

CERTIFIED STANDING ORDERS OF M/s. INSTRUMENTATION LIMITED,
KANJIKKODE WEST, PALAKKAD

PART-I

S. O. No.1: Application

- a) "These orders shall apply to all employees of M/s. Instrumentation Limited, Palakkad who are "Workmen" as defined in section-2(i) of the Industrial Employment (Standing Orders) Act, 1946" and come into force with effect from a date determined in accordance with section 7 of the Employment (Standing Orders) Act, 1946 as amended from time to time.
- b) In all disputes regarding the of these orders only the English text shall be considered as being authentic.

PART –II

S. O. No.2: Definitions

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

- (i) "Company" means Instrumentation Limited wherever situated and includes its factory or factories, establishment or establishments, or places where any activity in connection with the business or affairs of the company is carried on.
- (ii) "Notice" means a notice in writing required to be given or posted for the purposes of these Standing Orders.
- (iii) "Company's Notice Board" means the display board or boards maintained for the purpose of displaying notices in the Factory.
- (iv) "Management" means the Company's Managing Director / General Manager or any officer of the Company authorized to act on their behalf.

- (v) "Manager" means the General Manager or such other Officers as may be authorized by the Management to function as the Manager.
- (vi) "Workmen" means a "Workman" as defined in the Industrial Employment (Standing Orders) Act.
- (vii) The masculine gender includes the feminine gender and the singular includes the plural where the context so admits:
- (viii) Workmen shall be classified as
 - (a) Permanent
 - (b) Probationers
 - (c) Temporary
 - (d) Casual
 - (e) Apprentices
 - (f) Trainees
- (ix) "A permanent Workman" is one who has satisfactorily completed the probationary period and who has been brought on to the regular cadre against the permanent post by the Manager in writing to this effect.
- (x) "A Probationer" is a workman taken/appointed provisionally for a period of probation of one year, which period can be extended at the discretion of the Management, to ascertain whether he is or will become suitable for regular employment. However, the extension of probation period beyond 12 months would not generally exceed by another 3 months during which time the Management should decide finally the suitability or otherwise of the workman for the post and pass orders either regularizing the probationer as a permanent workman or terminating his services. During the period of probation (including the extended period of probation) or on expiry of the same, the Management may at any time terminate the service of the probationer without notice or pay in lieu of notice.

If a permanent workman is employed as a probationer, he may, at any time, during the probationary period or extended probationary period or on expiry thereof be reverted to his original/ previous post.

- (xi) "A temporary Workman" is one who is employed on a temporary basis for a limited period.
- (xii) "A casual workman" is one who is engaged on day-to-day basis on work which is of a casual nature or which is of non- recurring or intermittent nature.
- (xiii) "Apprentice" is a person engaged for training as required by the Apprentices Act as amended from time to time.
- (xiv) "Trainee" is a person engaged for training, outside the purview of the Apprentices Act.

PART- III

S. O. No. 3: Termination of employment and the notice thereof to be given by workmen or employer

- (i) The employment of a permanent workman may be terminated by either party after giving 45 days notice in writing or paying the equivalent wages in lieu of notice period. No notice of termination of employment or assignment of any reason thereof is necessary in the case of temporary workmen, casual workmen, probationers, apprentices and trainees.
- (ii) Notwithstanding anything contained in clause (i), the services of workman shall not be terminated for misconduct except in the manner laid down in article 24 of the Standing Orders.
- (iii) 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.

Sub clause (iv) of standing order No. 3

A workman during the course of the employment, who is found to be suffering from any infectious or contagious disease likely to harm other persons in the Company or who is declared medically not fit to continue in service (physically or mentally) shall be liable to be discharged. Such cases will be medically examined by the Company's Medical Officer or his nominee, whom the Management may nominate for the purpose. If the workman is aggrieved with the report of the medical personnel, the case may be referred to the medical authorities of Government of Kerala who will refer to a specialist in the concerned disease, not below the rank of an Asst. Professor of a Government Medical College in Kerala. The report submitted by the above-side officer shall be final and binding and shall not be called in question by the workman or any of his representatives.

- (v) Any workmen who are found guilty of any misconduct, for which the punishment of dismissal is awarded in accordance with these Standing Orders, shall not be entitled to any notice or wages in lieu of notice.

S. O. No. 4: Retrenchment

In the event of the Management finding any workman surplus to its requirement either temporarily or permanently, the Management may retrench the surplus workman as per provisions of the industrial Disputes Act, 1947. However, the Management will endeavour to try and absorb surplus staff in alternative posts, if available, subject to the suitability.

S. O. No. 5: Retirement

Any workmen who has attained the age of 60 years shall retire from the service of the Company and shall not have any claim to be continued in the service of the Company there under. The Management may however, grant extension of service/ re-employment for any further period as it deems necessary, if in its opinion, the" workman is efficient and is physically fit to " hold any post and his services are required by the Company.

However, the Management shall get such workman medically examined by the Medical Officer or by such Medical practitioners as is recommended by the Company for that purpose, at the commencement of each year of such extension/ re-employment.

S. O. No. 6: Automatic termination of service

- (i) If a workman remains absent without leave/permission for a period of 8 consecutive working days, he shall be deemed to have abandoned his job and would cease to be an employee, unless he returns on the 9th day and explains the reasons for his absence to the satisfaction of the Management. If he returns later and gives satisfactory explanation for the absence, he shall be kept on the waiting list to be employed as a casual worker.
- (ii) If a workman who having been laid off fails to report within ten days of the putting up of re-call notice on the Notice Board or of having been otherwise notified, would stand discharged from his services.
- (iii) If a workman absents without leave or remains absent beyond the period of leave originally granted or subsequently extended, he shall lose his lien on his appointment unless he returns from leave within 8 days of such absence and explains to the satisfaction of the Management or other officer empowered in this respect his reasons for absenting without leave. If he fails to do so, he shall be deemed to have left the service of the Company of his own accord from the date he was due to report for duty.

S. O. No. 7: Identification Badges

- (a) (i) Every workman (other than a casual workman) shall be provided with an identification badge which he shall possess during the working hour of the factory. He shall comply with all the instruction in regard to the custody of the badge and shall show it to any person authorized from time-to-time by the Management to inspect it.

- (a) (ii) Every casual workman will be provided with a card showing his number and shall, on being required, surrender it to any person authorized by the Management.
- (b) No workman shall be admitted into the factory premises without the identification badge. However, any workman who has forgotten to bring his badge shall report to the Security Officer who will issue a temporary card on production of which he will be allowed to enter the factory.
- (c) The identification badge will remain the property of the Company and every workman shall on leaving/termination of service, or on suspension or on retirement, surrender the same to the Security Officer.
- (d) Any workman who loses his identity badge shall report the loss immediately to the security officer.
- (e) The initial issue of the identification badge shall be free of charge and any replacement because of its condition, except for fair, wear and tear shall be charged for at the cost price, which will be notified from time to time.

S. O. No. 8: Entry, Exit and Search

- (a) All workmen shall enter and leave the establishment only by the gates approved for the purpose by the Management from time to time. The establishment gates may be kept closed during working hours at the discretion of the Management and workmen must not leave the premises during working hours without prior permission.
- (b) On entering or leaving the establishment and at any time during hours of work when special circumstances so warrant in the opinion of the Management or any other person authorized in this behalf, all workmen are liable to be detained and searched by the factory Watch & Ward Staff.
- (c) A female worker may be searched by a female guard or in the presence of another female only.

- (d) No workman shall take out of the Company premise any 'paper, book, drawing tool, apparatus or other property belonging to the Company except with the authority of a Gate Pass issued by the officer authorized in this behalf.
- (e) No personal article shall be allowed to be taken inside the factory without the written permission of the officer authorized. The officer will issue a pass for it, which should be presented at the time of entry and deposited at the time of exit. Such personal articles shall not include Tiffin Carrier/Umbrella/Rain coat etc.
- (f) If any article belonging to the Company is found in possession of the workman at the time of search, that article will be seized forthwith, and the workman will also be liable to disciplinary action as provided hereunder.

S. O. No. 9: Notice of period of work

All workmen shall comply with the instructions issued from time to time relating to reporting for work and departure from place of work, period of duty, hours of work and the like which will be notified on the notice board.

S. O. No. 10: Attendance and late coming

- (a) All workmen shall be at work in the factory at the times fixed and notified from time to time.
- (b) The attendance of all workmen except casual workmen will be recorded in such manner as the Management may prescribe from time to time. As the time card constitutes the primary record of attendance workmen will lose their attendances and wages if they do not check-in and check-out.
- (c) Workmen coming late, or leaving early with permission shall be liable to proportionate deductions in wages. For this purpose, late coming and early going of workmen will be calculated in units of 10 minutes. Workmen attending late are liable to be sent home and treated as absent subject to settlements/ agreements between the Management and the workmen's unions. Such absence, if condoned shall be treated as leave provided that the workman may be allowed to offset the absence against leave due.

- (d) The attendance of casual workman will be recorded from time at which they pick up and drop their casual cards. Casual workmen will not be permitted to attend late or leave early.
- (e) A workman, who after his attendance has been marked, is found absent from his proper place of work during working hours without permission or without sufficient reason, shall be liable to be treated as absent corresponding to the period of such absence, deductions from wages for the period of such absence as specified in this order may be made in accordance with the provisions of the Payment of Wages Act, 1936 in all cases to which they apply.

S. O. No. 11: Publication of working hours and Notice for Holidays/Pay days:

The periods and hours of work for all workmen shall be displayed in English and Malayalam on the Notice Board for their guidance. The period of hours of work will be subject to alteration, at the discretion of the Management, at any time in accordance with prevailing laws. Also subject to the Factories Act, the Company reserves the right to require and workman to work overtime and to require to work on Sundays/ or declared holidays in accordance with the instructions which may be issued from time to time.

Notice specifying holidays and pay days shall be displayed on the Notice Board.

S. O. No. 12: Shift working

- (a) Shift working shall be regulated in accordance with the provision of the Factories Act for the time being in force. More than one shift may be worked in a department, or plant or section at the discretion of the Management.

- (b) The Management shall be entitled by notice to be posted upon the Notice Board of the Department. Plant or Section concerned to alter or vary the shifts and the hours of working of each shift at its discretion. Workmen shall be liable to be transferred from one shift to another at the discretion of the Management. Except in emergencies, the Management will give to the workmen concerned at least 16 hours notice of such transfer from one shift to another.
- (c) No workmen shall be allowed to change the shift without prior permission of the Management.
- (d) Shift working may be discontinued or the number of shifts reduced at any time without notice and without involving any loss to the wages of" the workers provided as a result of such discontinuance of shift or reduction of the number of shifts, no permanent workman is to be discharged.
- (e) If shift working has to be discontinued or the number of shifts has to be reduced, as a result of which any permanent workman is likely to be discharged, the Company will give one month's notice before the reduction or discontinuance is affected. In effecting discharge under such circumstances, the Company will as far as possible follow the principle of "last come first go" and apply this principle in respect of each defined category of workers. If shift working is restarted or the reduction in the number of shift is restored, the Company will give at least a week's notice by posting such notices at the main entrance of the establishment as well as to the concerned workmen at their address available in Company records. The workmen discharged as a result of discontinuance or reduction of the shift, shall, if they present themselves at the time of the restarting of the shift, have preference in Company's re-employment having regard to their previous service.

S. O. No.13: Forwarding of application for employment

A workmen seeking employment elsewhere, shall forward his application through the Management. During the first year of service, no application may be forwarded. During the second year of service, one application will be forwarded and during the third year and subsequent years of service, two applications in a year will be forwarded.

As regards workmen covered by service bonds no applications will be forwarded during the currency of the bond period.

S. O. No. 14: Change of address

A workman must notify the Company immediately of any change of address. Communication forwarded by the Company to the last address given by the workman shall be regarded as sufficient compliance for the purpose of giving any notice.

S. O. No. 15: Publication of wage rates

Rates of wages payable to all classes of workman shall be displayed on the Notice Boards.

S. O. No. 16: Payment of Wages during Employment

- (a) All workmen shall be paid their wages on a working day in accordance with the provision of the Payment of wages Act, 1936. The actual date of payment to workmen in any particular branch, plant or section shall be notified by a Notice posted on the Notice Board of the branch, plant or section concerned at least "24 hours" earlier.
- (b) Any wage due to the workmen but not paid on the usual pay day on 'account of their being unclaimed shall be paid by the employer on an unclaimed wages pay day once in a month which shall be notified on the Notice Boards provided that the claim is not barred by limitation.

S. O. No. 17: Deductions of Wages.

Deductions from the wages of workmen will be made according to the Payment of Wages Act or any other law in force from time to time in this respect.

If ten or more persons acting in concert and without giving the notice which is required under the terms of their contracts of employment to the Manager absent themselves from work or being present at the work spot refuse to work in pursuance of a stay-in strike or for any other cause they will, in accordance with the Payment of Wages Act be liable to a deduction from their earned wages, provided that the deduction of wages shall be without prejudice to any other action which the Management may be entitled to take under these Standing Orders or otherwise. Any dispute or complaint regarding such deductions shall be brought to the notice of the General Manager through the Officer in-charge, personnel and Administration Department, or any other officer appointed by the Manager, who shall attend to such complaints expeditiously.

S. O. No. 18: Payment of Wages on Termination of Employment or Death

- (a) Where the employment of any person is terminated by or on behalf of the Company, the wages earned by such employee shall be paid to him before the expiry of the second working day from the day on which his employment is terminated, in cases governed by the Payment of Wages Act and in other cases before the expiry of the 10th working day from such termination, provided in either case he has vacated the Company's quarters and has produced a clearance certificate from the establishment branch.

- (b) In the event of death of the workman, his wages and other dues shall be paid to his nominee or legal heirs; provided that the claim is presented to the Management within a period of three years from the date on which the payment becomes due.

S. O. No. 19: Transfers

Workmen shall be liable to be transferred at the discretion of the Management from one establishment to another of the Company from one department/division to another or from one branch to another, one project to another, one shop to another, one section to another, one plant to another or from one job to another provided that in effecting the transfer, the workman's suitability for the position will be taken into consideration and will be decided upon by the Management and that the pay of the workman concerned shall be protected.

S. O. No. 20: Stoppage of work and the Rights and liabilities of the company and the workmen arising there from.

- (a) The Company may, at any time, in the event of fire, catastrophe, breakdown of machinery, or stoppage of power supply, epidemics, civil commotion, shortage of raw materials, slowing down of work, strikes or other causes beyond the control, stop any section or sections of the establishment wholly or partially, for any period or periods without notice.
- (b) In the event of such stoppage or closure during working hours, the workmen affected shall be notified by notices put up on the Notice Boards in the Department concerned, or at the office of the Manager, when work will be resumed and whether they are to remain or leave their place of work. The workmen shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage.

If the period of detention does not exceed one hour, workers so detained shall not be paid for such detentions. If the period of detention exceeds one hour, the workmen so detained shall be entitled to receive wages for the whole of time during which they are detained as a result of stoppage or closure. If the stoppage continues beyond the day on which it is commenced the relevant provisions of the Industrial Disputes Act, 1947 relating to layoff shall apply to the stoppage.

- (c) The Company may in the event of a strike or slowing down of production on the part of workmen 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 concerned for any period or periods. The fact of such a closure shall be notified by notices put on the Notice Boards as soon as possible. The workmen concerned shall also be notified by a general notice prior to resumption of work as to when work will be resumed.
- (d) No compensation shall be paid to a workman who has been laid off.
 - i. If he refuses to accept any alternative employment in the same establishment from which he has been laid off or in any other establishment belonging to the same employer, if in the opinion of the employer such alternative employment does not call for any special skill or previous experience and can be done by the workman, provided that the wages which would normally have been paid to the workman are offered for the alternative employment also.
 - ii. If he does not present himself for work at the establishment at the appointed time during normal working hours at least once a day.
 - iii. If such lying off is due to a strike or slowing down of production on the part of workman in another part of the establishment.

S. O. No. 21: Leave: Annual leave with pay etc.

(a) Leave may be allowed to the workmen as provided under the Factories Act, 1948 or the Company's rules as may be made applicable. Festival Holidays will be declared in accordance with the orders issued by the management from time to time.

(b) Leave Procedure

A workman who desires to obtain Earned Leave of absence shall ordinarily apply 15 days in advance of the commencement of leave (excluding leave on medical grounds or in case of emergency) which shall be admitted by the officer concerned, authorized by the employer to sanction leave. If the leave is granted, the leave pass order will be issued to the workman. If, however, the leave is refused or postponed, the fact will be communicated to the workman in good time. If the workman after proceeding on leave desires an extension he shall apply in writing to the above said authority three days in advance of the termination of leave already sanctioned, so that a written reply may be sent to reach him before the expiry of the leave in time. It will be the responsibility of the workman to ensure: that his application for leave or extension thereof reaches the authorities, and the same has been sanctioned before he proceeds to avail it.

(c) Notwithstanding the conditions mentioned in order (b) above, if a workman remains absent beyond the period of leave originally granted or so subsequently extended, or if he has absented without leave and within eight days from the commencement of such absence, fails to explain to the satisfaction of the competent authority of the establishment his reasons for not returning to duty either such disciplinary action as is prescribed for unauthorized absence or action of termination of his service with due notice will be taken.

S. O. No. 22: Safety precautions

- (i) All workmen shall follow safety instructions given to them or posted on the Notice Board from time to time.
- (ii) No workmen shall remove guards or safety devices or do cleaning of machines while they are under operations.
- (iii) All workmen shall work in a manner helpful to their safety as well as safety of other workmen.
- (iv) Safety appliances provided by the Company are intended for use inside the factory premises only and must not be taken out of the factory.

S. O. No. 23: Warnings & Fines

A workman may be issued a warning by the Management for any Act of Omission or Commission.

No fine will be imposed except in accordance with the provisions of the Payment of Wages Act, 1936 and rules framed there under, as revised from time to time.

S. O. No. 24: Disciplinary Action for misconduct

In particular without being exhaustive or in any way limiting the meaning of . the word "Misconduct" such expression shall be deemed to include in these Standing Orders inter-alia the following Acts or omissions.

- (i) Wilful in-subordination or disobedience, whether along or in combination with another or others, to any lawful and reasonable order of a superior.
- (ii) Striking work or inciting others to strike work in contravention of the provisions of any law or rule having the force of law or deliberate slowing down of work either singly or in combination with others.

- (iii) Theft, fraud or dishonesty in connection with the Company's business or property, or theft within the Company's premises of 'property belonging to any employee.
- (iv) Taking or giving bribes or any illegal gratification Whatsoever.
- (v) Habitual absence without leave or absence without leave for more than 8 days.

Note: "Habitual" means a-n act or omission repeated 3 times or more within a period of 12 months.
- (vi) Riotous or disorderly behaviour during working hours in the factory premises, indecent behaviour within the Company's establishment or any act subversive of discipline.
- (vii) Carrying lethal/dangerous weapons, fighting, quarrelling, using abusive language, assaulting or attempting bodily injury to another person, drunkenness, bootlegging or conduct which violates common decency or sense of morality of the community, threatening or intimidating or molesting any employee or employees in connection with and/ or arising out of his employment with the Company.
- (viii) Any act of subversive of discipline committed within the premises of the Company and its vicinity and having linkage between employment which is real and substantial, immediate and proximate and remote or tenuous.
- (ix) Habitual indiscipline.
- (x) Habitual late attendance or leaving work before time.
- (xi) Leaving work without permission.
- (xii) Habitual negligence or neglect of work including Acts or omissions which lower the quality/ or quantity of goods manufactured and/ or services rendered.
- (xiii) Wilful disobedience of any order expressly given or any rule expressly framed for the purpose of securing safety or wilful removal or disregard of, or interference with any safety guard or other device provided for securing safety.

- (xiv) Wilful damage to or wastage of any property or asset of the Company.
- (xv) Stoppage or refusal to do legitimate work while on duty. Loitering while on duty or absence without permission from the place of work.
- (xvi) Refusal on the part of a workman to work on a job or machine to which he is usually engaged / authorized or is qualified to do such work.
- (xvii) Damage to work in progress or any property of the Company.
- (xviii) Refusal of a workman to work in a different category or trade in the exigencies of service, provided, he is considered competent to perform such duties.
- (xix) Entering another department or shop otherwise than in the course of his duty.
- (xx) Smoking at prohibited places within the Factory premises.
- (xxi) Accepting service in any other establishment, factory or workshop or employment under any person in the Company's service without the permission of the Management.
- (xxii) Sleeping while on duty.
- (xxiii) Distributing or exhibiting inside the factory premises hand bills, pamphlets or posters without the previous sanction of the Management. Displaying or writing on any surface belonging to the Company.
- (xxiv) Attending or holding meetings within the Company's premises without the previous permission of the Management.
- (xxv) Doing Dharna or Sathyagraha or any obstruction or restraint.
- (xxvi) Disclosing to any unauthorized person any confidential information in regard to the working of or any process used in the factory which comes into possession of a workman during the course of his work.

- (xxvii) Making without the consent of the Company copies of telegram, letters, maps, reports, drawings, calculations, specifications, formulas, forms, license, agreements or other documents of whatever nature belonging to the Company.
- (xxviii) Unauthorised use of any machinery or tools belonging to the Company.
- (xxix) Gambling within the Company's premises.
- (xxx) Conviction for a criminal offence involving moral turpitude, or any other serious offence attracting the Indian Penal Code and for which a punishment of imprisonment of not less than one month is imposed by a competent court.
- (xxxi) Making false statements in his application for appointment or suppression of facts about his previous service at the time of his employment, and for making false statements at the time of his Medical examination.
- (xxxii) Refusal/failure to attend overtime work on working day, Sunday or a holiday, when notified to do so in exigencies of work.
- (xxxiii) Habitual Loss of Identification Badges.
- (xxxiv) Loitering in the premises of the factory while on duty.
- (xxxv) Not wearing the uniforms issued by the Company while on duty.
- (xxxvi) Refusal to accept the charge sheet or a warning notice or any communication served by the Management.
- (xxxvii) Repetition of any Act or omission for which fine may be imposed.
- (xxxviii) Failure to observe safety instructions.
- (xxxix) Committing nuisance, spitting except in spittoons provided and body eliminations at places other than those provided for the purpose in the factory premises.

- (xl) Not taking proper care of Company property and equipment entrusted to him.
- (xli) Obtaining leave on false pretext.
- (xlii) Breach of Standing Orders.
- (xliii) Making any false statement regarding oneself or his work.
- (xliv) Money lending or borrowing amongst Company's workmen.
- (xlv) Allowing an unauthorized person to operate his machine or Company's vehicle/property.
- (xlvi) Carrying unauthorized passengers, ie. Carrying passengers in any vehicle without a valid authority from the Company.
- (xlvii) Making false allegations against any workman of the Company, or their superiors.
- (xlviii) Writing of anonymous letters, criticizing his superiors of the Company.
- (xlix) Spreading false rumours or giving false information which tends to bring into disrepute the Management or Company or the workmen or spreading panic among them.
- (l) Tendering false evidence in any enquiry, trial or proceedings of which the Management is a party.
- (li) Shouting objectionable slogans within the premises of the Company.
- (lii) Collecting of signature or collective representation during working hours, and or within the factory premises.
- (liii) Exerting undue influence or pressure for promotion, transfer or any other gain or in connection with any representation except through proper channel.
- (liv) Indulging in political activities in the premises of the Company.
- (lv) Canvassing or otherwise interfering with, or using his influence in connection with, or taking part in an election to any legislature or local authority during working hours and within Company's premises.

- (lvi) Failure by the workmen to inform the Medical Officer of the Company of the occurrence in his house (Company's quarters) of a modifiable disease viz., Cholera, Small-pox, Leprosy, Diphtheria, Cerebrospinal, Meningitis, Plague, Bacillary dysentery, Yellow fever, Typhoid or Enteric fever, Mumps Epidemic Dropsy or Measles.
- (lvii) Insolvency
- (lviii) Unauthorised occupation, use or subletting of Company's land, quarters or any other property.
- (lix) Violation of Company rules.
- (lx) Sale or canvassing for sale of tickets/commodity within the factory premises without the permission of the Management.
- (lxi) Engaging in self employment or in employment of others.
- (lxii) Entering or attempting to enter, leaving or attempting to leave the premises of the Company except through the entrance and exit specified for such purposes.
- (lxiii) Accepting any invitation to represent the Company without previous written/permission from the Employer.
- (lxiv) Reading, while on duty materials other than those required for the performance of his duties.
- (lxv) Using loud speakers within the premises of the Company without the prior permission of the Manager.
- (lxvi) Taking out a procession in the premises of the Company without the prior permission of the Manager.
- (lxvii) Applying for appointments, scholarships, fellowships, travels contrary to the rules of the Company on the subject.
- (lxviii) Participation or association in any manner with any organisation (s) which have been banned under the provisions of the Maintenance of Internal Security Act and Rules there under or any such other Central or State law for the time being in force.

- (lxix) Collection of money within the factory premises for a purpose not sanctioned by the Management.
- (lxx) Abetment of or attempt to commit any misconduct.
- (lxxi) The deliberate or wilful act of or with the malafide intension of sexual harassment which include unwelcome sexually determined behaviour (whether directly or by implication) as (i) Physical contact, (ii) A demand or request for sexual favours (iii) Sexually coloured remarks (iv) showing Pornography (v) Any other unwelcome physically verbally or non verbal conduct of sexual nature. (Amended vide order dated 17.12.99 of Dy. CLC, Bangalore).
- (lxxii) Any other act subversive of the Company's discipline or against the interest or good reputation of the Company not specified above.

S. O. No.24 (2): Punishment for Misconduct

The following are the penalties which can be imposed on a workman found guilty of misconduct.

- a. Warning
- b. Censure
- c. Fine (Subject to provisions of the payment of Wages Act)
- d. Stoppage of increments, without or with cumulative effect.
- e. Suspension without pay.
- f. Demotion to junior post of lower grade.
- g. Discharge
- h. Dismissal

The penalties mentioned above (a) to (c) shall be imposed only after the workmen concerned has had an adequate opportunity to explain his conduct. Before any penalty as enumerated in (d) to (h) above is imposed a charge sheet containing charges in detail shall be served on the workman who shall be required to reply to the charges within 72 hours of the receipt of the

charge sheet. As soon as practicable, after the receipt of the reply from the workman concerned in case the same is not found satisfactory an enquiry shall be held by an officer authorized in this behalf by the manager. The accused workman shall also be permitted to produce witness in his defence and cross examine any witnesses on whose evidence the charge has been framed.

The order of suspension, show cause notice, charge sheets, order of enquiry, award of punishment etc may be issued by the appropriate Disciplinary Authority as defined by the Management.

The order imposing any penalty may be issued by the General Manager or any other officer empowered to do so in this behalf.

S. O. No 24 (3):

Where a disciplinary proceeding against a workman is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place the workman under suspension, he may, by order in writing suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reason for such suspension shall be supplied to the workman within a week from the date of suspension.

S. O. No 24 (4):

Service of Notice/ Chargesheet/ Suspension order other orders etc.

Any notice, order, charge sheet, communication or intimation which is addressed to the individual workman to be given in writing, under these Standing Orders shall be in English or Malayalam and shall be deemed to have been served on him when it is sent to the last known

address of the workman by the Registered Post. In case the Registered, Communication is returned un-served it shall be posted on the notice board of the Company. Such service shall be sufficient to proceed with the domestic enquiry even if the workman does not turn up for the enquiry.

S. O. No 24 (5):

- (i) In the enquiry, the concerned workman shall be entitled to appear in person and shall be permitted to take the assistance of a co-employee to defend him in the enquiry proceedings if it is requested. No outsider to help the workman shall be allowed to participate in the enquiry proceedings.
- (ii) The proceedings of the enquiry shall be recorded in English or Malayalam as is understood by the workman concerned or his co-employee in the enquiry.
- (iii) The proceedings of the enquiry shall ordinarily be completed within a period of 3 months Provided that the period of three months, may be extended by such further period as may be deemed necessary by the Enquiry Officer.
- (iv) The workman placed under suspension shall not leave station without the written permission of the competent authority. No leave will be admissible to workman while under suspension. A workman under suspension shall report daily to a specified authority when asked to do so.

S. O. No. 24 (6): Payment of subsistence allowance:

A workman who is placed under suspension under Clause 24 (3), shall during the period of such suspension be paid a" subsistence allowance at the following rates namely:

- (i) Where the enquiry contemplated or pending is departmental, the subsistence allowance shall, for the first ninety days from the date of suspension be equal to one-half of the basic wages plus dearness allowance and other compensatory allowance to which the workman would have been 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 ninety days, the subsistence allowance shall for such period be equal to three fourth of such basic wages plus dearness allowance on such basic wages and other compensatory allowance.

Provided 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 ninety days be reduced to one-fourth of basic wages plus dearness allowance on such basic wages and other compensatory allowances.

- (ii) Where the enquiry is by an outside agency, or, as the case may be, where criminal proceedings against the workman are under investigation or trial the subsistence allowance shall, for the first one hundred and eighty days from the date of suspension, be equal to one-half of his basic wages plus dearness allowance on such basic wages and other compensatory allowance to which the workman would have been entitled to if he was on leave. If such enquiry or criminal proceedings get prolonged and the workman continues to be under suspension for a period exceeding one hundred and eighty days, the subsistence allowance shall for such period be equal to three fourth of such wages.

Provided that where such enquiry or criminal proceedings is prolonged beyond a period of one hundred and eighty days for reasons directly attributable to the workman, the subsistence allowance, shall, for the period exceeding one hundred and eighty days be reduced to one fourth of such wages.

(iii) The payment of subsistence allowance under the standing order shall be subject to the workman concerned not taking up any employment during the period of suspension and subject to such other directions given by the suspending authority at the time of suspension.

S. O. No. 24 (7):

If on the conclusion of the enquiry, or, of the criminal proceedings, as the case may be, the workman has been found guilty of the charges framed against him, the manager shall pass an order imposing the punishment.

S. O. No. 24 (8):

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

S. O. No. 24 (9):

In awarding punishment under this standing order, authority imposing the punishment shall take into account the gravity of 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.

S. O. No. 24 (10): Appeals:

- 1) A workman concerned may appeal against the order of penalties/ punishment enumerated in clause 24(2) of the Standing Orders within one month from the date of receipt of the order, to the Appellate Authority.
- 2) The employer shall, for the purpose of Clause (a), referred herein above specify the Appellate Authority.
- 3) The Appellate Authority, after giving an opportunity to the concerned workman of being heard, shall pass such order as he thinks proper on the appeal normally within one month of its receipt and communicate the same to the workman in writing.

S. O. No. 25: Special Procedure in Certain Cases

- i. Notwithstanding anything contained in the Standing Order No. 24 where a penalty is proposed on an employee on the ground of misconduct which has led to criminal charge or where the General Manager is satisfied for reasons to be recorded in writing that it is not expedient or in the interest of the security to follow the procedure laid down in the Standing Order, he may consider the circumstances of the case and pass orders thereon as he deems fit.
- ii. A workman holding a confidential position may be discharged in case the Company loses confidence in him without following the procedure laid down under the Standing Order Clause No. 24.

S. O. No. 26: Complaints

- i. All complaints arising out of his employment including those relating to unfair treatment or wrongful exaction on the part of the Company or any of its agents or servants shall be submitted by the workers to the Manager who shall investigate the complaint of the workers. Where the complaint alleges unfair treatment or wrongful exaction, a copy of the order finally made shall be supplied to the complainant if he asks for one. In other cases the decision of the investigating officer and the action, if any taken by him shall be intimated to the complainant.

However, the complaints relating to

- A. assault or threat to, or abuse by any person holding a supervisory position or
 - B. Refusal of an application for urgent leave shall be enquired into without avoidable delay by the shop/section incharge.
- ii. The worker should first approach his immediate superior or the departmental head for re-dressal of any grievance. If he still feels aggrieved, he may approach the next authority. If the worker is aggrieved by the orders, if any, passed by the next in authority, he may approach the Manager who may investigate into the complaint and issue appropriate orders or directions.

S. O. No. 27: Certificate of Service

When any worker is dismissed, discharged or resigns or retires from service, he shall, if he so desires, be given a service certificate by the Company.

S. O. No. 28: Essential Services

Without being exhaustive, the following services shall be considered as essential services

- 1) Maintenance of Electric Power Service.
- 2) Maintenance of water Service.
- 3) Services which must be carried on continuously.
- 4) Watch & Ward -Security Services.
- 5) Sewerage Work.
- 6) Canteen & Guest House
- 7) Medical services
- 8) Transport services

Essential services will be maintained by the respective workman working in the respective departments inspite of and during strikes, lockouts etc.

S. O. No. 29: Inventions

- I. Any discovery, invention or improvement whatsoever relating to any process or method or any appliance or plant available for manufacture carried on or experimented upon by the Company, or by any form in which the Company has any interest, direct or indirect made by a workman, while in the service of the Company or within one year thereafter shall forthwith be communicated to it.

The workman must furnish at the request and expense of the Company all particulars thereof and if required, but not otherwise shall apply for all letters of patent and rights in India or elsewhere and given assignment and transfers to the Company or its nominees as may be considered necessary.

- II. Letters of patent, if taken out, shall belong to the Company of its nominee and the remuneration if any paid to workman for any such invention shall be at the discretion of the Management.

S. O. No. 30: Medical Examination

Every workman may be examined by the Company's Medical Officer at any time during the course of his employment with the Company at the discretion of the Manager or the Management may require at any time that a workman will be examined by the Company's Medical Officer or any other Medical Officer authorized to act for this purpose by the Management, to find the workman's fitness or otherwise for continuance of his employment in the Company. If the workman is found unfit for employment after such Medical examination his services shall be terminated with required notice or payment in lieu of that notice. If the employee feels aggrieved he may request the Management to refer his case to the District Medical Officer, Palghat for further medical examination and report which shall be final.

S. O. No. 31: Accidents

Workmen must immediately report any injuries arising out of and in the course of their employment to their Supervisors/ the person incharge of the Department or section, who will arrange for medical care.

S. O. No. 32: General

- 1) All the workmen will strictly follow all such rules as framed by the Company from time to time in respect of employment, conduct, discipline, rules for the allotment of House in the Company's township, rules for safety etc.

- 2) Workmen shall keep strictly confidential all information regarding the techniques and methods of manufacture employed in the Factory.
- 3) No workmen shall take part in the shouting of slogans or in any other activity calculated to disturb peace inside the factory or on the premises of the Company.
- 4) Upon termination of his employment, a workman shall obtain a clearance certificate from the department in which he has been employed to the effect that nothing belonging to the Company is due from him.

S. O. No. 33: Meetings

No meeting will be held or attended on the Company's work premises without the prior written sanction of the Management.

S. O. No. 34: Exhibition of Standing Orders

Exhibition of Standing Orders issued in English and Malayalam shall be posted on the Notice Boards for the purpose at the Gate of the Factory.
