these rules shall be punishable with fine which may extend to fifty rupees. Form I [See Rule 3] Application To The Inspector under the Orissa Industrial Establishment (National and Festival) Holidays Act, 1969. Place..... Date..... Sir, Under Rule 3 of the Orissa Industrial Establishments (National and Festival) Holidays Act, 1969, I append below a list of festival holidays proposed for adoption in * as industrial establishment owned/controlled by me with the request that these holidays may kindly be approved under the terms of the Orissa Industrial Establishments (National and Festival) Holidays Act, 1969 and the rules made thereunder. Yours faithfully (Signature) Employer List of festival holidays (Here enter the list) Here enter the name and place of the industrial establishment. Form II [See Rule 4 (a)] Notice Place..... Date..... I..... Inspector, under the Orissa Industrial Establishments (National and Festival) Holidays Act, 1969 append below a list of the festival holidays proposed by the employer for adoption in the * and submitted to me for approval under the Act. Any objections or suggestions which the workmen may desire to make to the list of holidays should be submitted to me within ten days from the date of receipt of this notice. To

The Secretary..... Union P.O..... Dist..... Inspector (Designation of the Officer) List of festival holidays proposed by the employer Here enter the name and place of the industrial establishment. Form III [See Rule 4 (b)] Notice Place..... Date..... The employer * has submitted to the Inspector under Orissa Industrial Establishments (National and Festival) Holidays Act, 1969 the appended list of festival holidays proposed by him for adoption in his industrial establishment. Any objections or suggestions which any workmen in the establishment desire to make to the list of holidays should be submitted to me within ten days from the date of publication of this notice. If no objection or suggestion is received within ten days from the date of publication of this notice, shall be deemed that the workmen will have no objection to make. Inspector (Designation of the Officer) Lists of festival holidays proposed by the employer Here enter the name and place of the industrial establishment. Form IV [See Rule 6] Statement of holidays The persons employed in the industrial establishment shall be given holidays on the National and Festival days mentioned below during the calendar year 20.....

1. 16th January;

2. 25th August;

3. 2nd October;

4.

5.

6.

7.

DateSignature of the EmployerForm V[See Rule 8]Annual returnAnnual return for the year ending 31st December, 20.....

1. Name of the industrial establishment.....

2. Name of Occupier.....

3. Name of Manager.....

4. District.....

5. Postal address.....

6. Total number of persons employed during the year.....

MenWomenChildren

7. Number of persons who were paid wages for the National and Festival holidays (Separate figures for each day may be furnished-

(1)26th January(2)15th August(3)2nd October;(4)(5)(6)(7)(8)Total amount, paid(Separate figures for each day may be furnished)Certified that the information furnished above is to the best of my knowledge and belief, correct.Date.....Signature of EmployerForm VI[See Rule 9]Muster rollName of the Industrial establishment.....Place.....District.....

Sl. No.	Name of the	Father's/Mother's w Name	Nature of work	Date of entry into	Date of termination of	Names of National and	Amount paid
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employee				service	service	Festival holidays for which wages have been paid	
1	2	3	4	5	6	7	8