

FORM-I

(See rule 4)

(MEMORANDUM OF SETTLEMENT ARRIVED AT IN THE COURSE OF CONCILIATION PROCEEDINGS
OR OTHERWISE)

Names of Parties:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witnesses:

(1)

(2)

*Signature of Conciliation Officer

In case the settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding the copy of the memorandum shall be marked to the concerned Deputy Chief Labour Commissioner (Central).

FORM - II

(see sub-rule (8) of rule 9)

Before the Central Government Industrial Tribunal -----(place of
the Industrial Tribunal having jurisdiction where dispute arises)

(A) Name and Address of Applicant(s)

Versus

(B) Name and Address of Opposite party(ies)

Brief facts of the dispute (statement regarding specific issues of dispute may be mentioned) which are connected with
and relevant to the dispute under sub-section (1) of Section 22 of Industrial Relation Code, 2020 (35 of 2020).

Prayer:

The applicant(s) pray(s) that instant application may be admitted for adjudication and request(s) to pass appropriate
award in the matter.

Name and signature of the worker(s) or
Officer of Trade union, raising the dispute

FORM III

(See rule 17)

(REGISTER FOR CERTIFIED STANDING ORDERS)**PART I****Industrial Establishment**

Unique and continuous number	Name of the industrial establishment	Nature of the industrial establishment	Whether standing order is (a) model standing order, or (b) deemed standing order or (c) certified standing order	Date of adoption or date of deemed authentication or date of certification / authentication of standing order
(1)	(2)	(3)	(4)	(5)

Date of filing appeal	Date and nature of decision	Amendment made on appeal, if any	Date of the dispatch of the copy of standing orders as settled on appeal	Any other relevant detail
(6)	(7)	(8)	(9)	(10)

Part-II

Should contain the certified copy of the Standing Orders electronically.

FORM- IV

(See rule19)

(NOTICE OF CHANGE OF SERVICE CONDITIONS PROPOSED BY AN EMPLOYER)

Name of employer.....

Address.....

Dated the day of 20.....

In accordance with sub-section (1) of section 40 of the Industrial Relations Code, 2020 (35 of 2020), I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to the said Code.

Signature.....

Designation

ANNEXURE

(Here specify the change/changes intended to be effected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Concerned Deputy Chief Labour commissioner(Central).

FORM-V

(See rule 20)

(AGREEMENT FOR VOLUNTARY ARBITRATION)**Between**

.....Name of the parties representing employer (s)

And

..... Name of the parties representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of [here specify the name(s) and address(es) of the arbitrator (s)].

- (i) Specific matters in dispute.
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.
- (iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.
- (iv) Total number of workers employed in the undertaking affected.
- (v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the Central Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties Representing employer/ any officer of the Trade Union / Representing worker / workers.

Witnesses:

1.

2.

Copy to: (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].

(ii) The Secretary to the Government of India, Ministry of Labour & Employment.

FORM- VI

(See rules 22, 41 and 42)

(AUTHORISATION BY A WORKER, GROUP OF WORKERS, EMPLOYER OR GROUP OF EMPLOYERS TO BE REPRESENTED IN A PROCEEDING BEFORE THE AUTHORITY UNDER THE INDUSTRIAL RELATIONS CODE, 2020).

Before the Authority

(Here mention the authority concerned)

In the matter of: (mention the name of the proceeding)

.....workers

VersusEmployer

I/we hereby authorize Shri / Shrimati/Kumarito represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s)

Address Accepted.

FORM- VII

(See rule 24)

(APPLICATION UNDER SUB-SECTION (1) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020)

To,

(1) The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.

(2) The Deputy Chief Labour Commissioner (Central)..... (here insert the name of the region).

Sir,

I/We have to state that I am/we are entitled to receive from M/s a sum of Rs.(in words) on account of under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020) /in terms of the award dated the..... given by..... /in terms of the settlement dated the arrived at between the said M/s and their worker through..... the duly elected representatives.

I/We further state that I/we served the management with a demand notice by registered post on for the said amount which the management has neither paid nor offered to pay to me/us even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I/We request that the said sum may kindly be recovered for the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020) and paid to me/us as early as possible.

Signature of the applicant(s)

Address(es)

Station:

Date:.

ANNEXURE

[(Here indicate the details of the amount(s) claimed.)]

FORM- VIII

(See rule 24)

(APPLICATION BY A PERSON AUTHORISED BY A WORKER OR BY THE ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SUB-SECTION (1) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020)

To

- (1) The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.
 (2) The Deputy Chief Labour Commissioner (Central).....(here insert the name of the region).

Sir,

I Shri/Shrimati/Kumari.....have to state that Shri/Shrimati/ Kumari..... is/was entitled to receive from M/s..... a sum of Rs.(in words) on account of..... under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020) /in terms of the award dated the..... given by/in terms of the settlement, dated the.....arrived at between the said M/s..... and their worker through..... the duly elected representatives.

I further state that I served the management with a demand notice by registered post on.....for the said amount which the management has neither paid nor offered to pay to me even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I request that the said sum may kindly be recovered from the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020), and paid to me as early as possible.

I have been duly authorised in writing by.....(here insert the name of the worker) to make this application and to receive the payment of the aforesaid amount due to him.

I am the assignee/heir of the deceased worker and am entitled to receive the payment of the aforesaid amount due to him.

Station.....

Signature of the authorized person/assignee/heirs

Date.....

Address.....

ANNEXURE

(Here indicate the details of the amount claimed.)

FORM-IX

(See rule 24)

(APPLICATION UNDER SUB-SECTION (2) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE,
2020)

Before the Central Government Industrial Tribunal at

..... between..... and.

.....

(1) Name of the applicant(s)

(2) Name of the employer

The petitioner(s) a worker ofM/s.of
The petitioner(s) undersigned, worker/workers of is/are entitled to receive
 from the said M/s. the money /benefits mentioned in the statement hereto annexed.

It is prayed that the Tribunal may be pleased to determine the amount /amounts due to the petitioner (s).

Signature or Thumb Impression (s) of the applicant(s)

Address (es)

Place.....

Date.....

ANNEXURE(Here set out the details of the money due or the benefits accrued together with the case for their
admissibility.)

FORM- X

[See rule 24]

(APPLICATION BY A PERSON WHO IS AN ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SUB-SECTION (2) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the Central Government Industrial Tribunal at Between

(i) Name of the applicant/applicants

(ii) Name of the employer

I am/We are the assignee(s) of the deceased worker and am/are entitled to make an application on his behalf.

Shri/Smt..... former worker of M/s of.....is entitled to receive from the said M/s..... the money/benefits mentioned in the statement hereto annexed;

It is prayed that the Tribunal be pleased to determine the amount/amounts due to the deceased worker.

Name and Address of worker.....

Signature of the assignee/heirs

Address (es)

Place.....

Date.....

ANNEXURE

(Herein set out the details of the money due or the benefits accrued together with the case for their admissibility).

FORM-XI

(See rules 25 and 45)

(NOTICE OF STRIKE TO BE GIVEN BY UNION (NAME OF UNION)/ GROUP OF WORKERS)

Name of five elected representatives of workers.....

Dated the.....day of.....20.....

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code, 2020 (35 of 2020) I/We hereby give you notice that I propose to call a strike / we propose to go on strike on20....., for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on (date), vide resolution attached.]

ANNEXURE

Statement of the Case.

Copy to:

- 1) Assistant Labour Commissioner (Central)/Regional Labour Commissioner (Central)(here enter office address of the officer in the local area concerned)
- 2) Deputy Chief Labour Commissioner (Central).....
- 3) Chief Labour Commissioner (Central) New Delhi
- 4) Secretary, Ministry of Labour and Employment, New Delhi
- 5) Labour Bureau

FORM -XII

(See rules 26 and 45)

(NOTICE OF LOCK-OUT TO BE GIVEN BY AN EMPLOYER OF AN INDUSTRIAL ESTABLISHMENT)

Name of employer

Address.....

Dated the.....day of.....20.....

In accordance with the provisions of 62(5) of the Industrial Relations Code, 2020 (35 of 2020) , I/we hereby give notice to all concerned that it is my/our intention to effect lock out in.....department(s), section(s) of my/our establishment with effect from.....for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons

Copy forwarded to:

- (1) The Secretary of the Registered Union, if any
- (2) Conciliation officer [Here enter office address of the Assistant Labour Commissioner / Regional Labour commissioner/ Deputy Chief Labour commissioner (Central) of the concerned area.]
- (3) Chief Labour Commissioner (Central) New Delhi
- (4) To the office of Director General Labour Bureau.
- (5) Secretary, Ministry of Labour and Employment, New Delhi

FORM -XIII

(See rules 27, 29 and 45)

(NOTICE OF INTIMATION OF RETRENCHMENT/ CLOSURE TO BE GIVEN BY AN EMPLOYER TO THE CENTRAL GOVERNMENT UNDER THE PROVISIONS OF CHAPTER IX OF THE INDUSTRIAL RELATIONS CODE, 2020 AND RULES MADE THERE UNDER)

(To be submitted online. In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment /Undertaking/ Employer.....

Labour Identification Number

Dated.....

(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served sixty days and thirty days before commencement of Closure/Retrenchment respectively)

To,

The Secretary to the Government of India,
Ministry of Labour and Employment
New Delhi

1. *(Retrenchment) (a) Under section 70(C) of the Industrial Relations Code, 2020 (35 of 2020), I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of Workers** with effect from..... (DD/MM/YYYY)

or

(Closure) (b) Under section 74(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby intimate you that I*/we* have decided to close down,.....(name of the industrial establishment or undertaking) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

2. The reason for Retrenchment / Closure is

3. * The worker(s)* concerned were given on the..... (DD/MM/YYYY) one month's notice in writing as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020).

or

* The worker(s) concerned have been given on the..... (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)* / section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020) .

4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).
6. I*/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.
7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures enclosed herewith true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/ ***Authorised Representative
with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and words both)

(***Copy of Authorisation letter issued by the employer shall be enclosed)

Copy to :

- (1) To the Office of DG Labour Bureau, Ministry of Labour and Employment, (Only for statistical purpose)
- (2) Deputy Chief Labour Commissioner (Central) of the concerned area.
- (3) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM- XIV

(See rules 30, 31, 33, 35 and 45)

(APPLICATION FOR PERMISSION OF LAY-OFF/ CONTINUATION OF LAY-OFF/ RETRENCHMENT/ CLOSURE TO BE GIVEN BY AN EMPLOYER / INDUSTRIAL ESTABLISHMENT /UNDERTAKING TO THE CENTRAL GOVERNMENT UNDER THE PROVISIONS OF CHAPTER X OF THE INDUSTRIAL RELATIONS CODE, 2020 AND RULES MADE THEREUNDER)

(To be submitted online. In case of exigencies on paper in the specified format below)

Name of Industrial Establishment or Undertaking or Employer.....

Labour Identification Number.....

Dated.....

(Note: The application to the Central Government shall be served as indicated below:

Lay-off : at least 15 days before the intended Lay-off

Continuation of Lay-off – at least 15 days before the expiry of earlier Lay-off

Retrenchment – at least 60 days before the intended date of retrenchment

Closure – at least 90 days before the intended date of closure)

To,

The Secretary to the Government of India,

Ministry of Labour and Employment

New Delhi

1. *(Lay-off) (a). Under section 78(2) of the Industrial Relations Code, 2020 (35 of 2020), I*/we* hereby apply for “permission to lay-offworkers** out of total of workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission to continue the Lay-offworkers** out of total of laid off workers** in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission for intended retrenchment of..... workers out of total of workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby inform you that I*/we* intended to close down the undertaking..... (name of the industrial establishment or undertaking or employer) (details to be given in Annexure-I) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

* (Lay-off/Continuation of Lay-off) The worker(s) concerned were given on (DD/MM/YYYY) notice in writing as required under section 78(2)*/ section 78(3)* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) concerned were given on..... (DD/MM/YYYY) three month's notice in writing as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) have been given on..... (DD/MM/YYYY) three month's pay in lieu of notice as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

2. The details of affected worker(s) is at Annexure II.
3. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).
4. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concerned laws.

5. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been annexed herewith.
6. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer/ ***Authorised Representative
with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and word both)

(***Copy of authorisation letter issued by the employer shall be enclosed)

ANNEXURE I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2	Status of undertaking— (i) Whether Central public sector/State public sector/ like other, (ii) Whether a private limited company/ partnership firm/ partnership firm (ii) Whether the undertaking is licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate numbers.	
3	(a) Corporate Identification Number	
	(b) Goods and Service Tax Identification Number (GSTIN)	
4	(i) Annual production, item wise for preceding three years- (ii) Production figures, month-wise, for the preceding twelve months,	
5	Audit report of the legal entity that own the establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Names of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ retrenchment resorted to in the last three years including the periods of such lay-offs/ retrenchment the number of workers involved in each such lay-off/ Retrenchment / continuation of lay off	
8	Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure.	

ANNEXURE II

(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of the Worker	Category (Highly Skilled / Skilled/ Semi-skilled / Unskilled)	Date from which in service in/with the said establishment /Undertaking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

Copy to: Labour Bureau

FORM-XV

(See rules 38 and 45)

(NOTICE TO THE EMPLOYER/PERSON WHO COMMITTED AN OFFENCE FOR THE FIRST TIME , FOR COMPOUNDING OF OFFENCE UNDER SECTION 89 OF THE INDUSTRIAL RELATIONS CODE, 2020 READ WITH RULE 41)

The undersigned, the Compounding Officer, for the purposes of section 89 of the Industrial Relation Code, 2020 (35 of 2020), hereby intimates you that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below:—

PART - I

1. Name and Address of the offender Employer/person-
2. Address of the Establishment
4. Particulars of the offence
5. Section of the Code under which the offence is committed
.....
6. Compounding amount required to be paid towards composition of the
offence.....

PART – II

You are advised to deposit the above mentioned amount within fifteen days from the date of receipt of this notice for compounding the offence as per section 89 of the Industrial Relations Code, 2020 (35 of 2020) read with rule 41, along with an application dully filled in part – III of this notice.

In case you fail to deposit the said amount within the time so specified, no further opportunity shall be given to you and necessary steps shall be taken for filing of prosecution under section 87 of the said Code shall be issued.

(Signature of the Compounding Officer)

Date:

Place:

PART – III

(Application under sub-section (4) of section 89 of the Industrial relations Code, 2020 read with rule 41 for compounding of offence)

1. Name of applicant (name of the employer/person who committed the offence under the Industrial Relations Code 2020 (35 of 2020) to be mentioned.....
2. Address of the applicant
3. Particulars of the offence
.....
.....
4. Section of the Code under which the offence has been committed
.....
5. Details of the compounding amount deposited (electronically generated receipt to be attached).....
6. Details of the prosecution, if filed for the violation of above mentioned offences may be given
.....
7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence
.....
.....
.....
8. Any other information which the applicant desires to provide
.....
.....
.....

Applicant

(Name and signature)

Dated:

Place:

Copy to: Labour Bureau

Form- XVI

(See rule 40)

(COMPLAINT UNDER SECTION 91 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National Industrial Tribunal ----,

In the matter of:..... Reference No.....

A..... Complainant(s);

Versus

B..... Opposite Party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relations Code, 2020 as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Industrial Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 43 of the Industrial Relations Code, 2020 (35 of 2020) are submitted herewith.

Dated this.....day of.....20..... Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph..... above is true to my knowledge and that what is stated in paragraphs..... above is stated upon information received and believed by me to be true. This verification is signed by me at..... onday of.....20.....

Signature

or Thumb impression of the person verifying_____.

Schedule- A [see rule 10] – Mines Sector**Draft Model Standing Orders****[See Section 29(1) and Rule 10]**

1. Definition.- (1) In these Model Standing Orders, unless there is anything repugnant to the subject or the context,-

- (a) “Aadhaar” means the Aadhaar referred to in Section 142 of the Code on Social Security, 2020 (36 of 2020)
- (b) “Code” means the Industrial Relations Code, 2020 (35 of 2020); and
- (c) “Form” means a form set out in Schedule appended to these standing orders.
- (d) “Habitual” means with respect to indiscipline, a worker shall be habitual if worker commits any misconduct three or more times in preceding twelve months; and
- (e) “Standing Order” with its grammatical variation and cognate expressions, means the standing order of these model standing orders.

(2) The words or expressions used in these model standing orders and not defined therein but defined in the Industrial Relations Code, 2020 (35 of 2020) shall have the respective meanings assigned to them in the definitions in the Code.

2. (1) Classification of Worker.- For the purposes of these standing orders, the workers are classified as below, namely:-

- (a) Permanent;
- (b) Temporary;
- (c) Apprentices;
- (d) Probationers;
- (e) Badlis;
- (f) Fixed Term Employment; and
- (g) Casual.

(2) A Permanent worker is a worker who has been engaged on a permanent basis in an industrial establishment and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lockout, strike (not being an illegal strike) or involuntary closure of the industrial establishment.

(3) A Temporary Worker is a worker who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(4) Apprentice means a person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship under the Apprenticeship Act, 1961 (52 of 1961).

(5) A Probationer is a worker who is provisionally employed to fill a permanent vacancy in a post and has not completed six months' service therein. The period of probation can be extended further period up to three months after assessing the performance of the probationer for the post, he has been appointed for. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of six months, be reverted to his old permanent post.

(6) A badli is a worker who is appointed against the post of a permanent worker or probationer who is temporarily absent but he would cease to be a “badli” on completion of a continuous period of service of one year (190 attendances in the case of below ground worker and 240 attendances in the case of any other worker) in the same post or other post or posts in the same category or earlier if the post is vacated by the permanent worker or probationer. A “badli” working in place of a probationer would be deemed to be permanent after completion of the probationary period.

(7) “Fixed Term Employment” means the engagement of a worker on the basis of a written contract of employment with the employer for a fixed period:

Provided that—

(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent worker doing the same work or work of similar nature;

(b) he shall be eligible for all statutory benefits available to a permanent worker proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute;

(c) he shall be eligible for gratuity, if he renders service under the contract for a period of one year; and

(d) for every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to the worker at the rate of fifteen days' wages, based on rate of wages last drawn by the worker concerned as referred to in sub-section (2) of section 53 of the Code on Social Security, 2020 (36 of 2020).

Explanation.- For removal of doubt, it is clarified that the termination of service of a worker as a result of completion of tenure of fixed term employment shall not be included within the meaning of "retrenchment" as defined under clause (zh) of section 2 of the Industrial Relations Code, 2020 (35 of 2020).

(8) "Casual" worker is a worker who has been either engaged for work which is of an essentially casual nature or whose employment is of a casual nature.

3. Identity Badge or Card.- (1) All workers belonging to any categories under the Industrial Relations Code, 2020 (35 of 2020) shall be issued an identity badge or card bearing his full name, designation, employee number, blood group, contact number, emergency contact person and his number, and a recent photograph.

(2) A worker should always wear his identity badge or card during the working hours of the industrial establishment and produce the same to the authorized security guard or personnel to allow him the right of entry and stay in the premises of the industrial establishment.

(3) Such identity badge or card shall not be transferable to any other persons or workers. Safe custody of the identity badges or cards shall be ensured by the concerned workers.

(4) Every worker, who ceases to be in employment of the industrial establishment, shall surrender his identity badge or card to the Department Head or the officer of the industrial establishment designated for such purpose.

4. Publication of Working Timings.- (1) The period of hours of work for all categories of workers shall be exhibited on the notice board or Electronic Notice Board and on the Human Resource Portal of the industrial establishment, if any, from time to time in Hindi, English and in the local language in which majority of workers in industrial establishment are conversant.

(2) Any change in periods of hours of work, number of shifts, shift timings, work on all the days of the week with staggered weekly holidays system or like other matters, shall also be displayed on notice board or electronic notice board of the industrial establishment.

5. Publication of Holidays, Pay days and Wage rates.- (1) Notices specifying the days observed by the industrial establishment as holidays, and pay days shall be posted on the electronic notice board or notice board and website or Human Resource portal/IT Application of the industrial establishment, if any.

(2) A list of national and festival Holidays shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any.

6. Publication of Wage rates.- Wage rates payable to all categories of workers shall be displayed on the electronic notice board or notice board and website or Human Resource portal of the Mine, if any, in Hindi, English and local language in which majority of workers in industrial establishment are conversant.

7. Shift working.- (1) More than one shift may be worked in a department or departments or any section of a department of the industrial establishment at the discretion of the employer. If more than one shift is worked, the worker shall be liable to be transferred from one shift to another. No shift working shall be discontinued without twenty one days' notice being given in writing to the workers prior to such discontinuance:

Provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workers affected. If as a result of the discontinuance of the shift working, any worker is to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules made thereunder. If shift working is re-started, the workers shall be given notice and re-employed in accordance with the provisions of the said Code and the said rules.

(2) Whenever an additional shift is started, or shifts are restarted or discontinued or altered, twenty- one days prior notice, shall be given to the affected workers:

Provided that no notice shall be required in case of emergent situation which requires change of shift or shift working, otherwise than in accordance with Standing Order, in consultation with Grievance Redressal Committee in pursuant to clause (c) section 40 of the Industrial Relations Code, 2020 (35 of 2020):

Provided further that no notice shall be required, if such change is effected in accordance with the orders of the Central Government or State Government, as the case may be, or in pursuance of any settlement or award as envisaged in clause (d) of section 40 of the Industrial Relations Code, 2020 (35 of 2020).

8. Notice of changes in shift working.—Any notice of discontinuance or of re-starting of a shift working required by this Standing Order, shall be in Form-(i) appended to these standing orders and shall be served in the following manner, namely :-

(j) The notice shall be displayed conspicuously by the employer on a notice-board or electronic notice board and Human Resource portal of the industrial establishment if any; and

(k) Where any registered trade union of workers exists, then, a copy of the notice referred to in clause (a) shall also be served electronically or by registered post to the Secretary of such union.

9. Attendance and Late Coming.— (1) All workers shall be at work at Mine at the time fixed and notified under paragraph 5. Worker attending late will be liable for deduction provided for in the Code on Wages, 2019 (29 of 2019).

(2) All workers working above the ground and also underground shall comply with the regulations related to hours of work for the time being in force.

(3) Workers shall register their attendance at the start of the shift and at the close of the shift after and before change of uniform, if any, respectively.

(4) Workers shall use identity card or biometrics or any other system as has been notified to register their attendance.

(5) No worker shall use or punch the Identity badge or Card other than his own under any circumstances.

(6) Any worker, reporting late than the scheduled time for reporting shall not be permitted to enter his department or section, unless permitted by the express permission of the manager, or any other officer, duly authorized for such purpose.

(7) A worker shall be deemed absent, if he fails to attend duty, unless he has obtained written permission for such absence from the manager or the Officer authorized in this behalf.

(8) A worker who comes late and remains absent will be liable to deduction of wages as provided under the Code on Wages, 2019 (29 of 2019).

10. Leave.— (1) Holidays with pay will be allowed as provided for in the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020), and other holidays in accordance with law, contract, custom and usage applicable.

(2) Leave cannot be claimed as matter of right.

(3) A worker who desires to obtain leave of absence shall apply to the employer or any other officer of the industrial establishment specified in this behalf by the employer at least seven days in advance from the date of proposed date of leave. The employer or any other officer of the industrial establishment, who is responsible for issuing the order, shall issue the same within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier. If the leave has been applied and the leave is to commence on the date of the application or within three days thereof, then the worker shall mention the reason for late submission of application for leave. The order on such leave shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for shall be communicated to him in writing or electronic mode.

(4) Where the worker after proceeding on leave desires an extension thereof, he shall apply to the employer or the officer specified in this behalf by the employer, who shall send a reply either granting or refusing extension of leave to

the worker in writing or electronic mode, and if such reply is likely to reach him before the expiry of the leave originally granted to him.

(5) Leave with wages and allowances shall be granted to all the workers in accordance with the law as applicable under standing orders to the industrial establishment of the Mine.

(6) No employee while on leave shall take up any employment or any vocation for profit or gain.

11. Railway travel facilities.— (1) When a worker proceeds on leave and is qualified for free railway fare, the employer shall give him the cost equivalent of his ticket (including bus fare) and for boat to his home.

(2) Every worker who has completed a period of twelve months' continuous service, would qualify for railway fare or bus fare or both for going home on leave and returning to the mine on the expiry of the leave. The twelve months' service shall be deemed to have been completed if, during the twelve months preceding the date on which he applies for leave, he has worked for not less than two hundred and forty days.

(3) If on the expiry of the leave, a worker returns, he shall than receive a cash payment equivalent to the return fare. If on his return the mine is unable to have him back, he shall be paid return fare at once.

(4) If the journey home is by bus or partly by bus and partly by train, the cost of journey shall be adjusted accordingly.

(5) The worker shall be entitled to railway fare by mail or express train, wherever under the Railway Rules tickets are available for such travel.

(6) The class by which a worker is entitled to travel shall be second class / sleeper or as mutually decided between negotiating union or negotiating council and the employer and where there is no negotiating union or negotiating council, then as mutually decided between the representative of workers in the Works Committee and the employer. In case there is no works committee, then as mutually decided between the representative of workers and the employer.

(7) Where an inter-state migrant worker avails the benefits, as specified in this paragraph, under the Occupational Safety, Health and Working Conditions Codes, 2020 (37 of 2020) or the rules made thereunder, then, he shall not be entitled to avail any benefit in this paragraph.

12. Casual Leave.— A worker may be granted casual leave of absence with wages not exceeding ten 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 or the controlling authority in the industrial establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department or the controlling authority shall, as soon as may be practicable, be informed in writing or through electronic mode of the absence from and of the probable duration of such absence.

13. Payment of Wages

(1) The employer shall pay or cause to be paid wages to the worker, engaged on—

- (i) daily basis, at the end of the shift;
- (ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;
- (iii) fortnightly basis, before the end of the second day after the end of the fortnight;
- (iv) monthly basis, before the expiry of the seventh day of the succeeding month.

(2) All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the worker or by the electronic mode.

Provided, the employer shall pay the wages only by cheque or by crediting the wages in his bank account if specified through notification by appropriate government, under the Code on Wages, 2019

(3) Where a worker has been—

- (i) removed or dismissed from service; or
- (ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or, as the case may be, his resignation.

(4) Every employer shall issue wage slips to the worker in such form and manner as prescribed in Code on Wages, 2019.

(5) There shall be no deductions from the wages of the worker, except those as are authorized under the Code on Wages, 2019.

(6) All fines and all realisations from the wages of the worker shall be carried out in accordance with the section 19 of the Code on Wages, 2019.

(7) Notice specifying wage period and payment date shall be exhibited on the notice board or electronic board and on the Human Resource portal/IT Application in Hindi, English and regional language familiar to the majority of workers.

14. Service Record.- (1) Matters relating to service card, certification of service, change of residential address of workers and record of their age shall form part of service record and –

(i) Every industrial establishment shall maintain a service card in respect of each worker electronically or in manual form, wherein particulars of that worker shall be recorded with the knowledge of that worker in Form-(ii) and it shall be updated periodically. In case of manual maintenance of service card, the record shall be duly attested by an authorized officer in this behalf together with date.

(ii) Every worker shall be entitled to a service certificate, specifying the nature of work, designation and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service to be issued by an employer within 10 days of such instance;

(iii) A worker shall notify the employer immediately on engagement, the details of his residential address, mobile number, e-mail, emergency contact name and number, nominees for claiming dues in case of death and thereafter promptly communicate to his employer any change of his residential address. In case, the worker has not communicated to his employer the change in his residential address, his last known address shall be treated by the employer as his residential address for sending any communication;

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

- (a) his matriculation or school leaving certificate granted by the Board of Secondary Education or equivalent certificate granted by similar educational authority; or
- (b) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayat or Registrar of Births; or
- (c) a copy of Aadhaar, if agreed by the worker; and
- (d) in the absence of either of the aforesaid three categories of certificate, the employer or the officer authorised by him in this behalf may require the worker to supply, a certificate from a Government Medical Officer not below the rank of an Assistant Surgeon indicating the probable age of the worker:

Provided that the cost of obtaining such certificate is borne by the employer;

(v) 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.

(2) The date of birth of a worker, once entered in the service card of the industrial 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 industrial establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the date of the appointment of a worker.

(3) Cases, where date of birth of any worker had already been decided before the date these standing orders come into force shall not be reopened under these standing orders.

Note.- Where the exact date of birth of a worker is not available and the year of birth is only established, then, the 1st July of the said year shall be taken as the date of birth.

15. Confirmation.- The employer shall, in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible worker and issue a letter of confirmation to him. Whenever, a worker 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.

16. Age of retirement.- The age of retirement or superannuation of a worker shall be such as may be agreed upon between the employer and the worker under a written agreement or as specified in a settlement or award which is binding on both the worker and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of fifty eight years of age by the worker.

17. Transfer.- (1) There shall be a transfer policy of the industrial establishment and same shall be known to all workers. The details of transfer policy shall be available on the Human Resource (HR) portal.

(2) A worker may be transferred according to the transfer policy and exigencies of work from one shop or department to another or from one station to another or from one industrial establishment to another under the same employer:

Provided that the wages, grade, continuity of service and other conditions of service of the worker shall not be adversely affected by such transfer:

Provided further that a worker shall be transferred from one job to another, which he is capable of doing:

Provided also that where the transfer involves moving from one State to another such transfer shall take place, either with the consent of the worker or where there is a specific provision to that effect in the letter of appointment and transfer policy in accordance with such provision and policy:

Provided also that unless –

- (a) reasonable notice is given to such worker, and
- (b) reasonable joining time is allowed in case of transfers from one station to another and the worker concerned shall be paid traveling allowance including the transport charges and fifty per cent thereof to meet incidental charges, such transfer shall not be effected.

18. Medical aid in case of accidents.- (1) Where a worker 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 aid to the injured worker and shall arrange for his further treatment, if considered necessary by the doctor attending on him.

(2) Wherever the worker is entitled for treatment and benefits under the Social Security Code, 2020 (36 of 2020), then, he shall be entitled for treatment and benefits under that Code.

19. Medical Examination.- (1) Wherever the recruitment rule or any contract of appointment or Fixed Term Employment specify medical examination of a worker, on his first appointment, the employer shall at the employer's expense make arrangements for medical examination.

(2) All workers to be employed in the industrial establishment of Mine shall be required to clear the medical examination by the Medical Authority nominated by the industrial establishment for such purpose, at the time of first appointment.

(3) The industrial establishment may at any time direct any worker to undergo medical examination by any Medical Officer nominated to ascertain workers' fitness relatable to satisfactory performance of his job. The term "Medical Officer" shall have same meaning as it has in sub-section (1) of section 42 of Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(4) A worker who comes to know that he has contracted any infectious or contagious disease shall immediately notify the concerned Manager of such a happening and shall remain away from work until permitted to return on work by the Manager concerned and during such period, the worker shall be treated on leave to the extent of days he has leave with wages to his credit. Disciplinary action may be taken against a worker if he deliberately suppresses the fact of his suffering from an infectious or contagious disease and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

20. Secrecy.- No worker shall take any papers, books, drawings, photographs, instruments, apparatus, documents or any other property either in electronic form or physical form, 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 industrial establishment to any unauthorized person, company or corporation without the written permission of the employer. Disciplinary action may be taken against a worker if he does not comply with the provisions in this paragraph and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

21. Exclusive Service.- A worker shall not at any time work against the interest of the industrial establishment in which he is employed and shall not take any employment in addition to his job in the industrial establishment, which may adversely affect the interest of his employer, but, the employer may permit him to take up additional job,

assignment with conditions or without conditions and the worker shall obtain prior permission of the employer.

22. Stoppage of work.- (1) The employer may, at any time, in the event of fire, catastrophe, break-down of machinery or stoppage of power supply, disaster, pandemic, epidemics, civil commotion or other cause beyond his control, stop any section or sections of the industrial establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workers affected shall be notified by notices put upon the notice board or electronic notice board or on the Human Resource Portal/IT application or through any other electronic medium of the industrial establishment, if any, as soon as practicable, when the work will be resumed and whether they are to remain or leave their place of work. The worker 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 worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workers 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 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 stoppages. Wherever practicable, reasonable notice shall be given of resumption of normal work.

(3) In cases of temporary stoppage of work on account of failure of plant or reasons as specified in paragraph (1) or temporary curtailment of production of goods and services, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, but where workers have to be stopped for an indefinitely long period, their employment 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 industrial establishment close down either wholly or partially such section or department and any other section or department affected by such closing down, then, the fact of such closure shall be notified by notices put on the notice board or electronic notice board or on the Human Resource portal of the industrial establishment, if any, as soon as practicable. The workers concerned shall also be notified by a general notice, prior resumption of work, as to when work will be resumed.

23. Termination of Employment.-

(1) Subject to the provisions of the Industrial Relations Code, 2020 (35 of 2020) and rules framed thereunder, for terminating employment of a permanent worker, prior notice of one month shall be given or the worker shall be paid wages in lieu of such notice period and in case of remaining workers as specified in sub-paragraph (3), the notice period shall be regulated as provided in that sub-paragraph.

(2) No temporary worker whether monthly rated, weekly rated or piece rated, and no probationer or badli or fixed term employment or casual worker as a result of non-renewal of contract or employment or on its expiry, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary worker 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 specified in this behalf under these standing orders.

(3) Where the employment of any worker 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 his employment is terminated.

24. Disciplinary action for misconduct.-(1) A worker may be suspended by the employer pending investigation or enquiry into complaints or charges of misconduct against him. Such investigation or enquiry, or where there is an investigation followed by enquiry, both the investigation and enquiry shall be ordinarily completed within ninety days from the date of suspension. The worker shall be paid subsistence allowance during the period of suspension which shall be subject to the worker not taking any employment elsewhere during the period of suspension.

(2) The amount of subsistence allowance payable to such worker shall be as under, namely:-

- (a) at the rate of fifty percent of wages which the worker was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension; and
- (b) at the rate of seventy-five per cent of such wages for the remaining period of suspension, if the delay in completion of disciplinary proceedings against such worker is not directly attributable to the conduct of such worker.

(3) For the purposes of this standing order, the following shall denote misconduct, namely:-

- (a) theft, fraud, or dishonesty in connection with the employer's business or property;
- (b) taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or his own interests;

- (c) willful insubordination or disobedience, whether alone or in conjunction with another or others, or of any lawful or reasonable order of a superior. The order of the superior should normally be in writing;
- (d) habitual late attendance and habitual absence without leave or without sufficient cause;
- (e) drunkenness, fighting or riotous, disorderly or indecent behaviours while on duty at the place of work;
- (f) habitual neglect of work;
- (g) causing willful damage to work in progress or to property of the employer;
- (h) sleeping on duty;
- (i) malingering or slowing down work;
- (j) acceptance of gifts from subordinate employees;
- (k) conviction in any Court of Law for any criminal offence involving moral turpitude;
- (l) continuous absence without permission and without satisfactory cause for more than ten days;
- (m) giving false information regarding one's name, age, father's name, qualification or previous service at the time of the employment;
- (n) leaving work without permission or sufficient reason;
- (o) threatening, abusing or assaulting any superior or co-worker;
- (p) preaching of, or inciting to, violence;
- (q) abetment of or attempt to abetment of any of the aforesaid acts of misconduct;
- (r) going on illegal strike either singly or with other workers without giving 14 day's previous notice;
- (s) disclosing to any unauthorized person of any confidential information in regard to the working or process of the industrial establishment which may come into the possession of the worker in the course of his work;
- (t) refusal to accept any charge-sheet or order or notice communicated in writing;
- (u) failure or refusal to wear or use any protective equipment given by the employers; and
- (v) claiming false bill for reimbursement;
- (w) "sexual harassment" as defined in clause (n) of section 2 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013) and includes the circumstances specified in sub-section (2) of section 3 of the said Act.

Note:- The words defined in the Bharatiya Nyaya Sanhita, 2023 and used in this sub-paragraph shall have the same meaning as defined in such Code.

(4) (a) Where a disciplinary proceeding against a worker 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 worker 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 worker within a week from the date of suspension.

(b) In the enquiry, the worker shall be entitled to appear in person or to be represented by an office-bearer of a Trade Union of which he is a member or a co-worker of his choice.

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

(d) The proceedings of the inquiry shall be completed within a period of ninety days:

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

(e) If on the conclusion of the enquiry or, as the case may be, of the criminal proceedings, the worker has been found guilty of the charges framed against him and it is considered, after giving the worker 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 worker 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 further that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the worker 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:

Provided also that in the case of a worker to whom the provisions of clause (2) of article 311 of the Constitution apply, the provisions of that article shall be complied with.

(f) If on the conclusion of the inquiry, or as the case may be, or the criminal proceedings, the worker has been found not to be 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.

(g) The payment of subsistence allowance under this sub-paragraph shall be subject to the worker concerned not taking up any employment during the period of suspension.

(5) In awarding punishment under sub-paragraph (4), the authority imposing the punishment shall take into account any gravity of the misconduct, the previous record, if any, of the worker 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 worker concerned.

(6) (a) A worker aggrieved by an order imposing punishment under sub-paragraph (4) may within twenty-one days from the date of receipt of the order, appeal to the appellate authority specified under clause (b).

(b) The employer shall, for the purposes of Clause (a) specify the appellate authority.

(c) The appellate authority, after giving an opportunity to the worker of being heard shall pass order as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the worker in writing:

Provided that where there is a complaint of sexual harassment the internal complaint committee constituted for such purpose in each industrial establishment for inquiring into such complaints, shall, notwithstanding anything contained in this paragraph, be deemed to be the inquiring authority appointed by the employer for the purpose of these standing orders and the internal complaint committee shall hold the inquiry under this paragraph, unless separate procedure has been specified by the employer for the complaint committee for holding such inquiry into the complaints of sexual harassment, as far as practicable.

(7) The constitution of internal complaints committee shall be in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(8) The internal complaint committee referred to in sub-paragraph (7) shall make and submit every year an annual report, to the employer and the District Officer [as defined under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013] and the appropriate Government, of the complaints and action taken.

(9) The employer shall include in the annual report of his organization the number of cases filed, if any, and their disposal under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

25. Grievance Redressal and Complaints.- All complaints or grievances arising out of employment 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 person specified in this behalf with the right to appeal to the employer. In addition, for resolution of disputes arising out of individual grievances, an application in respect of such dispute may be filed before the Grievance Redressal Committee by any aggrieved worker in the manner as provided under the Industrial Relations Code, 2020 and the rules framed thereunder within one year from the date on which the cause of action of such dispute arises.

26. Liability of Manager & Workers.- The employer/Management of the industrial establishment including Mine shall be responsible for proper and faithful observance of the Standing Orders. The workers shall also observe Standing Orders truly and faithfully.

27. Forwarding of information to the certifying officer under sub-section (3) of section 30 on adoption of model standing order by an industrial establishment.- (1) If the employer adopts the model standing order of the Central Government referred to in section 29 of the Industrial Relations Code, 2020 (35 of 2020), he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing orders have been adopted.

(2) The model standing orders adopted under sub-paragraph (1) in respect of an industrial establishment shall also be applicable to all other industrial units of the establishment irrespective of location.

(3) On receipt of information under sub-paragraph (1), the certifying officer shall enter the details of the industrial establishment who has adopted the model standing order in the register maintained under rule 15 of the Industrial

Relations (Central) Rules, 2020. In the event, the certifying officer observes that the industrial establishment which has intimated adoption of model standing order is also engaged in activities other than for which model standing order has been adopted then, he shall within a period of thirty days from such receipt of intimation of model standing orders so adopted may give his observation, if any, that the employer is required to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct the employer of the industrial establishment that he shall, within a period of thirty days from the date of the receipt of such direction comply with the direction and send compliance report only in respect of those provisions which the certifying officer observes to get included. The provisions of the Model Standing Orders so adopted shall remain in force with effect from the date specified in sub-paragraph (1).

Explanation.- For removal of doubt, it is clarified that certifying officer shall not raise any observation in the event the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the Standing Orders apply.

28. Exhibition of Standing Orders.- A copy of these Standing Orders in Hindi, English and in the language in which majority of workers in a factory are conversant with, shall be displayed on the notice board or electronic notice board and Human Resource portal of the industrial establishment, if any.

Form (i)
(See Model Standing Order 8)
Notice of discontinuance/restarting of a shift working to be given by Manager of the Mine
Name of employer/ Manager of Mine.....
Address.....
Date theday of20.....
In accordance with Standing Order No.....of the Standing Orders certified and approved in respect of my/our industrial establishment/ Mine 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 with Name Designation.....
Annexure
(here specify the particulars of change in the shift working proposed to be affected).
Copy forwarded to:-
(1) The Secretary of registered trade union, if any.
(2) The Assistant Labour Commissioner (Central)
(3) The Regional Labour Commissioner (Central) Zone.
(4) The Chief Labour Commissioner (Central), New Delhi.]
Note: The notice should be sent by speed post or registered post or on the designated email of the endorsee.

<u>Form (ii)</u>		
<i>(See Model Standing Order No 14)</i>		
Service Card		
Name of Establishment/ Mine		
Identity Badge No. /Token No.		
1.	Register Serial No.	
2.	Name	
3.	Permanent Account Number (PAN)	
4.	Universal Account Number (UAN)	
5.	Category of worker (unskilled, semi-skilled, skilled or highly skilled),	
6.	Details of family members	
7.	Aadhaar number, if consented by the worker	
8.	Specimen Signature/Thumb Impression	
9.	Father's or Mother's or Spouse name	
10.	Gender	
11.	Date of Birth	
12.	Place of Birth	
13.	Date of Joining	
14.	Medical certificate at the time of joining	
15.	Educational and other qualifications	
16.	Language which the worker can read	
17.	Language which the worker can write	
18.	Language which the worker can speak	
19.	Height	
20.	Identification Marks	
21.	Department	
22.	Mobile number and email	
23.	Permanent Address	
24.	Local Address	
25.	Quarter No.	
26.	Provident Fund Account No.	
27.	Nominee for Gratuity	
28.	Nominee for pension, if any	
29.	Employees State Insurance No.	
30.	Training courses attended (details)	

31.	Eligibility for higher jobs					
32.	Proficiency tests passed.					
33. EMPLOYMENT HISTORY						
Department	Token No.	Designation	Scale of Pay	Joined	Left (Reason)	
1	2	3	4	5	6	
34. ABSENCE PERIODS						
	Form	To	Reason	Medical reports regarding suitability for continued employment		
(i) Sick Leave						
(ii) Earned Leave						
(iii) Any other Leave						
35.	Maternity Benefit					
36.	Employee's Compensation					
	Details of accidents :					
37.	Details of Disciplinary Action					
38.	Promotions					
	(i) Details (ii) Awards (iii) Issue of Certificate of commendation					
39.	Date of superannuation					
40.	Any other matter					

Signature

or Thumb impression of the person verifying.

Schedule-B [see Rule 10] – Manufacturing Sector**Draft Model Standing Orders****[See Section 29(1) and Rule 10]**

1. Definition.- (1) In these Model Standing Orders, unless there is anything repugnant to the subject or the context,-

- (a) “Aadhar” means the aadhar referred to in Section 142 of the Code on Social Security, 2020 (36 of 2020)
- (b) ‘Code’ means the Industrial Relations Code, 2020 (35 of 2020);
- (c) ‘Form ‘ means a form set out in Schedule appended to these standing orders;
- (d) ‘Habitual’ means with respect to indiscipline, a worker shall be habitual if the worker commits any misconduct three or more times in preceding twelve months; and
- (e) “Standing Order” with its grammatical variation and cognate expressions, means the standing order of these model standing orders.

(2) The words or expressions used in these model standing orders and not defined therein but defined in the Industrial Relations Code, 2020 (35 of 2020) shall have the respective meanings assigned to them in the definitions in the Code.

2. (1) Classification of Worker.- For the purposes of these standing orders, the workers are classified as below, namely:-

- (a) Permanent;
- (b) Temporary;
- (c) Apprentices;
- (d) Probationers;
- (e) Badlis;
- (f) Fixed Term Employment; and
- (g) Casual

(2) A Permanent worker is a worker who has been engaged on a permanent basis in an industrial establishment and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lockout, strike (not being an illegal strike) or involuntary closure of the industrial establishment.

(3) A Temporary Worker is a worker who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(4) Apprentice means a person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship under the Apprenticeship Act, 1961 (52 of 1961).

(5) A Probationer is a worker who is provisionally employed to fill a permanent vacancy in a post and has not completed six months ‘service therein. The period of probation can be extended further period up to three months after assessing the performance of the probationer for the post, he has been appointed for. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of six months, be reverted to his old permanent post.

(6) A badli is a worker who is appointed against the post of a permanent worker or probationer who is temporarily absent.

(7) "Fixed term employment" means the engagement of a worker on the basis of a written contract of employment with the employer for a fixed period:

Provided that—

(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent worker doing the same work or work of similar nature;

(b) he shall be eligible for all statutory benefits available to a permanent worker proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute;

(c) he shall be eligible for gratuity, if he renders service under the contract for a period of one year; and

(d) for every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to the worker at the rate of fifteen days' wages, based on rate of wages last drawn by the worker concerned as referred to in sub-section (2) of section 53 of the Code on Social Security, 2020 (36 of 2020).

Explanation.- For removal of doubt, it is clarified that the termination of service of a worker as a result of completion of tenure of fixed term employment shall not be included within the meaning of "retrenchment" as defined under clause (zh) of section 2 of the Industrial Relations Code, 2020 (35 of 2020).

(8) "Casual" worker is a worker who has been either engaged for work which is of an essentially casual nature or whose employment is of a casual nature.

3. Identity Badge or Card.- (1) All workers belonging to any categories under the Industrial Relations Code, 2020 (35 of 2020) shall be issued an identity badge or card bearing his full name, designation, employee number, blood group, contact number, emergency contact person and his number, and a recent photograph.

(2) A worker should always wear his identity badge or card during the working hours of the industrial establishment and produce the same to the authorized security guard or personnel to allow him the right of entry and stay in the premises of the industrial establishment.

(3) Such identity badge or card shall not be transferable to any other persons or workers. Safe custody of the identity badges or cards shall be ensured by the concerned workers.

(4) Every worker, who ceases to be in employment of the industrial establishment, shall surrender his identity badge to the Department Head or the officer of the industrial establishment designated for such purpose.

4. Publication of Working Timings.- (1) The periods of hours of work for all categories of workers shall be exhibited on the notice board or Electronic Notice Board and on the Human Resource Portal of the industrial establishment, if any, from time to time in Hindi, English and in the local language in which majority of workers in industrial establishment are conversant.

(2) Any change in periods of hours of work, number of shifts, shift timings, work on all the days of the week with staggered weekly holidays system or like other matters, shall also be displayed on notice board or electronic notice board of the industrial establishment.

5. Publication of Holidays, Pay days and Wage rates.- (1) Notices specifying the days observed by the industrial establishment as holidays, and pay days shall be posted on the electronic notice board or notice board and website or Human Resource portal/ IT Application of the industrial establishment, if any.

(2) A list of national and festival Holidays shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any.

6. Publication of wage rates.- Wage rates payable to all categories of workers shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any, in Hindi, English and local language in which majority of workers in industrial establishment are conversant.

7. Shift working:- (1) More than one shift may be worked in a department or departments or any section of a department of the industrial establishment at the discretion of the employer. If more than one shift is worked, the worker shall be liable to be transferred from one shift to another. No shift working shall be discontinued without twenty one days' notice being given in writing to the workers prior to such discontinuance:

Provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workers affected. If as a result of the discontinuance of the shift working, any worker is to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules made thereunder. If shift working is re-started, the workers shall be given notice and re-employed in accordance with the provisions of the said Code and the said rules.

(2) Whenever an additional shift is started, or shifts are restarted or discontinued or altered, twenty- one days prior notice, shall be given to the affected workers:

Provided that no notice shall be required in case of emergent situation which requires change of shift or shift working, otherwise than in accordance with Standing Order, in consultation with Grievance Redressal Committee in pursuance of clause (c) section 40 of the Industrial Relations Code, 2020 (35 of 2020):

Provided further that no notice shall be required, if such change is effected in accordance with the orders of the Central Government or State Government, as the case may be, or in pursuance of any settlement or award as envisaged in clause (d) of section 40.

8. Notice of changes in shift working.--Any notice of discontinuance or of re-starting of a shift working required by this Standing Order, shall be in Form-(i) appended to these standing orders and shall be served in the following manner, namely :-

- (a) The notice shall be displayed conspicuously by the employer on a notice-board or electronic notice board and Human Resource portal of the industrial establishment if any; and
- (b) Where any registered trade union of workers exists, then, a copy of the notice referred to in clause (a) shall also be served electronically or by registered post to the Secretary of such union.

9. Attendance and Late Coming.— (1) All workers shall be at work at the time fixed and notified under paragraph 5. Worker attending late will be liable for deduction provided for in the Code on Wages, 2020 (29 of 2019).

- (2) All workers shall comply with the regulations related to hours of work for the time being in force.
- (3) Workers shall register their attendance at the start of the shift and at the close of the shift after and before change of uniform, if any, respectively.
- (4) Workers shall use identity card or biometrics or any other system as has been notified to register their attendance.
- (5) No worker shall use or punch the Identity badge or Card other than his own under any circumstances.
- (6) Any worker, reporting late than the scheduled time for reporting shall not be permitted to enter his department or section, unless permitted by the express permission of the manager, or any other officer, duly authorized for such purpose.
- (7) A worker shall be deemed absent, if he fails to attend duty, unless he has obtained written permission for such absence from the manager or the Officer authorized in this behalf.
- (8) A worker who comes late and remains absent will be liable to deduction of wages as provided under the Code on Wages, 2019 (29 of 2019).

10. Leave.— (1) Holidays with pay will be allowed as provided for in the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020), and other holidays in accordance with law, contract, custom and usage applicable.

- (2) Leave cannot be claimed as matter of right.
- (3) A worker who desires to obtain leave of absence shall apply to the employer or any other officer of the industrial establishment specified in this behalf by the employer at least seven days in advance from the date of proposed date of leave. The employer or any other officer of the industrial establishment, who is responsible for issuing the order, shall issue the same within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier. If the leave has been applied and the leave is to commence on the date of the application or within three days thereof, then the worker shall mention the reason for late submission of application for leave. The order on such leave shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for shall be communicated to him in writing or electronic mode.
- (4) Where the worker after proceeding on leave desires an extension thereof, he shall apply to the employer or the officer specified in this behalf by the employer, who shall send a reply either granting or refusing extension of leave to the worker in writing or electronic mode, and if such reply is likely to reach him before the expiry of the leave originally granted to him.
- (5) Leave with wages and allowances shall be granted to all the workers in accordance with the law as applicable to the industrial establishment and under Standing Orders.
- (6) No employee while on leave shall take up any employment or any vocation for profit or gain.

11. Casual Leave.— A worker may be granted casual leave of absence with wages not exceeding ten 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 or the controlling authority in the industrial establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department or the controlling authority shall, as soon as may be practicable, be informed in writing or through electronic mode of the absence from and of the probable duration of such absence.

12. Payment of Wages.—

- (1) The employer shall pay or cause to be paid wages to the worker, engaged on—
 - (i) daily basis, at the end of the shift;
 - (ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;
 - (iii) fortnightly basis, before the end of the second day after the end of the fortnight;
 - (iv) monthly basis, before the expiry of the seventh day of the succeeding month.

(2) All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the worker or by the electronic mode.

Provided, the employer shall pay the wages only by cheque or by crediting the wages in his bank account if specified through notification by appropriate government, under the Code on Wages, 2019

(3) Where a worker has been—

(i) removed or dismissed from service; or

(ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or, as the case may be, his resignation.

(4) Every employer shall issue wage slips to the worker in such form and manner as prescribed in Code on Wages, 2019.

(5) There shall be no deductions from the wages of the worker, except those as are authorized under the Code on Wages, 2019.

(6) All fines and all realisations from the wages of the worker shall be carried out in accordance with the section 19 of the Code on Wages, 2019.

(7) Notice specifying wage period and payment date shall be exhibited on the notice board or electronic board and on the Human Resource portal/IT Application in Hindi, English and regional language familiar to the majority of workers.

13. Service Record:- (1) Matters relating to service card, certification of service, change of residential address of workers and record of their age shall form part of service record and –

(i) Every industrial establishment shall maintain a service card in respect of each worker electronically or in manual form, wherein particulars of that worker shall be recorded with the knowledge of that worker in Form-(ii) and it shall be updated periodically. In case of manual maintenance of service card, the record shall be duly attested by an authorized officer in this behalf together with date.

(ii) Every worker shall be entitled to a service certificate, specifying the nature of work, designation and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service to be issued by an employer within 10 days of such instance;

(iii) A worker shall notify the employer immediately on engagement, the details of his residential address, mobile number, e-mail, emergency contact name and number, nominees for claiming dues in case of death and thereafter promptly communicate to his employer any change of his residential address. In case, the worker has not communicated to his employer the change in his residential address, his last known address shall be treated by the employer as his residential address for sending any communication;

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

- (a) his matriculation or school leaving certificate granted by the Board of Secondary Education or equivalent certificate granted by similar educational authority; or
- (b) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayat or Registrar of Births; or
- (c) a copy of Aadhaar, if agreed by the worker; and
- (d) in the absence of either of the aforesaid three categories of certificate, the employer or the officer authorised by him in this behalf may require the worker to supply, a certificate from a Government Medical Officer not below the rank of an Assistant Surgeon indicating the probable age of the worker:

Provided that the cost of obtaining such certificate is borne by the employer;

(v) 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.

(2) The date of birth of a worker, once entered in the service card of the industrial 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 industrial establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the date of the appointment of a worker.

(3) Cases, where date of birth of any worker had already been decided before the date these standing orders come into force shall not be reopened under these standing orders.

Note.- Where the exact date of birth of a worker is not available and the year of birth is only established, then, the 1st July of the said year shall be taken as the date of birth.

14. Confirmation.- The employer shall, in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible worker and issue a letter of confirmation to him. Whenever, a worker 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.

15. Age of retirement.- The age of retirement or superannuation of a worker shall be such as may be agreed upon between the employer and the worker under a written agreement or as specified in a settlement or award which is binding on both the worker and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of fifty eight years of age by the worker.

16. Transfer.- (1) There shall be a transfer policy of the industrial establishment and same shall be known to all workers. The details of transfer policy shall be available on the Human Resource (HR) portal.

(2) A worker may be transferred according to the transfer policy and exigencies of work from one shop or department to another or from one station to another or from one industrial establishment to another under the same employer:

Provided that the wages, grade, continuity of service and other conditions of service of the worker shall not be adversely affected by such transfer:

Provided further that a worker shall be transferred from one job to another, which he is capable of doing:

Provided also that where the transfer involves moving from one State to another such transfer shall take place, either with the consent of the worker or where there is a specific provision to that effect in the letter of appointment and transfer policy in accordance with such provision and policy:

Provided also that unless -

- (a) reasonable notice is given to such worker, and
- (b) reasonable joining time is allowed in case of transfers from one station to another and the worker concerned shall be paid traveling allowance including the transport charges and fifty per cent thereof to meet incidental charges, such transfer shall not be effected.

17. Medical aid in case of accidents.- (1) Where a worker 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 aid to the injured worker and shall arrange for his further treatment, if considered necessary by the doctor attending on him.

(2) Wherever the worker is entitled for treatment and benefits under the Social Security Code, 2020 (36 of 2020), then, he shall be entitled for treatment and benefits under that Code.

18. Medical Examination.- (1) Wherever the recruitment rules or any contract of appointment or Fixed Term Employment specify medical examination of a worker, on his first appointment, the employer shall at the employer's expense make arrangements for medical examination.

(2) All workers to be employed in the industrial establishment shall be required to clear the medical examination by the Medical Authority nominated by the industrial establishment for such purpose, at the time of first appointment.

(3) The industrial establishment may at any time direct any worker to undergo medical examination by any Medical Officer nominated to ascertain workers' fitness relatable to satisfactory performance of his job. The term "Medical Officer" shall have same meaning as it has in sub-section (1) of section 42 of Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(4) A worker who comes to know that he has contracted any infectious or contagious disease shall immediately notify the concerned Manager of such a happening and shall remain away from work until permitted to return on work by the Manager concerned and during such period, the worker shall be treated on leave to the extent of days he has leave with wages to his credit. Disciplinary action may be taken against a worker if he deliberately suppresses the fact of his suffering from an infectious or contagious disease and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

19. Secrecy.- No worker shall take any papers, books, drawings, photographs, instruments, apparatus, documents or any other property either in electronic form or physical form, 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 industrial establishment to any unauthorized person, company or corporation without

the written permission of the employer. Disciplinary action may be taken against a worker if he does not comply with the provisions in this paragraph and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

20. Exclusive Service.- A worker shall not at any time work against the interest of the industrial establishment in which he is employed and shall not take any employment in addition to his job in the industrial establishment, which may adversely affect the interest of his employer, but, the employer may permit him to take up additional job, assignment with conditions or without conditions and the worker shall obtain prior permission of the employer.

21. Stoppage of work. - (1) The employer may, at any time, in the event of fire, catastrophe, break-down of machinery or stoppage of power supply, disaster, pandemic, epidemics, civil commotion or other cause beyond his control, stop any section or sections of the industrial establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workers affected shall be notified by notices put upon the notice board or electronic notice board or on the Human Resource Portal/IT application or through any other electronic medium of the industrial establishment, if any, as soon as practicable, when the work will be resumed and whether they are to remain or leave their place of work. The worker 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 worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workers 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 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 stoppages. Wherever practicable, reasonable notice shall be given of resumption of normal work.

(3) In cases of temporary stoppage of work on account of failure of plant or reasons as specified in paragraph (1) or a temporary curtailment of production of goods and services, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, but where workers have to be stopped for an indefinitely long period, their employment 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 industrial establishment close down either wholly or partially such section or department and any other section or department affected by such closing down, then, the fact of such closure shall be notified by notices put on the notice board or electronic notice board or on the Human Resource portal of the industrial establishment, if any, as soon as practicable. The workers concerned shall also be notified by a general notice, prior resumption of work, as to when work will be resumed.

22. Termination of Employment-

(1) Subject to the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules framed thereunder, for terminating employment of a permanent worker, prior notice of one month shall be given or the worker shall be paid wages in lieu of such notice period and in case of remaining workers as specified in sub-paragraph (3), the notice period shall be regulated as provided in that sub-paragraph.

(2) No temporary worker whether monthly rated, weekly rated or piece rated, and no probationer or badli or fixed term employment or casual worker as a result of non-renewal of contract or employment or on its expiry, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary worker 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 specified in this behalf under these standing orders.

(3) Where the employment of any worker 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 his employment is terminated.

23. Disciplinary action for misconduct.-(1) A worker may be suspended by the employer pending investigation or enquiry into complaints or charges of misconduct against him. Such investigation or enquiry, or where there is an investigation followed by enquiry, both the investigation and enquiry shall be ordinarily completed within ninety days from the date of suspension. The worker shall be paid subsistence allowance during the period of suspension which shall be subject to the worker not taking any employment elsewhere during the period of suspension.

(2) The amount of subsistence allowance payable to such worker shall be as under, namely:-

- (a) at the rate of fifty percent of wages which the worker was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension; and
- (b) at the rate of seventy-five per cent of such wages for the remaining period of suspension, if the delay in completion of disciplinary proceedings against such worker is not directly attributable to the conduct of such worker.

(3) For the purposes of this standing order, the following shall denote misconduct, namely:-

- (a) theft, fraud, or dishonesty in connection with the employer's business or property;
- (b) taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or his own interests;
- (c) willful insubordination or disobedience, whether alone or in conjunction with another or others, or of any lawful or reasonable order of a superior. The order of the superior should normally be in writing;
- (d) habitual late attendance and habitual absence without leave or without sufficient cause;
- (e) drunkenness, fighting or riotous, disorderly or indecent behaviours while on duty at the place of work;
- (f) habitual neglect of work;
- (g) causing willful damage to work in progress or to property of the employer;
- (h) sleeping on duty;
- (i) malingering or slowing down work;
- (j) acceptance of gifts from subordinate employees;
- (k) conviction in any Court of Law for any criminal offence involving moral turpitude;
- (l) continuous absence without permission and without satisfactory cause for more than ten days;
- (m) giving false information regarding one's name, age, father's name, qualification or previous service at the time of the employment;
- (n) leaving work without permission or sufficient reason;
- (o) threatening, abusing or assaulting any superior or co-worker;
- (p) preaching of, or inciting to, violence;
- (q) abetment of or attempt to abetment of any of the aforesaid acts of misconduct;
- (r) going on illegal strike either singly or with other workers without giving 14 day's previous notice;
- (s) disclosing to any unauthorized person of any confidential information in regard to the working or process of the industrial establishment which may come into the possession of the worker in the course of his work;
- (t) refusal to accept any charge-sheet or order or notice communicated in writing;
- (u) failure or refusal to wear or use any protective equipment given by the employers;
- (v) claiming false bill for reimbursement; and
- (w) "sexual harassment" as defined in clause (n) of section 2 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013) and includes the circumstances specified in sub-section (2) of section 3 of the said Act.

Note:- The words defined in the Bharatiya Nyaya Sanhita, 2023 and used in this sub-paragraph shall have the same meaning as defined in such Code.

(4) (a) Where a disciplinary proceeding against a worker 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 worker 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 worker within a week from the date of suspension.

(b) In the enquiry, the worker shall be entitled to appear in person or to be represented by an office-bearer of a Trade Union of which he is a member or a co-worker of his choice.

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

(d) The proceedings of the inquiry shall be completed within a period of ninety days:

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

(e) If on the conclusion of the enquiry or, as the case may be, of the criminal proceedings, the worker has been found guilty of the charges framed against him and it is considered, after giving the worker 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 worker 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 further that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the worker 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:

Provided also that in the case of a worker to whom the provisions of clause (2) of article 311 of the Constitution apply, the provisions of that article shall be complied with.

(f) If on the conclusion of the inquiry, or as the case may be, or the criminal proceedings, the worker has been found not to be 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.

(g) The payment of subsistence allowance under this sub-paragraph shall be subject to the worker concerned not taking up any employment during the period of suspension.

(5) In awarding punishment under sub-paragraph (4), the authority imposing the punishment shall take into account any gravity of the misconduct, the previous record, if any, of the worker 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 worker concerned.

(6) (a) A worker aggrieved by an order imposing punishment under sub-paragraph (4) may within twenty-one days from the date of receipt of the order, appeal to the appellate authority specified under clause (b).

(b) The employer shall, for the purposes of Clause (a) specify the appellate authority.

(c) The appellate authority, after giving an opportunity to the worker of being heard shall pass order as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the worker in writing:

Provided that where there is a complaint of sexual harassment the internal complaint committee constituted for such purpose in each industrial establishment for inquiring into such complaints, shall, notwithstanding anything contained in this paragraph, be deemed to be the inquiring authority appointed by the employer for the purpose of these standing orders and the internal complaint committee shall hold the inquiry under this paragraph, unless separate procedure has been specified by the employer for the complaint committee for holding such inquiry into the complaints of sexual harassment, as far as practicable.

(7) The constitution of internal complaints committee shall be in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(8) The internal complaint committee referred to in sub-paragraph (7) shall make and submit every year an annual report, to the employer and the District Officer [as defined under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013] and the appropriate Government, of the complaints and action taken.

(9) The employer shall include in ~~it's~~ the annual report of his organisation the number of cases filed, if any, and their disposal under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

24. Grievance Redressal and Complaints.- All complaints or grievances arising out of employment 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 person specified in this behalf with the right to appeal to the employer. In addition, for resolution of disputes arising out of individual grievances, an application in respect of such dispute may be filed before the Grievance Redressal Committee by any aggrieved worker in the manner as provided under the Industrial Relations Code, 2020 and the rules framed thereunder within one year from the date on which the cause of action of such dispute arises.

25. Liability of Employer and Workers.- The employer of the industrial establishment shall be responsible for the proper and faithful observance of the Standing Orders. The workers shall also observe the Standing Orders truly and faithfully.

26. Forwarding of information to the certifying officer under sub-section (3) of section 30 on adoption of model standing order by an industrial establishment.- (1) If the employer adopts the model standing order of the Central Government referred to in section 29 of the Industrial Relations Code, 2020 (35 of 2020), he shall intimate the

concerned certifying officer electronically the specific date from which the provisions of the model standing orders have been adopted.

(2) The model standing order adopted under sub-paragraph (1) in respect of an industrial establishment shall also be applicable to all other industrial units of the establishment irrespective of location.

(3) (a) On receipt of information under sub-paragraph (1), the certifying officer shall enter the details of the industrial establishment who has adopted the Model Standing Order in the register maintained under rule 15 of the Industrial Relations (Central) Rules, 2020.

(b) In the event, the certifying officer observes that the industrial establishment which has intimated adoption of Model Standing Orders under clause (a) is also engaged in activities (that is to say that the industrial establishment is also engaged in mines or service sector, or both) other than for which Model Standing Orders have been adopted, then, he shall within a period of thirty days from such receipt of intimation of Model Standing Orders so adopted may give his observation, if any, that the employer is also required to include or adopt provisions relating to the industrial establishment engaged in mines or service sector, or both, then the certifying officer shall indicate so and convey such observations to the employer and direct him to comply with such directions within a period of thirty days from the date of the receipt of such direction and to send the compliance report to the certifying officer.

(c) The provisions of the Model Standing Orders so adopted under this paragraph shall remain in force with effect from the date specified in sub-paragraph (1).

Explanation.- For removal of doubt, it is clarified that certifying officer shall not raise any observation in the event the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the Standing Orders apply.

27. Exhibition of Standing Orders.- A copy of these Standing Orders in Hindi, English and in the local language in which majority of workers in a factory are conversant with, shall be displayed on the notice board or electronic notice board and Human Resource portal of the industrial establishment, if any.

Form (i)
(See Modal Standing Order 8)
Notice of discontinuance/re -starting of a shift working to be given by the /an employer.
Name of employer.....
Address.....
Date theday of20.....
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) (3) The Regional Labour Commissioner (Central) Zone. (4) The Chief Labour Commissioner (Central), New Delhi.]
Note: The notice should be sent by speed post or registered post or on the designated email of the endorsee.

<u>Form (ii)</u>		
(See Model Standing Order No. 13)		
Service Card		
Name of Estt. / Factory		
Identity Badge No. /Token No.		
1.	Register Serial No	
2.	Name	
3.	Permanent Account Number (PAN),	
4.	Universal Account Number (UAN)	
5.	Category of worker (unskilled, semi-skilled, skilled or highly skilled),	
6.	Details of family members	
7.	Aadhaar number, if consented by the worker	
8.	Specimen Signature/Thumb Impression	
9.	Father's or Mother's or Spouse name	
10.	Gender	
11.	Date of Birth	
12.	Place of Birth	
13.	Date of Joining	
14.	Details of Medical certificate at the time of joining	
15.	Educational and other qualifications	
16.	Language which the worker can read	
17.	Language which the worker can write	
18.	Language which the worker can speak	
19.	Height	
20.	Identification Marks	
21.	Department	
22.	Mobile number and email	
23.	Permanent Address	
24.	Local Address	
25.	Quarter No.	
26.	Provident Fund Account No.	
27.	Nominee for Gratuity	
28.	Nominee for pension, if any	
29.	Employees State Insurance No.	
30.	Training courses attended (details)	

31.	Eligibility for higher jobs					
32.	Proficiency tests passed.					
33. EMPLOYMENT HISTORY						
Department	Token No.	Designation	Scale of Pay	Joined	Left (Reason)	
1	2	3	4	5	6	
34. ABSENCE PERIODS						
	Form	To	Reason	Medical reports regarding suitability for continued employment		
(i) Sick Leave						
(ii) Earned Leave						
(iii) Any other Leave						
35.	Maternity Benefit					
36.	Employee's Compensation					
	Details of accidents :					
37.	Details of Disciplinary Action					
38.	Promotions					
	(i) Details (ii) Awards (iii) Issue of Certificate of commendation					
39.	Date of superannuation					
40.	Any other matter					

Signature

or Thumb impression of the person verifying.

[Schedule- C (See Rule 10)] – Service Sector**Draft Model Standing Orders****[See Section 29(1) and Rule 10]**

1. Definition.- (1) In these Model Standing Orders, unless there is anything repugnant to the subject or the context,-

- (a) “Aadhaar” means the Aadhaar referred to in Section 142 of the Code on Social Security, 2020 (36 of 2020)
- (b) ‘Code’ means the Industrial Relations Code, 2020 (35 of 2020);
- (c) ‘Form’ means a form set out in Schedule appended to these standing orders;
- (d) ‘Habitual’ means with respect to indiscipline, a worker shall be habitual if the worker commits any misconduct three or more times in preceding twelve months; and
- (e) “Standing Order” with its grammatical variation and cognate expressions, means the standing order of these model standing orders.

(2) The words or expressions used in these model standing orders and not defined therein but defined in the Industrial Relations Code, 2020 (35 of 2020) shall have the respective meanings assigned to them in the definitions in the Code.

2. (1) Classification of Worker.- For the purposes of these standing orders, the workers are classified as below, namely:-

- (a) Permanent;
- (b) Temporary;
- (c) Apprentices;
- (d) Probationers;
- (e) Badlis;
- (h) Fixed Term Employment; and
- (i) Casual

(2) A ‘Permanent worker’ is a worker who has been engaged on a permanent basis in an industrial establishment and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lockout, strike (not being an illegal strike) or involuntary closure of the industrial establishment.

(3) A ‘Temporary Worker’ is a worker who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(4) ‘Apprentice’ means a person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship under the Apprenticeship Act, 1961 (52 of 1961).

(5) A probationer is a worker who is provisionally employed to fill a permanent vacancy in a post and has not completed six months ‘service therein. The period of probation can be extended further period up to three months after assessing the performance of the probationer for the post, he has been appointed for. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of six months, be reverted to his old permanent post.

(6) A ‘badli’ is a worker who is appointed against the post of a permanent worker or probationer who is temporarily absent.

(7) "Fixed term employment" means the engagement of a worker on the basis of a written contract of employment with the employer for a fixed period:

Provided that—

(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent worker doing the same work or work of similar nature;

(b) he shall be eligible for all statutory benefits available to a permanent worker proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute;

(c) he shall be eligible for gratuity, if he renders service under the contract for a period of one year; and

(d) for every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to the worker at the rate of fifteen days' wages, based on rate of wages last drawn by the worker concerned as referred to in sub-section (2) of section 53 of the Code on Social Security, 2020 (36 of 2020).

Explanation.- For removal of doubt, it is clarified that the termination of service of a worker as a result of completion of tenure of fixed term employment shall not be included within the meaning of "retrenchment" as defined under clause (zh) of section 2 of the Industrial Relations Code, 2020 (35 of 2020).

(8) "Casual" worker is a worker who has been either engaged for work which is of an essentially casual nature or whose employment is of a casual nature.

3. Identity Badge or Card.- (1) All workers belonging to any categories under the Industrial Relations Code, 2020 (35 of 2020) shall be issued an identity badge or card bearing his full name, designation, employee number, blood group, contact number, emergency contact person and his number, and a recent photograph.

(2) A worker should always wear his identity badge or card during the working hours of the industrial establishment and produce the same to the authorized security guard or personnel to allow him the right of entry and stay in the premises of the industrial establishment.

(3) Such identity badge shall not be transferable to any other persons or workers. Safe custody of the identity badges or cards shall be ensured by the concerned workers.

(4) Every worker, who ceases to be in employment of the industrial establishment or is suspended from services, shall surrender his identity badge or card to the Department Head or the officer of the industrial establishment designated for such purpose.

4. Publication of Working Timings.- (1) The periods of hours of work for all categories of workers shall be exhibited on the notice board or Electronic Notice Board and on the Human Resource Portal/IT Application of the industrial establishment, if any, from time to time in Hindi, English and in local language in which majority of workers in the industrial establishment are conversant.

Provided that in case of IT Sector, the working hour shall be as per agreement or conditions of appointment between employer and workers.

(2) Any change in periods of hours of work, number of shifts, shift timings, work on all the days of the week with staggered weekly holidays system or like other matters, shall also be displayed on notice board or electronic notice board of the industrial establishment.

5. Publication of Holidays, Pay days and Wage rates.- (1) Notices specifying the days observed by the industrial establishment as holidays, and pay days shall be posted on the electronic notice board or notice board and website or Human Resource portal/IT Application of the industrial establishment, if any.

(2) A list of national and festival Holidays shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any.

Explanation: If a worker is required to work on any Holidays, he/she shall be given benefits as per prevalent law(s) applicable to workers.

6. Publication of wage rates.- Wage rates payable to all categories of workers shall be displayed on the electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any, in Hindi, English and local language in which majority of workers in industrial establishment are conversant.

7. Shift working.- (1) More than one shift may be worked in a department or departments or any section of a department of the industrial establishment at the discretion of the employer. If more than one shift is worked, the worker shall be liable to be transferred from one shift to another. No shift working shall be discontinued without twenty one days' notice being given in writing to the workers prior to such discontinuance:

Provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workers affected or mutually agreed between employer and worker. If as a result of the discontinuance of the shift working, any worker is to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules made thereunder. If shift working is re-started, the workers shall be given notice and re-employed in accordance with the provisions of the said Code and the said rules.

(2) Whenever an additional shift is started, or shifts are restarted or discontinued or altered, twenty- one days prior notice, shall be given to the affected workers:

Provided that no notice shall be required in case of emergent situation which requires change of shift or shift working, otherwise than in accordance with Standing Order, in consultation with Grievance Redressal Committee in pursuant of clause (c) section 40 of the Industrial Relations Code, 2020 (35 of 2020):

Provided further that if there is an agreement between employer and worker regarding change of shift, then no prior notice is required to be given by the management/employer.

Provided also that no notice shall be required, if such change is effected in accordance with the orders of the Central Government or State Government, as the case may be, or in pursuance of any settlement or award as envisaged in clause (d) of section 40 of the Industrial Relations Code, 2020(35 of 2020).

8. Notice of changes in shift working.- Any notice of discontinuance or of re-starting of a shift working required by this Standing Order, shall be in Form-(i) appended to these standing orders and shall be served in the following manner, namely :-

- (a) The notice shall be displayed conspicuously by the employer on a notice-board or electronic notice board and Human Resource portal of the industrial establishment if any; and
- (b) Where any registered trade union of workers exists, then, a copy of the notice referred to in clause (a) shall also be served electronically or by registered post to the Secretary of such union.

9. Work from home, remote location and virtual workplace.- Subject to conditions of appointment or agreement between employer and workers, employer may allow a worker to work from home, remote location and virtual workplace for such period or periods as may be determined by employer.

10. Attendance and Late Coming.- (1) All workers shall be at work at the time fixed and notified under paragraph 5. Worker attending late will be liable for deduction provided for in the Code on Wages, 2019 (29 of 2019).

- (2) All workers shall comply with the regulations related to hours of work for the time being in force.
- (3) Workers shall register their attendance at the start of the shift and at the close of the shift after and before change of uniform, if any, respectively.
- (4) Workers shall use identity card or biometrics or any other system as has been notified to register their attendance.
- (5) No worker shall use or punch the Identity badge or Card other than his own under any circumstances.
- (6) Any worker, reporting late than the scheduled time for reporting shall not be permitted to enter his department or section, unless permitted by the express permission of the manager, or any other officer, duly authorized for such purpose.
- (7) A worker shall be deemed absent, if he/she fails to attend duty, unless he has obtained written permission for such absence from the manager or the Officer authorized in this behalf.
- (8) A worker who comes late and remains absent will be liable to deduction of wages as provided under the Code on Wages, 2019 (29 of 2019).

11. Leave.- (1) Holidays with pay will be allowed as provided for in the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020), and other holidays in accordance with law, contract, custom and usage applicable.

(2) Leave cannot be claimed as matter of right.

(3) A worker who desires to obtain leave of absence shall apply to the employer or any other officer of the industrial establishment specified in this behalf by the employer at least seven days in advance from the date of proposed date of leave. The employer or any other officer of the industrial establishment, who is responsible for issuing the order, shall issue the same within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier. If the leave has been applied and the leave is to commence on the date of the application or within three days thereof, then the worker shall mention the reason for late submission of application for leave. The order on such leave shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for shall be communicated to him in writing or electronic mode.

(4) Where the worker after proceeding on leave desires an extension thereof, he shall apply to the employer or the officer specified in this behalf by the employer, who shall send a reply either granting or refusing extension of leave to the worker in writing or electronic mode, and if such reply is likely to reach him before the expiry of the leave originally granted to him.

(5) Leave with wages and allowances shall be granted to all the workers in accordance with the law as applicable to the industrial establishment and under Standing Orders.

(6) No employee while on leave shall take up any employment or any vocation for profit or gain.

12. Casual Leave.- A worker may be granted casual leave of absence with wages not exceeding ten 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 or the controlling authority in the industrial establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department or the controlling authority shall, as soon as may be practicable, be informed in writing or through electronic mode of the absence from and of the probable duration of such absence.

13. Payment of Wages. –

(1) The employer shall pay or cause to be paid wages to the worker, engaged on—

- (i) daily basis, at the end of the shift;
- (ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;
- (iii) fortnightly basis, before the end of the second day after the end of the fortnight;
- (iv) monthly basis, before the expiry of the seventh day of the succeeding month.

(2) All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the worker or by the electronic mode.

Provided, the employer shall pay the wages only by cheque or by crediting the wages in his bank account if specified through notification by appropriate government, under the Code on Wages, 2019

(3) Where a worker has been—

- (i) removed or dismissed from service; or
- (ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or his resignation, as the case may be.
- (4) Every employer shall issue wage slips to the worker in such form and manner as prescribed in Code on Wages, 2019.
- (5) There shall be no deductions from the wages of the worker, except those as are authorized under the Code on Wages, 2019.
- (6) All fines and all realisations from the wages of the worker shall be carried out in accordance with the section 19 of the Code on Wages, 2019.
- (7) Notice specifying wage period and payment date shall be exhibited on the notice board or electronic board and on the Human Resource portal/IT Application in Hindi, English and regional language familiar to the majority of workers.

14. Service Record.- (1) Matters relating to service card, certification of service, change of residential address of workers and record of their age shall form part of service record and –

- (i) Every industrial establishment shall maintain a service card in respect of each worker electronically or in manual form, wherein particulars of that worker shall be recorded with the knowledge of that worker in Form-(ii) and it shall be updated periodically. In case of manual maintenance of service card, the record shall be duly attested by an authorized officer in this behalf together with date.
- (ii) Every worker shall be entitled to a service certificate, specifying the nature of work, designation and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service to be issued by an employer within 10 days of such instance;
- (iii) A worker shall notify the employer immediately on engagement, the details of his residential address, mobile number, e-mail, emergency contact name and number, nominees for claiming dues in case of death and thereafter promptly communicate to his employer any change of his residential address. In case, the worker has not communicated to his employer the change in his residential address, his last known address shall be treated by the employer as his residential address for sending any communication;
- (iv) Every worker shall indicate his exact date of birth to the employer or the officer authorized by him in this behalf, at the time of entering service in the industrial establishment. The employer or the officer authorized by him in this behalf may before the date of birth of a worker is entered in his service card, require him to supply,-
 - (a) his matriculation or school leaving certificate granted by the Board of Secondary Education or equivalent certificate granted by similar educational authority; or
 - (b) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayat or Registrar of Births; or
 - (c) a copy of Aadhaar, if agreed by the worker; and
 - (d) in the absence of either of the aforesaid three categories of certificate, the employer or the officer authorised by him in this behalf may require the worker to supply, a certificate from a Government Medical Officer not below the rank of an Assistant Surgeon indicating the probable age of the worker:

Provided that the cost of obtaining such certificate is borne by the employer;

(v) 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.

(2) The date of birth of a worker, once entered in the service card of the industrial 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 industrial establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the date of the appointment of a worker.

(3) Cases, where date of birth of any worker had already been decided before the date these standing orders come into force shall not be reopened under these standing orders.

Note.- Where the exact date of birth of a worker is not available and the year of birth is only established, then, the 1st July of the said year shall be taken as the date of birth.

15. Confirmation.- The employer shall, in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible worker and issue a letter of confirmation to him. Whenever, a worker 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.

16. Age of retirement.- The age of retirement or superannuation of a worker shall be such as may be agreed upon between the employer and the worker under a written agreement or as specified in a settlement or award which is binding on both the worker and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of fifty eight years of age by the worker.

17. Transfer.- (1) There shall be a transfer policy of the industrial establishment and same shall be known to all workers. The details of transfer policy shall be available on the Human Resource (HR) portal.

(2) A worker may be transferred according to the transfer policy and exigencies of work from one shop or department to another or from one station to another or from one industrial establishment to another under the same employer:

Provided that the wages, grade, continuity of service and other conditions of service of the worker shall not be adversely affected by such transfer:

Provided further that a worker shall be transferred from one job to another, which he is capable of doing:

Provided also that where the transfer involves moving from one State to another such transfer shall take place, either with the consent of the worker or where there is a specific provision to that effect in the letter of appointment and transfer policy in accordance with such provision and policy:

Provided also that unless -

- (a) reasonable notice is given to such worker, and
- (b) reasonable joining time is allowed in case of transfers from one station to another and the worker concerned shall be paid traveling allowance including the transport charges and fifty per cent thereof to meet incidental charges, such transfer shall not be effected.

(3) Subject to the provisions contained in paragraph (1) and (2), the employer may, transfer, depute or assign a worker to any other assignment, team, department or office (whether in India or abroad) of the employer or any affiliates / client of the employer.

18. Medical aid in case of accidents.- (1) Where a worker 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 aid to the injured worker and shall arrange for his further treatment, if considered necessary by the doctor attending on him.

(2) Wherever the worker is entitled for treatment and benefits under the Social Security Code, 2020 (36 of 2020), then, he shall be entitled for treatment and benefits under that Code.

19. Medical Examination.- (1) Wherever the recruitment rule or any contract of appointment or Fixed Term Employment specify medical examination of a worker, on his first appointment, the employer shall at the employer's expense make arrangements for medical examination.

(2) All workers to be employed in the industrial establishment shall be required to clear the medical examination by the Medical Authority nominated by the industrial establishment for such purpose, at the time of first appointment.

(3) The industrial establishment may at any time direct any worker to undergo medical examination by any Medical Officer nominated to ascertain workers' fitness relatable to satisfactory performance of his job. The term "Medical

Officer” shall have same meaning as it has in sub-section (1) of section 42 of Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(4) A worker who comes to know that he has contracted any infectious or contagious disease shall immediately notify the concerned Manager of such a happening and shall remain away ~~of~~ from work until permitted to return on work by the Manager concerned and during such period, the worker shall be treated on leave to the extent of days he has leave with wages to his credit. Disciplinary action may be taken against a worker if he deliberately suppresses the fact of his suffering from an infectious or contagious disease and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

20. Secrecy.- No worker shall take any papers, books, drawings, photographs, instruments, apparatus, documents or any other property either in electronic form or physical form, 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 industrial establishment to any unauthorized person, company or corporation without the written permission of the employer. Disciplinary action may be taken against a worker if he does not comply with the provisions in this paragraph and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

21. Exclusive Service.- A worker shall not at any time work against the interest of the industrial establishment in which he is employed and shall not take any employment in addition to his job in the industrial establishment, which may adversely affect the interest of his employer, but, the employer may permit him to take up additional job, assignment with conditions or without conditions and the worker shall obtain prior permission of the employer.

22. Stoppage of work. - (1) The employer may, at any time, in the event of fire, catastrophe, break-down of machinery or stoppage of power supply, disaster, pandemic, epidemics, civil commotion or other cause beyond his control, stop any section or sections of the industrial establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workers affected shall be notified by notices put upon the notice board or electronic notice board or on the Human Resource Portal/IT application or through any other electronic medium of the industrial establishment, if any, as soon as practicable, when the work will be resumed and whether they are to remain or leave their place of work. The worker 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 worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workers 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 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 stoppages. Wherever practicable, reasonable notice shall be given of resumption of normal work.

(3) In cases of temporary stoppage of work on account of failure of plant or reasons as specified in paragraph (1) or temporary curtailment of production of goods and services, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, but where workers have to be stopped for an indefinitely long period, their employment 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 industrial establishment close down either wholly or partially such section or department and any other section or department affected by such closing down, then, the fact of such closure shall be notified by notices put on the notice board or electronic notice board or on the Human Resource portal of the industrial establishment, if any, as soon as practicable. The workers concerned shall also be notified by a general notice, prior resumption of work, as to when work will be resumed.

23. Termination of Employment:

(1) Subject to the provisions of the Industrial Relations Code, 2020 (35 of 2020) and rules framed thereunder, for terminating employment of a permanent worker, prior notice of one month shall be given or the worker shall be paid wages in lieu of such notice period and in case of remaining workers as specified in sub-paragraph (3), the notice period shall be regulated as provided in that sub-paragraph.

(2) No temporary worker whether monthly rated, weekly rated or piece rated, and no probationer or badli or fixed term employment or casual worker as a result of non-renewal of contract or employment or on its expiry, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary worker 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 specified in this behalf under these standing orders.

(3) Where the employment of any worker 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 his employment is terminated.

24. Disciplinary action for misconduct.—(1) A worker may be suspended by the employer pending investigation or enquiry into complaints or charges of misconduct against him. Such investigation or enquiry, or where there is an investigation followed by enquiry, both the investigation and enquiry shall be ordinarily completed within ninety days from the date of suspension. The worker shall be paid subsistence allowance during the period of suspension which shall be subject to the worker not taking any employment elsewhere during the period of suspension.

(2) The amount of subsistence allowance payable to such worker shall be as under, namely:—

- (a) at the rate of fifty percent of wages which the worker was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension; and
- (b) at the rate of seventy-five per cent of such wages for the remaining period of suspension, if the delay in completion of disciplinary proceedings against such worker is not directly attributable to the conduct of such worker.

(3) For the purposes of this standing order, the following shall denote misconduct, namely:—

- (a) theft, fraud, or dishonesty in connection with the employer's business or property;
- (b) taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or his own interests;
- (c) willful insubordination or disobedience, whether alone or in conjunction with another or others, or of any lawful or reasonable order of a superior. The order of the superior should normally be in writing;
- (d) habitual late attendance and habitual absence without leave or without sufficient cause;
- (e) drunkenness, fighting or riotous, disorderly or indecent behaviours while on duty at the place of work;
- (f) habitual neglect of work;
- (g) causing willful damage to work in progress or to property of the employer;
- (h) sleeping on duty;
- (i) malingering or slowing down work;
- (j) acceptance of gifts from subordinate employees;
- (k) conviction in any Court of Law for any criminal offence involving moral turpitude;
- (l) continuous absence without permission and without satisfactory cause for more than ten days;
- (m) giving false information regarding one's name, age, father's name, qualification or previous service at the time of the employment;
- (n) leaving work without permission or sufficient reason;
- (o) threatening, abusing or assaulting any superior or co-worker;
- (p) preaching of, or inciting to, violence;
- (q) abetment of or attempt to abetment of any of the aforesaid acts of misconduct;
- (r) going on illegal strike either singly or with other workers without giving 14 day's previous notice;
- (s) disclosing to any unauthorized person of any confidential information in regard to the working or process of the industrial establishment which may come into the possession of the worker in the course of his work;
- (t) refusal to accept any charge-sheet or order or notice communicated in writing;
- (u) failure or refusal to wear or use any protective equipment given by the employers;
- (v) claiming false bill for reimbursement; and
- (w) Involvement in unauthorized access of any IT system, computer network of the employer/ customer/client.
- (x) "sexual harassment" as defined in clause (n) of section 2 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013) and includes the circumstances specified in sub-section (2) of section 3 of the said Act.

Note:— The words defined in the Indian Penal Code (45 of 1860) and used in this sub-paragraph shall have the same meaning as defined in such Code.

(4) (a) Where a disciplinary proceeding against a worker 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 worker 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 worker within a week from the date of suspension.

(b) In the enquiry, the worker shall be entitled to appear in person or to be represented by an office-bearer of a Trade Union of which he is a member or a co-worker of his choice.

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

(d) The proceedings of the inquiry shall be completed within a period of ninety days:

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

(e) If on the conclusion of the enquiry or of the criminal proceedings, as the case may be, the worker has been found guilty of the charges framed against him and it is considered, after giving the worker 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 worker 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 further that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the worker 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:

Provided also that in the case of a worker to whom the provisions of clause (2) of article 311 of the Constitution apply, the provisions of that article shall be complied with.

(f) If on the conclusion of the inquiry, or as the case may be, or the criminal proceedings, the worker has been found not to be 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.

(g) The payment of subsistence allowance under this sub-paragraph shall be subject to the worker concerned not taking up any employment during the period of suspension.

(5) In awarding punishment under sub-paragraph (4), the authority imposing the punishment shall take into account any gravity of the misconduct, the previous record, if any, of the worker 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 worker concerned.

(6) (a) A worker aggrieved by an order imposing punishment under sub-paragraph (4) may within twenty-one days from the date of receipt of the order, appeal to the appellate authority specified under clause (b).

(b) The employer shall, for the purposes of Clause (a) specify the appellate authority.

(c) The appellate authority, after giving an opportunity to the worker of being heard shall pass order as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the worker in writing:

Provided that where there is a complaint of sexual harassment the internal complaint committee constituted for such purpose in each industrial establishment for inquiring into such complaints, shall, notwithstanding anything contained in this paragraph, be deemed to be the inquiring authority appointed by the employer for the purpose of these standing orders and the internal complaint committee shall hold the inquiry under this paragraph, unless separate procedure has been specified by the employer for the complaint committee for holding such inquiry into the complaints of sexual harassment, as far as practicable.

(7) The constitution of internal complaints committee shall be in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(8) The internal complaint committee referred to in sub-paragraph ~~(6)~~ (7) shall make and submit every year an annual report, to the employer and the District Officer [as defined under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013] and the appropriate Government, of the complaints and action taken.

(9) The employer shall include in the annual report of his organization the number of cases filed, if any, and their disposal under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

25. Grievance Redressal and Complaints.- All complaints or grievances arising out of employment 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 person specified in this behalf with the right to appeal to the employer. In addition, for resolution of disputes arising out of individual grievances, an application in respect of such dispute may be filed before the Grievance Redressal Committee by any aggrieved worker in the manner as provided under the Industrial Relations Code, 2020 and the rules framed thereunder within one year from the date on which the cause of action of such dispute arises.

26. Liability of Employer and Workers.- The employer of the industrial establishment shall be responsible for the proper and faithful observance of the Standing Orders. The workers shall also observe the Standing Orders truly and faithfully.

27. Forwarding of information to the certifying officer under sub-section (3) of section 30 on adoption of model standing order by an industrial establishment.- (1) If the employer adopts the model standing order of the Central Government referred to in section 29 of the Industrial Relations Code, 2020 (35 of 2020), he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing orders have been adopted.

(2) The model standing order adopted under sub-paragraph (1) in respect of an industrial establishment shall also be applicable to all other industrial units of the establishment irrespective of location.

(3) On receipt of information under sub-paragraph (1), the certifying officer shall enter the details of the industrial establishment who has adopted the Model Standing Order in the register maintained under rule 15 of the Industrial Relations (Central) Rules, 2020. In the event, the certifying officer observes that the industrial establishment which has intimated adoption of Model Standing Order is also engaged in activities other than for which Model Standing Order has been adopted then, he shall within a period of thirty days from such receipt of intimation of Model Standing Orders so adopted may give his observation, if any, that the employer is required to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct the employer of the industrial establishment that he shall, within a period of thirty days from the date of the receipt of such direction comply with the direction and send compliance report only in respect of those provisions which the certifying officer observes to get included. The provisions of the Model Standing Orders so adopted shall remain in force with effect from the date specified in sub-paragraph (1).

Explanation.- For removal of doubt, it is clarified that certifying officer shall not raise any observation in the event the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the Standing Orders apply.

28. Exhibition of Standing Orders.- A copy of these Standing Orders in Hindi, English and in the language in which majority of workers in a factory are conversant with, shall be displayed on the notice board or electronic notice board and Human Resource portal of the industrial establishment, if any.

Form (i)
<i>(See Model Standing Order 8)</i>
Notice of discontinuance/re-starting of a shift working to be given by the employer.
Name of employer.....
Address.....
Date theday of20.....
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) (3) The Regional Labour Commissioner (Central) Zone. (4) The Chief Labour Commissioner (Central), New Delhi.]
Note: The notice should be sent by speed post or registered post or on the designated email of the endorsee.

<u>Form (ii)</u>		
<i>(See Model Standing Order No. 14)</i>		
Service Card		
Name of Estt.		
Identity Badge No. /Token No.		
1.	Register Serial No	
2.	Name	
3.	Permanent Account Number (PAN),	
4.	Universal Account Number (UAN)	
5.	Category of worker (unskilled, semi-skilled, skilled or highly skilled),	
6.	Details of family members	
7.	Aadhaar number, if consented by the worker	
8.	Specimen Signature/Thumb Impression	
9.	Father's or Mother's or Spouse name	
10.	Gender	
11.	Date of Birth	
12.	Place of Birth	
13.	Date of Joining	
14.	Details of Medical certificate at the time of joining	
15.	Educational and other qualifications	
16.	Language which the worker can read	
17.	Language which the worker can write	
18.	Language which the worker can speak	
19.	Height	
20.	Identification Marks	
21.	Department	
22.	Mobile number and email	
23.	Quarter No.	
24.	Permanent Address	
25.	Local Address	
26.	Provident Fund Account No.	
27.	Nominee for Gratuity	
28.	Nominee for pension, if any	
29.	Employees State Insurance No.	
30.	Training courses attended (details)	

31.	Eligibility for higher jobs					
32.	Proficiency tests passed.					
33. EMPLOYMENT HISTORY						
Department	Token No.	Designation	Scale of Pay	Joined	Left (Reason)	
1	2	3	4	5	6	
34. ABSENCE PERIODS						
	Form	To	Reason	Medical reports regarding suitability for continued employment		
(i) Sick Leave						
(ii) Earned Leave						
(iii) Any other Leave						
35.	Maternity Benefit					
36.	Employee's Compensation					
	Details of accidents :					
37.	Details of Disciplinary Action					
38.	Promotions					
	(i) Details (ii) Awards (iii) Issue of Certificate of commendation					
39.	Date of superannuation					
40.	Any other matter					

Signature
or Thumb impression of the person verifying.

[F. No. S-11025/07/2025-IR(PL)]

ALOK MISHRA, Jt. Secy.