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THE  
**BUCKINGHAM & CARNATIC CO., LTD.**  
THE BUCKINGHAM & CARNATIC MILLS.

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**STANDING ORDERS FOR  
EMPLOYEES.**

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# THE

## Buckingham & Carnatic Company Ltd.

### THE BUCKINGHAM & CARNATIC MILLS.

#### STANDING ORDERS FOR EMPLOYEES.

1. These orders shall have effect as from the 15th February 1956 except that Standing orders 12 (iv), 20 and 21 shall have effect as from the 6th February 1962.
2. In these orders, unless there is anything repugnant in the subject or context:
  - (a) "The Company" means "The Buckingham and Carnatic Company."
  - (b) "Employee" means any worker, male or female, employed in any of the Company's Mills or in the Mill premises, whose ticket number and name are included in the departmental muster rolls and includes maistries, jobbers, motor vehicles staff, cartmen, Watch and Ward staff and Fire Brigade and clerks.
  - (c) "The Manager" means the Mill Manager or Acting Mill Manager for the time being.
  - (d) "Mill premises" shall include the Mill buildings, the Mill compound, the Work-

men's Stores, Mill Chatrams and their compounds and the Buckingham and Carnatic Gardens.

(e) The masculine includes the feminine.

### 3. Classification of Employees :

Employees shall be classified as:—

- (a) Regular,
- (b) Temporary,
- (c) Probationers and
- (d) Apprentices.

A "Regular" employee is one who has been given a regular ticket and whose name has been entered on the muster roll of regular employees.

A "Temporary" employee is an employee who has been engaged for work which is of an essentially temporary nature, likely to be finished within a limited period.

A "Probationer" is one who is provisionally employed other than as a temporary employee and has not completed a satisfactory service of 12 months without breaks or such service of 12 months with breaks within a continuous period of 18 months from the start of the probation, and has been given a probationer's ticket and whose name has been entered on the muster roll of the probationers. On the completion of 12 months' service as aforesaid a probationer shall become a regular employee and shall be given a

regular ticket and his name shall be entered on the muster roll of the regular employees.

An "Apprentice" is a learner who is given a nominal allowance during the period of his training. His terms of service shall be governed by the Company's rules for the employment of apprentices.

If a regular employee acts in another post carrying a higher wage rate, he shall be confirmed in that respect when it falls permanently vacant if he has acted in that post continuously for a period of six months and if his work and conduct have been satisfactory throughout and such confirmation shall be communicated in writing to the employee, Such employee may at any time before completion of the said period of six months be reverted to his former post.

4. Every employee shall be provided with departmental ticket or token showing his number, and on attendance for work each day shall personally deliver up the ticket or token at the place specified by the manager, except the clerks and members of the Fire Brigade who shall sign a special register on entering and leaving the Mill premises, and the Watch & Ward staff who shall answer a roll-call,

5. Manner of intimating to employees periods and hours of work, holidays, pay days and wage rates:

(i) The Mills shall work each day for such number of hours as the Manager may from time to time fix in

accordance with the provisions of the Factories Act, and the periods of work for all classes of employees shall be posted on the notice board at the main entrance to each Mill. All employees shall commence and cease work at the times so fixed.

(ii) Notices specifying (a) the days to be observed by the Mills as holidays and (b) pay days shall be posted as required by the Factories Act and the Payment of Wages Act respectively, in a conspicuous place.

(iii) Notices specifying the rates of wages payable to all classes of employees shall be displayed in English and in Tamil, in a conspicuous place in the departments in which the employees concerned are actually working.

(iv) Departmental rules and instructions and all the customary Mill and departmental arrangements, systems, methods and procedure not inconsistent with these Standing Orders, for the purposes of regulating work, maintaining the safety of employees, discipline, good conduct, cleanliness, the avoidance of waste of time and/or materials and for the proper running of the Mills and individual departments, shall be binding on and shall be observed by all or any of the employees concerned.

(v) Any wages due to an employee but not paid on the usual pay day on account of their being unclaimed, shall be paid by the employer on such unclaimed wage pay day in each week as may be notified to the employees following the date on which a

substantiated claim was presented by the employee or on his behalf by his legal representative provided that such claim is submitted within three years from the date on which the wages became due to the employee.

## 6. Shift Working :

Shift Working shall be regulated in accordance with the Factories Act. More than one shift may be worked in a department or departments or any section of a department at the discretion of the **Manager**. If more than one shift is worked, employees shall be liable to be transferred from one shift to another. Shift working may be discontinued after putting up a notice to that effect in the department or at the main entrance of the **Mills**. Notice of one month of discontinuance of any shift shall be given provided, however, that it shall not be necessary to give any such notice if, as a result of the discontinuance of the shift, no regular employee will be discharged. If, as a result of the discontinuance of shift working, any regular employees are likely to be discharged, they shall be discharged having regard to the length of their service in the department, those with the shortest term of service being discharged first. If the shift is to be restarted, ten days' notice thereof shall be given by posting a notice at the main entrance to the **Mills** and the employees discharged, as a result of the discontinuance of the shift, shall, if they present themselves at the time of restarting of the shift, have preference in being re-employed having regard to the length of their previous service in the department, those with the longest term of service being re-employed first.

## 7. Attendance and Late Coming :

(i) All employees shall be at work in the Mills at the times fixed and notified to them under Standing Order 5 (i). Employees attending late shall be liable to be shut out and treated as absent.

(ii) Any employee who, on attendance for work, fails personally to deliver up his ticket or token at the place specified by the Manager, shall be liable to be treated as absent unless he gives to the satisfaction of the Manager the reason for his failure to do so.

(iii) Any employee who, after delivering his ticket or token or signing the special register, or answering a roll-call, is found absent from his proper place or places of work during working hours without permission or other reason considered sufficient by the Manager, shall be liable to be treated as absent for the period of his absence. If, however, he leaves the premises of the Mills during working hours without permission, he shall be liable to be treated as absent for the whole day in case his absence commences before the recess period and for half a day in case his absence commences after the recess period.

(iv) The deductions from wages to be made for any period or periods of absence under this Standing Order shall be made in accordance with the provisions of the Payment of Wages Act, 1936.

## 8. Conditions of Procedure in Applying for and the Authority which may grant Leave and Holidays :

(i) Any employee who desires to obtain leave of absence shall register his application either in advance

or on the day the leave is required in the leave application register maintained in the department. The head of the department or any officer appointed for the purpose by the Manager will scrutinize the applications registered and provided it does not interfere with the working of the Mills shall, as far as practicable up to the maximum number fixed by the Manager under Standing Order 8 (v) subject to the approval of the Manager and subject to the applicant's eligibility, grant the leave applied for.

Employees who desire to obtain leave of absence for a short period within the Mill premises shall, before leaving the department, apply for such leave to the head of the department or to such officer as may be appointed for the purpose by the Manager, who may, in his discretion, provided it does not interfere with the working of the Mills, grant the leave applied for.

If the employee, after proceeding on leave, desires an extension thereof, he shall make an application for the purpose to the authority granting leave either in writing or orally.

If an extension of leave is granted, it will be intimated to the employee orally if he is present or in writing if he is not present and if his address is known. In case the extension of leave is refused the fact will be intimated to the employee orally if he is present or in writing if he is not present and if his address is known and if the application for extension of leave was received by the management before the expiry of the leave already granted to him.

In the event of any employee remaining absent beyond the period of leave originally granted or subsequently extended he shall be considered to be absent from duty under Standing Order No 8 (ii) or Standing Order No. 14 (iv), as the case may be, and shall be dealt with accordingly.

(ii) **Absent without Leave:** Any employee who absents himself for eight consecutive working days without leave shall be deemed to have left the Company's service without notice thereby terminating his contract of service. If he gives an explanation to the satisfaction of the management, the absence shall be converted into leave without pay or dearness allowance.

Any employee leaving the Company's service in this manner shall have no claim for re-employment in the Mills.

But if the absence is proved to the satisfaction of the Management to be one due to sickness, then such absence shall be converted into medical leave for such period as the employee is eligible with the permissible allowances.

(iii) **Festival Holidays:** The Mills shall be closed for a maximum of 11 festival holidays in a Calendar Year which will include New Years' Day (i.e. the First of January) Christmas Day and two National Holidays (Independence Day and Republic Day) which the Government may notify as applicable to Industries and the remaining number of holidays as approved by the Company to be settled in consulta-

tion with the employees' representative. Should the New Year's Day, Christmas Day and the National Holidays as aforesaid fall on a Sunday the number of festival holidays to be settled in consultation with the representative of the employees will be increased by a like number.

All regular employees and apprentices after a period of 12 months' continuous service shall receive pay and dearness allowance for these holidays. If it should be necessary for any employee to work on a festival holiday he shall be credited with a similar holiday in lieu of the festival holiday to be availed of during his leave year.

The following festival leave with pay and dearness allowance shall be given to regular employees of the communities mentioned against them in addition to the 11 festival holidays for which the Mills shall be closed. Apprentices, probationers and temporary employees of these communities shall be given leave without pay for these festivals :

|             |      |                            |
|-------------|------|----------------------------|
| Ramzan      | .... | For Muhammadans only.      |
| Moharam     | .... | ..                         |
| Bakrid      | .... | ..                         |
| Good Friday | .... | For Christians only        |
| Onam        | .... | For Hindu Malayalees only. |

(iv) **Medical Leave:** Sick leave shall be granted only on the production of a certificate from the Company's Medical Officer. No wages shall be paid for any period of sick leave.

(v) **Maximum permission for Leave:** The maximum number of employees who may be granted

leave at one and the same time in each department shall be fixed by the Manager from time to time.

(vi) **Ordinary Leave**: Ordinary leave means leave without wages but with dearness allowance. Temporary employees and probationers who are not entitled to leave with wages may be granted ten days ordinary leave per year in exceptional cases. Applications for leave with wages from those entitled shall have prior claim and consideration over applications for ordinary leave. Regular employees will not be given any ordinary leave.

(vii) **Casual Leave**: Casual leave means leave without wages and without dearness allowance except when granted for death and connected ceremonies in accordance with the Company's established practice when dearness allowance will be paid. All regular employees with more than 12 months' service will be granted on application and at the discretion of the departmental officer or such other officer as may be authorised, casual leave up to 15 days per year. Applications for leave with wages and for ordinary leave shall have prior claim and consideration over application for casual leave.

(viii) **Brief Emergency Leave**: Employees who have not absented themselves without leave during the six months prior to their applications, may be granted a total of 4 hours emergency leave with pay each half-year. This class of leave shall not be included in the maximum to be fixed under Standing Order 8(v) above.

(ix) **Administration of Leave:** Applications for leave in each department shall be disposed of by the officer in charge of the department or such other officers as may be appointed for the purpose by the Manager.

9. **Leave with Wages:** Leave with wages shall be allowed as provided for in the Factories Act in force for the time being, but the grant of such leave shall depend upon the exigencies of the Mills and shall be at the discretion of the Manager. All regular employees who have completed a period of five years' continuous service in the Mills shall be granted 15 days' leave with wages and dearness allowance per year inclusive of the leave with wages allowed under the Factories Act.

10. **Requirement to enter premises by certain gates and liability to search:**

(i) All employees shall enter or leave the Mill premises by the gate or gates appointed for the purpose.

(ii) All employees shall be liable on leaving the Mill premises to be searched by watchmen. They will also be liable to be searched by watchmen in any part of the premises if, acting without malice, a watchman suspects that the employee is in wrongful possession of property belonging to the Company. The search shall be made whenever practicable in the presence of two other employees.

11. **Closing and Reopening of Sections of the Industrial Establishment and Temporary**

## **Stoppage of work and the rights and liabilities of the Employer and Employees arising therefrom.**

(i) The company may, at any time or times, in the event of any fire, catastrophe, break-down of machinery, stoppage of power supply, epidemic, civil commotion, strikes or deliberate slowing down of work by employees whether partial or otherwise, or other causes whether of a like nature or not, beyond the control of the Company, stop any machine or machines, or department or departments, or close its Mills wholly or partially for any period or periods, without notice and without compensation in lieu of notice.

(ii) In the event of stoppage of any machine or department or closure of the Mills under this Standing Order during working hours, the employees affected shall be notified by notices put up on notice boards in the department concerned and at the main gates or by other means as soon as practicable, when work will be resumed and whether they are to remain in or leave the Mill. The period of detention in the Mill shall not ordinarily exceed one hour after the commencement of the stoppage or closure. If the period of detention does not exceed one hour, employees so detained shall not be paid for the period of detention. If the period of detention in the Mill exceeds one hour, employees so detained shall be entitled to receive wages and dearness allowance for the whole of the time during which they are detained in the Mills as a result of the stoppage or closure. In the case of piece workers, the average daily earnings for the previous month shall be taken to be their daily wages.

(iii) Any employee laid off under this Standing Order shall not be considered as dismissed from service, but as temporarily unemployed and shall not be entitled to wages or dearness allowance during such unemployment except to the extent mentioned in subparagraph (ii) above.

Whenever practicable, reasonable notice shall be given of resumption of normal work and all employees laid off under this Standing Order who present themselves for work, when the normal work is resumed, shall have prior right of reinstatement.

(iv) In the event of a strike or the deliberate slowing down of work by an employee or employees affecting either wholly or partially any one or more department or departments of the Mills, the Company may, subject to the provisions of the Industrial Disputes Act, 1947, or any rules made thereunder close down either wholly or partially such department or departments and any other department or departments affected by such strike, slowing down or closing down or may close the whole Mill for any period or periods. The fact of such closure shall be notified by notices put up on the notice boards in the departments concerned and at the main gates or by any other means as soon as practicable. The employees concerned shall also be notified by a general notice prior to the resumption of work, as to when work will be resumed.

**12. Termination of Employment and the notice thereof to be given by Employee or Employer :**

(i) The employment of any regular employee may for good and sufficient reasons be terminated by **30** days' notice or by payment of **30** days' wages in lieu of notice. If the employee draws wages on a piece rate basis the ~~fifteen~~<sup>30</sup> days wages shall be computed on the average daily earnings of such employee for the days actually worked during the previous wage period. The reasons for the termination of service shall be recorded in writing and shall be communicated to the employee if he so desires, unless such communication in the opinion of the **Manager** may directly or indirectly lay the Company or the Manager or the person signing the communication open to criminal or civil proceedings at the instance of the employee.

(ii) Temporary employees, probationers and apprentices may leave or be discharged from service without notice by the **Manager**.

(iii) Where the employment of any employee is terminated by or on behalf of the Company, the wages earned by him shall be paid before the expiry of the second working day from the day on which his employment was terminated.

(iv) Any regular employee desirous of leaving the service for good and sufficient reasons shall give ~~fifteen~~<sup>fifty</sup> days' notice to the **Manager**. The wages due to such an employee must, if possible, be paid on the day the notice expires and in any case within two days of the expiry of the notice.

If any regular employee leaves service without giving the notice specified in para 1 of this clause or without good and sufficient reasons, he shall be liable to pay to the Company **30** days wages in lieu of such notice.

**13. Suspension or dismissal for misconduct and certain acts or omissions (amongst others) which constitute misconduct.**

The following acts or omissions shall be treated as misconduct :—

- (a) Wilful insubordination or disobedience, whether alone or in combination with another or others, of any lawful and reasonable order of a superior.
- (b) Striking work or deliberate slowing down of work without due notice, in contravention of any Act or any modification thereof for the time being in force.
- (c) Inciting other employees to strike work or slow down work in contravention of any Act or any modification thereof for the time being in force.
- (d) Theft, fraud or dishonesty in connection with the Company's business or property.
- (e) Taking or giving bribes or any illegal gratification whatsoever.
- (f) Habitual absence without leave or absence without leave for more than eight consecutive days.
- (g) Habitual late attendance or leaving of work before the proper time.
- (h) Habitual breach of any Standing Order.

- (f) Collection of any monies within the Mill premises for purposes not sanctioned by the Manager.
- (g) Engaging in trade within the Mill premises.
- (k) Drunkenness, riotous or disorderly behaviour during working hours in the Mill premises or any act subversive of discipline or efficiency.
- (l) Habitual negligence in work or neglect of work.
- (m) Habitual breach of any rules or instructions for the maintenance and cleanliness of the Mill premises.
- (n) 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.
- (o) Wilful damage to any property or asset of the Company.
- (p) Smoking inside the Mills or in the Mill compound.
- (q) Accepting service in any other Mill, factory or workshop or employment from any person in the company's service.
- (r) Sleeping whilst on duty.

- (s) Distributing or exhibiting inside the Mill premises, handbills, pamphlets or posters without the previous sanction of the Manager.

14. (i) Any employee may, if there are extenuating circumstances, be suspended as substantive punishment for a period not exceeding 7 days or if, for reasons to be recorded by the Manager, he is of the opinion that dismissal is the appropriate punishment, dismissed without notice or compensation in lieu of notice, if he is found guilty of misconduct.

(ii) The order of suspension pending enquiry shall be in writing and shall take effect immediately on communication thereof to the employee. Such order shall set out in detail the alleged misconduct and the employee shall be given an opportunity of explaining the circumstances alleged against him. If on enquiry the order is confirmed or modified, the employee shall be deemed to be absent from duty for the period of suspension and shall not be entitled to any wages or dearness allowance for such period. If, however, the order is rescinded, the employee shall be entitled to the same wages and dearness allowance as he would have received if he had not been suspended.

No order of dismissal or suspension as substantive punishment shall be valid—

(I) unless the employee concerned—

- (a) is informed in writing of the alleged misconduct, with a list of witnesses appended to the charge-sheet.

- (b) is given a reasonable opportunity and time of at least 48 hours' duration to explain the circumstances alleged against him, and
- (c) is, if the employee so desires in writing, allowed the help, in the conduct of the enquiry regarding dismissal or suspension, of any co-worker of the same department as the worker, whether a member or an officer of a labour union or not, and

(2) unless an enquiry is held by the Manager in conformity with the principles of natural justice, and the order of suspension or dismissal states in a clear, brief and concise manner the reasons for the order of suspension or dismissal.

In awarding punishment under this Standing Order, the Manager shall take into account the gravity of the misconduct, the previous record, if any, of the employee and any other extenuating or aggravating circumstances that may exist.

(iii) A copy of the order made by the Manager shall be delivered to the employee concerned or despatched to his last known place of residence. On the application of the concerned workman, a copy of the proceedings before the Manager will also be given.

(iv) Employees may be warned by the Manager or such other Officers as may be appointed by the Manager, for any of the undernoted offences, but the offence, if repeated, or in any gross case, may be treated as misconduct under Standing Order No. 13 and dealt with under Standing Order No. 14. Warn-

ings may also be given at the discretion of the Manager for any act or omission specified in Standing Order No. 13 as an alternative to suspension or dismissal:—

- (a) Absence without leave without sufficient cause.
- (b) Late arrival at the Mill gates for work.
- (c) Negligence in work or neglect of work.
- (d) Entering or leaving or attempting to enter or leave the Mill premises except by the gates provided for the purpose.
- (e) Loitering within the Mill premises or absence without leave or without sufficient cause from the appointed place of work in the Mill premises.
- (f) Breach of any rules or instructions or customary Mill or departmental arrangement, system, method or procedure, not inconsistent with these Standing Orders, for the purpose of regulating work, maintaining the safety of employees, discipline, good conduct, cleanliness, the avoidance of waste of time and/or materials or for the proper running of the Mills or individual Departments.
- (g) Damage to work in process or to any other property of the Company. If such damage is wilfully caused, the offence shall be treated as misconduct and the employee shall be dealt with under Standing Order No. 13.

- (h) Breach of any Standing Order.
- (i) Any other offences not specified above.

**15. Means of redress for employees against unfair treatment or wrongful exactions by the employer or its agents or servants :—**

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 employee or except in the case of grievances relating to leave by himself with the assistance of a co-worker of his department, whether an Officer of a Labour Union or not, to the Manager, or such other Officer or Officers as he may appoint. The Manager or such Officer or Officers shall personally investigate, and the complainant employee with the co-worker of the department, if any, chosen by him, shall have the right to be present at such investigation. Where the complainant alleges unfair treatment or wrongful exaction on the part of the employer or his agent or servant, 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.

**Provided that complaints relating to—**

- (a) assault 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 Manager or such other Officer or Officers as he may appoint.

## 16. Wages:

(i) Except for leave with wages and festival leave with pay allowed under these Standing Orders, no wages shall be paid to any employee for any day on which he does not work.

(ii) Any dispute or complaint regarding wages shall be brought without unreasonable delay to the notice of the Manager or other person appointed in that behalf and it shall be the duty of the Manager or such Officer to investigate the complaint and adjudicate thereon after going through all the relevant papers and records.

17. Subject to the provisions of any other enactment or rule for the time being in force and subject to appeal to the Managing Agents of the Company whose decision shall be final, the decision of the Manager upon any question arising out of, in connection with, or incidental to, these orders, shall be binding on all employees.

18. When any regular employee is summarily dismissed, suspended, or discharged, or resigns from the service of the company, he shall, except in cases of general retrenchment, closing down of Departments, strike or lock-out, be given a written order in the form prescribed by the Company from time to time.

Every employee shall be entitled to a service certificate at the time of resigning from service, or of dismissal or discharge.

19. Each Supervisor, Jobber or Maistri shall personally be held responsible for the proper and faithful observance of the Standing Orders and of the special rules made under the Factories Act and posted in the Mills.

20. If 10 or more employees acting in concert and without giving to the Company 14 days' notice in the manner prescribed by any Act and Rules framed thereunder for the time being in force and without reasonable cause absent themselves from work or being present at the workspot refuse to work, each one of them shall be liable to pay to the Company in lieu of such notice an amount equal to his wages for 8 days.

For purposes of this Standing Order, the definition of wages shall be deemed to be the same as in the Payment of Wages Act of 1936.

#### 21. Retirement :

The Company may in its discretion retire an employee on his attaining the age of fifty eight years.

22. A copy of these Standing Orders in English and also in Tamil shall be posted at the main gates of the Mills and in all Departments of the Mills and in such other places in the Mill Premises as the Manager may decide and shall be kept in a legible condition.

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