

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

No. LEO/DNH/IE/(SO)/AMDT/04/2020/232

Date:25/08/2020

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 establishments 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, the draft of the proposed Dadra and Nagar Haveli and Daman and Diu Model Standing (Amendment) Orders, 2020 was published vide Notification No. LEO/DNH/IE/(SO)/ADDT/04/2020/80 dated 11-6-2020 for inviting objections and suggestions from the persons likely to be affected thereby, within two months from the date of publication of the draft in the Official Gazette, as per Proviso to sub section (3) of Section 1 of the Industrial Employment (Standing Orders) Act, 1946. The above said Notification has been published in the Official Gazette Series II No. 22 on 12-6-2020;

...2/-

And whereas No suggestion or Objection has been received on the above said draft DNH & DD Industrial Employment Model Standing Orders, 2020;

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 amend the Model Standing Orders for the industrial establishments 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 as under :-

- 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

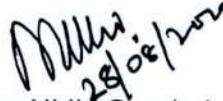
(b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute';

5) 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