

Karnataka Industrial Establishments (National And Festival Holidays) Rules, 1964

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Karnataka Industrial Establishments (National And Festival Holidays) Rules, 1964

GSR 373.- In exercise of the powers conferred by Section 12 of the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963 (Karnataka Act No.24 of 1963), the Government of Karnataka hereby makes the following Rules, namely:-

1. Title :-

These rules may be called the Karnataka Industrial Establishments (National and Festival Holidays) Rules 1964.

2. Commencement :-

These rules shall come into force at once.

3. Definations :-

In these Rules unless the context otherwise requires:-

- (a) "Act" means the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963;
- (b) "Form" means a form appended to these Rules;
- (c) "Section" means a section of the Act;
- (d) All other words and expressions used herein and not defined shall have the meaning respectively assigned to them under the

Act.

4. Manner Of Consultation With Trade Unions And Employees :-

(1) The Employer shall prepare a tentative list of holidays for the purpose of section 3 from the list of holidays specified in the schedule and shall also communicate the same to the Trade Unions or in the absence of any trade union, to the employees or their authorised representatives calling upon them to file their objections and suggestions, if any in that regard, within fifteen days from the date of receipt of the communication.

1. Published in the Karnataka Gazette dated: 4.2.1965 vide Notification No. HD198TMT63, dated: 23.1.1965

2. Rules 4,5, & 6 substituted by Notification Published in the Karnataka Gazette Part-IV- 2C(i)-(Extraordinary) No. 162 dated: 4.2.1998. (Please see the test at page 17 to 19.)

(2) Where no objections or suggestions are filed within the time limit set under subrule (1) or where the trade unions or in the absence of any trade union, the employees or their representatives agree to the tentative list, the employer shall take steps to specify the said list by displaying the same in accordance with sub-rule (1) of rule 5. If there is any disagreement he shall take action as required under sub-section (2) of section 3.

5. Statement Of Holidays To Be Displayed By The Employer :-

(1) Within thirty days from the date of publication of these rules in the Official Gazette, in the case of Industrial Establishments existing on such date and within thirty days from the date of commencement of its work in the case of new Industrial Establishments, the employer of the Industrial Establishment shall after consultation under rule 4, display the list of National and Festival Holidays allowed under section 3 and declared as paid holidays during the calendar year for the information of the employees concerned, in Kannada and English languages on the Notice Board and in any other conspicuous place in the establishment:

Provided that in case the holidays are to be declared for each succeeding calendar year, such declaration shall be displayed in a conspicuous place before the 31st of December every year.

6. Decision On Disputes Under Section 3 :-

(1) As soon as may be after the Inspector receives reference of a dispute under sub-section (2) of section 3, he shall after giving a reasonable opportunity to the employer and employees or their registered trade union to file their objections or suggestions or views on the dispute and after considering their objections, suggestions or views, as the case may be, decide the dispute.

(2) The inspector shall communicate his written decision to the employer and the employees or the trade union concerned, as the case may be, within five days from the date of the decision, and the employer shall immediately thereupon display such decision in the manner specified in rule 5.

7. Approval Of Inspector :-

8. Statement Of Holidays To Be Displayed Before 31St December :-

9. Wages To Be Paid On Holidays :-

For the purpose of clause (i) of sub-section (3) of Section 5 the daily average wage of an employee shall be calculated at a rate equal to the daily average of his total full-time wages for the days on which he has worked in the industrial establishment during the thirty days immediately preceding the holiday granted under Section 3.

10. Duties Of Inspector :-

An inspector shall at each inspection of an Industrial Establishment, satisfy himself,-

- (a) That the statement of holidays under sub-rule (1) of rule 4 has been displayed;
- (b) that the amount of holiday wages has been paid."

11. Annual Returns :-

xxx

12. Muster-Roll :-

xxx

13. Penalties :-

Any person who contravenes the provisions of 3[these rules] shall be punishable with fine which may extend to fifty rupees.