

**HARYANA DEPARTMENT  
LABOUR DEPARTMENT  
NOTIFICATION**

The 14.12.2018

No 11/25/2018-4Lab The following draft of the rules, further to amend the Industrial Employment (Standing Orders) Punjab Rules, 1949 in its application to the State of Haryana, which the Governor of Haryana proposes to make in exercise of the powers conferred by Clauses (a) and (b) of sub-section (2) of section 15 of the Industrial Employment (Standing Orders) Act, 1946 (Central Act 20 of 1946) is hereby published as required under sub-section (1) of the said section for the information of persons likely to be affected thereby.

Notice is hereby given that draft amendment shall be taken into consideration by the State Government on or after the expiry of the period of sixty days from the date of publication of this notification in the Official Gazette, together with any objections or suggestions, if any, which may be received by the office of Labour Commissioner, Haryana, 30 Bays Building, Sector-17B, Chandigarh from any person with respect to the draft amendment before the expiry of the period, so specified:-

**Draft Rules**

1. These rules may be called the Industrial Employment (Standing Orders) Punjab (Haryana Amendment) Rules, 2018.
2. In the Industrial Employment (Standing Orders) Punjab Rules, 1949, as applicable to the State of Haryana (hereinafter called the said rules), in rule 2, after clause (a) the following clause shall be inserted, namely:-

“(aa) “fixed term employment”:- means an employment in which a workman has been engaged on the basis of a written contract of employment for a fixed period:

Provided that-

**(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent workman;**

**(b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute.”**

**(3) in the said rules, in rule 5, after item (3A), the following item shall be inserted, namely:-**

**“(3B) Number of fixed term employment workmen;”**

**(4) In the said rules, in Schedule 1, in paragraph 3,-**

**(i) after item (c), the following item shall be inserted, namely:-**

**“(ca) “fixed term employment workman”; and**

**(ii) after sub-paragraph (c), the following sub-paragraph shall be inserted, namely:-**

**“(ca) A ‘fixed term employment workman’ is a workman who has been engaged on the basis of a written contract of employment for a fixed period.**

**Provided that-**

**(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent workman; and**

**(b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute.”**

5. In the said rules, in Schedule 1, In paragraph 17, for sub-paragraph (2), the following sub-paragraph shall be substituted, namely:-

**“2. Subject to the provisions of the Industrial Disputes Act, 1947 (14 of 1947):-**

- (i) no notice of termination of employment shall be necessary in the case of temporary workmen whether monthly rated, weekly rated or piece rated and probations or badli workmen; and**
- (ii) no workman employed on fixed term employment basis as a result of non-renewal of contract or employment or on the expiry of such contract period without it being renewed, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:**

**Provided that the services of a temporary workman shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the manner prescribed in paragraph 20.**

**2(a) Subject to the provisions of the Industrial Disputes Act, 1947 (14 of 1947):-**

- (i) no notice of termination of employment shall be necessary in the case of temporary and badli workmen; and**
- (ii) no workman employed on fixed term employment basis as a result of non-renewal of contract or employment or on the expiry of such contract period without it being renewed, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:**

**Provided that a temporary workman, who has completed three months continuous service, shall be given two weeks notice of the intention to terminate his employment, if such termination is not in accordance with the terms of the contract of his employment:**

**Provided further that when the services of a temporary workman, who has not completed three month's continuous service, are terminated before the completion of the term of employment given to him, he shall be informed of the reasons for termination in writing and when the services of a badli workmen are terminated before the return to work of the permanent incumbent or the expiry of his (badli's) term of employment, he shall be informed of the reasons for such termination in writing".**

**Dr. Mahavir Singh,  
Principal Commissioner and Secretary to  
Government, Haryana, Labour Department.**