

## **1. Application**

1.01: These orders shall apply to all workmen of the Central Manufacturing Technology Institute, Bangalore-560 022.

1.02: These orders shall come into force with effect from the date of certification.

## **2. Definition**

In these orders:

2.01: Unless there is something repugnant to the meaning of context thereof, the following words shall have the meaning assigned to them.

2.02: “Employer” means the Director who is Incharge of the Institute or any one authorized by the Director to act on his behalf.

2.03: “Head of Department “ means and includes the Departmental Head or one who is Incharge in that capacity as nominated by the Employer.

2.04: “Institute” means Central Manufacturing Technology Institute, Tumkur Road, Bangalore-560 022 and includes any Division, Centre, Department, Section and Administrative Offices and Service Centres of CMTI and Centres under the control of CMTI wherever they are situated.

2.05: “Institute’s Notice Boards” means and include the Boards at or near the main entrance of the Institute, Administrative Buildings or any other place provided by the Institute for Exhibiting Institute’s Notice, etc.

2.06: “Manager means the Head of the Administrative Section of the Institute or any one authorized by him to act on his behalf.

2.07 “Premises” means and includes the entire physical area of the land (built upon and vacant) on which the Institute stands and includes ancillary buildings, installations, pump house, canteen, wells, storage places (enclosed or open), Guest House, Hostel, Staff Quarters, Fencing, etc. The entire land area belonging to the Institute at Tumkur Road, Bangalore and wherever situated shall be considered as “Premises” for the purpose of these Standing Orders.

2.08 In these standing Orders the masculine shall include the feminine, the singular the plural where the context so admits therein.

2.09: “Workman” means any persons employed in the establishment within the meaning of Section 2 (i) of the Industrial Employment (Standing Orders) ACT. 1946.

### **3. Classification**

3.01: The workmen shall be classified as-

- (a) Permanent
- (b) Temporary
- (c) Probationer
- (d) Casual
- (e) Trainee

3.02: A “Permanent” workman is one who has been engaged on a permanent basis and includes any person who has satisfactorily completed a probationary period or extended period of probation.

3.03: A “Temporary” workman is a workman who has been engaged on work which is of an essentially temporary nature likely to be finished within a limited period or in connection with a temporary increases in work for a limited period.

3.04: A” Probationer” is a workman who is provisionally employed to fill-up a permanent vacancy in a post and who has not completed a period of probation of one year Which either can be extended not beyond six months or reduced at the discretion of the Manager to ascertain his suitability of the permanent employment.

If a permanent workman is employed as a probationer in a new post he may at any time at the discretion of the Manager during the probationary period of nine months which can be either extended not beyond six months or reduced at the discretion of the Manager to ascertain his suitability to the new post and may be reverted to his original previous permanent post, if the probation is not completed satisfactory.

A probationer shall be deemed to continue as such until he is expressly confirmed in writing, which in any event shall be done within a period of six weeks from the date of the completion of the probation period or extended period of probation.

3.05: A” Causal Workman” is one who is engaged on work which is of a casual nature, whose services are liable to be terminated at any time at the discretion of the Employer.

3.06: A” Trainee” is one who is not an Apprentice under the Apprentice Act, 1961, and who has been taken to learn any processes being carried on in the Institute. He will not have any right whatsoever for an employment Institute.

### **4. Identification**

4.01: Every workman other than a Casual Workman or trainee will be given an Identity Badge/ Card pass at the time or his appointment. The Badge/Card pass number may be changed as and when necessary by the Institute on account of transfer, promotion or for other administrative reasons. The Badge/Card Pass shall, on being required, be surrendered to the person authorized by the Manger.

4.02: Every casual workman will be provided with a Token showing his Number and shall, on being required, surrender the same to the person authorized by the Manger.

4.03: Every workman will wear the Badge/Card /Pass/ Token in a visible manner while he is on duty and while he is in the Institute's premises.

4.04: Any workman who has forgotten to bring his badge or card shall report such lapse to the Security Personnel who may issue to him a temporary Card/Permit/Pass for that particular day only and permit him to enter the Institute. At the time of leaving Institute, it shall be the duty of the workman to surrender the temporary Card/Permit to the Security Personnel.

4.05: The Identification Badge or Card shall remain the property of the Institute and each workman shall on ceasing of his service or on suspension, surrender the same to the Manager.

4.06 A workman who has lost his Identity Badge or Card shall immediately report the loss to the Security Personnel who shall arrange to have a duplicate issued to him.

4.07 The issue of Identity Badge or Card at the initial appointment shall be free of charge. But any replacement of it will be at such sum as the Institute may specify in this behalf which shall be payable by the workman and which shall not exceed twice the cost of identity Badge/ Card as the case may be.

## **5. Entry, Exit and Search**

5.01: A workman whose attendance is required for the working of each shift shall be allowed entry into the Institute's premises at a time sufficient in advance for the working of the shift as decided by the Manager. Any other workman shall be allowed entry only on permission obtained from the Manager.

5.02: On the termination of a shift, all workmen employed during that shift shall leave the Institute premises immediately after the closure of that shift.

5.03: All workman shall enter and leave the Institute premises only by the Gate provided and notified from time to time specifically for that purpose. During working hours any or all Institute's gates will be closed at the discretion of the Manager. No workman who is on duty shall leave the Institute's premises during working hours save with the written permission of the Manager/Head of Department.

5.04: All workmen shall submit to a search on entering or leaving the Institute premises and also at any other time when still on the premises by the Security Personnel or by any person authorized by the Manager in this behalf, if required in the end.

5.05: Search of workmen detained shall be made in the presence of another workman of the same sex.

5.06 No workman shall bring within the premises his personal belongings without the written permission of the Manager.

5.07 The Institute may prohibit at any time the workmen taking inside the premises their personal belongings including tiffin boxes, brief cases, etc., not belonging to the institute.

5.08 Any workman carrying tiffin boxes, document cases, bags and other receptacles, personal property, shall keep them open for inspection as they pass out of the gates or at any other time when demanded by the Security Personnel or any person authorized by the Manager.

5.09 The institute has a right to remove from those searched any articles believed to be belonging to the Institute or such other articles as the Institute considers likely to endanger the personnel or property of the Institute.

## **6. Publication of Periods and Hours of Work**

6.01: The periods and hours of work and the lunch breaks for all classes of workmen each shift shall be exhibited on the Institute's Notice Boards and each workman shall observe such periods and hours.

6.02: The general working hours of the Institute and changes, if any, will be normally notified 8 days in advance on the Notice Boards of the Institute in English and in the regional language.

6.03: The workmen detailed for overtime for two or more hours in continuation of their assigned shifts will be allowed a break of 30 minutes at the end of their respective shifts.

6.04: When a workman wants to go home before the close of the shift, he must obtain the written permission of the Head of Department which may or may not be granted, and surrender the permission slip at the Main Gate or as notified by the Manager, while going out.

## **7. Obligations and Duties of Workmen**

7.01: Every workman shall devote the whole of his duty hours to attend to execute diligently and faithfully the work assigned to him. He shall observe and honour all rules and regulations of the Institute applicable to him and which may be in force at all relevant times.

7.02: No workman shall reveal to any other person any confidential information which he may have gathered or received in regard to the Institute's working or business or in regard to the technical aspects of the equipments/machines and processes carried on in the Institute.

7.03 A workman shall not under take any outside employment either during working hours or otherwise. He shall not enter into any business nor accept any assignment or service for remuneration or grates save with the written consent of the Manager/Employer. Provided, however that the workman shall be entitled to engage in any social or cultural activities outside of his duty hours without obtaining such consent.

7.04: Workmen who are required to do so by the Manager shall when in the Institute premises wear and continues to wear uniforms and protective devices, which may be made available by the Employer from time to time. Such uniforms and protective device shall remain the property of the Institute at all times. No workman shall take the protective devices out of the premises without an authorized Gate pass. Workmen shall wear clean uniform/dress as the case may be.

7.05: Each workman shall be responsible to take proper care of machines, plant, tools, jigs, fixtures, gauges, drawings, instruments, spare parts, safety equipment and all or any property of the Institute entrusted to him for work or otherwise. No workman shall take or attempt to take out of the premises any property lying on the Institute premises except under a Gate Pass authorizing him to do so issued by the Manager or person authorized by him in the prescribed form which Gate Pass shall be duly handed over to the Security Personnel at the time of taking the same out of the premises.

7.06: Workman shall at all times take necessary steps and precautions to safeguard the Institute's property to keep it safe from accident, injury or harm. A workman shall at once report to the Supervisor/Officer any defect or indications of defect or breakdown in any machine or equipment which may have come to his notice. He shall also immediately report any indication, happening or signs which may come to his notice and which may indicate danger to himself or to any person on the Institute premises or which is likely to result in damage to the Institute's property. It is the duty of every workman to see that his machine is kept clean and tidy.

7.07: The Manager/Head of Department shall require any workman to work on any day/weekly day of rest or one declared holiday, and or over time.

7.08: The scrap/wastes cotton wastes, etc., generated during the course of work shall be deposited by the workmen in the respective receptacles provided for that purpose.

7.09 Workmen shall present themselves for a medical check-up by the Doctor specified by the Institute whenever required to do so by the employer and the Institute will bear the medical expenses of the Doctor.

7.10: Each workman shall, whenever called upon to do so, produce a satisfactory proof of his age, or any other information required by the employer.

7.11: Each workman shall, at all times be prepared and ready to take up and carry out any job when asked by the Supervisor/Head of Department/ Manager to do so for the smooth and uninterrupted carrying of the work and for ensuring a continuous productive working of the Institute, provided that the concerned workman posses necessary skill to do that job.

7.12: It shall be the duty of a workman to accept, undertake and perform all works, jobs and assignments which are either incidental, supplementary to or which arises out of the nature of the job. Necessary work orders will be issued orally followed by written work orders within a reasonable time.

7.13: Each workman shall observe discipline at all times and shall not involve himself whether directly or indirectly in any act subversive of discipline.

7.14: No workman shall absent himself from work without giving such notice and receiving such authorization as may be prescribed by these or other orders from time to time. Obtaining leave on false grounds shall be considered a serious breach of discipline.

7.15: A workman shall not indulge in, force or induce others or canvass in any manner inside the institute premises.

7.16: A workman shall not enter the institute premises after the expiry of his duty hours except under the orders or prior permission from the Manager/Head of Department/ Security Department.

7.17: No workman shall abandon his place of work during duty hours, nor shall he idle his time.

7.18 No workman shall apply/obtain passport or visit a foreign country without the written permission of the Institute.

## **8. Attendance and Late Coming**

8.01: All workmen shall be at work at the commencement of time fixed and as notified

8.02: Attendance of workmen shall be recorded by the workman by punching their cards or record their attendance in the manner specified by the Manager and as required and notified from time to time by the Manger. The attendance of casual workman shall be recorded by the staff concerned. The workmen shall lose their attendance and corresponding wages if they do not punch in or punch out or record their attendance in the manner specified.

8.03: Whenever a workman attends late at his place of duty he shall be marked 'late' in the attendance card. If he reports later than ten minutes of the commencement of his working hours, then the workman shall not be allowed to work unless the Head of Department at his direction permits him to attend the work. He will not be entitled to wages for the period he was not on work. If no such permission was given the workman shall be treated as absent from duty for the whole day. In case the workman applies for causal leave for not less than half a day the same may be granted subject to entitlement. However the exiting concession granted under Institute's Notice No. 18(1) /82, dated 24-11-82 will continue.

8.04: No workman shall be allowed to leave the work spot during working hours except for the lunch and coffee breaks without prior permission of his Head of Department or any other person authorized by him.

## **9. Shift Working and Transfers**

9.01: The Institute shall work for such number of shifts per day and such number of hours as the Employer/Manager may from time to time determine.

9.02: More than one shift may be required to be worked in any department or section of a department at the discretion of Manager. If more than one shift is in force in any section or department then the workman shall be liable to be transferred from shift to shift and/or Department/Section to Department/Section.

## **10. Stoppage of Work**

10.01: In the event of fire, catastrophe, breakdown of machinery/system or appliance, partial and complete stoppage of power and water, acts of God, epidemics, civil disturbances, commotions, shortage of raw essential materials or other causes beyond its control, the Employer may at any time/ times, stop any Section/Department or Section/Departments of the Institute, wholly or partially for any period or periods without notice.

10.02: In the event of such stoppage during working hours, the workman affected shall be notified as soon as practicable by Notices put up on the Institute's Notice Boards, as to when work is likely to be resumed and whether they are to remain or leave their place of work. If the period of detention does not exceed one hour, the workman so detained shall not be paid for the period of detention exceeds one hour the workman so detained shall be entitled to receive wages, for the period they are detained, as a result of the stoppage. No other compensation will be admissible in case of such stoppage. Whenever practicable, reasonable notice of resumption of normal work shall be given.

10.03: The Employer may, in the event of a strike affecting either wholly or partially any section or department of the Institute 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 as soon as practicable by Notices put up on the Institute's Notice Boards/in the Departments concerned. Wherever practicable, reasonable notice of resumption of normal work shall be given.

10.04: All matters connected with 'Lay Off' will be dealt with in accordance with the provisions of Law and Rules framed thereunder.

## **11. Leave and Holidays**

11.01: The workman will be eligible for leave as mentioned in the annexure 'A' enclosed.

## 11.02: National and festival Holidays

The workman will be entitled to National and Festival Holidays as per the Rules of the Government of India from time to time.

## 12. Payment of Wages and Pay Day

12.01: All wages due to workmen or deduction from their wages shall be made in accordance with the Law.

## 13. Termination of Services

13.01: For terminating employment of a permanent workman, notice in writing shall be given either by the employer or the workmen one month's notice in the case of monthly rates workmen, and two weeks in the case of other workman, one month's or two weeks pay as the case may be paid in the lieu of notice.

13.02: A temporary workman (whether monthly rated, weekly rated or daily rated) a probationer, and a casual workman shall not be entitled to any notice or wages/salary in lieu of notice if his services are terminated. The services of a temporary workman shall not be terminated by way of punishment unless he has been given an opportunity to give his explanation and being heard if he so desires in regard to the charges against him.

13.03: The services of a workman can be terminated on the ground of "Services no longer required in the interest of the Institute" without assigning any reason : provided there is conclusive evidence to substantiate anti-national or subversive activities by the workman concerned.

13.04: The employer may refuse to accept the resignation of a workman during pendency of any departmental proceedings against him if they desire to continue those proceedings.

13.05: If a workman leaves before the expiry of the period of notice of termination by the Institute, he will be paid only for the period he actually works. If a workman does not report for work after giving notice of his intension to resign, or reports for duty for a few days and stays away without serving the full notice period, he will be treated as a workman leaving without notice and an amount equivalent to his basic salary or wages *plus* Dearness Allowance, if any, for the requisite/remaining period of notice shall be recovered from him.

13.06: If a workman gives notice of his intension, to resign, the employer may accept the resignation, and release him at once or any time before the date of expiry of the notice period in which case he will be paid only for the period he actually works.

13.07: The payment to which a workman is entitled on termination on account of death, misconduct, resignation, medical grounds, superannuation, etc., will be governed by these Standing Orders and as per the provisions of Law.

13.08: Every Permanent/ Temporary workman shall be entitled to a Service Certificate at the time of his leaving the services of the Institute due to termination or otherwise.

#### **14. Misconduct And Punishment**

14.01: Any act of misconduct or breach of discipline shall render a workman liable for disciplinary action and punishment.

14.02: Without being exhaustive, the following acts shall constitute misconduct:-

1. Wilful insubordination or disobedience whether alone or in combination with others to any lawful and reasonable order of a superior.
2. Theft, fraud or dishonesty in connection with the Employer's business or property or theft of property within the premises of the Institute.
3. Wilful damage to or loss of Employer's goods or property, or sabotage.
4. Taking or giving of any illegal gratification or engaging in any monetary transactions during working hours.
5. Habitual late attendance on more than three occasions in a month, or leaving work before scheduled time.
6. Habitual absenteeism.
7. Breach of any order or standing orders or instructions including those for maintenance and proper running of any department or the maintenance of cleanliness of any portion of Institute premises.
8. Absence from, work spot without permission or without reasonable cause.
9. Misbehavior towards customers and visitors, co-employees/department heads/superior or other employees of the Institute.
10. Riotous or disorderly behaviour in the premises of the Institute or any act subversive of discipline.
11. Habitual negligence or neglect of work or inefficiency.
12. Frequent repetition of any act or omission for which a fine may be imposed under the provisions of law.
13. Striking work or inciting others to strike in contravention of the provisions of any law or rule having the force of law.

14. Falsifying records or giving false evidence or refusing to give testimony in regard to incidents in the Institute or other matters which are being investigated or being considered.
15. Making false statements in any application made to the Institute requests to forward them through the Institute either for appointment or for any other purpose or giving a false or incorrect statement in regard to any matter on which the Employer may require him to make a statement.
16. Sleeping while on duty.
17. Slowing down work either singly or in combination with another or others.
18. Carrying lethal weapons or fighting or attempting to or threatening injury to any person.
19. Drunkenness while on duty or behaving in such a manner as to violate common decency or morality.
20. Assaulting, abusing, threatening or intimidating any superior or other person working in the Institute premises.
21. Gherao or wrongful confinement of any person within the premises.
22. Playing cards or carrying on or participating in gambling of any kind within the premises.
23. Money lending or doing any other private business including running chit funds within the Institute premises.
24. Smoking within the Institute in the places where it is prohibited for safety reasons.
25. Conviction for any offence by a Court of Law.
26. Refusal to sign a statement or declaration given by himself or to receive or sign notices, warnings, chargesheets, any communication issued or given to him by any superior, the Departmental Head.
27. Obtaining leave on pretext of being sick and or during the same period working elsewhere or attempting to obtain work elsewhere or obtaining leave on a false pretext.
28. Stopping or refusing to do legitimate work while on duty.
29. Giving false statements before any person or authority.

30. Refusal to submit for search self, belongings or lockers or evading or attempting to evade search.
31. Collecting of any monies within the premises for purposes not sanctioned by the Manager.
32. Handling any machine or apparatus, which at the time of handling was not entrusted to his charge.
33. Refusal to work over-time whenever so ordered. However, the workman may be exempted to work over-time due to unavoidable circumstances to the satisfaction of the management.
34. Unauthorised disclosures to any person of information with regard to the processes/design/activity/concept/technology of the Institute which may have come in his possession during the course of his work/employment.
35. Attending or holding meeting or shouting slogans or leading processions or demonstrations inside the premises of the Institute or distributing or accepting inside the premises provocative hand-bills, pamphlets, placards notices, posters, unauthorized badges etc., without the previous written sanction of the Manager.
36. Refusal to accept transfer from one shift/department/location to another shift/section/department location.
37. Deliberately making false statement before the superior or forging the signature of a superior or that of any other person.
38. Refusal to submit for medical examination when directed to do so by the employer.
39. While in the employment of the Institute working for any other person for monetary gain or otherwise.
40. Punching the time card of other workman or falsifying records either of himself or of any other workman in any manner in respect of attendance or payment of wages, etc.
41. Bad and defective work due to carelessness and negligence.
42. Falsifying/tampering with any official records.
43. Failure to report accident/injuries on duty and/or failure to give evidence in respect of such accidents/injuries.
44. Failure to notify the Institute of any change of address when proceeding on leave.

45. Committing nuisance at a place other than places specially meant for the purpose.
46. Allowing an unauthorized person to operate machine or equipment and/or accessories.
47. Non-acceptance or utilization of recommended tools for work/working procedures.
48. Travelling/allowing others in Institute's vehicles without valid authority/pass.
49. Impersonation.
50. Entering and/or moving within the Institute's premises:
  - (a) without identity card and/or badge on his person while on duty;
  - (b) without permission while not on duty.
51. Using or commercializing or alienating any invention, discovery or patent invented, discovered or patented as the case may be in the course of workmen's employment under the Institute for the benefit of himself or any other person, firm, company, corporation or Government, while in service of the institute or on leaving the same.
52. Subletting of Institute quarters to others or unauthorized use or forcible occupation of Institute's land or other property or violation of terms & condition of allotment of Institute quarter.
53. Habitual litigation due to indebtedness, misdoing, etc.
54. Non-return of Institute's properties on or before the stipulated period if the value of the property is not proposed to be recovered from the wages.
55. Failure to wear prescribed uniform, coveralls, safety clothing and equipment, etc., while on duty habitually.
56. Accepting gift, reward in respect of any act performed in his official capacity without the consent of the Employer.
57. Using his position or influence directly or indirectly to secure employment for any person related whether by blood or marriage, to the workman or to the workman's wife whether such person is dependent on the workman or not.
58. Applying for any scholarship/appointment/ commission, etc., without written permission of the employers. (Applications from workmen may be forwarded by the Institute in accordance with the rules notified by the Institutes from time to time.)

59. Sexual Harassment in the premises of the Institute. Sexual harassment for this purpose shall mean any act of physical contact and advances, demand or request for sexual favours, sexually coloured remarks, remarks showing Pornography and any other physical, verbal or non-verbal conduct of a sex nature.

### **Explanation**

The expressions 'Habitual' or 'Frequent' wherever they occur shall mean the happening of the act or omission, more than 3 times within a period of one year from the time that the first such act or omission took place.

14.03: (a) A workman found and/or proved guilty of the acts of commission or omission set out under Order 14.02 above and committed jointly or severally shall be given any of the following punishments as and by way of disciplinary action: -

1. Warning
2. Fine up to 2% of his wages.
3. Stoppage of increment with or without cumulative effect.
4. Demotion to lower grade.
5. Suspension not exceeding four days.
6. Dismissal or Discharge without notice or wages in lieu of notice.

(b)

- (i) The Institute shall specify from time to time the authorities who are competent to impose the various punishments under the Standing Orders.
- (ii) Any higher authority than the one specified by the Institute may impose any of the punishment that the lower authority is competent to inflict.
- (iii) If in case of higher authority has to impose any punishment or has declined to impose any punishment it shall act as a bar on the lower authority initiating fresh disciplinary proceedings for the same misconduct.

### 14.04 Disciplinary Action Procedure

- (i) No punishment shall be imposed unless the workman is informed in writing of the alleged acts of omissions and commissions.
- (ii) The workman shall be given a time not less than three days to file a written statement to the charge.
- (iii) When a charge has not been admitted an enquiry shall be conducted before awarding punishments like censure, fine.
- (iv) While conducting an enquiry the following procedure shall be followed: -

- (a) Workman shall be given notice of the date and time and venue of the enquiry.
- (b) The oral statement of the workman if any at the time of enquiry shall be reduced in writing.
- (c) The witnesses to prove the acts of omissions and commissions shall be examined in the presence of the workman and the workman shall be given an opportunity to cross examine the witness in the ordinary course. A workman shall be entitled to avail the assistance of a co-worker to defend him in such enquiry.
- (d) The workman shall be given opportunity to defend himself and to examine witnesses, if any, on his behalf.
- (e) The report of the Enquiry Officer, when the Enquiry Officer is different from the punishing authority shall be furnished to the workman.
- (f) In awarding punishment, the punishing authority shall take into account the gravity of the acts of omissions and commissions and or any other extenuating or aggravating circumstances that may exist.
- (g) A copy of the final orders in a disciplinary case shall be supplied to the workman. If the order passed is appealable, it should be indicated in the order as to the authority to whom the appeal shall lie and time within which such an appeal shall be filed.
- (h) The appellate authority may condone delays, if any, in preferring the appeal after satisfying himself that the reasons for the delays are genuine.
- (i) In case of his absence and/or refusal, the order shall be sent to the workman by post "Registered Post Acknowledgement Due" to his last known address and in this case, it shall be effective on the third day of posting.

#### 14/04 (b) Spot Suspension and Enquiry

Where a workman is apprehended committing acts like, theft, arson, deliberate damage of the plant and property, riotous or disorderly behaviour, carrying dangerous weapons, the workman shall be kept under suspension on the spot and enquired into immediately. The decision on the findings of the enquiry will be communicated to the workman by the Head of Department/Manager and shall be effective immediately on delivery to him. In case of his absence and/or refusal, it is effective immediately on posting the same on the Institute's Notice Boards.

#### 14.05 (a) Suspension and Subsistence Allowance

Suspension:

Where a disciplinary proceedings against a workman is contemplated or is appending 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 pending enquiry, trial, investigation, final decision with effect from such date as may be specified in the order. A statement setting out in detail the reasons for such suspension, shall be sent to the workman within 7 working days from the date of suspension.

14.05 (b) Subsistence Allowance:

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

(1) 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 50% of pay, dearness allowance and other compensatory allowances to which the workman would have been entitled if he was on duty.

(2) Where the period of suspension exceeds ninety days, the authority which made or is deemed to have made the order of suspension shall be competent to vary amount of subsistence allowance for any period subsequent to the period of ninety days as follows:

- (i) the amount of subsistence allowance shall be increased to 75% of wages, if in the opinion of the said authority, the period of the suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the workman:
- (ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding 50% of the subsistence allowance admissible during the period of first ninety days, if, in the opinion of the said authority, the period of suspension has been prolonged due to reasons to be recorded in writing directly attributable to workman:
- (iii) the rate of dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under sub-clauses (i) and (ii) above.

(3) When an order of dismissal is passed under this clause on the workman, he shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period and the subsistence allowance paid to him shall not be recovered.

(4) 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.

(5) The payment of subsistence allowance under this standing orders shall be subject to the workman concerned not taking up any employment during the period of suspension and furnishing a certificate to that effect.

14.06: 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, dearness allowance and other compensatory allowances to which the workman would have been entitled to if he were on leave. If such enquiry or criminal proceedings gets 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-fourths 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.

#### **15. Complaints**

All complaints arising out of employment including those relating to unfair treatment or wrongful exaction shall be submitted to the Manager or other person specified in this behalf with the right to appeal to the employer.

#### **16. Compensation**

For any reason whatsoever or howsoever arising, the employer shall have the right to close down any department or section of a department either fully or partially. In such cases compensation if it becomes payable to the workman shall be paid to them in accordance with the law for the time being in force and applicable to the circumstance then prevailing.

#### **17. Accident**

It shall be the duty of the workman to report immediately to his Departmental Head an injury or accident which he may have suffered. Where the injury is of a nature serious enough not to enable him to do, it shall be the duty of any other co-worker who was present when the injury or accident occurred or who is asked to report the same to the Departmental Head, to do so with all possible dispatch. If any enquiry is held, any workmen who is required to give evidence shall do so on the dates and time fixed by the Enquiry Officer. Compensation payable if any shall be as per provisions of the law.

#### **18. Essential Services**

Without being exhaustive the following services shall be considered as essential and each of these shall continue to remain undisturbed at all times:

- 18.01: Personnel in charge of Mechanical, Electrical and Power.
- 18.02: Personnel in charge of supply of water throughout the premises.
- 18.03: Security, Fire fighting, Transport, Telephones and Telex Departments.
- 18.04: Furnace attendants of all grades in the furnace plant/heat treatment plant.
- 18.05: The workmen in Canteen Sanitation and Pump House.
- 18.06: Service of such personnel as are required for a continuous process/operation as and when introduced.

## **19. Holding Office of Profit Elsewhere**

No workman shall directly or indirectly participate in the Management of or hold employment or any other office of profit in other Companies, Firms, Institutions, etc., but any workman affected by this rules may put his case to employer for consideration so that such employment may be permitted if it does not conflict with the interest of the Institute or will not interfere in any manner with his work in the Institute. The decision of the employer in this regard shall be treated as final.

## **20. Forwarding of Application**

No workman shall apply for any scholarship/appointment/Commission, etc., without written permission of the employer. Applications from workman shall be forwarded by the Institute as per the instructions of Government of India in this regard from time to time. The employer may refuse to forward an application of a workman who is under contractual obligation.

## **21. Safety Measures**

Safety arrangements are provided throughout the Institute wherever necessary and workman are instructed in their proper use. Failure to use the safety equipment provided, or disregard of the safety rules, constitutes a breach of rules, involving disciplinary action.

## **22. Medical**

22.01: All candidates selected for appointment in the Institute shall undergo a thorough medical examination before the Medical Officer appointed for the purpose by the Institute.

22.02: Any workman may also be required to undergo a medical examination if the Head of his Department/Manager is of the opinion that the workman is physically unable to carry on his duties. If on such examination, the workman is found unfit he is liable to be discharged with due notice or pay in lieu of such notice.

## **23. Inventions and Patents**

The Institute shall have the absolute proprietary rights over all the inventions, discoveries and patents resulting from the workman's labour in the course of their employment under the Institute.

**24. Proof of Age or Date of Birth**

In determining the age of a workman the date of birth entered in his school certificate produced by him at the time of employment will prima-facie be admitted as proof of the workman's age. However in the absence of such proof a certificate from the Medical Officer appointed by the Institute will be considered. The decision of the employer as for the proof of age is final and conclusive.

**25. Special Procedure**

If a workman has been convicted by a court of law for an offence involving moral turpitude, the employer may issue an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank after giving the workman concerned a reasonable opportunity of making the representation on the penalty proposed

**26. Sufficiency of service of notice, etc.**

Any notice, charge sheet or communication to be delivered to workman may be served personally or sent by "Registered Post Acknowledgement Due" to the workman at the last address furnished by him, while on leave/suspension. If the whereabouts of the workman are not known or if he avoids or refuses service, a copy of the notice or charge sheet may be pasted on the Notice Board of his Department/Section and such pasting shall constitute adequate service of notice as the case may be.

**27. Loss of Institute Property**

Deductions from the wages of an employed person shall be made for damage to or loss of goods expressly entrusted to the employed person to the custody or for loss of money for which he required to account, where such damage or loss is directly attributable to his neglect or default. Deduction in this regard shall not exceed the amount of the damage or loss caused by the employer by neglect or default of the employee.

**28. Displaying of Standing Orders**

28.01: A copy of these Standing Orders drawn up in English and its translation thereof in the Regional Language Kannada shall be displayed on the Notice Board of the Institute and at such other places in the Institute as the Manger may decide.

28.02: In case of any dispute in regard to the interpretation and application of these Standing Orders, the English version shall prevail and shall alone be taken as authenticate and authoritative.

## ANNEXTURE 'A'

1.01: All employees of CMTI are eligible for the following categories of leave:-

- 1.1 Earned leave with full pay.
- 1.2 Casual leave with full pay.
- 1.3 Half pay leave/Commutated leave,
- 1.4 Maternity leave in cases of women employees not covered under the E.S.I. scheme.
- 1.5 Special leave.
- 1.6 Leave without pay.
- 1.7 Extraordinary leave.

2.1: Earned leave:

The earned leave with pay shall be 30 days per annum. The leave account of every workman shall be credited with 15 days each earned leave on the first January and First July of every year. In case the employee leaves the services for any reason and avails earned leave more than what he was entitled to proportionately the pay and allowance drawn by him for the excess leave availed will be recovered from him.

The earned leave shall become available to the workman only after his completing six months service. In respect of the workers joining after the commencement of the calendar year, the earned leave shall be calculated at the rate of 2 ½ days for every completed calendar month of service.

2.2 The earned leave can be accumulated for a total of 300 days in the aggregate.

2.3 The earned leave less than for two days or a fraction of a day is not admissible. The earned leave on medical grounds for more than three days shall be on the basis of production of Medical Certificate of illness and fitness certificate from Registered Medical Practitioner.

2.3.1 In exceptional cases the Earned Leave for one day shall be granted on four occasions in a calendar year.

2.4 The workman who desire to obtain earned leave shall apply to the Head of Department/Manager through his superiors at least seven days in advance of his proposed leave. In case of emergency, advance notice of seven days shall not be insisted upon. But decision of the sanctioning authority shall be communicated to the concerned workman before the commencement of the leave. The workman can apply for earned leave at his

credit for any portion thereof in the prescribed form but shall not apply for less than two days. The earned leave other than on medical grounds shall not be granted more than four instalments in a calendar year. However, the Head of the Department/ Manager at his discretion may relax the limit of four instalments but the maximum number of total such instalments shall not exceed six.

### **3.00: Half Pay Leave/Commutated Leave**

3.1: Every workman of the Institute shall be entitled to 20 days of half pay leave or 10 days of commuted leave for every completed year of service. In case of existing workman, the half pay leave of 10 days each shall be credited in advance during 1<sup>st</sup> of January and 1<sup>st</sup> of July every year. In case a workman who joins service after 1<sup>st</sup> January or 1<sup>st</sup> July, the half pay leave shall be worked out @ 5/3 days for each completed calendar month of service. However, the advance credit shall be reduced @ 5/3 days per month in case the workman leaves the service of the Institute subject to maximum of 10 days in a half year period.

3.2: The commuted leave shall be granted on production of Medical Certificate issued by an AMA/Government Hospital or Dispensary, indicating the nature of illness and the period of rest/ leave required for treatment and on joining duty produce fitness certificate from that Medical Officer.

### **4.00: Casual Leave**

4.1: A workman will be granted 8 days of casual leave with full pay per calendar year. Those who join the service after the commencement of a calendar year will be eligible for casual leave proportionately. Un-utilised Casual Leave lapses at the end of the current year. In the case where casual leave could not be applied/sanctioned in advance, the employee concerned should apply for the leave with reasons for not being able to apply in advance on returning to duty.

4.2: The casual leave shall not be combined with any other leave. National and festival holidays including Sundays may be prefixed or suffixed to Casual leave. Casual leave is entitled to meet unforeseen and emergent circumstances and shall be limited to 5 days at a time.

### **5.00: Maternity Leave**

5.1: A female worker (including apprentice) with less than 2 surviving children may be granted Maternity Leave by an Authority competent to grant leave for a period of 135 days from the date of its commencement. During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

5.2: The maternity leave may also be granted in the case of Miscarriage/abortion subject to the conditions that –

- (a) Leave does not exceed 45 days during the entire period of service, and

(b) The application for leave is supported by a Medical Certificate issued by the Registered Medical Practitioner. The maternity leave may be combined with the leave of any kind except casual leave. Notwithstanding the provisions contained in Sub-rule 1 any leave (including commuted leave) for a period not exceeding 60 days in continuation of maternity leave may be granted without production of Medical Certificate. Leave in further continuance of leave granted under the above clauses may be granted on the production of the Medical Certificate for the illness of the female worker. Such leave may also be granted in case of illness of a newly born baby subject to the production of a Medical Certificate to the effect that the condition of ailing baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary.

5.3: The maternity leave shall not be debited against the leave of any account.

### **6.00: Special Leave**

6.1: Employees who participate in sports activities will be given special leave on full pay at the discretion of the Management.

6.2: Employees called for Territorial Army Training will be given special leave on full pay.

6.3: Employees called up for defence service (Reservits will be given special leave for the period of training and for the journey periods on a differential rate of pay basis, i.e., the difference between civil and military rates of pay.)

6.4: Employees who undergo sterilization operation will be given special Casual Leave of 6 days on full pay

6.5: Employees whose wives undergo a non-puerperal tubectomy operation under the family Planning Programme are eligible for a special casual leave up to 7 days subject to the production of Medical Certificate.

6.6 Special leave for any other reason may be sanctioned by the competent authority at their discretion.

### **7.00: Extension of Leave**

If a workman after proceeding on leave desires an extension thereof he shall apply at least two days before the expiry of the leave. The application should be addressed to the authority who had sanctioned the original leave.

### **8.00 Over Stayal of Leave**

If a workman remains absent beyond the period of leave originally granted or subsequently extended he shall lose his lien on his appointment unless he returns within 8 days of the expiry of leave and explains to the satisfaction of the employer or the officers specified in this behalf by the employer his inability to report for duty to return before the

expiry of his leave. In case the workman who loses lien on his appointment, he shall be entitled to reinstatement/ employment at the discretion of the management.

### **9.00 Leave Without Pay**

Leave without pay may be sanctioned by the employer at his discretion if recommended by the Head of the Department/ Manager.

### **10.00: Application for Leave**

All request for leave shall be in the forms prescribed by the Institute as far as possible.

### **11.00: Encashment of Leave**

11.1: On retirement from service on reaching the age of superannuation, the employee shall be entitled to encash full earned leave at his credit.

11.2: On resignation the workman shall be entitled to encash 50% of earned leave at his credit.

11.3: For the purpose of encashment of earned leave the wages shall mean only basic pay and Dearness Allowance.

No. 51(4)99-B2 dated 3<sup>rd</sup> April 2000

The above Standing Orders are Certified under the Industrial Employment (Standing Orders) Act, 1946, this 3<sup>rd</sup> day of April 2000.

(Sd.)  
(G. RAMACHANDRA)  
Certifying Officer & Regional Labour Commissioner (Central)  
Bangalore

## **STANDING ORDERS**

**FOR THE WORKMEN EMPLOYED IN THE  
CENTRAL MANUFACTURING TECHNOLOGY INSTITUTE,  
TUMKUR ROAD, BANGALORE-560 022**