

STANDING ORDER OF M/S UNITY ENGINEERS

B- 159 / A , NIRALA NAGAR , LUCKNOW - 226002

1. APPLICATION AND SCOPE :-

a)

- i. **These orders shall apply to all the employees of M/ S UNITY ENGINEERS (AIR CONDITIONING & REFRIGERATION DIVISION) B- 159 / A , NIRALA NAGAR , LUCKNOW - 2260020**
- ii. **These orders shall come into force with effect from in accordance with section 7 of the Industrial Employment (Standing Orders)Act, 1946.**

b) RULES REGULATIONS AND NOTICES :

This establishment may formulate such rules and regulations not inconsistent with these Standing Orders, and post such Notices as it may from time to time consider necessary. The rules, regulations, or notices shall apply to the whole, or to any section or sections of the establishment's Employees as may be notified in the said Rules and Regulations and every workman shall obey the Rules and Regulations applying to this section.

c) THE Establishment's RIGHTS :

The establishment's rights relating to fines and deductions under the Payment of Wages Act, 1936 and rules made there under shall not be effected or prejudiced by the terms of these Standing Orders.

d) THE WORKMEN RIGHTS :

These Standing Orders shall not deprive the workman of their right to resort to legal proceedings under any existing law for the time being in force.

e) AMENDMENTS:

The establishment may from time to time, amend these orders in accordance with the provisions of the Industrial Employment (Standing Orders) Act, 1946 or any amendment thereof, if there is a need in

accordance with the provisions for the amendment.

2. DEFINITIONS :

In these orders, unless there is anything repugnant to the subject or context :

- a) **"ESTABLISHMENT "** means the **UNITY ENGINEERS, B 159 Nirala Nagar Lucknow** , includes Factories, Administrative Offices and other Offices Branches of the sites which it has taken on comprehensive contract and wherever they are located in whole of Uttar Pradesh and also in the other States in India.
- b) **"MANAGEMENT"** means Proprietor Owner, and/or Executive Officer and/or General Manager / or Manager of the branch Offices etc on the various sites of work of the establishment or any other person authorized to act on his or on their behalf or on behalf of the establishment from time to time.
- c) **"MANAGER"** means the Officers nominated by the Owner of the establishment of as the Manager, for the purpose of these Standing Orders.
- d) **"WORK SITE "** means the place which the owner of the establishment had entered into the other party for work of maintenance and operation of Air conditioning and other plants on contract basis. any similar Factory situated etc situated in whole of Uttar Pradesh or outside of the State of Uttar Pradesh or at any other place where the establishment may start working.
- e) **"MUSTER ROLL"** includes the attendance register or Muster Roll or Muster Rolls normally maintained at the time office or any other place specified by the Management for the purposes of recording the attendance of the employees before the commencement of work.
- f) **"ATTENDANCE "** means presence of the workman concerned at the place or places where he is required to report for getting his attendance and continuance of his presence at the place of his work throughout the period of the shift or office work.
- g) **"TIME OFFICE"** is a place in the premises where every workman is required to appear for marking his attendance before and after his duty

each day in the manner prescribed from time to time by the management.

- h) **"WORK MAN"** means any person employed in the establishment within the meaning of Section 2(i) of the Industrial Employment (Standing Orders) Act, 1946.
- i) **"WORK PREMISES"** means the Factory/ Hospital or other establishment where the contract has taken or any site, its Administrative Office premises and percent's thereof or any other place of work where a workman is deputed to work.
- j) **"HABITUAL"** means involving repetition of any of commission or omission for more than 3 times in a period of 12 calendar months.
- k) **"WAGE RATE"** means rate of pay per day to per calendar month as prescribed time to time by the State Government of Uttar Pradesh under Minimum Wages Act, 1948.
- K i) **"PIECE RATE WORKER"** the worker who will hired from outside from open market for on purely comprehensive contract basis for completing excess work from normal routine work of the site and they will be in the status of " independent contractor" these will be out of classification of and definition of worker as shown class 2.
- l) **"MASCULINE"** shall include "Feminine" unless otherwise stated and the "Singular" shall include the "Plural", wherever the context so requires and vice versa.
- m) **"NOTICE BOARD"** shall mean the Board or any place in or at the main entrance of the office or at any other Conspicuous place in the Factory, where notices meant for workman are ordinarily displayed.
- n) **"NOTICE"** shall means a notice in writing required to be given or posted or displayed for the purposes of these standing orders .

2. CLASSIFICATION OF WORKMEN:-

(a) Workmen shall be classified as-

- (1) permanent,
- (2) probationers,
- (3) *badlis*,

(4) temporary,

(5) casual,

(6) apprentices.

(1) A "**PERMANENT**" workman is a workman who has been engaged on a permanent basis and includes any person who has satisfactorily completed a probationary period of **six months** in the industrial establishment including breaks due to sickness, accident, leave, lock-out, strike (not being an illegal strike) or involuntary closure of the establishment.

(2) A "**PROBATIONER**" is a workman who is provisionally employed to fill a permanent vacancy in a post and has not completed six months' service therein. In a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of three months, be reverted to his previous permanent post.

(3) A "**Badli**" is a workman who is appointed in the place of the post of a permanent workman or probationer who is temporarily absent.

(4) A "**TEMPORARY**" workman is a workman who has been engaged for work which is of an essentially temporary nature likely to be finished with a limited period or engaged on the site of projects taken for a fixed period or only due to the exigency of work.

(f) A "**CASUAL**" workman is a workman whose employment is of a casual nature and engaged to do work which is not directly in connection to the main work of the establishment and for a limited period of one or two weeks intermittently.

(g) An '**APPRENTICE**' is a learner who is paid an allowance during the period of his training and not employed on wages and on other facilities which are being provided to the other workers of above categories , An apprentice will have no right to be engaged after the completion of his training in the specified period.

3. TICKETS :- (1) Every workman shall be given a permanent ticket/ Identity Card unless he is a probationer, *badli*, temporary worker or apprentice.

(2) Every permanent workman shall be provided with a department ticket showing his number, and shall, on being require to do so, show it to any person authorized by the manager to inspect it.

(3) Every *badli* shall be provided with the *badli* card on which shall be entered

the days on which he has worked in the establishment, and which shall be surrendered if he obtains permanent employment.

(4) Every temporary workman shall be provided with a 'temporary' ticket which he shall surrender on his discharge.

(5) Every casual worker shall be provided with a casual card, on which shall be entered the days on which he has worked in the establishment.

(6) Every apprentice shall be provided with an 'apprentice' card, which shall be surrendered if he obtains permanent employment.

(7) The persons who will be given work on Piece rate basis as defined in paragraph 1K(1) shall not be issued any ticket and he will not be included in the array of this classification and shall be only independent contractor.

4. PUBLICATION OF WORKING TIME:- The periods and hours of work for all classes of workers in each shift shall be exhibited in English and in the principal languages(Hindi) of workmen employed in the establishment on notice-boards maintained at or near the main entrance of the establishment and on the sites of the works .

5.PUBLICATION OF HOLIDAYS AND PAY-DAYS:- Notices specifying (a) the days observed by the establishment as holidays, and (b) pay-days shall be posted on the said notice-boards in accordance with the such provisions and rules under U P Shops and Commercial establishment Act, 1962 and the rules made there under or in any other relevant laws applicable to this establishment.

6. PUBLICATION OF WAGE RATES:- Notices specifying the rates of wages payable to all classes of workmen and for the classes of work shall be displayed on the said notice-boards.

7. SHIFT WORKING:- More than one shift may be worked in a department or departments or any section of a department of the establishment at the discretion of the employer. If more than one shift is worked, the workmen shall be liable to be transferred from one shift to another. No shift working shall be discontinued without one months' notice being given in writing to the workmen prior to such discontinuance; provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workmen affected. If as a result of the discontinuance of the shift working any workmen are to be retrenched, such retrenchment shall be affected in accordance with the provisions of the Industrial Disputes Act, 1947 (14 of 1947) and the rules made there under. If shift working is restarted, the workmen shall be given notice and re-employed in accordance with the

provisions of the said Act and the said rules].

[**7-A. NOTICE OF CHANGES IN SHIFT WORKING:-** Any notice of discontinuance or of restarting of a shift working required by Standing Order 7 shall be in [From IV-A] and shall be served in the following manner, namely :

The notice shall be displayed conspicuously by the employer on a notice-board at the main entrance to the establishment or where on the particular site it is required to do so;

Provided that in case any registered trade union of workmen exists, a copy of the notice shall also be served by registered post on the Secretary of Such Union.]

8. ATTENDANCE AND LATE COMING:- All workmen shall be at the establishment at the time fixed and notified under Paragraph 4. Workmen attending late will be liable to the deductions provided for in the Payment of Wages Act, 1936.

9. LEAVE:- (1) Holidays with pay will be allowed as provided for in [UP Shops and Commercial establishment Act 1962 or under Chapter VIII of the Factories Act, 1948] as the case may be , and other holidays in accordance with law, contract, custom and usage.

(2) A workman who desires to obtain leave of absence shall apply to the [Manager , site In charge or apply through the immediate officer to the Manager or any other officer of the industrial establishment specified in this behalf by the employer], who shall issue orders on the application within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier, provided that if the leave applied for is to commence on the date of the application or within three days thereof, the order shall be given on the same day. If the leave asked for is granted, a leave pass shall be issued to the worker. If the leave is refused or postponed, the fact of such refusal or be postponement and the reasons therefore shall be recorded in writing in a register to be maintained for the purpose, and if the worker so desires, a copy of the entry in the register shall be supplied to him. If the workman after proceeding on leave desire an extension thereof, he shall apply to the [Manager or the officer specified in this behalf by the employer] who shall send a written reply either granting or refusing extension of leave to the workman if his address is available and if such reply is likely to reach him before the expiry of the leave originally granted to him.

(3) If the workman remains absent beyond the period of leave originally granted or subsequently extended, he shall lose his lien on his appointment unless he (a) returns within 8 days of the expiry of the leave and (b) explains

to the satisfaction of the Manager or the officer specified in this behalf by the employer his inability to return before the expiry of his leave. In case the workman loses his lien on his appointment, he shall be entitled to be kept on the badli list.

10. CASUAL LEAVE:- A workman may be granted casual leave of absence with or without pay not exceeding 10 days in the aggregate in a calendar year. Such leave shall not be for more than three days at a time except in case of sickness. Such leave is intended to meet special circumstances which cannot be foreseen. Ordinarily, the previous permission of the head of the department in the establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department shall, as soon as may be practicable, be informed in writing of the absence from and of the probable duration of such absence.

11. PAYMENT OF WAGES:- (1) Any wages, due to the workmen but not paid on the usual pay day on account of their being unclaimed, shall be paid by the employer on an unclaimed wage pay day in each week, which shall be notified on the notice-board as aforesaid.

(2) All workmen will be paid wages on a working day before the expiry of the seventh or the tenth day after the last day of the wage period in respect of which the wages are payable, according as the total number of workmen employed in the establishment does not or does exceed one thousand.

12. STOPPAGE OF WORK:- (1) The employer may, at any time in the event of fire, catastrophe, breakdown of machinery or stoppage of power-supply, epidemics, civil commotion or other cause beyond his control, stop any section or sections of the establishment, wholly or partially for any period or periods without notice.

- (2) In the event of such stoppage during working hours, the workmen affected shall be notified by notices put upon the notice-board in the department concerned, [and at the office of the employer and at the time-keeper's office, if any], as soon as practicable, when work will be resumed and whether they are to remain or leave their place of work. The workmen shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage. If the period of detention does not exceed one hour the workmen so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workmen so detained shall be entitled to receive wages for the whole of the time during which they are detained as a result of the stoppage. In the case of piece-rate workers, the average daily earning for the previous month shall be taken to be the daily wage. No other compensation will be admissible in case of such stoppage.

Whenever practicable, reasonable notice shall be given of resumption of normal work.

(3) In case where workmen are laid off for short periods on account of failure of plant or a temporary curtailment of production, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be. When, however, workmen have to be laid off for an indefinitely long period, their services may be terminated after giving them due notice or pay in lieu thereof.

(4) The employer may in the event of a strike affecting either wholly or partially any section or department of the establishment close down either wholly or partially such section or department and any other section or department affected by such closing down. The fact of such closure shall be notified by notices put on the notice-board in the section or department concerned and in the time-keeper's office, if any, as soon as practicable. The workmen concerned shall be notified by a general notice, prior to resumption of work, as to when work will be resumed.

(5) That Closure , Lay Off ,strike , lock out , Dhahran etc, all the terms shall be construed same as is provided in Uttar Industrial Dispute Act, 1947 and all the matter and disputes shall be dealt accordingly.

13. TERMINATION OF EMPLOYMENT:- (1) For terminating employment of a permanent workman, notice in writing shall be given either by the employer or the workman-one month's notice in the case of monthly-rated workmen and two weeks' notice in the case of other workmen; one month's or two week's pay, as the case may be, may be paid in lieu of notice.

(2) No temporary workman whether monthly-rated, weekly-rated or piece-rated and no probationer or badli shall be entitled to any notice or pay in lieu thereof if his services are terminated, but the services of a temporary workman shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the manner prescribed in Paragraph 14.

(3) Where the employment of any workman is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which employment is terminated.

(4) where the workman himself leaves the Job without information or obtaining leave from the management in accordance with these standing orders and not returns on his job in spite of calling him , he will loss his lien on his job automatically.

(5) where the workman resign from his work without giving notice for his one wage period , his resignation may be accepted after a forfeiture of wages for that one period .

(6) where the contract of a particular site comes to an end or in case of shortage of work or for any of the reasons the contracts come to an , the services of the workmen employed on that site are liable to be terminated subject the provisions and rules as contained under section 6 N of Uttar Pradesh Industrial Dispute Act, 1947.

(7) The workman employed at contractual site may be terminated at any time by giving them one month notice or pay in lieu of notice thereof.

(8) The services of workman employed for a particular period shall automatically comes to an end on expiry of such period for which he was appointed and he shall not be entitled for any notice or pay in lieu of notice.

(9) That in no case these rules shall not be inconsistent with the provisions as contained under Uttar Pradesh Industrial Dispute Act, 1947.

14. DISCIPLINARY ACTION FOR MISCONDUCT:- (1) A workman may be fined up to two per cent of his wages in a month for the following acts and omissions, and

(2) A workman may be suspended for a period not exceeding four days at a time, or dismissed without notice or any compensation in lieu of notice, if he is found to be guilty of misconduct. The following are the act and omission which constitute the misconduct

ACTS OF MISCONDUCT :

Without prejudice to the general meaning, the term misconduct shall be deemed to mean and include the following :

- a) Willful in-subordination or disobedience whether alone or in combination with another or others of any lawful or reasonable order of a superior.
- b) Striking work or inciting workmen to go on strike in contravention of any agreement of rule having the force of law.
- c) Loitering, idling during duty hours and neglecting duty of work including malingering, sleeping while on duty or remaining in the company's premises after his normal or extra duty hours in that

permission.

- d) Irregular in duty and/or habitual late attendance or absence from appointed place of work during working hours without permission. Failure to carryout work in accordance with general or specific instructions given by the superior or officers of the company directly or though delegated authority.
- e) Willfully causing damage or breakage or loss to the company's properties or work-in process including sabotage or abetment or instigation thereof or irresponsible action resulting in damage to any goods or properties in the. Factory/Company/premises.
- f) Theft, fraud, or dishonesty in connection with Company's business or property or another employees property or customers property in the Factory/Company premises.
- g) Habitual absence without leave or absence without leave for more than three consecutive occasions or over-staying sanctioned leave without sufficient grounds or proper or satisfactory explanation including absence from the workman's appointed place or work without obtaining permission.
- h) Disclosure, or communication to any unauthorized person, information or documents relating to the company's business or security measures or any trade secrets in regard to any work or process used in the Factory/Company/ which may come into the possession of the workman or using commercializing any invention, discovery or patent invented, discovered or patented in the course of workman's employment under the company to the benefit of himself or any other person.
- i) Participation or incitement to other to take part in activities detrimental to company's interest.
- j) Taking, giving, offering or demanding bribes or any illegal gratification whatsoever.
- k) Deceptive or corrupt practices in connection with the work of the company.
- l) Drunkenness or intoxication while on duty, fighting, riotous or disorderly behavior or indecent behavior including manhandling, beating, abusing, threatening or intimidating any one within the premises of the Factor/Company as defined in clause 2 (u), or any act subversive of discipline.

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- m) Distribution or exhibiting inside the works premises, hand bills, pamphlets, or posters and collection of any money, except as permitted by any law, for the time being in force, or doing any propaganda work including canvassing for Union Membership or collection of Union dues or taking out any procession in the premises of the Factory/Company without the previous permission of the management.
 - n) Smoking in the works premises, except in the places where smoking is prohibited.
 - o) Wrongfully confirming any co-worker or any staff member or officer whether such act as called charge or not, and obstructing the work of co-worker, staff members or officers.
 - p) Refusal to receive any order letter, charge sheet or instructions issued by his superior or the management or refusal to produce the identity card while in the Factory/Company premises when demanded by any person authorized by the management for the purpose.
 - q) Leaving the machine/plant without being relieved by the reliever or till his substitute is arranged or handling any machine/plant not entrusted to his charge.
 - r) Falsifying or refusing to give testimony when accident or other matters including domestic enquiry are being investigated.
 - s) Engaging in private work or trade including money lending within the Factory/Company premises or engaging in other employment calling for profit while still under the services of the company without the written permission of the management.
 - t) Making false statement in the application for an appointment including non-disclosure of disease or diseases suffered or suffering and giving false information regarding one's age, father's name, permanent address, qualification or previous experience at the time of employment or thereafter.
 - u) Proved inefficiency and services defect in workmanship.
 - v) Repetition of any act or omission for which fine may be imposed under the payment of Wages Act or any other Act applicable to the establishment.
 - w) Committing nuisance at the work premises.
 - x) Over-staying or entering at the work premises while not being on

duty, without reasonable cause and written permission or entry and or exit through the gates other than the one prescribed by the management.

- y) Acts of misconduct.
 - z) Carrying unauthorized arms or lethal weapons in the factory premises or conduct within the Factory/Company/ which is likely to endanger the life or safety of any person or property of the Company.
 - aa) Conviction in any court of law for any criminal offence involving moral turpitude.
 - bb) Participation or instigations to any illegal strike.
 - bbb) Participation in or instigation to a strike without 14 days notice or a sit down or stay-in-strike for refusal to work.
 - bbbb) Slowing down in performance of work or inciting others to resort to deliberate "go slow" policy.
 - cc) Organizing attending or holding meetings inside the premises of the company without the previous permission of the Management or except in accordance with the provisions of any law for the time being in force.
 - dd) Gambling within the premises of the Company.
 - ee) Picketing and/or violent demonstrations or any other demonstrations except representations with the factory premises.
 - ff) Impersonation.
 - gg) Spreading false rumors or giving false information which may bring into dis- repute to the factory workman or spreading panic amongst the workman.
 - hh) Collection of any money within the premises for purposes not sanctioned by the management.
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| <ul style="list-style-type: none">ii) Unauthorized use or forcible occupation of factory quarters, land or other properties belonging to the factory.jj) Refusal on the part of the workman to work on another job or on another machine or similar machine, other than job or machine on which he is usually employed, or refusal to work overtime as per provisions of law, including on Sunday/weekly offs' and other |
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holidays when exigencies demand it.

kk) Willful discourtesy to all persons connected with the affairs of the factory.

ll) Failure to wear prescribed uniform, overall safety clothing and other equipment etc., while on duty.

mm) Deliberate abuse of any leave privileges or concessions or benefits for the time being in-force.

nn) Failure to observe safety instructions and indulging in acts which endanger the lives and safety to self or others or properties of the Company.

oo) Refusal to take transfer order as per standing order No.20 supra or refusal to accept transfer from one shift to another or from one section to another or one establishment within the same management.

pp) Not taking reasonable precautions to safeguard Company's properties and to prevent accident or damage to it.

qq) Failure to report at once to his superior or foreman or manager regarding any defect which a workman may notice in any equipment connected into his work or material in process.

rr) Interfering with the record of attendance or means of recording attendance of himself any other workman or willful falsification defacement or destruction of records of the .Factory/Company.

ss) Refusal to accept a charge sheet or order or other communication served in connection with the conditions of service in the interest of discipline.

tt) Making false statement before a superior or forging the signature of the superior or controller in any record or register of the Factory/Company.

uu) Willful and serious defect in workmanship.

uuu) Willful damage or sabotage to the

machines, tools, equipment or material in the process belonging to the

Factory/ Company. Quarrelling or abusing or assaulting or

threatening to assault any

co worker or superior .Instigate, incite or abetment or commitment
of any act in furtherance of the above acts of
misconduct.

(4) (a) Where a disciplinary proceeding against a workman is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial 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 as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the workman within two weeks from the date of suspension.

(b) A workman who is placed under suspension shall be paid subsistence allowance in accordance with the provisions of Section 10-A of the Act.] provided that the charge sheeted employee shall have to be present on the required place and to mark his attendance and provided further the concerned employee have to give an affidavit of unemployment and he will not require to work anywhere during such period of suspension.

(ba) A domestic enquiry in the matter of misconduct shall be conducted against the charge sheeted employee by appointing a enquiry Officer (Enquiry Officer may be a superior Officer to that charge sheeted employee or an Advocate) who will do the enquiry in accordance with rules of Natural Justice.

In the Inquiry, the workman shall be entitled to appear in person or to be represented by a co- worker but through no outsider or through the office bearer of Union which is registered under Trade Union for this establishment.

(bb) The proceedings of the inquiry shall be recorded in Hindi or in English or in the language of the State where the industrial establishment is located, whichever is preferred by the workman.

(bc) The proceedings of the inquiry shall be completed within a period of three months:

Provided that the period of three months may, for reasons to be recorded in writing, be extended by such further period as may be deemed necessary by the inquiry officer.

(c) If on the conclusion of the inquiry or, as the case may be, of the criminal

proceedings, the workman has been found guilty of the charges framed against him and it is considered, after giving the workman concerned a reasonable opportunity of making representation on the penalty proposed, that an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank would meet the ends of justice, the employer shall pass an order accordingly :

Provided that when an order of dismissal is passed under this clause, the workman shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period, and the subsistence allowance already paid to him shall not be recovered :

Provided also that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the workman shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period :

(d) If on the conclusion of the inquiry, or as the case may be, of the criminal proceedings, the workman has been found to be not guilty of any of the charges framed against him, he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension after deducting the subsistence allowance paid to him for such period.

(e) The payment of subsistence allowance under this standing order shall be subject to the workman concerned not taking up any employment during the period of suspension.]

(5) In awarding punishment under this standing order, the [authority imposing the punishment] shall take into account the gravity of the misconduct, the previous record, if any, of the workman and any other extenuating or aggravating circumstances that may exist. A copy of the order passed by the [authority imposing the punishment] shall be supplied to the workman concerned.

15. COMPLAINTS:- All complaints arising out of employing including those relating to unfair treatment or wrongful exaction on the part of the employer or his agent, shall be submitted to the manager or other person specified in this behalf with the right of appeal to the employer.

16. CERTIFICATE ON TERMINATION OF SERVICE:- Every permanent workman shall be entitled to a service certification at the time of his

dismissal, discharge or retirement from service.

17. LIABILITY OF [EMPLOYER]:- The [employer] of the establishment shall personally be held responsible for the proper and faithful observance of the standing orders.

18. EXHIBITION OF STANDING ORDERS:- A copy of these orders in English and in Hindi shall be posted at and on a notice-board maintained at or near the main entrance to the establishment and shall be kept in a legible condition.

20 SERVICE RECORD

Matters relating to service card, token tickets, certification of service, change of residential address of workers and record of age.

(i) **Service Card:-** Every industrial establishment shall maintain a service card in respect of each workman in the form appended to these orders, wherein particulars of that workman shall be recorded with the knowledge of that workman and duly attested by an officer authorized in this behalf together with date.

(ii) **Certification of service:-** (a) Every workman shall be entitled to a service certification, specifying the nature of work (designation) and the period of employment (indicating the days, months, year), at the time of discharge, termination, retirement or resignation from service;

(iii) **Residential address of workman:-** A workman shall notify the employer immediately on engagement the details of his residential address and thereafter promptly communicate to his employer any change of his residential address. In case the workman has not communicated to his employer the change in the residential address, his last known address shall be treated by the employer as his residential address for sending any communication.

(iv) **Record of age:-** (a) Every workman shall indicate exact date of birth to the employer or the officer authorized by him in this behalf, if the time of entering service of the establishment. The employer or the officer authorized by him in this behalf may before the date of birth of a workman is entered in his service card, require him to supply:-

(i) his matriculation or school leaving certificate granted by the Board of Secondary Education or similar educational authority; or

(ii) a certified copy of his date of birth as recorded in the registers of a

municipal, local authority or Panchayat or Register of Birth;

(iii) in the absence of either of the aforesaid two categories of certificates, the employer or the officer authorized by him in this behalf may require the workman to supply, a certification from a Government Medical Officer not below the rank of an Assistant Surgeon, indicating the probable age of the workman provided the cost of obtaining such certificate is borne by the employer;

(iv) where it is not practicable to obtain a certificate from a Government Medical Officer, an affidavit sworn, either by the workman or his parents or by a near relative who is in a position to know about the workman's actual or approximate date of birth, before a First Class Magistrate or Oath Commissioner, as evidence in support of the date of birth given by him.

(b) The date of birth of a workman, once entered in the card of the establishment shall be the sole evidence of his age in relation to all matters pertaining to his service including fixation of the date of his retirement from the service of the establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the appointment of a workman.

(c) Cases where date of birth of any workman had already been decided on the date these rules come into force shall not be reopened under these provisions.

(21) CONFIRMATION

The employer shall in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible workman and issue a letter of confirmation to him. Whenever a workman is confirmed, an entry with regard to the confirmation shall also be made in his service card within a period of thirty days from the date of such confirmation.

(22) AGE OF RETIREMENT

The age of retirement or superannuation of a workman shall be as may be agreed upon between and the workman under an agreement or as specified in a settlement or award which is binding on both the workman and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of [58] years of age by the workman. Ex- Employees taken on contract basis for a particular period shall not be treated as employees to be governed by these standing orders so far as the retirement benefits are concerned. They will not be entitled for Gratuity etc.

(23) TRANSFER

A workman may be transferred according to exigencies of work from one shop or site or department to another or from one station to another or from one establishment to another under the same employer :

Provided that the wages, grade, continuity of service and other conditions of service and other conditions of service of the workman are not adversely affected by such transfer :

Provided further that a workman is transferred from one job to another, which he is capable of doing, and provided also that where the transfer involves moving from one State to another such transfer shall take place, provides that (i) reasonable notice is given to such workman, and (ii) reasonable joining time is allowed in case of transfer from one station to another. The workman concerned shall be paid traveling allowance including the transport charges, and fifty per cent thereof to met incidental charges.

In case the worker refuses to go on the transferred place he shall be considered as absence from duty for the period of such refusal and also corresponding deduction shall be made from his wages in accordance with the provisions of payment of wages Act, 1936. Notwithstanding workman will be liable to the disciplinary action.

(24) MEDICAL AID IN CASE ACCIDENTS

Where a workman meets with an accident in the course of] or arising out of his employment, the employer shall, at the employer's expense, make satisfactory arrangements for immediate and necessary medical and to the injured workman and shall arrange for his further treatment, if considered necessary by the doctor attending on him. Where the workman is entitled for treatment and benefits under the Employees' State Insurance Act, 1948 or the Workmen's Compensation Act, 1923, the employer shall arrange for the treatment and compensation accordingly.

(25) MEDICAL EXAMINATION

Wherever the recruitment rules specify medical examination of a workman on his first appointment, the employment shall, at the employer's expense make arrangements for the medical examination by a registered medical practitioner.

(26) SECRECY

No workman shall take any papers, books, drawings, photographs,

instruments, apparatus, documents or any other property of an industrial establishment out of the work premises except with the written permission of his immediate superior, nor shall he in any way pass or cause to be passed or disclose or cause to be disclosed any information or matter concerning the manufacturing process, trade secrets and confidential documents of the establishment to any unauthorized person, company or corporation without the written permission of the employer.

(27) EXCLUSIVE SERVICE

A workman shall not at any time work against the interest of the industrial establishment in which he is employment and shall not take any employment in addition to his job in the establishment, which may adversely affect the interest of his employer.

SCHEDULE II
FORM I

[Industrial Employment (Standing Orders) Act, 1946-Section 3]

Dated.....19.....

To,

The additional Labour Commissioner . Certifying Officer Industrial
Employment (Standing Orders) Act, 1946 for Lucknow Region Lucknow , 23
A P Sen Road Lucknow.

Sir,

Under the provisions of Sections of Section 3 of the Industrial
Employment (Standing Orders) Act, 1946. I enclose five copies of the
Standing Orders proposed by me for adoption in Industrial Employment
(Standing Orders) Act, 1946 in

M/ S UNITY ENGINEERS (AIR CONDITIONING & REFRIGERATION DIVISION)
B- 159 / A , NIRALA NAGAR , LUCKNOW - 2260020 is an industrial
establishment owned/controlled by me, with the request that these orders
may be certified under the term of the Act.

I also enclose a statement giving the particulars prescribed in Rule 5 of the
Industrial Employment (Standing Orders) Central Rules, 1946

I am, etc

(signature)
Employer/Managing director.

[FORM IV-A

(See Standing Order 7-A of Schedule 1)

Notice of discontinuance/restarting of a shift working to be given by the /an employer

Name of employer.....

Address.....

Date the.....day
of.....19.....

In accordance with Standing Order No.....of the Standing Orders certified and approved in respect of my/our industrial establishment, I/we hereby give notice to all concerned that it is my/our intention to discontinue/restart the shift working specified in the Annexure with effect from.....

Signature.....

Designation.....

Annexure

(Here specify the particulars of change in the shift working proposed to be effected).

Copy forwarded to :-

(1) The Secretary of registered trade union, if any.

(2) The Assistant Labour Commissioner (Central) Labour Employment Officer
(Here enter office address of the Assistant Labour Commissioner
(Central)/Labour Employment Office in the local area concerned).

(3) The Regional Labour Commissioner (Central) Zone.

(4) The Chief Labour Commissioner (Central), New Delhi.]

[FORM V
(See Standing Order 1, Schedule 1-B)
Service Card]

Name of Estt./Factory/Ticket/Token No.

1. Register Serial No.
2. Name
3. Specimen Signature/Thumb Impression
4. Father's or Husband's name
5. Sex
6. Religion
7. Date of Birth
8. Place of Birth
9. Date of Joining
10. Details of Medical certificate at the time of joining
11. Educational and other qualifications
12. Can Read
13. Can Write
14. Can Speak
15. Height
16. Identification Marks
17. Category of Workman
18. Department
19. Details of family members
20. Permanent Address
21. Local Address
22. Quarter No.
23. Life Insurance Policy No.
24. Provident Fund Account No.
25. Nominee for Gratuity
26. Nominee for pension, if any
27. Employees State Insurance No.
28. Training courses attended (details)
29. (Eligibility for higher jobs)

30. Proficiency tests passed

31. EMPLOYMENT HISTORY

Department 1	Token No. 2	Designation 3	Scale of pay 4	Joined 5	Left (Reason) 6
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32. ABSENCE PERIODS

From	To	Reason	Medical reports regarding suitability for continued employment
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(i) Sick Leave

(ii) Earned Leave

(iii) Any other leave

33. Maternity Benefit

34. Workmen's Compensation

Details of accidents :

35. Details of Disciplinary Action

36. Promotions

(i) Details

(ii) Awards

(iii) Issue of Certificate of commendation

37. Date of superannuation

38. Any other matter.]

