

UT Administration of Dadra and Nagar Haveli and Daman and Diu
Labour Department

No. LEO/DNH/IE/(SO)/AMDT/04/2020/80

Date: 11/06/2020

NOTIFICATION

Whereas, the Central Government has amended the Industrial Employment (Standing Orders) Act, 1946 vide Notification No. G.S.R.235(E), dated the 16th March, 2018 vide which " Fixed Term Employment" has been introduced in item 1 of the schedule of the said Act;

And whereas, the erstwhile Union Territory Administration of Dadra and Nagar Haveli vide notification No. LEO/IE(SO)/ACT/603/2005 Dated 12/05/2005 had notified a Model Standing Order for industrial establishment in which twenty or more workers are employed or were employed on any day of the preceding twelve months and prescribed a separated Model Standing Order for such industrial establishment;

And whereas, the Administrator of Union Territory of Dadra and Nagar Haveli and Daman and Diu is of the opinion that the amendment made vide Notification No. S.R.235(E), dated the 16th March, 2018 vide which " Fixed Term Employment" has been introduced in item 1 of the schedule of the Industrial Employment (Standing Orders) Act, 1946, should be applied to the Model Standing Order for industrial establishment in which twenty or more workers are employed or were employed on any day of the preceding twelve months;

And whereas, the Central Government vide Gazette Notification No. 44 dated 09/12/2019, has merged the erstwhile U.T. of Dadra and Nagar Haveli and erstwhile U.T. of Daman and Diu in to a single UT of Dadra and Nagar Haveli and Daman and Diu. The Administrator of Union Territory of Dadra and Nagar Haveli and Daman and Diu is further of the opinion that the Model Standing Order shall be extended to the District of Daman and Diu;

And whereas, as per Proviso to sub section (3) of Section 1 of the Industrial Employment (Standing Orders) Act, 1946, prior notice to be given to person likely to be affected by the said amendment. Hence, intention is hereby published as required under the said Act for information of all persons likely to be affected thereby and notice is hereby given that the provision of the Industrial Employment (Standing Orders) Act, 1946 shall be applied and further amendment of the Model Standing Order shall be made applicable on or after the expiry of two months from the date of publication of this draft in the Official Gazette;

And whereas, any objections or suggestion, received from any person with respect to the said draft within the period so specified will be considered by the Administration of Dadra and Nagar Haveli and Daman and Diu. Objection or suggestion, if any, may be addressed to the Deputy Secretary (Labour), Dadra and Nagar Haveli and Daman and Diu.

Now, therefore, in exercise of the powers conferred by proviso to sub-section (3) of Section 1 and clause (b) of sub section (2) of Section 15 of the Industrial Employment (Standing Orders) Act, 1946, the Administrator of Dadra and Nagar Haveli and Daman and Diu is hereby pleased to notify his intention to apply the provisions of the Act and further amend the Model Standing Orders for the industrial establishment in which twenty or more workers are employed or were employed on any day of the preceding twelve months and further pleased to set out the amendment in Model Standing Order :

- 1) These Orders may be called as the Dadra and Nagar Haveli and Daman and Diu Model Standing (Amendment) Orders, 2020.
- 2) They shall come into force on the date of their publication in the Official Gazette.
- 3) On and from the commencement of Dadra and Nagar Haveli and Daman and Diu Model Standing (Amendment) Orders, 2020, the paragraph 1 shall be substituted, namely

1. Short title, extends and Commencement

- (1) These Orders may be called as the Dadra and Nagar Haveli and Daman and Diu Industrial Employment Model Standing Orders, 2020

- (1A) It extends to the whole of Union Territory of Dadra & Nagar Haveli and Daman & Diu

- (2) They shall come into force on the date of their publication in the Official Gazette

- 4) In paragraph 2, the following sub - paragraph 1, clause (vii) shall be inserted, namely:

- (vii) 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

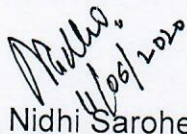
(b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute';

3) In paragraph 11, -

The following sub - paragraph 2 (A) shall be inserted namely:

2 (A) 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.

By Order and in the name of the
Administrator of Dadra and Nagar Haveli
and Daman and Diu


(Dr. Nidhi Sarohe)
Deputy Secretary (Labour)
DNH & DD

To

- (1) The P.S. to Hon'ble Administrator, DNH & DD
- (2) The P.A. to Adviser to Hon'ble Administrator, DNH & DD.
- (3) The P.A. to Secretary (Labour)/Labour Commissioner, DNH & DD .
- (4) The P.A. to Collector / Additional Labour Commissioner, DNH, Daman & Diu.
- (5) The P.A. to Deputy Labour Commissioner, DNH, Daman & Diu.
- (6) The Govt. Printing press, for publication in the Official Gazette.
- (7) The Deputy Director (O.L.), Daman for Hindi translation.
- ✓(8) The SIO, NIC, Daman for uploading on website
- (9) The Industries Association, DNH & DD
- (10) The Representative of the Employees, DNH & DD