

3. Retaining allowance manner of payment.—All the sugar factories shall pay retaining allowance to each of their workmen for the off-season 1973 and subsequent off-seasons at the rate of 5 per cent of the basic wages and dearness allowances received by him during the previous crushing season in the manner as laid down below—

- (a) for the whole duration of the off-season, where the duration of the crushing has been one hundred and twenty days or more; or
- (b) for only four months of the off-season, where the duration of the crushing has been more than ninety days but less than one hundred and twenty days.

Note.—Duration of the season for the purpose of this Order shall be calculated on the basis of Tariff Commission Formula for cost calculation that is total number of crushing hours divided by 22.

4. Eligibility for retaining allowance.—(i) The above retaining allowance shall be paid to those unskilled seasonal workmen who have or would have worked but, for illness or any other unavoidable cause, in a factory during whole of the second-half of the last season preceding; provided that labour employed by or through contractors shall be excluded for purposes of this order.

(ii) The retaining allowance shall be paid only after the workman has worked for at least two months in the concerned factory in the next cane crushing season that is in the season immediately following the off-season in respect of which the retaining allowance is payable.

5. Revision of retaining allowance.—The percentage of 5 per cent of the previous crushing season wages and dearness allowances payable at retaining allowance to unskilled seasonal worker shall be revised only if the average duration of season for any continuous five seasons including the current season of 1971-72, taken together comes to or exceed 160 days for all the vacuum pan sugar factories of Uttar Pradesh.

6. Provision not to apply on new factories.—The provisions of this order shall not apply to new factories commencing crushing from 1971-72 or thereafter for a period of three seasons including the trial season.

7. Duration of the order.—This order shall remain in force for a period of five years in the first instance.

STANDING ORDERS COVERING THE CONDITION OF EMPLOYMENT OF WORKMEN IN VACUUM PAN SUGAR FACTORIES IN U. P.

A. Definitions—

In these Standing Orders unless there is anything repugnant in the subject or context :

1. "Workman" means any person (including an apprentice) employed by a factory to do any skilled or unskilled manual, supervisory, technical, or clerical work for hire or reward whether the terms of employment be express or implied, but does not include any such person :

- (i) who is employed mainly in a managerial or administrative capacity; or
- (ii) who, being employed in a supervisory capacity, draws wages exceeding five hundred rupees per mensem or exercises either by the nature of the duties attached to the office or by reason of the power vested in him, functions mainly of a managerial nature.

2. "Manager" means the manager of a factory or the acting manager for the time being or the secretary for the acting secretary for the time being or any other officer vested with authority regarding observance and execution of these Standing Orders.

3. "Management" means the managing director of a factory, the managing agent or managing agents, proprietor or proprietors, a partner or partners or such other person or persons or body or bodies, of persons having authority to manage the affairs of a factory.

4. "Masculine" includes the feminine except where specifically a distinction has been drawn.

5. "Season" means the period commencing from the date when the crushing commences till the date when crushing ends. Provided that for these departments which are not in operation when crushing begins and which continue in operation after crushing ends, the "season" so far as it affects the workmen in those departments shall commence with the date the department commences operation and shall end when the department ceases to be operated.

B. Classification of Workmen—

1. Workmen shall be classed as—

- (i) Permanent,
- (ii) Seasonal,
- (iii) Temporary,
- (iv) Probationers,
- (v) Apprentices, and
- (vi) Substitutes.

(1) A "permanent workman", is one who is engaged on work a permanent nature, lasting throughout the year and has completed his probationary period :

Provided that the workmen who are already permanent in terms of second proviso to Standing Orders (B) (i) (i) of the Standing Orders enforced under G. O. no. 2124 (ST) (iv)/XVIII, dated October 1, 1951, will *ipso facto* be covered by the above definition of "permanent workman".

(ii) A "seasonal workman" is one who is engaged only for the crushing season :

Provided that if he is a retainer, he shall be liable to be called on duty at any time in the off-season and if he refuses to join or does not join, he shall lose his lien as well as his retaining allowance. However, if he submits a satisfactory explanation of his not joining duty, he shall only lose his retaining allowance for the period of his absence.

(III) A "temporary workman" is one who is engaged for work of a temporary or casual nature or to fill in a temporary need of extra hands on permanent, seasonal or temporary posts.

(IV) A "probationer" is one who is provisionally employed for a period to be specified by the management at the time of employment to fill a permanent vacancy or a new post of permanent nature and who may be confirmed at the completion of that period, if his services are found satisfactory. The probationary period shall not exceed six months :

Provided that if no period of probation is specified by the management at the time of employment, the period of probation shall be deemed to be six months :

Provided further that if after the expiry of the probationary period on orders are passed by the management, the probationer shall be deemed to have been confirmed.

(V) An "apprentice" is a learner who may be given a nominal allowance during the course of his training, to be fixed by the management concerned. The period of his apprenticeship will be such as may be fixed in the scheme approved by Government.

(VI) A "substitute" is one who is employed in place of a permanent or seasonal workman who is temporarily absent on leave or otherwise.

2. (a) Every workman on enrolment shall sign the enrolment Form "A".

(b) At the time of taking appointment every monthly-rated workman will be given an Engagement Memo, in Form "B" and every daily-rated workman will be given Engagement Memo, as in Form "C".

(c) (i) Every permanent workman shall be given a permanent ticket as in Form "D".

(ii) Every seasonal workman will be given a ticket as in Form "E".

(iii) Every temporary workman will be given a ticket as in Form "F".

(iv) A probationer will be given a ticket as in Form "G".

(v) Every apprentice will be given a ticket as in Form "H".

(vi) Every substitute workman will be given a ticket as in Form "I".

(d) The ticket shall be surrendered by a workman at the time he ceases to be employed or if his classification is changed. Should a workman lose or at the time he ceases to be employed fail to deliver his ticket, he shall be liable to pay a sum of annas 2 for the cost thereof.

Comments

No discrimination can be made between work charged employees and regular employees as the work charged employees discharge the same duty and responsibility as the regular employees.¹

Equal pay for equal work must be paid to work charge employees or daily wages workers discharge the same duty and responsibility as the regular employees.²

1. *Jit Ram v. Punjab Mandi Board Chandigarh*, 1991(1) SLRP & H 111.

2. *Randhir Singh v. Union of India and another*, AIR 1982 SC 879; *P.K. Ramchandran Iyer and Iyer v. Union of India and others*, AIR 1984 SC 541.

C. Notices : Mode of Publicity—

All notices concerning workman shall be pasted on the Notice Board maintained for such purposes. A true copy of such notices shall also be kept in the Notice Register maintained for the purpose and one such copy shall be sent to the secretary of the registered Union of workmen.

D. Notification to workmen of periods and hours of work, holidays, pay days and shifts—

1. Periods and hours of work for all classes of workmen shall be pasted on the Notice Board of a factory.

2. Notice specifying the days observed by a factory as holidays and pay days shall be posted as required by the Factories Act, 1948, and the Payment of Wages Act, 1936, respectively.

3. (a) Every workman shall be given a wage slip as in Form "J". The wage slip shall contain the following information :

(1) Number of days worked.

(2) Total basic wages earned (distinction should be made between basic wage and dearness allowance wherever necessary).

(3) Other allowances (including overtime to be specified).

(4) Gross earnings.

(5) Deduction, if any.

(6) Net amounts payable.

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

(b) In cases where wages are distributed in the morning, wage slips shall be distributed to workmen not later than the middle of the duty previous to the day fixed for the distribution of wages and where wages are distributed in the afternoon, not later than the forenoon of the day on which the wages are distributed :

Provided that wage slips may be distributed at any time before the time fixed for payment to workmen other than permanent workmen.

(c) Any objections 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 at the time fixed.

(d) 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 paid to the workman at the time fixed for payment and if the objection is subsequently found correct, the balance payable to the workman concerned shall be paid within six days of the date of his objections :

Provided that where an objection has been registered and customs exists of taking 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.

4. Any wages due to a workman but not paid on the usual pay day on account of their being unclaimed shall be paid by a factory on such day fixed in each week for payment of unclaimed wages as may be notified to the workman and following the date on which a substantiated claim was

presented by the workman or on his behalf by his nominated representative or legal heir :

Provided that such claim is submitted within six months from the date on which the wages become due to the workman. If the workman is unable to present himself, the factory shall, if requested by him in writing to do so send his pay to him by money order at his cost :

Provided secondly that if any objection as to the correctness of the amount payable to a workman is made on his behalf by a nominated representative or legal heir it should be enquired into at once, to enable payment at the time fixed and if for any reason it is not possible to enquire into the objection before the time fixed for payment, the objection shall be registered and the amount shown payable to the workman shall be paid to his representative or legal heir at the time fixed for payment. If the objection is found correct the difference between the amount actually payable to the workman and that already paid shall be paid within six days of the date of his objection.

5. Shifts and hours of work for various categories of workmen shall be regulated in accordance with the provisions of the Factories Act, 1948 and shall be notified from time to time. If, however, there are any collective agreement or wards for regulating shifts working they shall be adhered to in so far as they are not inconsistent with the Factories Act, 1948.

E. Closure or Re-opening of a Factory or a Department or a Section of Department of a Factory :

Notice for closure and re-opening.—As far as possible, a notice will be given in advance of the approximate date of closure or re-opening of a factory or any department or section of a department or a factory except as provided in Standing Order J(1).

Notice of commencement of the season.—The Manager shall intimate in writing the date of commencement of the crushing season of a factory to the Labour Commissioner, the Regional Conciliation Officer of the area and to all registered trade unions of its workmen and also publish the date in the local newspapers. A copy of the general notice shall be pasted on the Notice Board. Intimation will be given by the management to each individual workman by registered post at least ten days in advance informing him of the date on which he has to report himself for duty. Such intimation may be sent through messenger to workmen available locally and an acknowledgement obtained from them in the peon book. In case the workman does not join his duties within seven days of the date notified to him he shall lose his lien on the appointment.

F. Attendance and late coming—

1. All workmen shall be at work at the time fixed and notified to them. Any workman attending late shall be liable to be shut out and treated as absent.

In case of late attendance in the first meeting, a workman, if reporting for duty after 10 minutes may be shut out and treated as absent but only for the particular half day for which he could not take up his job punctually. In the second meeting he shall not be shut out but shall work

and get his wages for the half day if no substitute has been appointed in his place for the whole day.

9. The wages of a workman absent during the working hours shall be liable to be deducted in accordance with the provisions of the Payment of Wages Act, 1936.

Comments

The management has the power to deduct wages for absence from duty when the absence is concerted action on the part of the employees and the absence, is not disputed whether the deductions from the wages will be pro rate for the period of absence only or will be for a larger period will depend upon the facts of each case such as whether there was any work to be done in the said period, whether the work was in fact done and whether it was accepted and acquiesced in etc.

Employees must attend the place of work. They must put in the work allotted to them. It is for the work not for their mere attendance that the wages/salaries are paid. Held that if the employee put in the allotted work but do not do for some reasons may be ever as a protest comply with the formalities such as signing the attendance register no deduction can be effected from the wages when there is a dispute as to whether the employees attended the place of work or put in the allotted work or not, and if they have not, the reasons therefor etc., the dispute has to be investigated by holding an enquiry into the matter. In such cases, no deduction from the wages can be made without establishing the omission and commission on the part of the employees concerned.

Where the services of work charged employees are regularised, they become public servants and as such are entitled for pensionary benefits including gratuity.¹

In 1990(4) SLR SC 248, the Supreme Court held that go slow is serious misconduct being a covert and a mere damaging breach of the contract of the employment. It is an insidious method of undermining discipline and at the same time a crude device to defy the norms of work. The standing orders define it as a misconduct and provide for a disciplinary action for it. Once it is proved these guilty of it have to face the consequences which may include deductions of wages and even dismissal from services.

In *Prakash Chandra Johri v. Indian Overseas Bank and another*, 1986(11) LLJ 496, have variously taken the view that it is not, only permissible for the employer to deduct wages for the hours or the days for which the employees are absent from duty, but in the cases such as present it is permissible to deduct wages for the whole day even if the absence is for the few hours. It was further held that deduction of wages in such cases is not a penalty but is in enforcement of the contract of employment and hence no disciplinary proceedings need precede it.

In 1991(1) SLR CAT Bangalore 299, it was held that half an hour given in each shift not to be included in the total working hours.

1. *Hari Krishna v. State of Haryana*, 1990(6) SLR P&H 516 : 1989(1) SLR P&H 642.

The Daily wages employees are not regular employees, they cannot claim to remain in employment when the work for which they are employed ceases to exist or they do not actually do the work or job that being so it cannot be said that employees or the contingency staff are employed in a civil service. It may also be said that no permanent civil posts for such staff exist. Hence they may not be said to be Government servants. The wages of the daily wages employees are not paid from the establishment budget but are paid from the contingency fund. Contingency staff are employed not in regular employment but employment merely incidental to an office for the period during which they have actually worked.

Services of seasonal employees may be terminated at any time.¹

G. Leave Conditions, Procedure and Authority to Grant—

1. *Leave.*—(1) All vacuum-pan sugar factories of the State shall give the following leave to their workmen other than those governed by the U. P. Shops and Commercial Establishments Act, 1947—

(a) Leave admissible under the Factories Act, 1918,

(b) Casual and sickness leave as detailed below :

Permanent Workmen

Casual leave	6 days in a year
Sickness leave	10 days in a year.

Seasonal Workmen

Casual Leave.—To be calculated at the rate of half day for every month of the crushing season during which a workman is on the rolls of the factory. A period exceeding 15 days in any month shall be counted as full month for this purpose.

Sickness Leave.—To be calculated at the rate of half day for every month of the crushing season during which he is on the rolls of the factory. A period exceeding 15 days in any month shall be counted as full month for this purpose.

Explanation.—For the purpose of this sub-clause "month" means period of 30 days commencing from the date the crushing starts in the factory.

(2) A workman may be allowed to prefix or suffix holidays and weekly rest days to his casual leave, provided that if he desires to go out of station during such leave he shall intimate, in the relevant leave application, the date of leaving and returning to the station.

(3) The leave allowed under sub-clause (1) shall be treated as the minimum to be allowed by each sugar factory. If the leave other than festival holidays, weekly rest days and leave with wages under the Factories Act, allowed by a factory exceeds 16 days in a year, such factory will not be required to grant any additional leave by way of casual leave or sickness leave as provided in sub-clause (1) such factory will, however, not curtail the leave which it is already granting to its workmen.

1. 1991 ACJ 66; *Sahkari Ganna Vikas Samiti Ltd. v. The Presiding Officer Labour Court and another*, 1991 ACJ 46 : 1975 All 8 : 1969 SCR 6 : AIR 1972 SC 1481 : AIR 1975 SC 536 : AIR 1975 SC 1689.

(4) The casual and sickness leave shall not be carried over to the next year nor shall the workmen be entitled to any wages in lieu of unavailed sickness leave. Application for sickness leave will not be rejected if it is made in accordance with the provisions of these Standing Orders.

(5) Seasonal workmen who are required to work in the season, will be allowed proportionate benefits of sickness and casual leave for the period of their employment in the off-season to the same extent as admissible to them in the crushing season.

Explanation.—If any factory was, prior to November 13, 1957, granting leave with wages in excess of what is prescribed in the Factories Act, such leave shall be adjustable towards the quantum of sick and casual leave allowed under this clause :

Provided that the employees shall not curtail any excess leave under the Factories Act after adjustment of sick and casual leave, nor shall they curtail the weekly rest days, festival holidays or any other leave which is in excess of the leave admissible under the Factories Act and the Standing Orders."

2. (a) Those classes of workmen of vacuum-pan sugar factories to whom the provisions of the Factories Act, 1948 do not apply shall get leave according to the U. P. Shops and Commercial Establishments Act, 1947.

(b) Notwithstanding anything contained in sub-clause (a) :

(i) the workmen who may have put in less than six months service shall be given sickness leave in proportion to the length of service put in by them;

(ii) if any factory was prior to November 13, 1957, granting leave with wages in excess of what is provided in the U. P. Shops and Commercial Establishments Act, 1947, such leave shall continue to be granted to the workmen : so however, that it shall first be adjusted towards the ordinary sickness and casual leave referred to in Section 13 of the said Act and the excess, if any shall be counted and granted in the same form and manner as obtaining prior to November 13, 1957 and is no specific form or manner was obtained then as ordinary leave; and

(iii) the workmen employed as cooks, Malls, Sweepers, Bhittis, bearers or Mashalchis, exclusively posted at the Officers' Bungalows or Guest Houses of sugar factories shall be given 30 days' consolidated leave in a year in lieu of sickness, privilege and casual leave and festival holiday :

Provided that if any of the workmen of these categories were getting better facilities prior to November 13, 1957, in this regard, such facilities shall not be curtailed.

3. Any workman who desires to obtain leave of absence shall apply through his Head of the Department to the Manager or to any such officer appointed for the purpose by the Manager, whose name shall be duly notified on the notice board.

4. If the leave sanctioned to a workman is within the period of leave with pay admissible to him the leave will be treated as leave with pay

otherwise the management may grant leave with or without pay at their discretion.

5. Grant of leave during the season shall depend on the exigencies of work and shall be at the discretion of the Manager.

6. Application for leave for more than three days will be made at least 15 days before the commencement of the leave. Applications for leave for less than three days must be made at least 24 hours before the commencement of the leave :

Provided that the above limits for making applications will not apply when the leave is required on medical grounds or due to death or serious illness in the family or grave domestic complications or any other urgent matter, in which case the applications for leave may be made on the same day.

7. All such applications, except in case of emergencies, should be made during office hours and in Form 'K'. If a workman so chooses, he may send his application for leave by registered post or through registered trade union of which he is a member and the trade union will send it to the Manager through its peon book and obtain an acknowledgment.

8. If the leave applied for is of an urgent nature, i.e., it is to commence on the date of the application or within three days thereof, the application for such leave shall be considered without any delay, and the orders passed thereon will be communicated to the person presenting the application. If the leave asked for is granted, a leave pass in Form 'L' shall be issued to the workman. In case an application for such leave for more than three days is sent through the registered trade union or by registered post is not acknowledged by the Management or no orders are communicated to the applicant or the union at least 24 hours before commencement of the leave, it would be presumed that the leave has been granted.

9. A record of leave showing leave due, leave sanctioned, absence without leave, etc., shall be maintained in accordance with the provisions of the rules framed under Section 83 of the Factories Act, 1948.

10. If a workman desires an extension of the period of his leave, he shall make an application in writing to the Manager before the period of his originally sanctioned leave expires and the Manager before the period of his originally sanctioned leave expires and the Manager shall immediately on receipt of such application, inform the workman in writing by registered post, at the address recorded by him, whether the extension or leave applied for has been sanctioned, and if so, for what period, or whether the extension applied for has not been sanctioned. However, an extension of leave shall be granted only on medical grounds or in cases of death in the family or any other urgent ground :

Provided that if extension is asked for by a workman on the ground of his illness or illness of any of his family members the workman shall if so required by the Manager by a notice in writing, submit a medical certificate signed by a registered medical practitioner, Vaidya or Hakim,

stating the cause of absence and the period for which the worker is, in the opinion of such medical practitioner, Vaidya or Hakim, unable to attend to his work.

In cases where a medical certificate given by an outside medical practitioner is considered to be doubtful by the Manager, the workman who is sick may be required to appear, or whether the application for leave has been made on the ground of sickness of a family member, the workman may be required to produce that family member, for medical examination before the medical officer of the factory, provided that workman or the family member concerned is living in the factory quarter.

Where a workman, while on leave, is not occupying a factory quarter and desires extension of leave on medical grounds which is supported by a medical certificate from a registered medical practitioner, Vaidya or Hakim, the Manager may, at his discretion require such workman to appear, or where the application for leave has been made on the ground of sickness of any family member, to produce that family member, for medical examination at the nearest Civil Dispensary at the factory's expense :

Provided also that if a workman proceeds on sickness/privilege/ordinary leave and applies for extension of leave on the ground of sickness, the extended period will be debited to the sickness leave, if available otherwise to privilege/ordinary leave.

11. The application for extension of leave shall be made by a workman sufficiently in advance by registered post so that reply may reach him before the date of expiry of the period of leave. In case the application for extension of leave has not been made by the workman sufficiently in advance and it is not possible for the management to grant him leave or inform him of their decision in time the period between the termination of leave and the receipt of the reply to his application by the workman shall be treated as leave without pay unless the management is satisfied that the delay in the application was due to some unavoidable reasons.

12. If a workman remains absent beyond the period of leave originally granted or subsequently extended, he shall be liable for dismissal but his name shall be kept on the substitute list :

Provided that no order of dismissal shall be passed if the workman returns within seven days from the expiration of his leave or extended leave, as the case may be, and shows to the satisfaction of the employer sufficient cause for his absence :

Provided also that no order of dismissal shall be passed unless, on a proper enquiry being made by the Manager, he is satisfied that sufficient grounds for the workman's absence without leave did not exist.

13. A workman who has not availed of the privilege or casual leave accruing to him during crushing season shall get wages in lieu of such unavailed period of leave. For the privilege and casual leave according to a workman during the off-season, he shall get wage in lieu of such leave only if it is refused by the management :

Provided that if a workman so desires the period of his unavailed leave shall be carried forward in accordance with the provisions of Section 79(5) of the Factories Act, 1948.

H. Holidays : Procedure and Authority to grant—

Workmen shall be allowed the following festival holidays with wages in each calendar year :

Republic Day	1 day.
Holi	2 days.
Independence Day	1 day.
Nag Panchami	1 day.
Raksha Bandhan	1 day.
Janma Ashtami	1 day.
Mahatma Gandhi's Birthday	1 day.
Dashchra	4 days.
Dewali	2 days.
Kartik Ashnan	1 day.
Guru Nanak's Birthday	1 day.
Id	1 day.
Moharram	1 day.

The Raza Buland Sugar Company Limited, district Rampur shall allow the following festival holidays with wages to its workmen instead of Kartik Ashnan and Nag Panchmi :

Alvida or Barawafat whichever falls in the off-season	1 day.
Id-ul-Zuha.	1 day.

In addition, the management shall allow such number of other holidays as may be necessary to make up the total number of holidays equal to the number of holidays granted by a factory to its workmen in the calendar year 1947 :

Provided that the total number of holidays during the crushing season shall not be less than the number of holidays allowed in 1947 :

Provided secondly, that if owing to exigencies of work the management is unable to give leave on one of the holidays, the workmen will be entitled to overtime wages for the day.:

Provided thirdly, that if Moharram and Id holidays fall during the crushing season, a factory may treat these holidays as sectional holidays for Muslims only :

Provided fourthly, that if holidays falls on a rest day, additional payment of one day's wages be made to the workmen.

A list of holidays admissible under this Standing Order indicating the dates on which each holiday will be observed, shall be prepared by the management before the close of the preceding calendar year in consultation with the registered trade unions and/or the Regional Conciliation Officer of the area concerned and shall be pasted on the notice board of the factory for the information of workmen.

Explanation.—'Wage' for purposes of this Standing Orders means the consolidated wage, exclusive of any overtime earnings and bonus. Wages

payable to workers for any particular day should be calculated on the basis of the number of days in a calendar month.

1. Liability to search and entry into premises by main gates—

1. No workmen shall enter or leave the factory premises except by the gate or gates provided for the purpose.

2. If any workman is in possession of any articles which he desires to carry with him during the working hours, he shall show them and get them marked by the gate-keeper or a clerk when entering the factory.

3. All male workmen shall be liable on leaving the factory premises to be searched by the gateman and all female workmen shall be liable to be detained by the gateman for search by the female searcher, if he suspects that any workman who is so detained is in wrongful possession of the property belonging to the factory. No search shall be made except in the presence of two other persons of the same sex as the suspected workman. The gateman will offer himself for search before making the search.

J. Temporary stoppage of work and playing-off workmen for Technical or Trade reasons—

1. The management of a factory may at any time or times in the event of a fire catastrophe, breakdown of machinery or stoppage of the power supply, epidemic, riot, civil commotion or shortage of raw materials or any other cause beyond the control of the management, stop any machine or machines or department or departments wholly or partially for any period or periods without notice. In the event of a stoppage of any machine or department under this order during working hours, the workman affected shall be notified by a notice put upon the notice board as soon as practicable as to when the work will be resumed and whether they are to remain or leave the factory.

2. Any workman played-off under the above order shall be considered as temporarily unemployed and the question of compensation wages for the period of such unemployment will be determined by the State Government. Whenever practicable a reasonable notice of resumption of normal working shall be given and all workmen played off under the above order, who present themselves for work within three days of resumption of normal working shall be given work.

3. The management of a factory may in the event of a strike affecting either wholly or partially any one or more departments of the factory close down either wholly or partially such department or departments and any of the department or departments affected by such closing down and for any period or periods. The fact of such closure shall be notified by a notice put upon the notice board as soon as practicable. The workmen concerned shall also be notified by a general notice, prior to the resumption of work, as to when work will be resumed.

4. The managers shall have the authority to play-off workmen by an immediate notice if he feels that stoppage which might be due to the strike or certain breakdown, will be of an appreciable duration.

5. After the close of a season the management may send the permanent workmen on compulsory leave for a period not exceeding two months if the season was of less than 90 days' duration :

Provided that in exceptional circumstances beyond the control of the management, e.g., breakage of machinery, disease in sugarcane and abnormally short season due to short supplies of cane, etc., the aforesaid period of compulsory leave may, with the express previous written permission of the Labour Commissioner, U. P. previously obtained, be extended by the management up to a maximum of six months :

Provided further that during the period of compulsory leave the workmen concerned shall not be asked to vacate the quarters or deposit the materials supplied to them by the factory for private use and if any house rent was paid to any workman in lieu of quarters, he will continue to receive it :

Provided further that during the period of compulsory leave the workmen concerned shall be entitled to fifty per cent of their consolidated wages. In addition, every workman living beyond ten miles of the factory will be entitled to single fare from the factory to the place of his residence going on compulsory leave and also for returning to the factory for resuming work. The fare will be given according to the class to which the workman concerned belongs in accordance with the rules of the factory, and shall be paid within one month of the expiry of the period of compulsory leave.

At least a week's written notice shall be given to the workmen concerned before sending them on compulsory leave. In such notice the names of the workmen to proceed on compulsory leave and the dates of its commencement and termination shall be specified. In sending the workmen on compulsory leave, the junior most shall first be sent. The management may make exceptions to this on grounds of efficiency by recording their reasons in writing.

To every workman sent on compulsory leave, a guarantee shall be given by mentioning in the notice that he will be re-employed if he returns on the termination of such leave. If for unavoidable reasons, he is unable to resume duties on the date fixed, he shall send a prior intimation to the factory by a registered letter or telegram. For any good cause shown, the sending of such prior intimation may be waived by the management. In no case shall an order of dismissal of a workman be passed by the management before the expiry of one week from the date ordered for resumption of duty, after the compulsory leave.

Explanation.—A season will be deemed to be "abnormally short" if crushing operations in a factory last for less than eighty per cent of the standard number of days crushing assumed and/or announced by Government or by any other statutory authority before the start of the season.

K. Special conditions governing employment of seasonal workmen—

1. A seasonal workman who has worked or, but for illness or any other unavoidable cause, would have worked under a factory during the whole of the second half of the last preceding season will be employed by the factory in the current season.

Explanation.—Unauthorised absence during the second half of the last preceding season of a workman has not been validly dismissed

under these Standing Orders and of a workman who has been re-employed by the management in the current season, shall be deemed to have been condoned by the management.

2. Every seasonal workman who worked during the last season will be put on his old job whether he was in the "R" shift or in any of the usual shifts.

However, if the exigencies of work so require, the management may transfer a workman from one job to another or from one shift to another, including the "R" shift, so however, that the number of workmen so transferred does not exceed five per cent of total number of the employees of the factory and that the wages and status of such workmen is not affected in any way.

3. Where owing to trade reasons or other reasons necessary for a *bona fide* lay-off, as given in Standing Order J, it becomes necessary for a factory so to do, it may discharge seasonal workmen before the close of the season with the previous permission of the State Labour Commissioner, or if he so directs, of a Deputy Labour Commissioner or the Regional Assistant Labour Commissioner of the area and after paying such compensation to the discharged workmen, as may be determined by the authority granting the permission.

1. Termination of Employment—

1. The employment of a workman permanent or seasonal, may be terminated in the following cases;

- (a) Genuine retrenchment;
- (b) Infirmary and disability;
- (c) Misconduct :

Provided that before terminating the services of a seasonal workman on grounds (a) and (b) the management shall give 15 days' notice of their intention to do so during the season. It shall not be permissible to give such a notice till 15 days after the commencement of the season and during that period the workman concerned shall have the right to represent his case to the State Labour Commissioner. The aforesaid notice shall then remain in suspense pending final decision in the matter by the State Labour Commissioner, or if, he so directs by the Additional Labour Commissioner :

Provided also that the provision regarding retrenchment on grounds (a) and (b) laid down in the preceding proviso shall not apply to permanent workmen who will be governed in the matter of retrenchment by the Industrial Disputes (Amendment) Act, 1953.

Note.—No new hand shall be employed on a retrenched post.

2. A seasonal or permanent workman desirous of leaving the factory's service shall give seven days' and fifteen days' notice, respectively in writing to the Manager. The wages due to such workman shall be paid on the day the notice expires and in any case, within two days of the expiry of the notice.

3. No notice will be necessary for termination of services, of temporary/ casual workman at the end of the period for which he was engaged.

4. The reasons for the termination of service shall be given by the Manager in the notice referred to in the first proviso to clause 1 above.

5. Unless he has qualified for getting notice under Section 6-N of the U. P. Industrial Disputes Act, 1947, the employment of a probationer, substitute, temporary or apprentice workman may be terminated by the Manager without any notice or any payment in lieu of notice.

6. Where the employment of a workman is terminated by the management, the wages earned by him shall be paid before the expiry of the working day following the day on which his employment was terminated, in accordance with the provisions of the Payment of Wages Act, 1936, subject to the provisions made under sub-clause (8) of this Standing Order.

7. A probationer, substitute, temporary or apprentice workman may leave the service of the factory without notice. The wages due to such workman shall be paid within two days of a demand being made.

8. In all cases of discharge or resignations or dismissal, the workman shall have to get his clearance slip from the department or departments concerned, testifying that nothing belonging to the factory is due on him. In case of a workman failing to return any of the property belonging to the factory which has been lent to him or issued in his name the cost of such article shall be deducted from his wages, as provided in the Payment of Wages Act, 1936.

9. If the termination of a workman's service is the subject-matter of an Industrial dispute he shall be allowed to live in the factory quarter allotted to him till the dispute is finally decided.

Short Notes

If a Government servant conducts himself in a way not consistent with due faithful discharge of duty in service it is misconduct. Misconduct means misconduct arising from ill motive. Acts of negligence, errors judgment or innocent mistakes do not constitute misconduct.

LL. Retirement of workman on reaching the age of superannuation

1. A workman may be retired from service on reaching the age of superannuation which shall be 58 years.

2. The Provident Fund record of the factory specifying the workman's age should to begin with, be taken as the reliable record of the age of a workman for purposes of retirement.

3. This record of age will stand modified as may be warranted by the following :

- (a) Date of birth as given in the school leaving certificate or the High School Certificate.
- (b) Date of birth as certified by a Municipal Board, a Cantonment Board, a Notified Area or a Town Area Committee.
- (c) An Insurance policy taken before November 1, 1960.
- (d) Junior High School (VIII Class) Certificate (to be applicable in the case of future entrants only) :

Provided that—

- (i) Where the date, month and the year of birth of a workman are recorded in Provident Fund records, the date of birth as given in the Provident Fund records shall be taken as final;
- (ii) Where only the month and year of birth are given the date will be taken as the first of the month; and
- (iii) Where the Provident Fund record of the workman does not specify the date or month of birth in that case the 1st November of the year shall be deemed to be the date of retirement.

4. The management shall give at least one month's notice to a workman before retiring him and during this period the workman shall have the right to represent to the Labour Commissioner, U. P. Kanpur. Such representation shall normally be disposed of within a period of six weeks of the date of receipt of representation from the workman and the orders passed by the Labour Commissioner, U. P. regarding the question of age of the workman shall be final and shall not be questioned by any party before any Court. In case the Labour Commissioner, U. P., allows the representation, the employers, shall reinstate the workman immediately on receipt of the said orders and also pay to him full wages for the period of involuntary unemployment.

5. In the event of a workman retiring during the off-season he shall be paid retaining allowance up to the date of retirement.

N. B.—The factory and the union(s) concerned are free to settle question of rectification of age by mutual negotiations.

M. Suspension or dismissal for misconduct pending enquiry into alleged misconduct and acts or omissions which constitute misconduct—

1. The following acts or omissions shall be treated as misconduct :

- (a) Willful insubordination or disobedience whether alone or in combination with others of any lawful and reasonable order of the superior.
- (b) Unjustifiably striking work either singly or with others or inciting others to do the same.
- (c) Theft, fraud or dishonesty in connection with the factory's business or property or the property belonging to workmen, cane growers and the factory contractors.
- (d) Taking or giving bribes or any illegal gratifications whatsoever.
- (e) Habitual absence without leave.
- (f) Habitual late attendance.
- (g) The collection or canvassing for the collection of any moneys for purposes not authorised by the Manager within the factory premises.
- (h) Habitual breach of any provision of these Standing Orders.
- (i) Engaging in trade within the factory premises.
- (j) Drunkenness or gambling or riotous disorderly behaviour in factory premises.

- (k) Gross or habitual negligence or neglect of work.
- (l) Frequent repetition of any act or omission for which fine may be imposed under the Payment of Wages Act, 1936.
- (m) Smoking in the factory premises in places where smoking is prohibited.
- (n) Wilful damage to work in process or to any other property of the factory.
- (o) Failure to observe safety regulations contained in the Schedule and other safety instructions, unauthorised removal, interference with or damage to machinery guards, fencing, and other safety devices installed in the factory.
- (p) Distributing or exhibiting inside the factory premises any newspapers, handbills, pamphlets or posters without the previous sanction of the Manager.
- (q) Refusal to work on another machine of the same type or work of sanction of the Manager.
- (r) Holding meetings inside the factory premises without the previous sanction of the Manager.
- (s) Disclosing to any unauthorised person or persons any information in regard to the working or process of the factory which comes into the possession of a workman during the course of work the disclosure of which causes or is likely to cause harm to the business or reputation of the factory.
- (t) Sleeping whilst on duty.
- (u) Malingering or deliberate delaying of production.
- (v) Not reporting to the factory doctor of the contagious diseases, particularly venereal diseases from which any workman might be suffering.
- (w) Threatening or intimidating any workman or other employee of the factory within its premises.
- (x) Any act subversive of discipline :

Provided that no act or omission covered under sub-clauses (g), (p) and (r), above will constitute, a misconduct if it is in accordance with any existing practice.

2. Any workman who is found by the Manager/ Management after proper enquiry to be guilty of misconduct will be liable to be dismissed subject to the provision of clause M (4) or alternatively to be suspended for a period not exceeding seven days.

3. The order of suspension shall be in writing and may take effect immediately on communication thereof to the workman concerned. Such order shall set out in detail the alleged misconduct and the workman shall be given an opportunity of explaining the charge alleged against him. If, on enquiry the order is confirmed or modified the workman shall be deemed to be absent from duty for the period of suspension and shall not be entitled to any remuneration for such period. If, however, the order is rescinded, the workman shall be deemed

to be on duty during the full period of suspension and shall be entitled to the same wages as he would have received if he had not been suspended.

4. No order of dismissal shall be made unless the workman concerned is informed of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him and a proper enquiry has been made by the manager. The workman concerned may require an officer of the union to represent his case in such enquiry.

5. In awarding punishment under this Standing Order, the Manager shall take into account the gravity of the misconduct and the previous record, if any, of the workman and any other extenuating or aggravating circumstances that may exist.

6. All orders of dismissal shall be made in writing and shall contain full reasons in support of findings.

7. A workman may be fined or alternatively given a censure or warning notice if found guilty of any of the undernoted act or omissions, but the offence, if habitual, shall be treated as misconduct in which case the workman shall be liable to be dismissed or alternatively to be suspended for a period not exceeding seven days :

- (a) Late attendance or absence from duty without leave or without sufficient cause.
- (b) Neglect of work.
- (c) Entering or leaving the factory premises except by the gates provided for the purpose.
- (d) Absence without leave or without sufficient cause from appointed place of work or machine.
- (e) Breach of any rules or instructions for the maintenance and running of any department and maintaining cleanliness.
- (f) Expecterating or otherwise committing a nuisance in the factory premises.
- (g) Failure to wear tight-fitting clothing whenever required.
- (h) Chewing of sugarcane, drinking sugar juices, syrups, molasses, massecuits and eating factory sugar and products during working hours as also using of factory sugar or products for preparing tea beverages or eatables, etc., in the factory premises.

8. No fines shall be imposed except in accordance with the provisions of the Payment of Wages Act, 1936 and by an officer authorised to impose fines under the said Act.

9. No fines shall be imposed unless the workman concerned has been given an opportunity of explaining the act or omission alleged against him in accordance with the provisions of Payment of Wages Act, 1936.

10. All fines realized shall be credited to a special "fines fund" and shall be utilized only for purposes beneficial to the workman of the factory, approved under the Payment of Wages Act, 1936.

11. Censure or warning notices shall be in writing and shall only be issued by the Manager or an officer whose name shall have been duly

notified by the management through a notice posted on notice-board and only after the workman concerned is being given an opportunity of explaining the act or omission alleged against him.

12. If misconduct is alleged against a workman the manager, may, pending the enquiry, summarily suspend such workman for a period which shall not ordinarily exceed ten days unless, for reasons to be recorded in writing, the Manager considers suspension for a longer period necessary :

Provided that if the suspension is extended beyond a period of ten days the workman suspended shall be entitled to receive from the employers suspension allowance equal to 50 per cent of the normal wages for the period extending beyond 10 days :

Provided further that where the period of suspension is extended beyond ten days at the written request of the workman he will not be entitled to any suspension allowance for such period :

Provided always that the workman shall be paid full wages for the suspension period in the event of the alleged misconduct not being proved.

N. Means of redress for workman against unfair treatment or wrongful exaction on the part of the management—

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 or on his behalf by a registered Union, of which he is a member, to the Manager or such other officer or officers as may be appointed in this behalf by the management by a notice pasted on the notice-board. The Manager or such other officer or officers shall personally investigate the complaint at such times and places as he or they may fix and the complainant workman (or the registered Union of which he is a member) shall have the right to be present at such investigation. Where the complainant alleges unfair treatment or wrongful exaction on the part of his employer or his agent or servant, a copy of the orders finally made shall be supplied to the complainant. In other cases the decision of the investigating officer and the action, if any, taken by him shall be intimated to the complainant :

Provided that complaints relating to (a) assault or abused, by any person holding a supervisory position or (b) refusal of an application for urgent leave shall be enquired into without avoidable delay by the Manager or such other officer, or officers as he may appoint.

O. Decision of Manager to be final subject to Right of Appeal—

The decision of the Manager on any question arising out of in connection with or incidental to these orders, shall be final, provided that the workman aggrieved by the Manager's decision shall have the right of appeal within seven days of the Manager's decision to the Management, who shall pass orders on the appeal within twenty-one days of its being made. This does not preclude the workman from seeking redress through the machinery set up by Government for the purpose.

P. Power to make Bye-laws—

1. Except to the extent of making bye-laws or rules not inconsistent with these Standing Orders for the maintenance or running of departments or for maintaining cleanliness a factory will not rescind, add to or otherwise alter these Standing Orders without the previous written consent of the Government of Uttar Pradesh.

2. All bye-laws or rules made by a factory under these Standing Orders shall be pasted on the notice-board and copies thereof shall be sent to the State Labour Commissioner and the Secretary to Government, Uttar Pradesh Labour Department.

Q. Copy of Standing Orders to be pasted on the Notice Board—

1. A copy of these orders in English and in Hindi shall be pasted on the Notice Board.

2. In case of any doubts regarding interpretation, the English version of these orders shall be taken to be authoritative.

R. Procedure regarding Notices—

All notices required to be pasted under these Standing Orders shall be in English and Hindi and shall be kept in legible and clean condition and copies thereof shall be sent to the Labour Commissioner, U.P., Kanpur.

S. Issue of Service Book—

A service book as prescribed under these Standing Orders shall be maintained by the Management for every permanent workman and seasonal workman in which will be recorded the particulars of workman concerned, the date of commencement of service, promotions, appointments warnings, the workman's next of kin, rate of pay and grade.

A copy of the service book shall be issued to the workman concerned and it shall be the duty of such workman to deposit the copy of his service book with the Time-keeper in the first week of every month to have each and every entry made in the original entered in the copy supplied to him at the time of signing the original. The Time-keeper shall return the said copy to the workman after completing the entries within one week of its being deposited and within a fortnight from the receipt of his service-book, the workman should file his objection if any, against entries made therein.

This book must be signed by the workman concerned or marked with his left thumb-impression certifying that he accepts the condition of employment contained in these Standing Orders of the factory.

In the event of the copy of such service book being lost by the workman concerned, he will have to pay a sum of annas eight for the price of the new copy to be supplied to him.

Short Notes

In the absence of original record entry in the service book which is officially maintained can be acted upon.¹

1. 1989(3) SLRP & H 269.

T. Issue of Service Certificate—

Every permanent and seasonal workman shall be entitled to service certificate as given in Form "O" at the time of his leaving service.

U. Continuance of Existing Facilities—

No workman shall get less than Rs. 55 per month as his wage or any other statutory minimum wage fixed by the Government from time to time.

A factory shall also continue to give every workman all the existing facilities allowance and concessions in addition to the wages payable to him :

Provided that nothing in these Standing Orders shall be deemed to apply to an apprentice.

V. Reporting of injury—

A workman should inform immediately the Time-keeper and officer incharge of section any injury sustained by him while on duty and then it will be the duty of the Time-keeper to report it to the authority concerned of the factory.

W. Failure on the part of a workman to observe or perform—

Any of the terms and conditions of the agreement entered into by him with the management of the factory under rule 3 (VI) of the Rules regulating the use of the buildings financed out of the Housing Account of Fund for Labour employed in the U. P. Sugar and Power Alcohol Industries will entitle the owner of the factory to evict him from his quarter and to recover the rent due from his wages in the manner prescribed under the U. P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950.

In case of dispute with the owner of the factory the decision of the Housing Board shall be final and binding on both the parties.

THE SCHEDULE

[See Standing Order M(G)]

Safety Regulations

1. Workmen are required to observe strictly the Safety Regulations of the factory. Any workman who is found to be wilfully disregarding these and/or taking unnecessary risk which might involve personal danger, or danger to others, or damage to plant, buildings, etc., will be liable to dismissal.

2. All cases of injury or illness arising out of, or in the course of employment, must be reported at once to the Time-keeper or the factory Doctor.

3. Machinery, on getting out of order shall be immediately stopped by the workman incharge of such machinery, who shall report the circumstances at once to his superior.

4. Except in the fulfilment of their duties, workman shall not interfere with anything in the factory such as railway lines and points, buildings or their fittings, plants, machinery, tools, implements, stores,

materials, etc., in any stage of use or manufacture nor shall they operate or assist to operate without authority machines other than their own. No unauthorised person shall interfere in any way with the electrical plant or connections.

5. Machinery shall not be cleaned when in motion. No guard or fences shall be removed from any machinery in motion. Guard and fences when removed for any purpose must, in every case be replaced before the machinery is started.

NOTIFICATION

**Notl. No. 1610/XXXVI-2-310(SM)-92, dated July 26, 1994,
published in the U. P. Gazette, Extra, Part 4,
Section (kha), dated 29th July, 1994.**

Whereas various workers associations operating in the sugar industry in the Uttar Pradesh have been consistently pressing for their demands including increase in wages, dearness allowance etc. ;

And whereas a State Labour Tripartite Conference (Sugar Industry) was held at Lucknow on June 7, 1994 under the Chairmanship of the Hon'ble Minister for Urban Development, Uttar Pradesh representing the Hon'ble Chief Minister/Minister for Labour, Uttar Pradesh, in which demands of increase in wages, variable dearness allowance, payment of interim relief etc., were considered;

And whereas after detailed deliberations between the parties, a consensus was reached with regard to the issue of variable dearness allowance and with regard to the rest issues both the parties unanimously agreed to refer than the arbitration of the Hon'ble Minister for Urban Development, Uttar Pradesh and to be bound by his decision;

And whereas after consultation with the representatives of employers and workmen, the Hon'ble Minister for Urban Development, Uttar Pradesh gave his verdict;

And whereas it is the opinion of the State Government, it is necessary to implement the decision taken by the parties themselves as well as the verdict of the Hon'ble Minister for Urban Development, Uttar Pradesh for securing the public convenience and the maintenance of public order and supplies and services essential to the life of the community and for maintaining employment;

Now, therefore, in exercise of the powers under Clause (b) of Section 3 of the Uttar Pradesh Industrial Disputes Act, 1947 (U. P. Act No. 28 of 1947), the Governor is pleased to make the following order and to direct with reference to Section 19 of said Act that notice of this order shall be given by publication in the official Gazette.

ORDER

1. All Vacuum Pan Sugar Factories in the State shall pay a lump-sum of Rs. 900 to all their regular workmen and Rs. 600 to all their seasonal workmen as an interim relief with effect from 1st October, 1993 to March 31, 1994.

Name of Factory.....
Number.....

FORM 'A'
Enrolment Form
[Standing Order B-2 (a)]

Serial no.....
Name.....Father's name.....
Caste.....age.....years.....
Months.....Education.....
Home address : Village.....Thana.....
P.O.....District.....
Local address : House No.....Room No.....
Name of House owner.....
Road.....Mohalla.....
present employment (if employed).....
Previous employment.....

Name of employer	Address	Duration	Capacity	Reason for leaving
1.				
2.				
3.				
4.				

Post desired.....
Other Posts he can fill.....
References.....

Name	Father's name	Department	Capacity	Ticket No.
1. Factory's Workman				

Name	Father's name	Address	Occupation
2. Outsider			
3. Do			

Signature or left thumb-impression of witness.

Date.....Signature or left thumb-impression of Applicant.....

Ison of.....caste.....of.....in.....
District.....do hereby.....
accept employment with Messerson the terms
and conditions of service prescribed in the Standing Orders of the said
mill as for the time being in force and do hereby agree to abide by them.

At.....(Sd.).....
Date.....Left thumb-impression.....

In presence of :

- (1)
(2)

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

(Sd.).....

At.....Designation.....
Date.....
Name of Factory.....
Number.....

FORM 'B'
Engagement Memo for Monthly Paid Workman
[Standing Order B-2(b)]

Name.....Father's name.....
Caste.....Village.....
District.....Postal address.....
Designation.....Department.....
Rate of pay.....
Registered No.
Class of workman
Shift.....
Appointing authority.....
Date.....

Manager.

Name of Factory.....
Number.....

FORM "C"
Engagement Memo for Daily Rated Workman
[Standing Order B-2 (b)]

Name.....Father's name.....
Caste.....Village.....
District.....Postal address.....
Designation.....Department.....
Date of engagement on daily wages basis.....
Registered no.....Rate of daily wage.....
If previously employed by the factory.....
Date.....Time-keeper.....Foreman or mate.....

Factory Manager.

Name of Factory.....
Number.....

FORM "D"

Ticket for Permanent Workman

[Standing Order B-2 (c)(i)]

Ticket No.....
 Name.....has been entered
 in the Workers' Register/Muster Roll as a permanent workman of the
 factory as a.....in the.....
Department.

Manager.

Date.....
 Name of Factory.....
 Number.....

FORM "E"

Ticket for Seasonal Workman

[Standing Order B-2 (c)(ii)]

Ticket No.....
 Name.....is a seasonal workman in.....
Department of the factory.
 Signature of the Manager.

Date.....
 Name of Factory.....
 Number.....

FORM "F"

Ticket for Temporary Workman

[Standing Order B-2 (c) (iii)]

Ticket No.....
 Name.....is a temporary workman of the
 factory in the.....Department. As per standing Order
 L (5). He is liable to be discharged from service without notice or
 compensation in lieu of notice.

Date.....Signature of the Manager
 Name of Factory.....
 Number.....

FORM "G"

Ticket for Probationer

[Standing Order B-2 (c) (iv)]

Ticket No.....
 Name.....is a probationer in.....
Department.

Date.....Signature of the Manager.

Name of Factory.....
 Number.....

FORM "H"

Ticket for Apprentices

[Standing Order B-2 (c) (v)]

Ticket no.....
 Name.....is an apprentice in
Department of the factory.
 Date.....Signature of the Manager.
 Name of Factory.....
 Number.....

FORM "I"

Ticket for Substitute Workman

[Standing Order B-2 (c) (vi)]

Ticket no.....
 Name.....is a substitute workman in
Department of the factory.
 Date.....Signature of the Manager.
 Name of Factory.....
 Number.....

FORM "J"

Wage Slip

[Standing Order D (3)]

Period to which the Wage Slip relates.....
 Name.....of.....Department.
 Father's name.....
 Ticket no.....
 Rate of pay—
 (a) Basic.....
 (b) Dearness.....
 (c) Other allowance.....
 Total.....
 Overtime earned during the month.....
 Number of days present during the period.....
 Number of days absent during the period.....
 Deductions, if any.....
 Total wages payable after deductions, if any.....
 Date.....Manager
 Name of Factory.....
 Number.....

FORM "K"
Application for leave.
[Standing Order G (7)]

No.....
 Name of the applicant.....
 Department.....
 Ticket no.....
 Date of application.....
 Number of days for which leave is asked for.....
 Date of joining.....
 Reasons for leave.....
 Address for postal communication.....
 Period of service in the factory.....
 "Havala" (If any) for the wage of the.....
 to.....of Rs.in favour of ticket
 no.....of department

Signature or left thumb-
 impression of workman.

Date.....
 Received application for leave from.....
 Time.....
 Date.....

Designation of Receiving Officer.
(Name of the factory).

Name of Factory.....No.Date..... FORM "L" Leave Pass [Standing Order G (8)] (Office copy) Name (in full)..... T. no.... of.....Department has been given leave fromto..for.....days "Havala", if any, for the wage— for the month of..... in favour of..... T. no..... of..... Department, Manager, Departmental Head Name of Factory.....	Name of Factory.....No.Date..... FORM "L" Leave Pass [Standing Order G(8)] (Time-keeper's copy) Name (in full)..... T. no.... of.....Department has been given leave fromto..for.....days "Havala", if any, for the wage— for the month of..... in favour of..... T. no..... of..... Department, Manager, Departmental Head Name of Factory...	Name of Factory.....No.Date..... FORM "L" Leave Pass [Standing Order G (8)] (Workman's copy) Name (in full)..... T. no.... of.....Department has been given leave fromto..for.....days "Havala", if any, for the wage— for the month of..... in favour of..... T. no..... of..... Department, Manager, Departmental Head Name of Factory.....
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FORM "M"
Summary Dismissal of
Suspension Order
(Standing Order M)
(Office copy)

Name (in full).....
 Department has been.....
 *(a) Summarily dismi-
 ssed without notice and
 without compensation in
 lieu of notice.
 *(b) Suspended for.....
 days.....for.....which is
 an offence under
 Standing Order no.....

*Strike out which is not
 applicable.

Departmental Head.
 Manager.
 Length of service of
 workman.....
Record
 of punishments during
 previous six months—
 (a) Fines.....
 (b) Suspension.....
Date
 of investigation by the
 Manager.....Whether
 workman was present at
 investigation

Case against workman
 brought by.....
 Names and occupations
 of persons present at the
 enquiry.....Reasons
 for order.....
 Manager.
 Name of factory.....
 No.....Date.....

FORM "N"
Fines Order
(Standing Order M)
(Office copy)

Name (in full).....
 Ticket no.....of the....
 Department has been

FORM "M"
Summary Dismissal of
Suspension Order
(Standing Order M)
(Time-keeper's copy)

Name (in full).....
 Department has been.....
 *(a) Summarily dismi-
 ssed without notice and
 without compensation in
 lieu of notice.
 *(b) Suspended for.....
 days.....for.....which is
 an offence under
 Standing Order no.....

*Strike out which is not
 applicable.

Departmental Head.
 Manager.
 Length of service of
 workman.....
Record
 of punishments during
 previous six months—
 (a) Fines.....
 (b) Suspension.....
Date
 of investigation by the
 Manager.....Whether
 workman was present at
 investigation

Case against workman
 brought by.....
 Names and occupations
 of persons present at the
 enquiry.....Reasons
 for order.....
 Manager.
 Name of factory.....
 No.....Date.....

FORM "N"
Fines Order
(Standing Order M)
(Time-keeper's copy)

Name (in full).....
 Ticket no.....of the....
 Department has been

FORM "M"
Summary Dismissal of
Suspension Order
(Standing Order M)
(Workman's copy)

Name (in full).....
 Department has been.....
 *(a) Summarily dismi-
 ssed without notice and
 without compensation in
 lieu of notice.
 *(b) Suspended for.....
 days.....for.....which is
 an offence under
 Standing Order no.....

*Strike out which is not
 applicable.

Departmental Head.
 Manager.
 Length of service of
 workman.....
Record
 of punishments during
 previous six months—
 (a) Fines.....
 (b) Suspension.....
Date
 of investigation by the
 Manager.....Whether
 workman was present at
 investigation

Case against workman
 brought by.....
 Names and occupations
 of persons present at the
 enquiry.....Reasons
 for order.....
 Manager.
 Name of factory.....
 No.....Date.....

FORM "N"
Fines Order
(Standing Order M)
(Workman's copy)

Name (in full).....
 Ticket no.....of the....
 Department has been

fined Rs.....P.....for which is an offence for which fines can be imposed under the Payment of Wages Act. *..... †..... *Space for signature of officer imposing fines. †Here insert the designation of officer. The Name of Factory.. No.....	fined Rs.....P.....for which is an offence for which fines can be imposed under the Payment of Wages Act. *..... †..... *Space for Signature of officer imposing fines. †Here insert the designation of officer.	fined Rs.....P.....for which is an offence for which fines can be imposed under the Payment of Wages Act. *..... †..... *Space for Signature of officer imposing fines. †Here insert the designation of officer.
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FORM "O"
(Service Certificate)
Standing Order

Ticket no.....date.....
 Name.....Department.....
 Home address.....
 Identification marks.....
 Date of joining.....Date of termination of employment.....
 Reasons.....
Resigned/Retrenched/Service terminated
 Remarks.....
 Conduct.....
 Work.....

Manager.

Service Book for permanent/seasonal workmen

of Sri.....
 son of.....
 employee of (Factory).....
 in.....
 Ticket no.....

Department.

Please note this carefully in your own interest

1. That the Standing Orders statutorily applicable to the factory are binding both on the employer and workmen.
2. The Service Book should be got filled up by the employer in time to keep it up-to-date. This is the responsibility of the workmen concerned as also of the employer.

3. Details of censure and warning, suspension and fine orders passed should be entered in the Service Book within fifteen days of occurrence.
4. A copy of the Service Book shall be kept with the employee concerned details of entries also maintained with the employer.
5. In the event of this Service Book being lost, the workman will have to pay a sum of annas eight for price of another Service Book.
6. The workman should from time to time, notify to the management all informations necessary to enable the Service Book being kept up-to-date.
7. The entries on page 3 should be renewed or re-attested at least every five years and the signatures in the end should be dated.

Particulars of Employer

1. Name
2. Father's name.....
3. Address (Local).....
4. Address (Permanent).....
5. Date of Birth.....
6. Date of appointment.....
7. Qualification.....
8. Personal marks of identification.....

Signature of left thumb-impression
of the Employer.

Signature of the Head of
Office or Factory.

Left thumb-impression or
signature of witness.

Particulars of Service

Serial no.	Name of post and Department	Promotion and demotions	Date of joining	Date of discharge	Grade	Pay	Other monthly cash allowances	Manager's initials with date	Remarks
1	2	3	4	5	6	7	8	9	10

1. *Serial no.....
2. Serial no. in register of adult/child worker/woman.
3. Period for which leave is accounted for.....
from.....to.....

Month	Sickness and accident	Earned leave under the Factories Act, U. P. Shops and Commercial Establishment Act, 1947	Interruption				Involuntary employment
			Casual leave	Sick leave	Lockout or legal strike		
4	5	6	7	8	9	10	

Leave due from					
Absent without permission but with reasonable cause	Earned leave under the Factories Act/Shops Act	Casual leave	Sick leave	Days actually worked in the month	Balance brought forward
11	12	13	14	15	16

Leave earned during period in column no. 3	Total	Date of application for leave	Date period and nature of leave allowed	Remuneration paid, amount and date	No. of days of earned leave carried forward	Date of discharge
17	18	19	20	21	22	23

Discharged workers			
Date of payment and amount paid in lieu of leave due	Signature of the official making entries	Signature or L. T.I. of the workman	Remarks
24	25	26	27

To be inserted in red ink and signed by authority empowered to impose censure, warning or other kinds of punishment

Date	Nature of punishment	Amount of fines imposed, if any	Signature or L.T.I. of employee	Initials of authority	Remarks
1	2	3	4	5	6

Declaration and Nomination Form

1. Name (in block capitals).....
2. Surname
3. Caste.....
4. Sex.....
5. Religion.....
6. Husband's name..... (for married women only).
7. Marital status..... (whether bachelor, spinster, married, widow or widower).....
8. Marks of identification.....
9. Permanent address.....
villageThana.....
taluk/sub-division..... district.....
Dy. Syr.

I, hereby nominate the person(s) mentioned below to receive the amount standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their names :

Name and address of the nominee or nominees	Nominee's relationship with the member.	Age of nominee	Amount or share of accumulations in the fund to be paid to each nominee	Contingencies on the happening of which the nomination shall become invalid
1	2	3	4	5

Signature or left thumb-impression of the workman.

THE PUBLIC SERVICE COMMISSION (LIMITATION OF FUNCTIONS) REGULATION, 1954

No. 99/II-B-151-50 dated January 29, 1954.—In exercise of the powers conferred by the proviso to Clause (3) of Article 320 of the Constitution of India, and in supersession of the regulations published with Notification No. 1792/11-848-40, dated October 15, 1941, as subsequently amended, the Governor of Uttar Pradesh is pleased to make the following regulations as respects the services and posts in connection with the affairs of the State of Uttar Pradesh, other than services, and posts to which appointments are made from among members of All-India Services, or are regulated by the rules and orders applicable to such service :

1. Short title and commencement.—These regulations may be called The Uttar Pradesh Public Service Commission (Limitation of