



STANDING ORDERS

RASHTRIYA CHEMICALS & FERTILIZERS LIMITED

Trombay Unit

STANDING ORDERS IN RESPECT OF RASHTRIYA CHEMICALS & FERTILIZERS LTD. TROMBAY UNIT

Introduction

This compilation contains the Standing Orders of the Rashtriya Chemicals & Fertilizers Limited, Trombay Unit, Chembur, Bombay. These Orders shall come into force from a date determined in accordance with the provisions of Section 7 read with sub section (3) of Section 10 of the Industrial Employment (Standing Orders) Act, 1946.

OBJECTIVES

1. The objectives of the Standing Orders are to define the conditions of employment of the workmen of the Rashtriya Chemicals & Fertilizers Limited, Trombay Unit, make these known to them to ensure their compliance and provide for an efficient, systematic, fair and satisfying management of those at work.

SCOPE AND COVERAGE

2. These orders have been framed under the Industrial Employment (Standing Orders) Act, 1946. These Standing Orders shall apply to all the workmen of the Rashtriya Chemicals & Fertilizers Limited, Trombay Unit who fall within the definition of 'workman' as defined under Section 2(i) of the Industrial Employment (Standing Orders) Act, 1946.

DEFINITIONS

3. In these orders, unless there is anything repugnant in the subject or context:

- a) 'Act' means Industrial Employment (Standing Orders) Act, 1946.
- b) 'Company' means the Rashtriya Chemicals & Fertilizers Limited.
- c) 'Unit' means the factories and offices located at Bombay of Rashtriya Chemicals & Fertilizers Limited.
- d) 'Department' means any part of the Unit's organization declared as such by Management.
- e) 'Plant' means any collection of equipments and machinery within the precincts of the factory which has been declared as such by the Management.

- (f) 'Section' means a sub-division of a department or plant serving as a distinct administrative unit.
- (g) 'Management' means the Company's Chairman & Managing Director or the concerned General Manager of the Unit or any other person authorised to act on their behalf.
- (h) 'Workman' means any person (including an apprentice) employed in the establishment to do any skilled or unskilled, manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be expressed or implied, but does not include, any such person —
 - (i) who is employed mainly in a managerial or administrative capacity or
 - (ii) who being employed in a supervisory capacity, draws wages exceeding five hundred rupees per mensem or exercises either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature.
- (i) 'Job' means a group of related tasks, duties and responsibilities expected to be performed by the incumbent assigned to that job.
- (j) 'Norm' means the standard or output i.e. the amount of work required to be performed by an average workman.
- (k) 'Factory premises' means the premises including its precincts where the manufacturing process as defined in the Factories Act, 1948 is carried out.
- (l) 'Work place' means the precincts of the Unit or Factory and of such other places where a workman is deputed to work.
- (m) 'Muster Roll' means any register or registers maintained by the Company for the purpose of keeping a record of the presence of persons employed by the Company from "time to time" and for the purpose of making the attendance of such workmen.
- (n) 'Attendance' means presence of the employees concerned at the place where he is required to report for getting his attendance marked.

- O) 'Notice Board' means the board or boards maintained in a conspicuous place for the purpose of displaying notices required to be posted by the Company or affixed under the provisions of these Standing Orders.
- P) 'Notice' means the notice in writing required to be given or pasted on the notice boards for the purposes of these Standing Orders.

AMENDMENTS AND MODIFICATIONS

- 4. These orders may be amended or modified from time to time in accordance with the provisions of the Act.

SAVINGS

- 5. Nothing contained in these Standing Orders shall operate in derogation of any law applicable to or to the prejudice of workmen under an agreement, settlement or award for the time being in force.

PUBLICATION AND EXHIBITION

- 6. These Standing Orders will be published in Hindi, Marathi and English. Copies of these orders and any amendments or modifications made thereto and any notices, orders or instructions issued therein will be posted on the Notice Boards at the registered office of the Unit and in various departments, plants and sections. All workmen will be supplied with a copy of these orders free of charge once.

INTERPRETATION

- 7. If there is any conflict between the Hindi, English and the language versions of these Standing Orders, the English version shall prevail.

AUTHORITY AND RESPONSIBILITIES

- 8. These orders are issued under the authority of the Chairman & Managing Director who will be responsible for their enforcement. All Management and supervisory personnel will be responsible for ensuring the compliance of these orders by workmen under their control and for the actions and decisions they are authorised to take under, these orders.

DUTIES AND RESPONSIBILITIES

- 9. Every workman shall perform the duties and responsibilities of the job to which he is assigned to by the Management.

CLASSIFICATION OF WORKMEN

10. Workmen will be classified as follows:

1. Permanent
2. Probationer
3. Temporary
4. Casual
5. Apprentices

- (a) **Permanent:** Permanent workmen means workmen whose appointment has been confirmed in writing by the Management and includes a workman who has completed the required probationary period of six months in the same or another occupation permanent post in the establishment. The probationary period can be extended up to a maximum period of one year in the aggregate in case of unsatisfactory work.
- (b) **Probationer:** A probationer is an employee who provisionally engaged against a permanent post and has not completed his probation period and confirmed
- (c) **Temporary :** A temporary workman is a workman who has been engaged in work, which is essentially of a temporary nature and likely to be finished within a limited period and includes a workman who is appointed to the post of a permanent or probationary workman who is temporarily absent.
- (d) **Casual:** A casual workman is a workman whose employment is of a casual nature.
- (e) **Apprentices :** An apprentice is a learner who may or may not be given an allowance or stipend during the period of his training. The terms and conditions of employment and the period of training of the apprentices shall be governed by the Apprenticeship contract and any special rules or orders framed by the Management from time to time or under any law for the time being in force.

TRANSFER

11. Every workman shall, at the discretion of the Management be liable to be transferred from one job to another requiring comparable experience and skill, from one section

to another and from one department to another provided that such a transfer is not to the prejudice of the workman concerned by way of loss in pay, grade and seniority.

TRANSFER TO DIFFERENT CATEGORY OF JOB

12. If a workman is temporarily transferred to a job, of different classification to his, he will be entitled to the pay/ wages of that category of job for the period of transfer or his original pay whichever is higher.

PAYMENT OF UNCLAIMED WAGES

13. Any pay/wage due to the workman, but not paid on the scheduled pay day on account of their being unclaimed shall be paid on the unclaimed wage/pay day which shall not be later than 10 days after the pay day and the day shall be notified on the Notice Board.

PAYMENT OF WAGES IN CASE OF DEATH

14. Pay/wages due to a deceased workman shall be paid to his legal heir or heirs before the expiry of the 3rd working day after the day on which the claim is made, provided such a claim is submitted within 3 years of the death of the employee and the clearance certificates showing that no dues are outstanding in his name have been secured. These certificates will be obtained from the Administrative Officer in respect of vacating the Company's quarters and from the Head of the department in respect of any of the Company's property under his charge.

15. Pay and allowances of all kinds claimed on behalf of a deceased workman shall be paid without production of the usual legal authority if the gross amount claimed does not exceed Rs. 2500/- This will be done under the authority of the Head of the Department in which the deceased workman was working at the time of his death provided that the Head of the Department is otherwise satisfied about the right and the title of the claimant.

16. If the gross, amount of the claim exceeds Rs. 2500/- the payment shall be*made under the orders of the concerned General Manager on the execution of an Indemnity Bond duly stamped for double the gross amount due for payment with such sureties as may be deemed necessary.

17. In case of doubt the payment shall be made only to the

person producing the legal authority irrespective of the amount of the claim.

HOURS OF WORK

18. Period of hours of work : Notices showing the periods of hours of work for every class and group of workmen in the establishment and for each shift shall be displayed on the Notice Boards maintained for the purpose in the department concerned and at the Time Keeper's Office or at or near the main entrance of the establishment. Notice specifying (i) a weekly holiday under Section 52 of the Factories Act, 1948 (ii) the days on which compensatory holidays, if any, under Section 53 of the Factories Act, 1948 will be allowed and (iii) the days on which wages are to be paid and (iv) the days on which holidays have been declared by the Management shall be displayed on the Notice Board at the Time Keeper's office or at or near the main entrance of the establishment.

SHIFT WORKING

19. The factory will work each day in 3 continuous relay- shifts of 8 hours each and a general shift of 8 hours as notified from time to time in accordance with the Factories Act, 1948. more than one shift may be introduced or discontinued in any plant or section of the Factory at the discretion of the management.

CHANGE OF SHIFT

20. Workmen shall be liable to be transferred from one shift to another at the discretion of the Management. Except in emergency the Management shall ordinarily give to the workman concerned at least 8 hours notice for such transfer. The workmen shall not exchange or change their shifts without the permission of the sectional head concerned.

CLOSURE AND STARTING OF SHIFTS DEPARTMENTS OR SECTIONS AND WHOLE UNDERTAKING

21 More than one shift may be worked in a department at the discretion of the concerned General Manager or any person authorised by him in this behalf.

If more than one shift is worked in the establishment workmen shall be liable to be transferred from one shift to another. ^T

22. Whenever an additional shift is started, or shifts are

altered or discontinued, a seven days' notice shall be given to the workmen but if as a result of the discontinuance of the shift any permanent workman is likely to be discharged, a notice of one month shall be given for the discontinuance of the shift. 23 On re-starting a shift, notice thereof shall be given either in a newspaper having wide local circulation or by letters to individual workmen concerned, and the workmen discharged as a result of the discontinuance of the shift shall, if they present themselves within seven days of the publication of the notice or the posting of the letters, be given preference for employment according to the length of their service in their respective category.

24. The Management may close down any department or section of a department after giving one month's notice to the workmen. Before reopening such department or section as the case may be, seven days notice thereof shall be given either in a newspaper having wide local circulation or by letters to individual workmen concerned.

25. Notices of (i) starting, re-starting, alteration and discontinuance of shift working, (ii) the closure and re-opening of a department or section of a department, and (iii) the closure and re-opening of the establishment shall be displayed in the Time Keeper's office or at the main entrance to the establishment and at the gate or gates and in the case of a department or section, also in the department concerned.

26. On the re-opening of a department or section or the establishment as the case may be preference for employment will be given to the workmen whose services were terminated on account of the closure according to the length of their service in the respective category, provided that they present themselves for service at the latest by the day of the reopening or within seven days thereafter.

LUNCH, TEA AND REFRESHMENTS

27. The general shift will have a mid-day break of not less than half an hour for lunch, rest etc. as fixed and notified by the Management in accordance with the Factories Act, 1948. Workmen not engaged on continuous work will be expected to suspend work during this period and leave their places of work for rest and refreshment. Workmen working on con-

tinuous processes however shall not leave their places of work but have their lunch, refreshments, rest etc. at the place of work itself.

TEA AND REFRESHMENT

28. All workmen working inside the factory will be expected to have their tea and refreshment during periods other than the mid-day break at their places of work or at certain places fixed by the Management for this purpose. This will, however, be done only twice in a shift or a day once each during the first and second halves of the shift. For this purpose the management shall make arrangements for selling at cost tea and refreshment at or near the place of work during fixed timings.

ATTENDANCE

29. Reporting Time: All workmen shall report at their respective places of work at the scheduled beginning of their shifts or hours of duty after marking attendance.

MARKING ATTENDANCE

30. Attendance will be marked at the time of reporting for duty and also while leaving. Workmen working in the factory may be required to mark the attendance while leaving their sections during mid-day break and reporting back for duty. The place of marking attendance will be determined by the Management for each section or department or type of work.

LEAVING TIME

31. No workman shall leave his place of work before the scheduled end of the shifts or duty hours. No workman shall remain at his place of work or in his section half an hour after the closure of his shift or duty hours unless so authorised by the Management.

LEAVING TIME OF SHIFT PERSONNEL

32. The workmen working on continuous processes in shifts will remain at their posts until their scheduled reliefs arrive to take over or until their supervisor is able to make other arrangement for their relief. If a workman is not relieved within 15 minutes after the scheduled closure of the shifts, he will be entitled to overtime for the period of overstay subject to a minimum of half an hour.

LATE ARRIVAL

33. Workmen marking their attendance after the beginning of the shift or hours of duty will be considered late. Habitual lateness is also a misconduct under the Standing Orders. If a workman comes late by more than 30 minutes, he shall be shut out or treated as absent for the period he is late.

ABSENCE

34. The period of late arrival, if it is more than 30 minutes, will be considered as absence. If after marking the attendance a workman is not found at his place of work during working hour's without permission or sufficient reasons he shall be considered as absent for the period of such absence. Such absence will involve automatic deduction of pay or wages in accordance with the Payment of Wages Act, 1936.

URGENT PERSONAL WORK

35. With the approval of the sectional head workmen may be granted permission up to 2 hours for leaving their places of work, for urgent personal work. This will also include personal work such as visiting the dispensary or hospital or Personnel Department or Accounts Department etc. If the absence is more than 2 hours duration, it will be treated as leave for the whole day if the absence commences before the mid-shift or mid-day break and for half day in case the absence commences after the mid-day or mid-shift.

ENTRY AND EXIT

36. All workmen shall enter and leave the factory or the Unit only through the gates and times specified for the purpose by the Management. No workman shall be allowed to leave the factory of the Unit premises during working hours without proof of having obtained the necessary permission of the sectional head concerned.

SEARCH

37. All workmen are liable to be searched while entering or leaving the factory or the Unit premises or at any time while in the premises by security staff or by any other person so authorised by the Management. Female employees will be searched by only authorised females and their search will be effected only in presence of another female employee.

NOTICES

38. Notices specifying working days, off days, holidays, working hours, shift hours and instructions regarding attendance arrival, departure etc. will be exhibited in English, Hindi and Marathi on the Notice boards of the concerned department and section.

LEAVE

39. All workmen will be entitled to leave according to rules framed by Management from time to time. Leave may be refused, curtailed or cancelled in the interest of work.

PROCEDURE FOR APPLYING FOR LEAVE

40. Any workman who desires to obtain leave of absence shall apply to his sectional head in the form prescribed by Management indicating the reasons, date of commencement and duration of leave and the address during the period of leave. Application for short duration leave of 3 days or less should be made at least 24 hours in advance. For leave of more than 3 days, applications should be made at least 7 days in advance. Every workman will be informed of the sanction of his leave before departure and he should proceed on leave only after receiving the sanction.

41. (I) Emergency Leave — In case of emergency or sickness, workmen will naturally be not able to obtain prior permission. In such cases they should inform their sectional heads of the leave with reasons for not obtaining prior permission, immediately on resuming duty or within 3 days of the commencement of the leave, whichever is earlier.

(ii) Medical Certificate — Medical certificates only from the authorities indicated below will be recognised for the purpose of grant of sick leave :

Category	Medical certificates to be obtained from
(a) Employees drawing pay above Rs. 575/- pm and residing in RCF Township.	Chief Medical Officer of RCF
(b) Employees drawing pay of Rs. 575/- pm. and below and residing in RCF Township.	Assistant Surgeons of RCF

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|---|---|
| (c) Those who are residing outside RCF Township in Bombay . | Either Chief Medical Officer or Asst. Surgeons of RCF for categories indicated against (a) and (b) above or A registered Civil Surgeon or Asst. Surgeon or a Govt. or State aided Hospital. |
| (d) Those who proceed on leave to outside stations and apply for extension of leave on medical grounds. | A registered Civil Surgeon or Asst. Surgeon of a Govt. or State aided Hospital of the place, |

However, in cases of those in category (c) and (d) above, the requirement of medical certificate may be relaxed by the Heads of Departments and certificates from Registered Allopathic Medical Graduates or Licentiates may be accepted but the Heads of Departments shall exercise this authority after careful examination of the merit of each individual case.

EXTENSION OF LEAVE

42. Any workman who desires to extend his leave shall make an application in writing to his sectional head giving him sufficient time to consider the application and communicate his reply before the expiry of the originally sanctioned leave. Extension of leave on application will be automatic unless otherwise informed.

OVERSTAYAL OF LEAVE

43. If a workman remains on leave beyond the period of original sanction or subsequent extension he shall be treated as absent without leave for the period of overstay.

ABSENCE WITHOUT LEAVE

44. No workman shall absent himself without leave. Absence without leave is misconduct under the Standing Orders and is able to disciplinary action in addition to deduction of wages in accordance with the Payment of Wages Act, 1936 Absence without permission for more than 10 days will be treated" as volun-

tary abandonment of duty and the employee's name will be automatically struck off from the rolls. If the absence is of 10 days' duration or less, the workman will be given an opportunity to explain the reasons of absence without leave to his sectional head. Depending upon the nature of explanation, the absence may be treated as leave if due or as leave without pay or may involve disciplinary action at the discretion of the management or its authorised representatives.

RESUMING DUTY AFTER LEAVE

45. For resuming duty after leave, every workman should report for work to the same person and at the same time and place as obtaining before proceeding on leave unless otherwise informed. Workmen working in shifts will join their shift earmarked for them on the date of rejoining according to the shift rotation chart posted on the Notice Board.

RESIGNATION

46. Any workman who desires to leave the service of the Unit shall submit a letter of resignation' to the appointing authority through his sectional head. A resignation shall take effect only after it has been accepted by the Management and after fulfilling the obligations imposed by the conditions of appointment or contract, Should a workman leave the service without fulfilling the obligations, he will be liable to be sued by the management for damages. Resignations will be governed as follows:—

- (a) Permanent workmen, probationer and temporary workmen
Permanent workman, probationer or temporary workman may leave the service of the Unit after giving notice as per the terms and conditions of his appointment or contract as the case may be.
- (b). Apprentice : An apprentice may leave his apprenticeship only after he has complied with apprenticeship contract.
- (c) Casual workmen: Casual workmen may leave the service of the Unit after giving one week's notice.

SUPERANNUATION

47. Every workman shall retire from the service of the

Unit on his completing the age of 58 years. The age set-forth in the service record of the workmen shall be the basis for arriving at the date of retirement. On retirement a workman will be entitled to superannuation benefits as per the then existing rules of the Unit.

PREMATURE RETIREMENT

48. Any workman may be retired on medical grounds after he has been duly examined and certified as unfit for further employment by the Medical Officer of the Unit or a medical board constituted by the Unit.

TERMINATION OF EMPLOYMENT

49. Termination of employment or retrenchment for any reasons whatsoever other than as a punishment, shall be governed by the provisions of the Industrial Disputes Act, 1947, as amended from time to time and rules framed there under.

PERMANENT WORKMEN

50. The employment of a permanent workman may be terminated by the Management by giving him due notice as per terms of his appointment or payment of salary or wages in lieu of notice. The reasons for termination of services of a permanent workman shall be recorded in writing and communicated to him if he so desires, at the time of discharge unless such communication in the opinion of the Management is likely, directly or indirectly, to lay any persons open to Civil or Criminal proceedings at the instance of workmen. Provided, however, that no notice or pay in lieu of notice would be admissible in case of dismissal for misconduct.

PROBATIONER

51. The service of probationer may be terminated without notice or pay in lieu of notice.

TEMPORARY WORKMEN

52. Employment of a temporary workman may be terminated as per his terms of appointment. If, however, a temporary workman has worked for 240 days or more in a calendar year, he will be given one month's notice of termination or pay in lieu thereof, provided, however, that in case of dismissal for misconduct no notice or pay in lieu of notice

would be admissible.

CASUAL WORKMEN

53. Service of a casual workman may be terminated with 7 days' notice. If, however, a casual workman has worked for 240 days or more in a calendar year, he will be given one month's notice or pay in lieu thereof, provided however, in case of his dismissal for misconduct, no notice or pay in lieu of notice would be admissible.

TERMINATION OF EMPLOYMENT

54. The order of termination of service shall be given in writing and shall be signed by the officer authorised by the Management in this behalf and copy thereof shall be supplied to the workman concerned.

Where the employment of a workman is terminated the wages earned by him shall be paid to him before expiry of the 2nd working day from the date from which his employment is terminated. In the case of workman leaving the service, the payment of wages earned by him shall be made within 7 days from the date of which he leaves the service. All other dues to a workman shall be paid before the expiry of one month from the date of termination of his services or as the case may be from the date he left services.

STOPPAGE OF WORK (LAY OFF)

55. The Management at any time/s may stop work without notice in any department or plant or section fully or partially in the event of:—

- (a) Fire, catastrophe, breakdown of machinery, stop page of power supply or water supply, periodical repairs, reconstruction or extension, epidemic or civil commotion or any other cause beyond the control of the Company.
- (b) Shortage of raw materials, temporary curtailment of production or similar trade reasons, failure of railway wagon supply and consequent stoppage of any machine or department or section.

DETENTION AND LEAVE

56. In the event of such stoppage during working hours, the workmen affected shall be notified by notices put upon the

notice board in the departments concerned and 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 be required to remain for more than two hours after the commencement of the stoppage.

57. Workmen so laid off shall be considered as temporarily unemployed. Payment of compensation to the workmen for such lay-off will be governed according to the provisions of Industrial Disputes Act, 1947.

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

COMPENSATION

59. No compensation other than those provided for in Industrial Disputes Act, 1947, as amended from time to time, will be admissible. All matters relating to lay-off and retrenchment consequent on the aforesaid contingencies shall be regulated by the above said Act.

RESUMPTION

60. Wherever practicable, reasonable notice shall be given of the resumption of normal work and all such laid off work men as present themselves for work when work is resumed, shall be given preference for employment. The notice of resumption shall be posted on the Unit's main Notice Board and of the concerned plant or section or department,

SERVICE CERTIFICATES

61. Every workman shall be entitled to a service certificate on resigning his service or at the time of discharge, retirement, or dismissal from service. The certificate will include name of the workman, date of employment, designation and depart-

ment, rate of pay, nature of employment and reasons for leaving. Certificate will be issued by the Personnel Department on receipt of a written request.

APPLICATION FOR OUTSIDE APPOINTMENT

62.. Any workman seeking appointment in another Government department, undertaking or institution shall forward his application through the Unit. The management will have the right to withhold any such application on the ground that it cannot spare the services of the workman concerned.

RETURN OF PROPERTY

63. Every workman before leaving the service of the Unit shall return all the property and tools belonging to the Unit issued or let to him in connection with his work. The cost of such property or tools etc. not so returned shall be liable to be deducted from his pay or wages or other amounts due to the workman.

DISCIPLINARY ACTION

64. Every workman is liable to disciplinary action resulting into punishment for any infringement of these Standing Orders or for any misconduct some of which are defined here- under. It is a fundamental rule that whenever any disciplinary action is taken against any workman, workman concerned shall be clearly apprised of, the charges against him and that he shall be given a reasonable opportunity to explain his position and to defend himself.

MISCONDUCT

65. Without prejudice to the general meaning of the mis conduct the following acts and omissions shall constitute specific misconduct on the part of workman :

- (i) Insubordination i— Wilful insubordination or refusal to obey whether alone or in combination with others any lawful or reasonable order of a superior.
- (ii) Refusal to work — Refusal to work on a job or machine to which he is assigned.
- (iii) Negligence — Negligence of duty, laziness, malingering, slow down of work, sleeping while on duty or neglect of work.

(iv) Disregard of instructions :

Disregard of established procedures and operating instructions.

(v) Safety Measures :

Non-observance of safety rules, precautions and measures, smoking within the factory premises in places where it is prohibited and sabotage or interference with the safety devices installed in the work premises or Unit's estate.

(vi) Damage to property :

Wilfully causing damage or loss to any of the Company's property.

(vii) Dishonesty : Theft, fraud or dishonesty in connection with the Unit's business and property, theft of another employee's property inside the premises or the estate of the Unit and giving false information regarding his bio-data at the time of employment.

(viii) Indiscipline: Drunkenness, gambling, fighting, riotous, disorderly and indecent behaviour in the premises of the estate of the Unit or any act subversive of discipline and efficiency.

(ix) Absence : Late attendance, absence without leave and absence without permission from the place of work.

(x) Intimidation : Assaulting, abusing, insulting, threatening or intimidating any workman of the Company within the premises of the estate of the Unit.

(xi) Interference : Interference in the work of other workmen.

(xii) Secrecy : Unauthorised communication of official document or information and disclosure to another unauthorised person including fellow workers or any confidential or secret information relating to the Company's business.

(xiii) Rumours : Spreading false rumours or giving false information or making defamatory statement (written or oral) which tend to bring the Management or

any of its workmen into disrepute.

- (xiv) Accommodation: Unauthorised use of Unit's quarters or land for any purpose other than residence or subletting of allotted accommodation,
- (xv) Business : Carrying on money lending or any other private business.
- (xvi) Conduct: Conviction in any court of law for any criminal offence involving moral turpitude or conduct in private life prejudicial to the reputation of the Company.
- (xvii) Entry : Entering or leaving or attempting to enter or leave the work premises except through the authorised entrances.
- (xviii) Sanitation : Disregard of sanitation in Unit's estate by committing nuisance or by keeping milch cattles, etc. or by not informing medical officer of the Unit of the occurrence of infectious or epidemic disease in his house.
- (xix) Bribe : Taking or giving bribe or illegal gratification whatsoever or accepting gifts from subordinate workman.
- (xx) Chargesheet : Refusal to accept or reply to a charge-sheet in the prescribed time.
- (xxi) Striking work : Striking work or inciting others to strike work in contravention of the provisions of any law or rule having force of law.
- (xxii) Meetings : Holding meeting within the premises of the estate of the Unit without a previous written sanction of the Management.
- (xxiii) Collection of money : Collection of any money or canvassing for collection for any purpose without the written permission of the Management, within the premises or the estate of the Unit.
- (xxiv) Representations : Writing of anonymous, pseudonymous letters criticising the Management or collecting signatures or collective representations during

the working hours.

- (xxv) Attempt to commit misconduct: Abetment of or attempt to commit any of the acts of misconduct.
- (xxvi) Standing Orders : Breach of Standing Orders or any law applicable to the Unit. ,
- (xxvii) Commission of any act subversive of discipline or good behaviour,
 - (a) On the Company's premises; or
 - (b) In the course of duty; or
 - (c) Outside the Company's premises if it 'is proved to have directly affected the discipline or administration of the Company if it is directly linked with the general relationship of employer and employee, or has a direct connection with the contentment or comfort of the man at work or has a material bearing on the smooth and efficient working of the concern.

PUNISHMENT

66. A workman is liable to any of the following punishments on being found guilty of misconduct depending upon the severity of the misconduct and his past record :—

- (i) Adverse entry in the Personal Record or Censure
- (ii) Fine
- (iii) Stoppage of increment
- (iv) Reversion to a lower post
- (v) Suspension without pay for a period not exceeding 4 days
- (vi) Discharge without or with notice or pay in lieu of notice but without loss of Provident Fund benefits
- (vii) Dismissal.

Workmen may be let off at the discretion of the Management with a verbal or written warning. Warning will not be treated as a punishment but only as a caution informing the workmen that a repetition of the misconduct may entail more serious consequences.

PROCEDURE

67. The following procedure will be followed whenever a worker is charged with a punishable misconduct:—

- (I) A chargesheet will be framed clearly specifying the misconduct and asking the workman to show cause against the specific punishment proposed to be imposed on him. The workman will be required to submit a written explanation within 72 hours failing which it will be presumed that he has no explanation to offer. The charge sheet will be handed over to the workman. If the workman refuses to accept the charge sheet it will be posted on the Unit's Notice Board and this will amount to serving the notice to the workman.
 - (ii) On receipt of the explanation if the workman pleads guilty, a suitable punishment may be awarded by the Competent-Authority.
 - (iii) If the written explanation convinces the Competent Authority that the workman is not guilty, he will be exonerated of the charge and the case closed.
- (iv) If the workman does not plead guilty and the Management is not satisfied with the explanation, an enquiry shall be held by an officer nominated for this purpose by the Management.
- (v) A notice to the workman giving date, time and place of the enquiry and asking him to produce his evidence, if any, in support of his defence, will be issued.
 - (vi) The enquiry officer will record all statements in the presence of the accused and will give him a fair opportunity to defend his case and to cross-examine all such witnesses who have deposed against him. The accused may be allowed to be assisted by a co-workman of his choice who will be allowed to be present throughout the enquiry and take part' in it. The proceedings shall be signed by the accused and his representative and the various witnesses.

- (vii) The enquiry officer shall submit his findings to the Competent Authority who will go through the findings and pass such acquittal or punishment orders as he may deem fit. A copy of the orders will be supplied to the workman concerned by the Personnel Department.
- (viii) It will be open to the competent authority to award a lesser punishment than that proposed on the chargesheet. If, however, he feels that a more severe punishment than that recorded on the charge-sheet is necessary a fresh charge sheet will have to be issued asking the workman to show cause as to why the proposed higher punishment should not be imposed.
- (ix) Notwithstanding anything contained above, in view of the highly inflammable chemicals used in the process of manufacture of fertilizer in the factory and the consequent risk involved therein, smoking is strictly prohibited within the factory perimeter wall except in the permissible smoking area and if any workman is found in possession of a matchbox or cigarette lighter within the factory perimeter wall, outside the permitted smoking area he shall be immediately suspended and shall be liable to be dismissed from service after summary trial. In such a case, the workman concerned shall be given an opportunity to show cause as to why the proposed punishment of dismissal should not be imposed on him before the order of dismissal is passed. Brief notes of the charge and the plea put in by the workman shall be maintained by the Management for their own record in such cases.

SUSPENSION

68. If a workman has committed a serious misconduct and his continuance is considered prejudicial to the interest of the Unit or Company, he may be suspended pending enquiry. He will be informed of this in writing together with the charge-sheet. During the period of suspension, a workman shall not be allowed to leave the station except with written permission from the Head of the Department. He will be paid 50% of

his basic wages and allowances as a subsistence during the period of such suspension pending enquiry.

Provided 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 shall be equal to three-fourths of such basic wages and other allowances.

Provided further that where such enquiry is prolonged beyond a period of ninety 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.

If the workman is found not guilty the period of suspension shall be treated as on duty and the workman will be paid his wages and allowances which would have been paya-able, had he not been placed under suspension, minus the subsistence allowance already paid to him.

FURTHER MISCONDUCT

If the workman is guilty of misconduct other than that which is the subject matter of the enquiry, the workman shall be liable for punishment for the misconduct disclosed or committed in the course of inquiry provided fresh charges shall be framed and he shall be given a reasonable opportunity to explain and defend Himself in respect of such misconduct.

JOINT ENQUIRY

70. Where two or more workmen are concerned in any case of misconduct the disciplinary action against all of them may be taken in a common proceedings and a joint enquiry held.

CRIMINAL OFFENCE

71. A workman convicted of any criminal offence involving moral turpitude will be liable to be summarily discharged from service.

COMPETENT AUTHORITY

72. Authorities competent to take disciplinary action will be as follows :—

- (i) Warning Authority : The immediate supervisor will have the authority to issue warning.

- (ii) Censuring, suspending and fining authority :— All Sectional Heads will be competent to censure, suspend and impose fines.
- (iii) Higher punishment Authority : The Departmental Head or appointing authority will be competent to impose any of the higher punishments such as stoppage of increment, demotion, discharge and dismissal.

APPEALS

73. Any workman who is aggrieved by an order of punishment imposed upon him shall have a right to appeal to the officer immediately superior to the one who has imposed the punishment. In cases where the concerned G. M. is not the immediate superior officer, a workman, who is not satisfied with the decision of the appellate authority, shall have the right of second appeal to the concerned G.M. No appeal shall lie to the Chairman and Managing Director against any order passed by any competent authority except in the case of an order of discharge or dismissal.

Any appeal sought to be made under this standing order shall be made within 7 days from the date of receipt in writing of the order appealed against.

The appellate authority shall consider an appeal and shall make such order as he deems fit and may either confirm, modify, rescind or enhance the punishment shall not be made unless the workman has been given a reasonable opportunity to show cause against the proposed enhanced punishment.

The concerned General Manager may call for records of any case relating to misconduct suo moto or otherwise and after examination of the case, he may pass such orders as he may deem fit.

DISSEMINATION OF INFORMATION

74. No workman shall without the written permission of the Management publish or cause to be published or disseminate in any other manner, any matter or information having bearing on the affairs or the business of the Company.

INVENTION

75. No workman shall without the previous consent in writing of the Company apply for the patent of any invention made by him during the period of his service with the Company. If any invention has been made during the period of service with the Company, the Company shall be entitled to ask the workman to assign or transfer such invention to it with the exclusive privilege of using it in any manner it deems fit. The Company shall not be obliged to pay any royalty or any other compensation to the workman for such a transfer. A workman shall within one month of his employment with the Company furnish a list of all patents taken out or applied for by him indirectly or jointly with any other party in India or abroad.

The title and nature of any invention in possession of the workman prior to taking up the appointment with the "Company shall be treated as confidential under the Indian Patent and Design Act, 1911.

WORKMEN ON DEPUTATION AND FOREIGN SERVICE

76. All workmen with the Unit who are on deputation or on foreign service will be liable to be reverted at any time at the discretion of the Management. They shall also be subject to such rules of the Unit as do not affect their deputation terms.

LANGUAGE OF NOTICES AND COMMUNICATIONS

77. Notices to be exhibited or given under these Standing Orders shall be in English, Hindi and Marathi.

78. Any communication or intimation which is personal i.e. is meant for an individual workman and is given in writing under these Standing Orders, shall be read out and explained to the workman before being handed over, if he so desires.

79. Certified that Standing Orders have been duly certified by me under the Act this 6th day of December 1980.

Sd/- H. G. BHAVE

Certifying Officer for Maharashtra, Goa, Daman, & Diu
and Regional Labour Commissioner (Central), Bombay.

