

THE REHABILITATION PLANTATIONS LIMITED

Registered Office: PUNALUR

STANDING ORDERS FOR WORKMEN

1. These orders shall come into force on and from 1.2.1978.
2. In these orders, unless there is any thing repugnant in the subject or context:
 - (a) "The Employer" means the Rehabilitation Plantations Ltd, and includes the Manager and Deputy Manager appointed by the employer as the person responsible to the employer for the supervision and control of the estate.
 - (b) "Estate" means the estates at Ayirana lur and Kulathupuzha and estates that will be acquired by the employer from time to time and includes the whole of the areas of the plantation owned by the Rehabilitation Plantations Ltd.
 - (c) The term "Workmen" covers all employees on an estate/ Factory male and female, other than persons who being members of the supervisory, medical and welfare establishments or Clerks or Motor/Drivers, are employed on monthly rates of pay.
 - (d) Any reference to the masculine includes the female.
 - (e) "Factory" means the Factory premises of the Rehabilitation Plantations Limited.
 - (f) "Notice" means either a notice in writing issued to a workmen individually or a notice posted on a Notice Board.
 - (g) "Company premises" means all or any of the lands and building belonging to the Rehabilitation Plantations Ltd., Punalur.
 - (h) "Habitual" unless otherwise defined by an Act, shall include repetition of any act of misconduct or commission for 3 or more times in a period not exceeding 3 months, whether act of commission is of a similar nature or not.
 - (i) "Medical certificate" means a certificate granted by the Company's Medical Officer or by any Registered Medical Practitioner, approved by the Company.
 - (j) "Supervisor" means any person who by nature of his duties exercise authority, supervision or control over workmen.

(k) "Absent" means absent without permission or approved leave.

(l) "Uniform" means any clothing, umbrellas/Raincoats, shoes, safety apparatus issued by the management to the concerned workmen.

3. Workmen shall be classed as (1) Permanent; (2) Casual.

A permanent workman is one who has been passed by the employer as fit for work and who has been registered on the check roll for the period of contract.

A casual worker is one who is engaged for work of a purely casual or temporary character.

4. Every workmen shall be allotted a number which shall be entered in the checkroll opposite his name, together with a clear indication showing whether he is a permanent workman or a casual workman.

5. The periods and hours of work for all classes of workmen shall be posted up on notice boards at the entrance to the factory and on the mustering grounds or other conspicuous place easily accessible to the workmen.

6. Notices specifying (a) the days observed by the estate as holidays and (b) pay-days shall be posted as required by the Factories Act and the Payment of Wages Act respectively.

7. Notices, specifying the rates of wages payable to all classes of workmen and for all classes of work shall be displayed in a conspicuous place on the estate which is easily accessible to the workmen.

8. Any wages due to a workman but not paid on the usual pay day on account of their being unclaimed, shall be paid by the Manager or Deputy Manager as the case may be on such unclaimed wage pay-day in each week as may be notified to the workers and in respect of those workers who may have left the estate or who have died without taking their due wages, shall be paid on the day following the date on which a substantiated claim was presented by the workman, or, on his behalf by his representative duly authorised in writing, provided that such claims is submitted within three years from the date on which the wages become due to the workman. If the workman is unable to present himself, the Manager or Deputy Manager shall, if requested by the workmen in writing so to do, send his pay by Money order at his own cost.

9. Shift-working in a department or departments or a section of a department of a factory situated on the estate shall be regulated in accordance with the Factories Act. More than one shift may be worked in such department or departments or any section of such department at the discretion of the Manager or Deputy Manager. If more than one shift is worked in factory, workmen shall be liable to be transferred from one shift to another.

10. (1) All workmen shall be at work at the times fixed and at the places notified to them. Workmen attending late upto a period of ten minutes shall be admitted for work and such workmen are liable to the deductions provided in the Payment of Wages Act 1936. Workmen late in attendance exceeding ten minutes are liable to be refused work and treated as absent.

(2) No worker whose presence at work has been recorded by a keeper or other supervisor shall absent himself from his duly appointed place of work without the permission of the member of the staff appointed by the Manager or Deputy Manager and notified to the worker to grant such permission. If a workman absents himself from work without having obtained such permission or without sufficient reason, he shall be liable to be treated as absent for the period of his absence and his wages for the period of absence shall be liable to be deducted.

(3) The deduction from wages to be made for the periods of absence under this standing orders shall be made in accordance with the provisions of the Payment of Wages Act.

(4) Any workman shall, by an order in writing, be liable to be transferred to a similar post from one department to another or carryout any other work in his departmentx or any other department either in the same shift/group or other shifts/groups without affecting his pay and/or other benefits.

(5) Any workman who is present in the premises of the estates/ factory but deliberately refuses to or abstain from work shall be treated as absent and will also be liable to be dealt with under misconduct No.22 (b).

(6) Metal tokens or time cards will be issued to all workmen for purposes of making his attendance.

(7) The identification card, token, umbrellas/raincoats,

shoes etc. issued to a workman will remain the management's property and the workmen must on termination, resignation, dismissal from service or on proceeding on leave preparatory to retirement, surrender his identity card, token, umbrellas/raincoats, shoes etc. to the Time Office or any other office of the Estate/Factory.

- (8) For the issue of umbrellas/raincoats, shoes etc. as specified in various labour enactments, the worker should return the used items on expiry of the specified period for getting new issue.
- (9) Notices to be exhibited or given under these standing orders shall be in English or in vernacular and such notices may be displayed on the Notice Boards. Any Notice, order, charge-sheet, communication or intimation which is personally addressed, to an individual workman, shall be given in writing and the service shall be affected through hand delivery. Whenever such mode of service is not possible for any reason, the same shall be affected through Registered Acknowledgement due letter to be sent to the last known and/or recorded address of the workmen. In case a workmen refuses to accept such service, a copy thereof may be displayed on the Notice Board and it shall mean that the Notice is deemed to have been served.
- (10) (1) It will be the duty of the workmen to keep the management inform of any change of his address as and when such changes occur.
- (10) (2) If there is any conflict between the English and the vernacular version of Notices under the Standing Orders, the English version shall be followed,
- (11) (1) Leave with pay will be granted to workmen employed in the factory situated on the estate in accordance with the provisions of the Factories Act and the Rules made thereunder. Extensions of leave without pay to be attached to leave to be granted with pay shall be given by the Manager or Deputy Manager at his discretion and after taking exigencies of estate work into consideration.
- (2) Any classes of workmen on the estate who have hitherto been granted leave with pay will continue to be given such

leave according to custom and usage.

(3) Leave with pay will be granted to workmen employed in Plantations excluding the workmen contemplated in provision (1) to this order, in accordance with the provisions of the Plantation Labour Act, 1957 and the rules made thereunder. Extensions of leave without pay to be attached to leave with pay shall be given by the Manager or Deputy Manager at his discretion and after taking exigencies of estate work into consideration.

12 (1) Any workman who is sick and who is certified as not being fit for work shall be granted sick leave upto a total period of fourteen days during any one calendar year and he shall be paid sickness benefit at the rate of two-thirds of the recognised daily rate of that class of worker for an aggregate of fourteen days in any one calendar year. Any other leave taken by a workman for sickness whilst he is in his residence on an estate will be treated as casual leave without pay.

(2) The Medical certificate referred to in this order shall be given by the Estate Medical Officer or some other Medical Officer approved by the Manager or Deputy Manager. The list of Medical Officers approved by the Management for the purpose shall be notified in the Notice Board.

(3) Accumulation of sick leave shall be governed by the Plantation Labour Rules as amended from time to time.

13. The number of holidays to be granted to the workmen and the days which shall be observed as holidays by the Estate: shall be regulated in accordance with the provisions of the Factories Act, National and Festival Holidays Act and the customs or usage of the Estate.

14. No workmen shall enter or leave the premises of a factory on the estate except by the gate or gates appointed for the purpose.

15(1) All male workmen shall be liable, on leaving the premises of a factory or any other premises on the estate specified by the Manager or Deputy Manager, to be searched by the gateman and all female workmen shall be liable to be detailed by the gateman for search by a female searcher, if, acting without malice, she suspects that any workman who is so detailed is in

wrongful possession of property belonging to the estate; provided that no search shall be made except in the presence of two other persons of the same sex as the suspected workman.

- (2) Workmen can enter the Factory duly for duty and they must not leave the factory premises without previous permission as otherwise they will be refused re-entry for the same work period.
 - (3) Workman shall not be permitted to enter the factory earlier than 15 minutes before the start of their duty periods and shall leave the factory not later than 15 minutes after their duty periods.
 - (4) Workmen shall not carry with them any articles to the factory/ Estate workspot other than those meant for their personal use during the working hours.
 - (5) Any worker who has been discharged, dismissed or suspended shall leave the premises of factory/ plantations immediately.
 - (6) The Management reserves the right to search lockers, tool boxes, vehicles, other personal belongings and the quarters of the workmen in his/her presence.
- 16(1) The Manager or Deputy Manager may, at any time or times in the event of a fire, catastrophe, breakdown of machinery or stoppage of power supply, epidemic, civil commotion or other cause beyond the control of the management, stop any machine or machines or department or departments in a factory or estate, or work on any division or section of a division on the estate, wholly or partially, for any period or periods without notice and without compensation in lieu of notice.
- (2) In the event of a stoppage under this order during working hours, the workmen affected shall be notified as soon as practicable, by notices posted in the department concerned and at the mustering grounds, and in any other way when work will be resumed, if this is ascertainable, and if not, whether they are to remain at their places of work. Workers shall not ordinarily be required to remain, in anticipation of work recommencing, for more than two hours after the stoppage, and they shall only be entitled to the wages for the period of detention if this exceeds one hour. Where a claim for wages during the period of an enforced stoppage is admitted, piecerated workers shall be paid on the basis of the average

daily earnings of the workers concerned for the previous month.

(3) Workmen who are stopped for short period as the result of an enforced stoppage under this order shall be treated as compulsorily on leave which shall be with or without pay or allowances as the Manager or Deputy Manager may decide in the particular circumstances of each case. Where, however, workmen have to be stopped for an indefinitely long period, their services may be terminated after giving them due notice or pay in lieu thereof plus their way expenses for returning to their homes.

17. The Manager or Deputy Manager may, at his sole discretion order stoppage of work, in whole or in part in the factory on an estate, or on any other part of the estate for reasons of seasonal variations or on account of adverse climatic conditions subject to the provisions of the Industrial Disputes Act 1947 and the rules made thereunder and in doing so he shall observe the customary practice on estates and the workers affected shall be entitled to the same treatment as has been hitherto established by custom.

18. The Manager or Deputy Manager may, in the event of a strike affecting either wholly or partially any one or more department or departments of a factory on the estate or a division or section of a division other than the factory of the estate, subject to the provisions of the Industrial Disputes Act, 1947 and rules made thereunder, close down, either wholly or partially such department or departments, or division or section of a division and any other department or departments, division or divisions or sections of one or more divisions affected by such closing down and for any period or periods.

The fact of such closure shall be notified by notices put up on the notice board in the departments concerned and on the musterin ground as soon as practicable. The workmen concerned shall also be notified by a general notice prior to the resumption of work as to when work will be resumed.

19(1) Except where the contract of service otherwise provides the employment of a workman shall not be terminated without giving one month's notice in writing either by the employer or the workman in the case of monthly rated workmen and two weeks' notice in the case of other workmen or one month's or two weeks' pay as the case may be, in lieu of notice. The reasons for

the termination of service shall be recorded in writing and shall be communicated to the workman, if he so desired as the time of discharge, unless such communication, in the opinion of the Manager or Deputy Manager, may directly or indirectly lay the estate or the Manager or Deputy Manager as the case may be or the persons signing the communication open to criminal or civil proceedings at the instance of the workman.

(2) No notice shall be required for terminating the employment of a casual workman or a workman whose specific contract has come to an end. But the service of such a workman shall not be terminated as punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him.

(3) Where the employment of any workman is terminated by or on behalf of the estate, the wages earned by him shall be paid before the expiry of the second working day following that, on which his employment was terminated.

(4) The workmen may be transferred at the discretion of the Management from one department to another, from one job to another and from one place of work to another, provided his service conditions are not adversely affected. Workmen refusing to accept such transfers shall be liable for disciplinary actions.

(5) Management will have the right to transfer a worker or a group worker working in the factory, to the estates and vice versa, if the situation deem it necessary.

20(1) Any permanent workman desirous of leaving the service of the estate shall give fourteen day's notice to the Manager or Deputy Manager. The wages due to such a workman must, if possible, be paid on the day the notice expires and, in any case, within two days after the expiry of the notice.

(2) If any permanent workman leaves service without notice he shall be liable to be used for damages.

21. If ten or more workers acting in concert and without giving a fortnight's notice to the employer, absent themselves from the work, or being present at the workplace refuse to work, a deduction of eight day's pay will be made from the wages of such workmen.

22. The following acts or omissions shall be treated as misconduct.

- 1) Wilful insubordination or disobedience, whether alone or in combination with another or others, of any lawful and reasonable order of a superior.
- 2) Striking work or inciting others to strike work in contravention of the provisions of the Industrial Disputes Act 1947 or any other enactment or rules in force for the time being.
- 3) Theft, fraud or dishonesty in connection with the employer's business or property.
- 4) Taking or giving bribes or any illegal gratification whatsoever.
- 5) Habitual absence without leave or absence without leave for more than ten consecutive days.
- 6) Collection of any money within the premises of the estate for purposes not sanctioned by the Manager or Deputy Manager except with regard to the subscription for registered trade union, outside working hours and work places.
- 7) Engaging in trade within the premises of the estate without the permission of the Manager or Deputy Manager.
- 8) Riotous or disorderly behaviour on the premises of the estate or any act subversive to discipline.
- 9) Wilful damage to or loss through negligence of the employer's goods or property.
- 10) Habitual breach of any rules or instructions for the maintenance and running of any department of a factory on the estate or the maintenance of the cleanliness or any portion of the premises of the estate, or the protection of the public health of persons on the estate.
- 11) Habitual late attendance.
- 12) Habitual breach of the Standing Orders.
- 13) Sleeping on duty.
- 14) Interference with any safety devices installed in a Factory on the estate.
- 15) Smoking in prohibited area.
- 16) Malingering or slacking whilst at work.
- 17) Misuse of materials, goods, tools, equipments or any other property or facilities provided by the company.

- 18) Trespass on the Company's property or premises.
- 19) Refusal to attend duty in uniform supplies by the company.
- 20) Refusal to be searched by Company's watch and ward or any other person authorised by the Company in the Estate/factory premises.
- 21) Refusal to accept any charge sheet or order or Notice or any other communication in writing from the Management.
- 22) Insulting or rude behaviour towards any superior.
- 23) Drunkenness or indecent behaviour in the Estate/factory premises of the Company.
- 24) Engaging directly or indirectly in private work while on duty without prior permission of the immediate superior or Department Head.
- 25) Gambling, card playing, or indulging in any play during duty hours within the estate/factory premises.
- 26) Canvassing for any party, political or otherwise within the factory/estate premises.
- 27) Canvassing union membership while on duty.
- 28) Organising or holding meetings on the premises of the company without the prior written permission of the Management.
- 29) Using abusive or insulting language or intimidating or using any form of violence both inside the premises as well as outside against any employee of the factory/Estate.
- 30) Disclosing to any unauthorised persons any information in regard to the working or process or designs or production techniques of the company which may come in possession of the workmen in the course of his work or otherwise.
- 31) Conviction in a court of law for any criminal offence involving moral turpitude.
- 32) Refusal to work on off day or holiday when so required to work except on justifiable grounds of personal difficulties.
- 33) Refusal to work overtime, when required to work.

- 34) Refusal to ^{go} on transfer from one shift or section or Department or estate or to any place of the company.
 - 35) Distribute or exhibition of handbills, pamphlets, leaflets or posters, writing or any visible representation of any matter/the Estate/factory premises without prior ~~xxx~~ permission of the management.
 - 36) Unauthorized use of or causing damages to or loss of any equipment/instrument of the company.
 - 37) Giving false information to the Company or making false statements in any investigations.
 - 38) Forgery, falsification, tampering, manipulation, defacement or distraction of Company documents or any other documents to be produced before the management.
 - 39) Taking without permission from the management any other regular or part time employment while in the service of the company.
 - 40) Entering or attempting to enter, leaving or attempting leave the factory except by way of entrance and exit specified for such purpose.
 - 41) Habitual or frequent breach of any standing order or any Rules or Regulations for the time being in force or any law applicable to the repatriates/plantation/factory or any rule made thereunder.
- 23(1) (a) Any workmen committing any of the misconducts enumerated under Clause 22 is liable for suspension from work pending enquiry, if the management feels that the presence of such worker will disrupt the normal working of the factory/ Estate.
- (b) For imposing any disciplinary action, the employees concerned shall be given a memo explaining charges against his, and calling for his explanation within 48 hours of the receipt of the memo.
- (c) If the employee concerned plead guilty in writing, disciplinary action may or may not be imposed on him at the discretion of the punishing authority.
- (d) Any workmen who is adjudged by the Management on examination of facts to be guilty of misconduct is liable to be summarily dismissed without notice or alternatively

be suspended without pay upto a maximum of one calendar month at the discretion of the Management. However the period of one calendar month shall not apply in cases where suspension is ordered pending enquiry.

- (e) Any employee who is adjudged by the Management on examination of facts to be guilty of misconduct is liable for withholding or postponing increments or promotions. This punishment may be imposed on any employee who repeat any acts or omissions as detailed in the list of misconducts.
- (f) Damages may be recovered from any employee who is guilty of the loss, destruction or partial loss of any goods belonging to the factory/estate or any machinery of the factory/estate expressly entrusted with them for custody or in which he/she works or is entrusted with his/her for his/her work.
- (g) In awarding any punishment the Management shall take into account the previous record of the workmen and any other extenuating circumstances that may exist.
- (h) In all cases except dismissal, the Managers of the Estate or the Department Head shall have the right to impose other disciplinary action, but dismissal shall be done by the Managing Director or any other officer empowered to act on his behalf.
- (2) The order of suspension shall be in writing and may take effect immediately on communication thereof to the workman. Such order shall set out in detail the alleged misconduct and the workman shall be given an opportunity of explaining the circumstance alleged against him. If on enquiry the order is confirmed or modified, the workman shall be deemed to be absent from duty for the period of the suspension and shall not be entitled to any remuneration for such period. If, however, the order is rescinded, the workman shall be deemed to be on duty during the full period of suspension and shall be entitled to the same wages as he would have received if he had not been suspended.
- (3) No order of dismissal shall be made unless the workman concerned is informed in writing of the alleged misconduct, and is given an opportunity to explain the circumstances alleged against him. In awarding punishment under this standing order, the Manager or Deputy Manager shall take into account the gravity of the misconduct, the previous record

if any, of the workmen and any other extenuating or aggravating circumstances which may exist.

- (4) If the Manager or Deputy Manager is satisfied that the gravity of the misconduct committed is not such as to warrant either dismissal or suspension, but that the circumstances are such as not to exonerate the workman concerned, the Manager or Deputy Manager may give the workman a warning in writing and make a note of such warning in a special register to be maintained for the purpose.
 - (5) A copy of every order made by the Manager or Deputy Manager under this standing order shall be supplied to the workman concerned.
 - (6) If the employee concerned denies the charges levelled against him, by the management, an enquiry shall be conducted giving him full opportunity to prove his innocence.
 - (7) Any employee who is adjudged by the Management an examination of facts to be guilty of misconduct is liable for withholding or postponing increments or promotions. This punishment may be imposed on any employee who repeats any act or omission as detailed in the list of misconduct.
 - (8) Damages will be recovered from any employee who is guilty of the loans, destruction or partial loss of any goods belonging to the factory/estate, expressly entrusted with them for custody or in which he works or is entrusted with him for his work.
 - (9) In awarding any punishment the management shall take into account the previous record of the workmen and any other extenuating circumstances that may exist. No further notices is required to consider the previous records.
 - (10) In all cases except dismissal, the Manager, Deputy Manager or any officer empowered by the Management, from time to time shall have the right to impose other disciplinary action but dismissal shall be done by the Managing Director or any other officer empowered to act on his behalf.
- 24(1) All complaints arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the Manager or Deputy Manager or his agent, shall be submitted to the Manager or Deputy Manager or to such other person as may be specified in this behalf, in the first instance, with a right of appeal to the Managing Director of the Company.

- (2) If any workman has any grievance to be redressed, he must place the same before his supervisor/immediate superior as soon as possible. If no satisfactory redressal is obtained from the supervisor/immediate superior as the case may be, the workmen shall be entitled to have recourse to the grievance procedure as follows:
- (a) He shall present written statement of his grievance to the Field Supervisor (in the case of estate/Department Head in the case of Factory, through the Assistant Field Supervisor/immediate superior. The Field Supervisor/Department head shall investigate the matter and give a reply to the workmen with a copy to the personnel Department within seven working days.
 - (b) In the case of workman is not satisfied with the reply of the Department head/Field Supervisor; he may submit his grievance in writing to the Manager of the Estate/Factory within 7 days of the receipt of the reply from the Department Head/Field Supervisor. The Manager in consultation with the Personnel Department shall enquire into the grievance and give a reply to the workmen within ten days from the time the case is normally presented to the Manager under intimation to the concerned Department Head and Managing Director.
 - (c) Failing to receive a satisfactory answer from the Manager/Deputy Manager of Estates/Factory the workman may apply in writing to the Managing Director within 7 days of getting the reply from the Manager/Deputy Manager of Estate/Factory. The Managing Director will give him reply as far as possible within fifteen days and his decision is final.
 - (d) If the workman is not satisfied with the decision of the Managing Director, he may refer the matter to the recognised Union which in turn may take it up with the management if deemed fit.

25. Subject to the provisions of the Industrial Employment (Standing Orders) Act 1946 and the Kerala Industrial Employment (Standing Orders) Rules 1958 and of any other law or rules having any bearing on the subject, the decision of the Manager or Deputy Manager as the case may be, upon any question arising out of, in connection with or incidental to these orders shall be final, subject, however, to appeal to the Managing Director of the company and without prejudice to any right of a workman aggrieved by his decision to resort to legal proceedings in a Court of Law.
- 26 (1) When any permanent or casual workman is summarily dismissed, suspended or discharged or leaves the service of the estate or is granted leave of absence, he shall except in cases of general retrenchment, closing down of a department or departments of a factory or divisions or sections of a division or divisions of the estate, strike or lock out be given written order in the form to be prescribed by the Manager or Deputy Manager as the case may be for the purpose.
- (2) Every permanent workman shall be entitled to a service certificate at the time of leaving the service, dismissal or discharge.
27. Without being exhaustive the following services shall be considered as essential services and these services shall be maintained as irrespective of strikes, or such other activities.
- 1) Water Supply, (2) Security, Fire fighting and Fire Watching (3) Medical Services (4) Sanitary, (5) Transport.
28. The Manager of the establishment (Estate and Factory) shall be personally held responsible for proper and faithful observance of the Standing Orders.
29. Every workman shall retire from service on attaining the age of 58 years.
30. Copies of these Standing Orders in English and also in the principal regional languages of the local area in which the estate is situated, shall be posted at the entrance to the factory and at the muster grounds.
- Provided that in establishments where more than twenty percent of the total number of workmen employed speak a language other than the principal regional language, such standing orders shall be printed also in that language and similarly exhibited.

4.1.1978.
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P. MADHAVAN
CERTIFYING OFFICER

THE REHABILITATION PLANTATIONS LTD.,
REGISTERED OFFICE: PUNALUR

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STANDING ORDERS FOR THE STAFF

1. These orders shall come into force on and from
2. In these orders, unless there is anything repugnant in the subject or context.
 - (a) "The employer" means the Rehabilitation Plantations Limited and includes the Manager and Deputy Manager appointed by the employer as the person responsible to the employer for the supervision and control of the estate in each group.
 - (b) "Estate" means the group of estates at Ayiranallur and Kulathupuzha and estates that will be required by the employer from time to time and includes the whole of the area of the plantation owned by the Rehabilitation Plantations Limited.
 - (c) The term "Staff" means persons who, being members of the supervisory, medical and welfare establishments, or clerks or motor vehicles drivers or peons, are employed on monthly rates of pay, and are not covered by individual contracts.
 - (d) Any reference to the masculine includes the feminine.
 - (e) "Factory" means the Factory premises of the Rehabilitation Plantations Limited.
 - (f) "Notice" means either a notice in writing issued to a staff member individually or a notice pasted on a Notice Board.
 - (g) "Company" means The Rehabilitation Plantations Limited.
 - (h) "Company premises" means all or any of the lands and buildings belonging to The Rehabilitation Plantations Limited.
 - (i) "Habitual" unless otherwise defined by an Act, shall include repetition of any act of misconduct or commission for three or more times in a period not exceeding three months, whether act of commission is of a similar nature or not.
 - (j) "Absent" means absent without permission or approved leave.
 - (k) "Head Office" means Registered Office of the Company.

- 3 (i) Staff shall be classed as (1) Permanent; (2) Probationers; and (3) Temporary.
 - (ii) A "Permanent" member of the staff means one who has been confirmed as a permanent employee.
 - (iii) A "Probationer" is one who is provisionally employed to fill a permanent vacancy in a staff appointment, and who has not been confirmed in that appointment.
 - (iv) A "Temporary" member of the staff is one who is engaged on work which is of an, essentially temporary character.
4. The normal periods and hours of work of all classes of staff shall be posted on a notice board at the estate/factory office, provided that, if an any particular employee is required to work for a different period, he shall be notified to that effect in advance.
5. Notice specifying (a) the days observed by the estate as holidays and (b) pay-days, shall be posted on a notice board; provided that, if any particular employee is required to work on holidays, he shall be personally notified to that effect in advance.
6. Any pay due to a member of staff, but not paid to him on the usual pay-day, on account of his temporary duty; but where such pay is not given to him owing to his absence from the estate on leave, or, for some other reasons, or, because of his death, it shall be sent to him, if he so directs, by Money order at his cost, or given or sent to his representative duly appointed in writing as soon as possible, or to his heir after a substaigned claim has been submitted in respect of it.
7. A staff member shall be entitled to privilege leave at the rate of one day with full salary for 11 days of service. In calculating privilege leave, Festival leave, Casual leave, Sundays and Public Holidays will be reckoned; but sick leave will not be reckoned. Previlige leave can be accumulated for amaximum period of 45 days only except when it is refused on the ground of exigency of work in the Company. Previlige leave, if the employee is not willing to avail of, can be encashed after reserving 10 days P.L., but no reservation need be made for availing of P.L. The minimum number of P.L. that can be encashed at a time is ten.

8. Any member of staff who desires to obtain leave of absence shall submit an application in writing to his immediate superior officer in prescribed form who in turn will send the same to the sanctioning Authority, with his recommendation. A copy of the order passed shall be given to the member of the staff concerned, and if leave is refused or postponed, the reasons for the refusal or postponement shall be recorded in writing. A member of the staff who has been granted leave shall lose his lien on his appointment if he fails to return to duty on the expiry of any leave or any extension thereof which may have been granted to him. The Company may, however, restore a staff's lien on his employment, if he gives a satisfactory explanation of his inability to return to duty on the expiry of the leave or the extension as the case may be.
- 9(i) A member of the staff who is certified ill at any time whilst he is in the service of the Company shall be entitled to sick-leave with full pay for the period of the illness subject to a limit of thirty days in a calendar year. The grant of such leave with full or proportionate pay for periods of every one month in any one calendar year shall be at the discretion of the granting authority.
- (ii) The medical certificate referred to in this order shall be given by the Estate Medical Officer or some other licensed Medical practitioner approved by the Rehabilitation Plantations Limited.
- (iii) Medical certificate is not necessary for sanctioning sick leave for a period not exceeding 2 days in Estates/Factories and 5 days in Head Office.
- (iv) The Sick Leave if not utilised fully, will be permitted to accumulated at the rate of 7 days for each year of service subject to a maximum of 60 days. This can be utilised, when actually necessitated by sickness along with that year's sick leave.

- (v) Staff members will be permitted to encash sick leave after leaving a balance of 15 days sick leave to their credit. Such encashment will be allowed only once in a calendar year.
 - (vi) The facilities of Medical benefit and sickness benefit including sick leave will automatically be terminated as and when Government extend the facilities of Employees State Insurance Scheme to the Company.
10. All members of the staff will be entitled in each year to a maximum of seven days casual leave on full pay. Such leave is intended to meet special circumstance such as immediate attention to urgent private affairs which cannot be foreseen. The previous permission of the granting authority shall be obtained before such leave is taken. Casual leave may not be taken in conjunction with privilege leave, and casual leave not taken in any one calendar year will not be carried over to the leave account of the staff concerned for the next year. Any casual leave taken in excess of seven days in any one calendar year will be debited to his privilege leave account.
- 11(a) Three days leave on full pay shall be allowed in each calendar year to each member of the staff on account of religious festivals in accordance with the religious persuasion of each employee which may be granted to all staff members of the Company.
- (b) A list of religious festival holidays for the coming year shall be notified by the Company during the month of December every year.
- 12 (i) The employment of any member of the staff or a probationer may be terminated by thirty day's notice, or one month's pay in lieu of notice unless provided otherwise in a specific agreement. The reason for the termination of service shall be recorded in writing and shall be communicated to the member of the staff concerned if he so desires, at the time of discharge unless such communication, in the opinion of the Managing Director may directly or indirectly lay the estate or the Managing Director or the persons signing the communication open to criminal or civil proceedings at the instance of the employee.

- (ii) The services of any temporary member of the staff may be terminated without notice or pay in lieu of notice.
 - (iii) Where the employment of a member of the staff is terminated by or on behalf of the estate, the pay due to him shall be given to him within 3 days of the date on which his employment was terminated, or, if the third day falls on a Sunday or on holiday and the pay due cannot therefore be given on that day, before 5 p.m. on the previous day.
 - (iv) Any staff member, by an order in writing, be liable to be transferred to a similar post from one department to another or from one estate to another or from estate to factory and vice versa or carry out any other work in his department or any other department either in the same office or in other offices of the Company without affecting his/her pay and or other benefits.
 - (v) Notice to be exhibited or given under these standing orders be in English and such notices may be displayed on the Notice Board. Any Notice, Order, Chargesheet, communication or intimation which personally i.e. addressed to an individual staff member shall be given in writing and the service shall be effected through hand delivery. Whenever such mode of service is not possible for any reason, the same shall be effected through Registered Acknowledgement due letter to be sent to the last known address of the staff member. In case a staff member refuses to accept such service, a copy thereof may be displayed on the Notice Board and it shall mean that the Notice is deemed to have been served.
 - (vi) It will be the duty of the staff member to keep the management informed of any change of ~~th~~ his address as and when such changes occur.
 - (vii) If there is any conflict between the English and the vernacular version of Notices under the Standing Orders, the English version shall be followed.
- 13(i) Any permanent member of the staff desirous of leaving the service of the Company shall give thirty days notice in writing to the Managing Director unless he has specific agreement providing for a longer or shorter notice.

- (ii) If any permanent member of the staff leaves the service of the Company without giving notice he shall be liable to be for damages.
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- (iii) Promotion to higher post will be subject to seniority, merit and suitability of the candidate to the concerned post.
14. The following acts or commission 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 inciting other to strike work, in contravention of the Industrial Disputes Acts or any other enactment or rules in force for the time being.
 - c. Theft, misuse, fraud or dishonesty in connection with employer's business or property.
 - d. Taking or giving bribes or any illegal gratification whatsoever.
 - e. Habitual absence without leave.
 - f. Collection of any moneys within the premises of the estate for purposes not sanctioned by the Manager or Deputy Manager, except with regard to the subscription for registered Trade Union, outside working hours and places of work.
 - g. Riotous or disorderly behaviour on the premises of the estate or any act subversive of discipline.
 - h. Smoking in a prohibited area.
 - i. Habitual absence from duty, habitual late attendance and/or habitual neglect of work.
 - j. Engaging in trade within the premises of the estate without the permission of Managing Director.
 - k. Any unauthorised divulgence of the business affairs of the employer.
 - l. Engaging workmen of the estate for domestic or private purpose without the permission of the Managing Director.
 - m. Undertaking any additional outside work unless sanctioned by the Managing Director in writing.
 - n. Conviction in a court of law for any criminal offence involving moral turpitude.
 - o. Refusal to go on transfer from one Department to another or from one office to another or from one estate to another estate or from estate to factory and vice versa or to any place of the Company.
 - p. Unauthorised use of or causing damages to or loss of any equipments, instruments and vehicle of the Company.

- q. Giving false information to the Company or making false statements in any investigation.
 - r. Forgery, falsification, tampering, manipulation, defacement or destruction of Company's documents or any other documents to be produced before the Management.
 - s. Sending letters/notices/ articles or submitting statements in connection with official work to an outsider without previous permission of the management.
15. i. A member of the staff may be suspended for a period not exceeding four days or dismissed without notice or compensation in lieu of notice if he is found guilty of misconduct.
- ii. The order of suspension may be in writing, and may take effect immediately on communication thereof to the staff concerned. Such order shall set out in detail the alleged misconduct and the person concerned shall be given an opportunity of explaining the circumstances alleged against him. If on enquiry, the order is confirmed or modified, the person concerned shall be deemed to be absent from duty for the period of suspension and he shall not be entitled to any remuneration for such period. If however, the order is rescinded, the member of the staff concerned shall be deemed to be on duty the full period of suspension, and he shall be entitled to the same wages as he would have received if he had not been suspended.
 - iii. No order of dismissal shall be made unless the member of the staff concerned is informed in writing of the alleged misconduct, and is given an opportunity to explain the circumstances alleged against him. In awarding punishment under this standing order, the Managing Director shall take into account the gravity of the misconduct, the previous record, if any, of the Person concerned, and any other extenuating or aggravating circumstances which may exist.
 - iv. If the Managing Director is satisfied that the gravity of the misconduct committed is not such as to warrant either dismissal or suspension but that the circumstance are such as not to exonerate the member of the staff concerned, the Managing Director may give him a warning in writing and make a note of such warning in a special register to be maintained for the purpose.
 - v. A copy of every order issued by the Managing Director under this standing order shall be communicated to the member of the staff concerned.
16. All complaints arising out of employment, including those relating to unfair treatment or wrongful exaction on the part of the Manager/Deputy Manager, shall be submitted to the Manager/Deputy Manager or to such other person as may be specified in this behalf in the first instance with a right of appeal to the Managing Director.

17. Subject to the provisions of the Industrial Employment (Standing orders) Act 1946, in Kerala Industrial Employment (Standing Orders) Rules 1958, and of any other law or rules having any bearing on the subject, the decision of the Manager/Deputy Manager on any question arising out of, or in connection with, or incidental to those orders shall be final, subject, however to a right of appeal to the Managing Director of the Company and without prejudice to any right of the member of the staff concerned aggrieved by his decision to resort to legal proceedings in a Court of Law.
18. Permanent members of the staff shall be entitled of a service certificate at the time of leaving service in every case other than where a member of the staff has been dismissed for misconduct.
19. Every staff member shall retire from service at the age of 58 (fifty eight) years.
20. The Manager of the establishment (Estates and Factory) shall personally be held responsible for proper and faithful observance of the standing orders.
21. A copy of these orders in English, Malayalam and if more than 20 per cent of the staff speak any other language, in that language also, shall be posted in the office of the Estate.
22. In the case of dispute in the meaning of English, Malayalam or any other version of these orders, the English version will be accepted.

CERTIFYING OFFICER

smn/27.8.