

The U.P. Industrial Employment Model Standing Orders, 1991

UTTAR PRADESH

India

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THE-U-P-INDUSTRIAL-EMPLOYMENT-MODEL-STANDING-ORDERS-1991 of 1991

- Published on 24 July 1992
- Commenced on 24 July 1992
- [This is the version of this document from 24 July 1992.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Industrial Employment Model Standing Orders, 1991Published Vide Notification No. 2651/36-3-5 (S.O.)-85, dated 24th July, 1992, published in the U.P. Gazette (Extraordinary), Part 4, Section (Kha), dated 24th July, 1992In exercise of the powers under clause (b) of sub-section (2) of Section 15 of the Industrial Employment (Standing Orders) Act, 1946 (Act No. 20 of 1946) read with Section 21 of the General Clauses Act, 1897 (Act No. 10 of 1897) and in supersession of Government Notification No. 2203(L/18-408(L)-45, dated May 14, 1947, the Governor after considering all the objections and suggestions received in respect of the draft Model Standing Orders published vide Notification No. 3422/36-3-5 (O.S.)-85, dated December 20, 1991, is pleased to set out the following Model Standing Orders :

1. Short title and commencement.

(1)These Orders may be called the Uttar Pradesh Industrial Employment Model Standing Orders, 1991.(2)They shall come into force with effect from the date of their publication in the Gazette.

2. Definitions.

- In these Orders unless there is anything repugnant in the subject or context,-(a)"Act" means the Industrial Employment (Standing Orders) Act, 1946;(b)"Form" means a Form appended to these Orders;(c)"Muster Roll" means the Attendance Register or registers maintained in the industrial establishment as a record of the daily attendance of the workmen employed therein, such as, that maintained in factories under the provisions of the Factories Act, 1948, for the time being in force;(d)"Night Shift" means a shift starting at 10 p.m. and ending at 6 a.m. on the next following day;(e)"Notice" means a notice in writing required to be given or posted for the purposes of these

Standing Orders;(f)"Notice Board" means the notice board specially maintained in a conspicuous place at or near the main entrance to the industrial establishment for the purposes of displaying notices required to be posted or affixed under the provisions of these Standing Orders;(g)"Probationary period" means a period of six months which may be extended for a further period of six months;(h)"Rules" means the Industrial Employment (Standing Orders) Rules, 1946;(i)"Substitute Register" means the register or muster roll of substitutes which shall be maintained for the purposes of these Standing Orders;(j)"Superior" means any person who by the nature of his allocated duties exercises authority, supervision or control over the workmen within the premises of the industrial establishment.

3. [[Substituted by Notification No. 05/XXXVI-3-2018-55(sa)/17 T.C.-III, dated 9.1.2018 (w.e.f. 24.6.1992).]

Workmen shall be classified as follows-(a)"Permanent workmen" - A permanent workman is a workman who has been engaged on a permanent basis and includes a person who has satisfactorily completed his probationary period in the same or another occupation in an industrial establishment;(b)"Probationer" - A probationer is a workman who is provisionally employed to fill a permanent vacancy and has not satisfactorily completed his probationary period in that occupation;A permanent workman employed as a probationer in a new occupation may, at any time during his probationary period, be reverted to his old permanent post by an order, in writing, signed by the employer and such a probationer may also, at any time during the said probationary period, seek reversion to his old permanent post by making an application therefor in writing. A probationer shall retain his lien and seniority in his old permanent post as long as he is not made permanent in his new occupation.Seven days before the date of expiry of probationary period the workman shall be informed in writing that he has been confirmed or his probationary period has been extended further. In case no order has been communicated to the workman in writing either confirming the workman or extending the period of probation or terminating the services for unsatisfactory performance, the workman shall be deemed to have been confirmed on the post with effect from the date the probationary period expired.(c)"Substitute workman" - A substitute workman is a workman who is employed on the post of permanent workman, or a probationer, who is temporarily absent on leave or otherwise;(d)"Temporary workman" - A temporary workman is a workman who is engaged for a work which is essentially of a temporary or casual character likely to be finished within one year or who is engaged temporarily in connection with a temporary increased in a work of permanent nature for a limited -period not exceeding six months:Provided that a workman who is regularly engaged on term appointment basis with artificial breaks although work exists, would not be deemed to be a temporary workman and would be entitled to be made permanent even if he serves for less than 240 days in a calendar year.(e)"Apprentice" - An apprentice is a workman who has been engaged in an industrial establishment under the provisions of Apprentices Act, 1961.(f)"Fixed term employee" - A fixed term employee is a workman who has been engaged in textile industry' or export oriented industry on the basis of contract of employment for a fixed period. However his working hours, wages, allowances and other benefits shall not be less than that of a permanent workman. He shall also be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even though his period of employment does not extend to the qualifying period of employment required in the statute.]

4. Enrolment, muster roll and tickets engagement card.

(1) Every workman, on enrolment, shall sign the prescribed Form. Every workman shall apply for enrolment in Form A-I appended to these orders, and on enrolment shall sign a declaration in Form A-II. At the time of taking appointment every workman shall be given an appointment letter in Form A-III. (2) The name of every workman shall be entered on the muster roll, without exception. (3) In the muster roll the classification of every workman to which he belongs, shall be clearly indicated against his name. (4) Cards and tickets.-(a) Every permanent workman shall also be provided with a departmental ticket in Form-B showing his number who shall, not being required to do so, show it to any person authorised by the Manager to inspect it. (b) Every probationer shall be provided with a probationer card in Form-C which shall be surrendered on his obtaining permanent employment. (c) Every substitute workman shall be provided with a substitute card in Form-D, which shall be surrendered on his obtaining permanent employment. (d) Every temporary workman shall be provided with a temporary ticket in Form-E which he shall surrender on his being discharged. (e) Every apprentice shall be provided with an apprentice card in Form-F which shall be surrendered on his obtaining permanent employment. (f) If a workman loses or at the time of cessation of his employment fails to deliver up his ticket or card or if he has become undecipherable for any reason, he shall be liable to pay a sum of Re. 1.00 as the cost of the ticket or card. Explanation.-For saving cost of stationery for printing of these cards only one card may be got printed indicating different capacities a workman has been engaged and the employer shall tick and initial relevant entry on the card.

5. Notice specifying close days and wages payment days to be posted.

- Notices specifying (a) the days on which the industrial establishment will be closed, and (b) the day on which wages will be paid, shall be posted in accordance with the provisions of the Payment of Wages Act, 1936 for the time being in force.

6. Notice specifying rates of wages to be posted.

(1) In accordance with the provisions of the Payment of Wages Act, 1936 and the Rules made thereunder for the time being in force, a notice in the specified form in English, Hindi or Urdu shall be displayed in a conspicuous place at or near the entrance to each department or group of departments specifying the rates of wages payable to each category or class of workmen. (2) No alteration in the rates of wages so notified shall be made without giving twenty-one days notice by means of a notice specifying the proposed alteration, posted in a conspicuous place at the entrance of the department to which the alteration relates and by sending copies thereof to the Regional, Additional/Deputy Labour Commissioner and the registered Trade Union, if any.

7. Notice specifying working to be posted.

- The periods and hours of work for all categories or classes of workmen in each shift shall be exhibited in Hindi on the Notice Board and at time keeper's office, if any.

8. Shift working.

(1)Shift shall be regulated in accordance with the provisions of the Factories Act, 1948 for the time being in force, in industrial establishments which are amenable to that Act. More than one shift may work in a department or departments or any section of a department at the discretion of the employer. If however, there are collective agreements or awards for regulating shift working, they shall be adhered to, in so far as they are not inconsistent with the Factories Act, 1948 in the case of industrial establishments to which that Act is applicable.(2)The timings of the shifts shall be fixed in consultation with the Regional/Additional Deputy Labour Commissioner and no change in the timings shall be made without giving a twenty one days' notice subject to the provisions of the Factories Act, 1948 in the industrial establishments to which that Act is applicable.(3)Shift may be altered at the discretion of the employer.(4)Shift working will be so arranged that no workman is employed in the night shift for more than a fortnight at a time, after which he must be transferred to the day shift for a period not less than the period for which he had worked in the night shift:Provided that in the case of factories covered by the Factories Act, 1948 if three eight-hours shifts are worked the changes of the shifts shall be in rotation in accordance with the Factories Act, 1948 :Provided further that shift working may be discontinued after posting a notice on the notice board, for twenty-one days.(5)If, as the result of the discontinuance of any shift, any permanent workman is likely to be discharged, he shall be discharged keeping in view the provisions of U. P. Industrial Disputes Act, 1947 as amended from time to time.(6)If the shift other than a "Temporary" shift is restarted, seven days' notice thereof 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 service in his category in the industrial establishment and the person with the longest length of service shall be re-employed first.

9. Attendance.

(1)Every workman shall be at work at the fixed time notified by a notice posted on the notice board. Any workman attending late shall be liable to be shut out and be treated as absent:Provided that no workman shall be shut out who attends within 15 minutes of the starting time.(2)Any workman, who after presenting his ticket or card if found absent from his place of work during working hours without permission or without any sufficient reasons, 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 for the whole day, in case his absence commences before the recess period, and for half a day in case his absence commences after the recess period.(3)If the workman is so absent from the premises of that 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.Note.-An Exit Card in Form-G bearing the signature of the employer or two officers appointed for the purpose in the establishment shall be sufficient evidence of written permission to a workman for leave of absence under these Standing Orders.(4)The deductions from wages to be made for the period of absence under these Standing Orders shall be made in accordance with the provisions of Payment of Wages Act, 1936.

10. Leave of absence.

(1) All workmen of an industrial establishment shall be entitled to the following leave and holidays with wages during a calendar year : (a) Annual leave with wages as provided under the relevant law dealing with the working conditions applicable to the industrial establishment and in cases where there is no provision in this regard, the workman of that industrial establishment shall be entitled to fifteen days' annual leave, with wages, for every year of service rendered. (b) Five days casual leave with full wages, but the grant of such casual leave shall depend on the exigencies of work and shall be at the discretion of the Manager. It may be refused only for reasons to be recorded in writing and the refusal shall be communicated to the workman concerned before the commencement of the leave applied for. (c) Ten days sickness leave with full wages, if the workman is not entitled to the sickness leave benefit under the Employees State Insurance Act, 1948 (Act No. XXXIV of 1948) and the Scheme framed thereunder. (d) Eight festival holidays with full wages including three national holidays namely, Republic Day, Independence Day and Gandhi Jayanti: Provided that where sickness leave is available to workman of industrial establishment under the provisions of Employees State Insurance Act, 1948, more festival holidays than the eight aforesaid may be allowed in consultation with the workmen or their union, if any. The festival holidays to be observed in the industrial establishment may be revised every calendar year in consultation with the Union or as the case may be, with body of workmen, and the list of approved holidays shall be posted on the Notice Board in January every calendar year, its copy be sent to Additional Labour Commissioner/Deputy Labour Commissioner.

11. Procedure for grant of leave.

(1) Any workman who desires to obtain leave shall apply to the Officer appointed for the purpose by the industrial establishment, whose name shall be duly notified by a notice on the notice board. (2) Application for leave required on medical grounds or owing to death or serious illness of any member in the workman's family or for any other urgent domestic need, the application for leave may be made on the same day. (3) Application for leave up to three days shall be made at least twenty four hours before the day from which the leave is required : Provided that when the leave is required on medical grounds or owing to death or serious illness of any member of the workman's family or any other urgent domestic need the application for leave may be made on the same day. (4) Where Employees State Insurance Act, 1948 is not applicable to an industrial establishment, a certificate signed by a registered medical practitioner or by a registered Vaidya or Hakim shall be accepted as proof of "medical grounds" advanced by a workman. Where medical leave is applied for a period not exceeding two days, such medical certificate shall not be necessary. Where, however, Employees State Insurance Act, 1948 is applicable certificate from Medical Officer of Employees State Insurance Dispensary or Hospital shall alone be admissible for sanction of medical leave, if due to the workman. A workman falling sick outside the city may send certificate signed by only registered medical practitioner. (5) Orders, in writing, either refusing or sanctioning the leave applied for a period of more than 3 days shall be passed by the Officer appointed for this purpose on the application for leave immediately. (6) If the leave applied for is granted, a leave pass duly signed by the officer authorised in this behalf shall be issued to the workman in Form "H" which shall be retained by the workman. (7) A record shall be maintained of all the leave which is sanctioned as

provided in law relating to working conditions applicable in the industrial establishment.(8)In the event of a workman applying for an extension of leave, he shall make an application in writing to the employer before the period of the originally sanctioned leave expires and the employer shall, immediately on receipt of such application, inform the workman in writing at the address given by him whether the extension of leave applied for has been sanctioned or not and, if sanctioned, for what period.(9)A registered receipt issued by the post office shall be deemed to be sufficient proof of a reply having been sent;Provided that the application for the extension of leave shall be made by the workman in sufficient time by a telegram or registered post. An application for extension of leave on medical grounds or on death of a member of his family or any other reason of extreme urgency shall not be refused.(10)In the event of a workman remaining absent in excess of the period of leave granted or extended he shall lose his lien on his post unless he returns within 15 days of the expiry of the period of leave sanctioned and gives explanation to the satisfaction of the employer for not having returned immediately after the expiry of the period of leave :Provided that no lien shall be lost under the foregoing provisions unless the employer has given a show-cause notice of fourteen days counted from the date of the receipt of the notice and a copy of the same is sent to the Additional Labour Commissioner or Deputy Labour Commissioner of the region concerned, or where there is no Additional Labour Commissioner or Deputy Labour Commissioner to the next higher authority.(11)For late attendance on three occasions in a calendar month a workman shall lose one day's casual leave.Explanation. - A "Family" for purposes of this clause shall include the workman's wife or husband, sons, daughters, father, mother, real brothers or sisters, sons-in-law or daughters-in-law only.

12. Abandonment of employment.

- A workman remaining absent without leave for a period exceeding eight days at a stretch, without sufficient reason, shall be deemed to have abandoned the employment, and shall be entitled to be retained in the list of substitutes, if he has not voluntarily cleared his dues from the employer.

13. Conditions for promotion, recruitment and transfer of a workman.

(1)Promotions to workmen shall be granted without discrimination and with due regard to seniority and suitability for the post.(2)The employer shall notify to the Regional Additional/Deputy Labour Commissioner of the area concerned, on or before the 31st day of January every year the number of permanent posts, in the industrial establishment, and the number of workmen who are probationers against permanent posts, substitutes, temporary hands and apprentices, category wise employed on the first day of January of that year.(3)Out of the total strength of an establishment 80 per cent of the posts shall be permanent.(4)The employer shall fill at least 80 per cent of the permanent vacancies not reserved for probationers out of substitutes on seniority-cum-category basis, within six months from the date of the post falling vacant:Provided that the employer shall not, except in special exigencies such as harvesting, marriage or festival seasons the total period of which does not exceed 45 days in a calendar year, engage substitutes and temporary workman Substitutes in a calendar year shall not exceed maximum percentage of absenteeism.(5)While filling regular vacancies/posts in an establishment, the temporary workmen of the establishment shall also be considered.(6)If an establishment has its units out of the State, no workman shall be transferred out

of the State without his prior consent.(7)In the event of closure of an unit or section and department thereof, the workmen so affected will be discharged with such benefits as are admissible to them under law for the time being in force. Such displaced workmen shall have a right to be taken back in service in the order of seniority by the employer in case the unit, section or department as the case may be, starts functioning, either under old name or ownership or otherwise.

14. Payment of wages to employed workman not present on usual pay day.

(1)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 any working day before the expiry of the second working day after the day on which a demand is made by the workman or on his behalf by his legal representative, in accordance with the provisions of Payment of Wages Act, 1936 applicable to the industrial establishment. If the workman is unable to present himself, the employer shall send his pay by money order at his cost if so requested by him.(2)Any wages due to a deceased workman shall be paid to his nominee under the labour laws applicable to the industrial establishment, or to his heir in the absence of a nomination before the expiry of the third working day on which a substantiated claim is presented by his nominee, or heir or on his behalf by a legal representative.(3)A workman may nominate a person or persons in writing witnessed by two persons for payment of his wages and other dues, not provided for by any other law, for the time being in force, for payment, in case of his death, the nomination will be in Form I.

15. Entry and exit only through gates appointed.

- No workman shall enter or leave the premises of an industrial establishment except through the gate or gates appointed for the purpose.

16. Workman to leave the premises of the industrial establishment immediately if not working.

- A workman who is off his duty or on leave or has been laid off or suspended or retrenched or terminated or dismissed or relieved after acceptance of his resignation or declared by a competent medical practitioner to be suffering from a contagious or infectious disease, shall immediately leave the premises of the establishment.

17. Workman liable to search on entering and leaving the premises of the industrial establishment.

- Every workman shall be liable to be searched at the time of entering and leaving the premises of the industrial establishment by a person of the same sex authorised by the manager in this behalf and if he so desired in the presence of a co-workman of his choice, if readily available.

18. Termination of service.

(1) For termination of the services of a workman, notice in writing of at least 30 days shall be necessary. If the notice falls short of that period, wages in lieu of such period shall have to be paid : Provided that if termination amounts to retrenchment under any law, for the time being in force, other legal requirement shall have to be complied with. (2) A "Probationer", "Substitute", "Temporary" or "Apprentice" workman may leave the employment without notice. The wages due to a "Probationer", "Substitute", "Temporary" or "Apprentice" workman who has left the employment of the industrial establishment shall be paid within two days of a demand being made.

19. Issue of service certificate.

- Every workman, at the time of his resignation from service, dismissal or termination shall be given a service certificate in Form "J".

20. Act or omission constituting misconduct.

(1) The following acts or omissions will be treated as major misconduct: (a) wilful insubordination or disobedience whether singly or jointly with other workmen of any lawful and reasonable order of a superior; (b) striking work either singly or with other workman without giving due notice prescribed by law or rules or including in go slow; (c) inciting whilst on the premises of the industrial establishment any workman to strike work or go slow; (d) theft, fraud, misappropriation or dishonesty, in connection with the employer's business or property; (e) taking or giving bribes or any illegal gratification whatsoever; (f) collection or canvassing for the collection of any money whatsoever for purposes not authorised by the employer within the premises of the industrial establishment; (g) 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, efficiency and any act involving moral turpitude committed within the premises of the industrial establishment; (h) negligence or neglect of work repeated on not less than three occasions within six months; (i) indiscipline or non-observance of any rules or instructions for the maintenance and running of any department or maintaining its cleanliness, repeated on not less than three occasions within six months; (j) holding meetings inside the premises of the industrial establishment without prior permission of the employer; (k) threatening or intimidating any workman within the premises of the industrial establishment; (l) disclosing to any unauthorised person or persons, any information in regard to the working or process of the industrial establishment which comes to the possession of a worker during the course of his work; (m) gambling within the premises of the industrial establishment; (n) malingering, deliberate delaying of production or carrying out of orders, gherao of any workman, supervisor, Manager or employer; (o) damage to work in process of any other property of the industrial establishment including sabotage. (2) The following acts or omissions will be treated as minor misconduct: (a) smoking within the premises of the industrial establishment at places where smoking is prohibited; (b) failure to observe safety instructions, unauthorised removal of the guards fencing and other safety devices installed in the premises of the industrial establishment including interference with the working of plant or machinery; (c) distributing or exhibiting inside the premises of the industrial establishment any newspaper, handbill, pamphlet or

poster without the prior permission of the employer;(d)refusal to work on another machine of the same type;(e)the sale or canvassing for the sale of tickets, coupons, or changes in any lotteries or raffles within the premises of the industrial establishment, without prior permission of the employer;(f)habitual sleeping while on duty, thrice in a month;(g)habitual late attendance or absence from duty without leave or without sufficient cause on three occasions in one month;(h)entering or leaving the premises of the industrial establishment otherwise than through the gate or gates provided for the purpose;(i)expectorating or otherwise committing a nuisance in the premises of the industrial establishment.

21. Penalties for misconduct.

(1)Any workman who is' adjudged by the employer to be guilty of a major misconduct shall be liable for any of the following punishments:(a)Withholding of increments limited to two only;(b)Demotion to a lower post in the same cadre or in the lower cadre;(c)Suspension for 6 days;(d)Dismissal.(2)The employer or any person authorised under the Payment of Wages Act, 1936 to award punishment may award the following punishment for a minor misconduct-(a)Fine,(b)Warning,(c)Censure.

22. Procedure for imposition of fine.

(1)Fine shall be imposed only in accordance with the provisions of the Payment of Wages Act 1936, for the time being in force, and by the officer authorised to impose fines under the said Act.(2)The proceeds of all the fines realized shall be remitted to Welfare Commissioner under U. P. Welfare Funds Act, 1965 and the rules made thereunder.

23. Procedure for punishment for a major misconduct.

(1)Where the employer is satisfied that workman has committed a major misconduct, he shall get a charge-sheet prepared, which shall, as far as possible, contain the date, time, place and the facts which constitute the misconduct. It shall also make a brief reference to the evidence which is proposed to be adduced to prove the charges. The workman shall be given at least seventy two hours, time to submit his explanation and also indicate whether he would like to cross-examine any or all of the witnesses proposed to be examined by the employer and whether he would adduce any defence. The charge-sheets shall be served on the workman personally and if he refuses to receive its copy it shall be sent to him through registered post with acknowledgment due. Every communication shall be addressed on the last known address of the workman and if the service cannot be effected due to non-availability of the workman, the charge-sheet may be published in a local newspaper and also in the newspaper having widest circulation in Hindi.(2)After the receipt of the explanation, if any, the employer may nominate a person as the Enquiry Officer and a copy of his appointment order shall be sent to the workman.(3)The Enquiry Officer shall inform the workman of the date, time and place of the commencement of the enquiry. He shall afford reasonable opportunity to the workman to inspect documents which are proposed to be used against him. He shall also give copies of the documents, unless they are the documents of which copies cannot be prepared within reasonable time, in which case the workman shall be allowed to inspect them.(4)The workman shall have a right to represent himself in enquiry proceeding through any of

his co-workman or office bearer of the Union to which he belongs, and his request in this behalf shall be accepted by the Enquiry Officer.(5)After the employer has examined all his witnesses, the Enquiry Officer shall ask the workman to put up his defence along with witnesses if any.(6)Every witness may be cross-examined by the opposite party and the Enquiry Officer may also put relevant questions so as to enable him to arrive at the conclusion.(7)After the close of evidence given by the workman in his defence the Enquiry Officer shall hear the arguments of the parties and give a report in which reasons for his conclusions regarding each charge shall be recorded.(8)On receipt of the report of the Enquiry Officer the employer shall examine the report and the records and the evidence adduced and take a decision whether or not the charges have been proved and if the charges, or any of the charges are found to have been proved he shall award punishment to the workman. The award of punishment shall be communicated to the workman along with a copy of the Enquiry Report and the order passed by the employer thereon.

24. Summary suspension pending enquiry into alleged major misconduct.

(1)Where a disciplinary proceeding against a workman for a major misconduct is contemplated or is pending or where criminal investigation or trial is under way and the employer is satisfied that it is necessary or desirable to place the workman under suspension, he may, by order in writing, suspend him with effect from such date, not prior to the date of order, as may be specified in the order. A statement setting out the details and also the reasons for such suspension shall be supplied to the workman within a week from the date of the order for suspension.(2)Suspension shall not usually exceed thirty days and the enquiry will be required to be completed during this period.(3)Only in cases where criminal proceedings have also been initiated simultaneously, suspension may exceed thirty days.(4)No attendance of the suspended employee shall be required to be recorded during suspension period, but the suspended employee will indicate the place of domicile during suspension, which shall not be altered without previous permission of the employer.(5)The subsistence allowance shall, for the first thirty days, be equal to one half of the basic wages, dearness allowance and other compensatory allowances to which the workman would have been entitled if he had been on leave with wages. If the enquiry gets prolonged and the workman continues to be under suspension for a period exceeding thirty days, the subsistence allowance shall, for such period, be equal to three fourths of such basic wages, dearness allowance and other compensatory allowances :Provided that where such enquiry is prolonged beyond a period of thirty days for reasons directly attributable to the workman, the subsistence allowance shall, for the period exceeding thirty days, continue to be paid at the rate of fifty per cent of the basic wages, dearness allowance and other compensatory allowances.(6)Where simultaneously with the departmental enquiry, criminal proceeding in respect of any offence against the workman is also under investigation or trial, the subsistence allowance shall, for the first ninety days be equal to one half of his basic wages, dearness allowance and other compensatory allowance to which the workman would have been entitled had he been on leave. If such enquiry or criminal proceeding is prolonged and the workman continues to be under suspension for a period exceeding ninety days, the subsistence allowance shall, for such period, be equal to three fourths of such wages and dearness allowance and other compensatory allowances :Provided that where such enquiry or criminal proceeding is prolonged beyond a period of ninety days, for reasons directly attributable to the workman, the subsistence allowance shall for the period exceeding ninety days, be continued to be paid at the rate of fifty per cent of such wages,

dearness allowance and other compensatory allowances.(7)If on the conclusion of the enquiry or criminal proceeding the workman is found guilty of the charges or any of the charges framed against him and penalty or punishment is imposed on him, he shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any extra remuneration for such period except the subsistence allowance already paid to him :Provided that where the order for stoppage of annual increment or suspension for 6 days or reduction in rank is passed, the workman shall be deemed to have been on duty during the period of suspension where it is applicable, and shall be entitled to the same wages, dearness allowance and other compensatory allowances which he would have received, had he not been placed under suspension, after deducting the suspension allowance paid to him for such period :Provided further that in the case of a workman to whom the provisions of Article 311 of the Constitution apply, the said provisions shall be complied with.(8)If, however, the workman, on enquiry is exonerated of the charges he shall be entitled to the same wages, dearness allowance and compensatory allowances as he would have received, had he not been placed under suspension, after deducting the subsistence allowance paid to him for such period.

25. Procedure for redressal of grievances.

- The employer shall set up Grievance Settlement Authorities for redressal of day-to-day grievances of the workmen of the industrial establishment, as required under law relating to settlement of disputes, applicable on the industrial establishment, for the time being in force.

26. Wage slip-cum-attendance card.

(1)Every workman shall be given an attendance-cum-wage slip in Form 'K'.(2)In cases where wages are distributed in the morning, wage slips shall be distributed to workman latest by the midnight of the day previous to the day fixed for the distribution of wages and where wages are distributed in the afternoon, in the forenoon of the day on which the wages are distributed ;Provided that in the case of other than permanent workmen, the wage slips may be distributed to such workmen before the time of payment.(3)Any objection as to the correctness of the amount payable to a workman shall be enquired into at once so that there may be no delay in payment.(4)If for any reason, it is not possible to conclude the enquiry into the objections before the time fixed for payment, the objection shall be registered and the amount shown on the wage slip shall be paid to the workman at the time fixed for payment and, any difference in the amount payable to the workman shall be paid within six days of the date of his objection if error in calculating wages due to him has been detected :Provided that where an objection has been registered and usage and practice exist of taking a receipt from the workman, no final receipt for payment shall be taken until such time as the objection has been enquired into and disposed of.

27. Procedure regarding notices.

- All notices required to be posted under these Standing Orders shall be in Hindi and if any of these notices is demanded by a recognised trade union, it may be supplied, as early as possible.

28. Standing Orders to be posted on notice board in all departments.

- A copy of these orders along with its version in Hindi shall be posted on the notice board and in such other places on the premises of the industrial establishment as the employer may decide, and shall be kept in a legible and clean condition for small scale industrial units copy of these orders need not be posted on the notice Board of the industrial establishment, but a copy of these orders shall be provided free of cost to the workman on demand.

29. English version prevail.

- If there is any conflict between Hindi and English versions of these Standing Orders, the English version shall prevail.

30. Welfare schemes.

- The employer shall introduce welfare schemes for the benefit of workmen after consulting the representatives of workmen and the Regional Additional or Deputy Labour Commissioner.

31. Age of superannuation.

- Subject to the agreement between the employers and workman the age at which a workman will reach superannuation shall be 58 years.

32. Savings.

- Nothing in these Standing Orders shall have the effect of taking away from a workman any right, benefit or the privilege to which he might, otherwise be entitled under any Law, Rules or Regulations for the time being in force in the industrial establishment.

Form A (I)[Clause 4 (1)]Form of application for Enrolment
Name and address of Industrial Establishment.No.....Date.....Workman's Application for Enrolment
Name.....Father's name.....Age.....Year.....Months.....Education.....Past experience.....Home Address

Village Thana

P.O District.....

House No. Room No.

Name of house owner

Road Mohalia

Present employment (if employed).....Previous employment:

Name of employer Address Duration Capacity Reason for leaving

1.

2.

3.

Post desired.....Other posts he can fill.....I.....

Name

Father's name

Address Occupatio

Signature or Left Thumb-impression
of witness.

Signature or Left Thumb-impression
of applicant.

Form A (II)[Clause 4 (1)]

1. Name of the Industrial Establishment.....

2. I....., son of.....

of.....in.....District, do.

hereby accept employment with effect from..... with Messers as a
Temporary/Substitute/Apprentice/Probationer/Permanent/Work
charged.....on.....post in Department.....on the terms and conditions of
service prescribed in the Standing Orders of the said
establishment.(Sd.).....At.....Dated.....Form A (III)[Clause
4 (1)]The Workman named above is hereby employed on the terms and conditions specified in the
Standing Order of the.....(here give the name of the Industrial
Establishment).(Sd.).....DesignationForm A (IV)[Clause 4 (1)]Offer of appointmentDear
Sir,On the basis of the enrolment form dated.....filled up by you for appointment on the post
of.....the management hereby offers you appointment in the aforesaid category as
Permanent/Temporary/Probationer on the term and conditions laid down below:

1.

2.

3.

4.

2. You are required to accept this appointment by putting your signature on the copy attached herewith and forward it to the management before taking charge on the aforesaid post.

Yours faithfully,(Employer)I accept the aforesaid offer of appointment.(Name of employee with
date)Form B[Clause 4 (4)]Name of the EstablishmentTickets for Permanent workmanTicket
No.....Name.....has been

entered in the Worker's Register/Muster Roll as a permanent workman of the factory as

a.....in the.....

Department.....Manager.Date.....Form C[Clause 4 (4)

(c)]Name of the EstablishmentTicket for ProbationerTicket

No.....Name.....is a probationer

in.....Department.....of the factory.Signature of the

Manager.Date.....Form D[Clause 4 (4) (d)]Name of the EstablishmentTicket for substitute

workmanTicket No.....Name..... is a substitute

workman and has worked.....days in this

establishment.....in.....Department of the factory.Signature of the

Manager.Date.....Form E[Clause 4 (4) (e)]Name of the EstablishmentTicket for

Temporary WorkmanTicket

No.....Name..... is a temporary workman

of the factory in the.....Department. As per Standing Order he is liable to be

discharged from service without notice.Signature of the Manager.Date.....Form F[Clause 4 (4)

(f)]Name of the EstablishmentTicket for ApprenticesTicket

No.....Name.....is an apprentice in

.....Department of the factory.Signature of the Manager.Date.....Form G[Clause 9

(3) (Note)]Exit CardName of Industrial Establishment.....Serial No.....,

date.....This is to certify that Sri.....

s/o.....of.....Department has been allowed to remain absent

from duty on (Date) from (time).....to (time).....Signature of the

Manager/Head of the Department.(N.B.-An Officer specifically notified for the purpose will sign the

exit card in duplicate, one to be retained by the industrial establishment and other to be given to the

employee concerned.)Form H[Clause 11 (6)]Name of the Industrial EstablishmentLeave

PassNo....., date.....Name.....

s/o.....Ticket No.....Department.....Period of

leave.....from..... to.....report for

duty.....on.....day.....date.....;.....Address whilst on

leave.....Signature or thumb-impression of worker.Sanctioning

Officer.Form I[Sub-clause (3) of Clause 14]To,Name of the employer,I hereby certify that the

person(s) nominated below shall be entitled to receive wages and other dues standing at my credit at

the time of my death, insolvency or in case I am declared to be of unsound mind.

2. Persons nominated below belong to my family and are dependant on me at the time of filling this nomination form.

Nominee(s)

Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will beshared
----------------------------------------------	--------------------------------	----------------	------------------------------------------------

1 2 3 4

Statement

1. Name of the employee in full
2. Sex
3. Religion
4. Whether
unmarried/married/widow/widower.
5. Department/branch/section where
employed.
6. Post held with ticket No., serial No.
if any.
7. Date of appointment
8. Permanent address:

Village Post Office

Thana District

Sub-Division
State

Place:Date:

Signature/Thumb-impression
of the employee.

DECLARATION BY WITNESSES

Fresh nomination signed/thumb-impression
affixedbefore me-

Name in full and full address of witness.

Signature or left thumb-impression of
witnesses-

1.

1.

2.

2.

Place:

Date:

Certificate by the employer

Certified that the particulars of the above nomination
havebeen verified and recorded in this establishment.

Employer's reference, if any.

Date.

Signature of theemployer/officer
authorised.

Designation.

Name and address of theestablishment
or rubber stamp thereof.

Acknowledgment by the employeeReceived the duplicate copy of the nomination in form filled by
me on duly certified by the employer.Date:Signature of the employer.Form J[Clause 10][Service
Certificate]Name of Industrial EstablishmentTicket No.....Name
.....Home address.....Date of
joining.....Date of termination of employment.....Reasons..... Resigned

/Retrenched /Service terminated.Remarks:Conduct:Work:Manager.Form KWage
Slip-cum-Attendance CardWage-Slip

1. Name of Establishment.....
2. Name of workman.....
3. Date of first appointment.....
4. Father's name.....
5. Ticket/Token Number.....
6. Classification.....
(Permanent/Temporary/Substitute/Apprentice/Work-charged).
7. Designation.....
8. Department.....
9. Number of days worked and wage period.....
10. Total production.....
11. Rate payable.....
12. Over-time (Number of hours).....
13. Total basic wages earned.....
14. Dearness allowance.....
15. Other Allowances (to be specified).....
16. Gross earnings.....
17. Deductions (to be specified).....

18. Net amount payable.....

Signature of the Manager/ Head of Department.