Notification

S.O. Ranchi, dated- 14/11/02

In exercise of the powers conferred by section-85 of the Bihar Re-organisation Act, 2000, the Government of Jharkhand do hereby adopt "The Bihar Industrial Employment (Standing Order) Rules, 1947 with the following amendments:-

In the said Rules wherever the word "Bihar" or "Bihar State" is mentioned the word "Jharkhand" or "Jharkhand State" shall be deemed to have been substituted.

No. 2/CL-10-6/2002- 2862

By the order of the Governor of Jharkhand

**Sd/**

(Bhogendra Jha)

Dy. Secretary to Government.

# The Bihar Industrial Employment (Standing Orders) Rules, 1947

**Notification No. 2679-XL (L) 7/47-L, the 21st November, 1947. –** In exercise of the powers conferred by the section15, read with clause(b) of section 2, of the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946), the Governor of Bihar is pleased to make the following rules, the same having been previously published as required by sub-section (2) of the said section 15, namely:-

**1. Title. –** These rules may be called "The Bihar Industrial Employment (Standing Orders) Rules, 1947".

**2. Definitions**. – In these rules, unless there is anything repugnant in the subject or context, -

(i) "form" means a form appended to these rules;

(ii) "Labour Commissioner" means the officer, appointed by Provincial Government to be the Commissioner of Labour and Employment for the time being in the province of Bihar;

(iii)

"Registrar" means the Registrar of Trade unions for the province of Bihar, appointed by the Provincial Government under section 3 of the Indian Trade Unions Act, 1926;

(iv) "section" means a section of the Act;

(v) "the Act" means the Industrial Employment (Standing Orders) Act,1946; and

[1][(vi)

all words and expressions used in these rules but not defined therein and defined in the Act herein shall respectively have the same meaning as in the Act.]

**3. Submission of Draft Standing Orders. –** (1) The draft Standing Orders under sub-section (1) of section 3 shall be submitted in

Form I.

(a) For the purposes of section (3) of the said section the particular of workmen and the names of the trade, if any, to which they belong, shall be given in Forms IA and IB respectively.

**4. Collection of information from the Registrar. –** For the purposes of furnishing the particulars prescribed in

Form IB, the employer shall, if necessary, approach the Registrar to supply the required information on payment of the fee, if any, prescribed under the Indian Trade Unions Act, 1926, and the regulations made there under.

**5. Model standing Orders. –** The Model Standing Orders, for the proposes of the Act, shall be those set out in Appendix A to these rules.

**6. Joint Draft Standing Orders. –** If a group of employees in similar industrial establishments submit a joint draft of Standing Orders, under sub-section (4) of section 3, it shall not be entertained unless it is accompanied by.-

1. Ins. by S.O. 330 dated 12.3.1975.

10] Bihar Industrial Employment (S.O.) Rules, 1947 [Rules 7-12

forming the group in Form II;

(ii) a declaration from each of the members of the group in Form IIA; and

(iii) statements in Forms IA and IB in respect of each of the industrial establishments forming the group.

**7. Supply of copies of the drafts Standing Orders to trade unions. –** If there is more than one trade union, the Certifying Officer shall, for the purposes of section 5, supply one copy of the draft Standing Orders to each of the trade unions.

**8. Committee of representatives of workmen. -** Where there is no such union, the Certifying Officer shall call a meeting of the workmen concerned for the purposes of electing a Committee of Representatives, whose number shall not exceed five. The Committee shall, elect one from amongst its own number to be the President to whom the Certifying officer shall forward a copy of the draft Standing Orders.

**9. Inviting objection to draft Standing Orders. –** The Certifying Officer shall forward a copy of the draft Standing Orders, together with a notice in

Form III to the trade union, or where there is more than one trade union, to the President of committee elected in pursuance of rule 8, as the case may be, requiring objections, if any, to the draft Standing Order on behalf of the workmen to be submitted to the Certifying Officer within fifteen days from receipt of the notice.

**10. Certification of Standing Orders. –** The Certifying Officer or the Appellate Authority, as the case may be, shall certify, in pursuance of sub-section (3) of section 5 or sub-section 6, five copies of the Standing Orders in

Form IV and the copies so certified shall be authenticated by the signature and the seal of office of the Certifying Officer, or, the Appellate Authority, as the case may be, and such Certifying Officer, or Appellate Authority, shall forward within a week of authentication, a copy, by registered letter post, to the employer and by the trade union, or, where there is no such trade union, to the President of the Committee of Representatives elected in pursuance of Rule 8.

Form V and the Certifying Officer shall furnish a copy of the Standing Orders, as finally certified under the Act, in respect of an industrial establishment to any person applying therefore, on a payment of fee of rupee one only.

[1][**11A. Inclusion of additional matters in the schedule to the Act. –** In addition to the matters set out in the schedule, the following additional matters shall be included in the 2-A-Recruitment of workmen.

**12. Appeals. –** The Provincial Government, may, direct the Advocate General or any other, to appear in any proceedings before the Appellate Authority by giving a notice to such authority and on such notice being given in Advocate- General or such officer, as the case may be, shall be entitled to appear in such proceedings.

1. Subs. by Notification No.11/82-1024/64-528 dated 19.6.1964

[Rules 13-14 Bihar and industrial Employment (S.O.) Rules, 1947 [11

**13. Pleaders or persons authorised to appear on behalf of parties. –** In any proceedings before the Appellate Authority parties may, with the permission of the Court, appear by Pleaders or Advocate or in the case of a Union, and group of employers by any of its officer duly authorised by the Union, or the group of concerned in this behalf.

[1][**14. Procedure for filing and hearing of appeals. –** (1) The employer, the union or the representatives of workmen elected under rule 8, as the case may be, desiring to prefer an appeal in pursuance of sub-section (1) of section 6 of the Act shall draw up a memorandum of appeal setting out the grounds of appeal and forward it in quadruplicate to the Appellate Authority along with a copy of each of the certified standing orders and any modifications of or additions to the same.

(2) The Appellate Authority shall give the appellant an opportunity of being heard and unless it comes to the conclusion that the decision of the Certifying Officer under sub-section (2) of section 5 is contrary to the law or otherwise erroneous, it shall confirm the standing orders in the

form certified by the Certificate Officer it shall fix a date for hearing of appeal and direct notice thereof to be given –

(a) Where the appeal is filed by the employer, to the trade unions of the workmen of the industrial establishment, and where there are no such trade unions, to the committee of representatives of workmen elected under rule 8;

(b) Where the appeal is filed by a trade union to the employer and all other trade unions of the workmen of the industrial establishment; and

(c) Where the appeal is filed by the committee of representatives of the workmen elected under rule 8, to the employer.

(4) The Appellant shall furnish each of the respondents with a copy of memorandum of appeal.

(5) The appellate Authority may at any stage call for any evidence it considers necessary for the disposal of appeal.

(6) The Appellate Authority shall call for the final records from the Certifying Officer and may, if considers necessary, obtain the comments of the Certifying Officer setting out the grounds thereof before hearing the parties concerned.

(7) On the date fixed under sub-rule (3) for the hearing of the appeals the Appellate Authority shall take such evidence as it may have called for or such evidence as it considers to be relevant.]

[2]**[14. Court Fees. –** The Court fees payable in respect of proceedings under rule 14 shall be –

(a) for every appeal under sub-section (1) of section 6 of the Industrial Employment (Standing Order) Act, 1946 shall be twenty five rupees.]

1. Subs. by S.O. 380 dated 12.3.1975
2. Ins. by ibid.



[1]**[15. Pasting of Standing Orders. –** The text of the Standing Orders or any subsequent modification thereof in addition thereto as finally certified in addition to being pasted by the employer in English be also pasted in Hindi in the manner laid down in section 9. Before pasting the Hindi version of the Standing Orders, the employer shall submit them to the Certifying Officer for his approval, who shall ensure the correctness of the same. The meaning conveyed by the language in which a Standing Order is certified shall prevail in case of any difference over the interpretation of any Standing Order.]

**16. Authoritative copy of Standing Orders. –** In the case of difference between the [1][English and Hindi] copies of the Standing Orders, the English version as certified by the Certifying Officer, or the Appellate Authority, as the case may be, shall be taken to be the authoritative copy of the Standing Orders.

[1]**[17. Power to correct vernacular versions of Standing Orders. –** The Certifying Officer is hereby empowered to have the Hindi version corrected in case he is satisfied that it is not correct.]

**18. Modification of Standing Orders. –** An application under sub section (2) of section 10 shall be made in Form VI.

**19. Manner of service. –** All notices, notifications and orders under the Act and the rules shall be served on the parties concerned by registered letter post, with acknowledgement due, or by special messenger. In

the latter case, an acknowledgement in writing by or on behalf of the other party concerned shall be obtained in

respect of such delivery.

**APPENDIX A**

(See Rule 5.)

**Model Standing Orders.**

1. These orders shall come into force on ... ... ... ...

**2. Classification of workmen. –** (a) Workmen shall be classified as –

(1) Permanent,

(2) Probationers,

(3) *badlis*

(4) temporary,

(5) casual,

(6) apprentices.

(b) A "permanent" workman is a workman who has been engaged on a permanent basis and includes

any person who has satisfactory completed a probationary period of three months in the same or another

occupation in the industrial establishment, including breaks due to sickness, accident, eave, lock-out, strike (not

being an illegal) or involuntary closure of the establishment.

1. Subs. by S.O. 330 dated 12.3.1975.



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

(d) A "badli" is a workman who is appointed in the post of a permanent workman or probationer who is temporarily absent.

(e) A "temporary" workman is a workman who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(f) A "casual" workman is a workman whose employment is of a casual nature.

(g) An "apprentice" is a learner who is paid an allowance during the period of his training.

1[**2A. Recruitment of workmen. –** All vacancies will be notified to the local Employment Exchange and all recruitments be normally made from amongst the candidates sponsored by the Employment Exchange. Other sources of recruitment may be tried only when the local Employment Exchange gives a non-availability certificate.]

While making recruitments, preference shall be given as under –

(i) Ex-employees with good record;

(ii)

Near relatives of employees; (iii) People of locality; and

(iv) People of the State.

The preference in respect of relations will, however, be limited to only one year relation of an employee and that too in respect of such employees as have put in a sufficiently long term of service in the establishment. Similarly, in respect of ex-employees the preference will be restricted to persons with a certain minimum period of total service in the establishment say about one year.]

**3. Tickets. –** Every workman shall be given a permanent ticket unless he is a probationer, badli, temporary worker or apprentice.

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

(3) Every badly shall be provided with a badly card on which shall be entered the days on which he has worked in the establishment, and which shall be surrendered if he obtains permanent employment.

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

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

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1. Ins. by G.S.R. 29 dated 18.3.1967.



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

**4. Publication of working time. –** The periods and hours of work for all classes of workers in each shift shall be exhibited in English and the principal languages of workman employed in the establishment and at the timekeeper's office if any,

[1][Where such a notice pertains to a particular department or departments of the establishment, it shall also be displayed in the department concerned.]

**5. Publication of holidays and pays. –** Notices specifying (a) the days observed by the establishment as holidays and (b) pay days shall be posted on the said notice boards.

**6. Publication of wage rates. –** Notices specifying the rates of wages payable to all classes of workman and for all classes of work shall be displayed on the said notice boards.

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

EMPLOYMENT STANDING ORDERS RULES

[2][**7A. Notice of change in shift working. –** Any notice of discontinuance or restarting of a shift working required by model starting order No. 7 shall be in

Form VII appended to these rules and shall be served in the manner hereinafter specified. The notice shall be displayed conspicuously by employer on a notice board at the main entrance to the establishment and in manager's office: Provided that where any registered trade union of workmen exists, a copy of the notice shall also be served by registered post on the Secretary of such Union.]

**8. Attendance and late coming. –** All workmen shall be at work at the establishment at the times fixed and notified under paragraph 4 Workmen attending late will be liable to the deductions provided for in the Payment of Wages Act, 936.

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1. Ins. by S.O. 830 dated 12.3.1975.
2. Subs. by notifn. No. II/S2.....1616/60-L-4535 dated 21.5.1960.
3. Ins. by notifn. No. II/S2-1050/61-L & E-4140 dated 16.6.1961.



**9. Leave. –** (1) Holidays with pay will be allowed as provided for in Chapter IVA of the Factories Act, 1948, and other holidays in accordance with law, contract, custom and usage,

[1][(2) In case of sickness a permanent workman shall be granted sick leave with full pay up to 15 days or 30 days with half pay in one calendar year. Application for leave should be duly supported with medical certificate from the management's Medical Officer and where there is no such officer at the place where the worker falls sick, from a registered Medical Practitioner. In case of doubt management may require the worker to be examined by the Company's Medical Officer whose certificate above will be treated as final:

Provided that this provision shall not apply where sickness benefits are available under the Employees State Insurance Act, 1948 (Act 34 of 1948). Extra-ordinary leave with or without pay may, at the discretion of the management in special circumstances, e granted to a workman when no other leave of any kind is due.

A record shall be maintained of all leave of absence which are sanctioned, refused or postponed and reasons for refusal or postponement shall in every case, be entered therein. The records shall be opened for inspection by the workman concerned.]

(3) A workman who desires to obtain leave of absence shall apply to the manager who shall issue orders on the application within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier, provided that if the leave applied for its commence on the date of the application or within three days thereof, the order shall be given on the same day. If the leave asked for is granted, a leave pass shall be issued to the worker. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for, shall be recorded in writing in a register to be maintained for the purpose, and if the worker so desires, a copy of the entry in the register shall be supplied to him. If the workman after proceeding on leave desires an extension thereof he shall apply to the manager who shall send a written reply either granting or refusing extension of leave of the workman if his address is available and if such reply is likely to reach him before the expiry of the leave originally granted to him.

(4) If the workman remains absent beyond the period of leave originally granted or subsequently extended, he shall loose his lien on his appointment unless he (a) returns within 8 days of the expiry of the leave and (b) explains to the satisfaction of the manager his inability to return before the expiry of his leave. In case workman loses his lien on his appointment, he shall be entitled to be kept on the 'badli' list.

**10. Casual leave. –** [2][A workman may be granted casual leave of absence for a period not exceeding 10 days in the aggregate in a calendar year out of which at least 5 days must be with full pay.] Such leave shall not be for more than three days at a time except in case of sickness. Ordinarily, the previous permission of the head of the department in the establishment shall be obtained before such leave is taken, when this is not possible,

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1. Ins. by S.O. 330 dated 12.3.1975 and existing sub-paras (2) & (3 made (II) & (4) thereof.
2. Subs. by ibid.

the head of the department shall, as soon as may be practicable, be informed in writing of the absence from and of the probable duration of such absence. [1][Holidays declared by the establishment and weekly holidays may be prefixed or suffixed, as the case may be, to casual leave.]

**11. Payment of wages. –** (1) Any wages, due to the workman but not paid on the usual pay day on account of their being unclaimed shall be paid by the employer on an unclaimed wage pay day in each week, which shall be notified on the notice boards as aforesaid.

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

**12. Stoppage of work. –** (1) The employer may, at any time, in the event of fire, catastrophe, breakdown of machinery or stoppage of power supply, epidemics, commotion or other cause beyond his control, stop any sections of the establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workmen affected shall be notified by notices put upon the notice boards in the department concerned, or at the office of the manager, as soon as practicable, when work will be resumed and whether they are to remain or leave their place of work. The workman shall not ordinarily required to remain for more than two hours after the commencement 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 where workmen are laid off for short periods on account of failure of plant or temporary curtailment of production, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, when, however, workmen have to be laid off for an indefinitely long period, their services may be terminated after giving them due notice or pay in lieu thereof.

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

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1. Added by S.O. 330 dated 12.2.1975



**13. Termination of employment. –** (1) For terminating employment of a permanent workman notice in

shall be given either by the employer or the workman – one month's notice in the case of monthly-rated workmen

and two weeks' notice in the case of other workmen: one month's or two weeks' pay, as the case may be paid in

lieu of notice.

(2) No temporary workman whether monthly-rated, weekly-rated, or piece-rated and no probationer or

badly shall be entitled to any notice or pay in lieu thereof, if his services are terminated, but the services of a

temporary workman shall not be terminated as a punishment unless he has been given an opportunity of

explaining the charges of misconduct alleged against him in the manner prescribed in paragraph 14.

(3) Where the employment of any workman is terminated, the wages earned by him and other dues, if

any, shall be paid before the expiry of the second working day from the day on which his employment is

terminated.

**14. Disciplinary action for misconduct. –** [1][(1) A workman guilty of misconduct may be(a) warned or

ensured or (b) fined subject to and in accordance with the provisions of the Payment of Wages Act, 1936, or (c)

suspended by the manager for a period not exceeding 10 days or (d) stopped from earning his increment for a

specified period or discharged or dismissed.]

(2) The following acts and omission shall be treated as misconduct: -

(a) wilful insubordination or disobedience, whether alone or in combination with others, to any

lawful and reasonable order of a superior;

(b) theft, fraud, or dishonesty in connection with the employer's business or property;

(c) wilful damage to or loss of employer's goods or property;

(d) taking or giving bribes or any illegal gratification;

(e) habitual absence without leave or absence without leave for more than 10 days;

(f) habitual late attendance;

(g) habitual breach of any law applicable to the establishment;

(h) riotous or any act subversive of discipline;

(i) habitual negligence or neglect of work;

(j) frequent repetition of any act or omission for which a fine may be imposed to a maximum of

2 percent of the wages in a month;

(k) striking work or inciting others to strike work in contravention of the provisions of any law,

or rule having the force of law;

[2][(l) smoking in prohibited places;

(m) sleeping while on duty;

1. Subs. by S.O. 330 dated 12.3.1975. sub-paras (3) re-numbered as (b) to (1) thereof.

2. Ins. by Ibid



(n) deliberate slowing down of work;

(o) conviction in any court of law for an offence involving moral turpitude;

(p) giving false information in writing regarding one's age, father's name, qualification or previous service at the time of employment; and

(q) threatening, abusing or assaulting any superior or co-worker inside the establishment premises.]

[1][(3) No order of punishment shall be made unless the workman concerned is informed in writing of the alleged misconduct, gross negligence or inefficiency and has been given an opportunity to explain the circumstances alleged against him. On receipt of the explanation or if no explanation is received, the employer shall proceed to make enquiries and take such evidence as may be necessary to prove the allegations against the charged workman. The workman concerned, if he so desires, will have the right to cross-examine, whether himself or through another employee of the establishment, the witness produced against him and to produce the evidences in his defence. If on consideration of all the evidence produced during the enquiry the employer finds the workman guilty and decides to punish the workman he shall pass final order accordingly and a copy of the order shall contain the particulars of

the charge, the workmen's plea, the Enquiring Officer's report and the grounds on which the proposed punishment is being given.]

1[(4) (a) Where allegations of misconduct are made against a workman and the employer considers that he should be suspended from duty pending enquiry into such allegations, he may do so by serving on the workman an order in writing to that effect. Such an order shall take effect immediately on its delivery to the workman. It shall be accompanied by a charge sheet setting out the details of the alleged misconduct and the workman shall be given an opportunity of explaining the circumstances alleged against him. The procedure laid down in sub-paragraph (3) above shall then be followed. Refusal to take the copies of the suspension order and charge-sheet in the presence of two independent witnesses will amount to proper service of the suspension order along with the charge sheet.

(b) A workman who is placed under suspension shall during the period of suspension be paid subsistence allowance at the following rates, namely: -

The subsistence allowance for the first 90 days from the date of suspension shall be equal to one-half of the basic wages, dearness allowance and other compensatory allowance to which a workman would have entitled if he was on leave with wages. If the departmental enquiry gets prolonged and the workman continues to be under suspension for a period exceeding 90 days the subsistence allowance for such period be equal to three-fourth of such basic wages, dearness allowance and other compensatory allowances:

Provided that where such enquiry is prolonged beyond the period of 90 days for reasons directly attributable to the workman, the subsistence allowance shall for the period exceeding 90 days, be reduced to one-fourth of such basic wages, dearness allowance and other compensatory allowances.

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1. Subs. by S.O. 330 dated 12.3.1975.



(c) If on enquiry, the workman is found guilty of the charge, the employer shall pass such final orders as he may consider necessary to meet the ends of justice. Keeping in view the gravity of offence such final order will also specify the extent to which the workman shall be entitled to receive any remuneration for such period, but the subsistence allowance already paid or payable to him for such period shall not be recovered or withheld. The final order so passed must specify the period of suspension for which no pay will be admissible; otherwise the workman shall be entitled to full wages which he would have received if he had not been suspended: Provided that in the case of a workman to whom the provisions of clause (2) of Article 311 of the Constitution of India applies, provisions of the Article shall be compiled with.

No order of dismissal or discharge shall be passed without the approval of the Manager of the establishment, or where there is no Manager, of the employer. The workman may appeal against the order of dismissal or discharge to the next higher authority in the management or to the works committee.

[*Explanation.* – In case the order of dismissal or discharge is passed by the manager of the establishment, the appeal against the order shall be before the next higher authority in the management, but in case, the order of dismissal or discharge is passed by the employer himself; the appeal in this behalf shall be before the Works Committee of the establishment.]

(d) If on enquiry the workman is found not guilty of the charge he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages he would have received if he had not been suspended, after deducting the subsistence allowance paid to him for such period.]

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

**15. Complaints. –** All complaints arising out of employment including those relating to unfair treatment or wrongful exaction on the part time of the employer or his agent, shall be submitted to the manger or other person specified in this behalf with the right of appeal to employer.

**16. Certificate on termination of service. –** Every permanent workman shall be entitled to a service certificate at the time of his dismissal, discharge or retirement from service.

**17. Liability of manager. –** The manager of the establishment shall personally be held responsible for the proper and faithful observance of the standing orders.

**18. Exhibition of standing order. –** A copy of this order in English and in Hindi or Urdu shall be pasted at the manager's office and on a notice board maintained at or near the main entrance to the establishment and be kept in a legible condition.

1. Ins. by S.O. 1715 dated 20.12.1979.

**FORM I**

*Application Form for submitting Standing Orders*

(See Rule 3)

Name of the industrial establishment/group of employers, if any address –

Dated the

19 To,

The Certifying Officer,
Industrial Employment (Standing Orders) Act,
Office of the Commissioner of Labour and Employment,
Bihar, Patna.

Dear Sir,

Under the provision of section 3 of the Industrial Employment (Standing Orders) Act, 1946, I enclose five copies of the draft standing orders proposed on behalf of and for adoption in the following industrial establishment/ establishments. The establishments have not separately submitted other draft standing others individually o jointly through some group of Employers.

Provision has been made in the draft standing orders for every matter in the Schedule which is applicable to the industrial establishment/establishments.

Statement giving prescribed particulars of the workmen employed in each industrial establishments and the name of the trade unions in forms IA and IB (II and IIA) are also enclosed.

Yours faithfully,
*(Signature)*
*(Designn*

*a*
*ti*
*o*
*n*
*)*

**FORMS**

**IA**

*Particulars of the Workmen.*

[See Rule 3]

Signature.....

| Designation Or Occupation | Nature Of Work | Number of employees. | | | | | Basic wages. | | Remarks. |
|---|---|---|---|---|---|---|---|---|---|
| | | Permanent. | Temporary. | Apprentice. | Probationer | Any other (to be specified). | Maximum. | Minimum. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

Designation.....

Manager

/
O
c
c
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**FORMS IB**

*Particulars of the Trade Unions of the Workmen.*

[See Rule 3]

Name of the Industrial Establishment.....
Address.....
.....

| Serial No. | Name and address of the or Unions to which the workmen belong. | Whether Registered (if so, give registered number). | Whether recognised by the employer. | Name and address of the President. | Name and Address of The Secretary. | Total number of members belonging to the industrial establishment. | Remarks. |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

Date.....
.....

Signature.....
.....

The.....
.....19.
.....
..
Designa
tion.....
.....

**FORM II**

*List of the Industrial Establishment.*

[See Rule 6(1)]

| Serial no. | Name of the industrial establishments | Name and designation of the employer. | Classification of industry. | Address (Registered Office) |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

(A separate sheet of paper may be used, if the space provided here is insufficient).

Signature .....

Dated the .....19....

**FORM IIA**

*Declaration to abide by the Standing Orders submitted by a group of factories*

[See Rule 6 (ii)]

I..... (name and designation)..... on behalf of Messers..... a member of the..... Association do hereby declare that the provisions of the joint draft Standing Order appended hereto are acceptable to and binding on me.

Signature.....

Manager/Occupier of Messers.....

Dated the.....19.....

**`FORM III**

*Notice*

Office of the Certifying Officer, Bihar,
Patna.

To

.....

The General Secretary.....T.U.

The President Workers' Committee (Formed under Rule 8.)

A copy of the draft Standing Order framed and submitted by ..... for certification is enclosed for needful. This copy of draft Standing Orders should be returned to the undersigned within 15 days from the date of the receipt of this notice by you, together with any objection or objections which the workmen desire to make therein.

Herein please fill up

Given this..... day of..... 19

under my hand and seal of the office.

Certifying Officer.

**FORM IV**

*Certificate of Standing Orders.*

[See Rule 10]

No. of

19 Name and address of the group of employers, any.....

Name and address of the Industrial establishment(s).....

Name and address of the Trade Union(s) of the representatives of workers.

.....

It is hereby declared that the Standing Orders, governing the conditions of employment in..... have been declared on the..... day on..... 19....., to be certified Standing Orders under the Industrial Employment (Standing Orders) Act, 1940.

Seal.

Dated, Patna:
The.....
19.....

*Certifying Officer,*
*Bihar.*
*Appellate Authority,*
*Bihar,*

**FORM V**

*Register of Standing Orders (See Rule 11)*

| Serial Number. | |
|---|---|
| Date. | |
| Name and address of the establishment. | |
| Classification of Industry. | |
| Number of workmen in the Industrial establishment. | |
| of designation and Name officers signing the drat on behalf of the employer or the group of employers. | |
| Name of Trade Union or the workmen of representative concerned. | |
| Date of submission of draft Standing Orders. | |
| Date of notice calling for objections. | |
| Name of parties submitting objections. | |
| Date of order on objections. | |
| Date of certification. | |
| Date of issue of authenticated copies to the parties concerned. | |

**FORM VI**

*Application for modifications of Standing Orders.*

(See Rule 18)

Name of the Association of employers, if any.....

group

Address.....
.....

To

The Certifying Officer,
Industrial Employment
(Standing Order ) Act,
Bihar, Patna.

Dated..... the..... 19.....

Dear Sir,

In accordance with the provisions of sub-section (2) of section 10 of the Industrial Employment (Standing Orders) Act, 1945, I beg to inform you that it is desired to effect modification(s) in the Standing Orders, no..... of 19..... adopted in the following industrial establishment(s).

2. I declare that

six months have passed since the Standing Orders or the last modification(s) thereof come into operation.

there has been an agreement, a copy of which is enclosed herewith, between the employers and the work- men for making modification(s).

Five copies of the Standing Orders indicating modification(s) desired are submitted herewith.

4. Changes in the statement in forms IA, and IB, regarding particulars of workmen and the names and other particulars of the Trade Unions, since they were submitted last, also indicated herewith in the enclosed sheet.

Yours faithfully,

Manage

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[1][**FORM VII**

(See Model Standing Order No. 7A.)

**Notice of discontinuance/restarting of a shift working to be given by employer.**

Name of Employer.....

Address.....

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

In accordance with the Model Standing Order No..... of the Standing Order 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 Annexure with effect from.....

Signature

Designation

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

1. Ins. by notifn. No. II/82-1050/61 L. & E-4140 dated 16.6.1961.