

# U.P. Industrial Establishments (National Holidays) Rules, 1965

UTTAR PRADESH

India

## U.P. Industrial Establishments (National Holidays) Rules, 1965

### Rule

### U-P-INDUSTRIAL-ESTABLISHMENTS-NATIONAL-HOLIDAYS-RULES-1 of 1965

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U.P. Industrial Establishments (National Holidays) Rules, 1965Published vide Notification No. 5257 (ST)/36-A-1036 (ST)-63, dated 30th September, 1965, published in U.P. Gazette, Part 1-ka, dated 16.10.1965In exercise of the powers under Section 9 of the U.P. Industrial Establishments (National Holidays) Act, 1961 (U.P. Act No. 18 of 1961), the Governor of Uttar Pradesh is pleased to make the following rules, the same having been previously published with Government Notification No. 3898 (LL)(i)/36-B-343 (LL)-61, dated September 7, 1963, as required under sub-section (1) of the said section :

### 1. Short title, extent and commencement.

(1)These rules may be called the U.P. Industrial Establishments (National Holidays) Rules, 1965.(2)They shall extend to the whole of Uttar Pradesh.(3)They shall come into force from the date of their publication in the Gazette.

### 2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context-(a)"Act" means the U.P. Industrial Establishments (National Holidays) Act, 1961 (U.P. Act No. 18 of 1961);(b)"Section" means a section of the Act;(c)"Form" means a form appended to these Rules; and(d)All other words and expressions used in these rules and not defined shall have the meaning respectively assigned to them under the Act.

### 3. Calculation of daily average wage for purpose of the explanation to Section 3.

- For the purpose of the explanation given under Section 3 of the Act the wages for a day shall be calculated by working out the average of the wages payable-(i)in the case of a daily paid employee in the 12 full working days; and(ii)in the case of an employee who is paid wages at piece-rates, in six complete weeks, immediately preceding the National Holiday on which he is required to work; and where such average cannot be worked out, the wages for a day shall be calculated as the average of the wages payable to the employee during the period he actually worked.

### 4. Issue of notice by the employer.

- Whenever, for any exigencies of business of the industrial establishment any employee is required to work on a National Holiday, the employers shall ordinarily give notice to such employee or employees at least three days before the commencement of the National Holiday, The employers shall also obtain, in writing the option of the employee concerned in accordance with the proviso to Section 3 of the Act.The employers shall also send information in this regard to the Inspector in Form I appended to these rules on the same when he gives notice to the, employee regarding his intention call the employee to work notice a National Holiday.

### 5. Register of National Holidays.

- A register shall be maintained by every employer and kept in Form 11. Form I Notice Under Rule 4, to be send by employer at least three days before the commencement of a National Holiday to the Inspector in regard to the employees who will work on a National Holiday. ....

1. Name and Address of the establishment .....
2. Total number of employees in the establishment .....
3. Name of the National Holiday with the date on which the employee is required to work. ....
4. Total number of employees, department wise, who are required to work on the National Holiday. ....
5. Number of employees who have opted to:
  - (i) take double wages.
  - (ii) take a substituted holiday and wage for the day.
6. Any other remarks .....

Date .....Signature of the employer with designation. Form II [Under Rule 3] Register to be maintained regularly by the employer in the following manner :

**1. Name and address of the establishment .....**Total No. of  
employees

Serial No.	Name of the National Holiday with date	Total No. of employers	On leave on the National Holiday	On lay off on the National Holiday	Who availed the National Holiday	Who were called for duty on the National Holiday by the employers
1	2	3	4	5	6	7

When actually attended duty on the National Holiday	No. of employees who opted for twice the average wages for work on the National Holiday	No. of employees who opted for single average wage for the National Holiday together with a substituted Holiday	Date of substituted Holiday	Remarks
8	9	10	11	12

Date. Signature of the employers with designation.