

U.P. Industrial Establishments (National Holidays)

Rules, 1965¹

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India the Governor of Uttar Pradesh is pleased to order the publication of the following English translation of Notification No. 5227 (ST)/XXXVI-A-1036 (ST)-63, dated September 30, 1965:

In exercise of the powers under Section 9 of the U.P. Industrial Establishments (National Holidays) Act, 1961 (U.P. Act XVIII of 1961), the Governor of Uttar Pradesh is pleased to make the following rules, the same having been previously published with Government Notification No. 3898 (LL) (i)/XXXVI-B-343 (LL)-61, dated September 7, 1963, as required under subsection (1) of the said section:

1. Short title, extent and commencement.- (1) These rules may be called the U.P. Industrial Establishments (National Holidays) Rules, 1965.

(2) They shall extend to the whole of Uttar Pradesh.

(3) They shall come into force from the date of their publication in the Gazette.

2. Definitions.-In these rules, unless there is anything repugnant in the subject or context-

(a) "Act" means the U.P. Industrial Establishments (National Holidays) "Act", 1961 (U.P. Act No. XVIII of 1961);

(b) "Section" means a section of the Act;

(c) "form" means a form appended to these Rules ; and

(d) all other words and expressions used in these rules and not deemed shall have the meaning respectively assigned to them under the Act.

3. Calculation of daily average wage for purpose of the explanation to Section 3.-

For the purpose of the explanation given under Section 3 of the Act the wages for a day shall be calculated by working out the average of the wages payable-

(i) in the case of a daily paid employee in the 12 full working days; and

(ii) in the case of an employee who is paid wages at piece-rates, in six complete weeks, immediately preceding the National Holiday be worked out, the wages for a day shall be calculated as the average of the wages payable to the employee during the period he actually worked.

4. Issue of notice by the employer.-Whenever, for any exigencies of business of the industrial establishment any employee is required to work on a National Holiday, the employers shall ordinarily give notice to such employee or employees at least three days before the commencement of the National Holiday. The employers shall also obtain, in writing the option of the employee concerned in accordance with the proviso to Section 3 of the Act.

The employers shall also send information in this regard to the Inspector in Form I appended to these rules on the same when he gives notice to the employee regarding his intention to call the employee to work on a National Holiday.

5. Register of National Holidays.-A register shall be maintained by every employer and kept in Form II.

**FORM I
(NOTICE)**

Under Rule 4, to be sent by employer at least three days before the commencement of a National Holiday to the Inspector in regard to the employees who will work on a National Holiday.

- 1. Name and address of the establishment.
- 2. Total number of employees in the establishment.
- 3. Name of the National Holidays with the date on which the employee is required to work.
- 4. Total number of employees, department-wise, who are required to work on the National Holiday.
- 5. Number of employees who have opted to-
 - (i) take double wages,
 - (ii) take a substituted holiday and wages for the day.

Dated.....

*Signature of the employer
with designation.*

FORM II
(UNDER RULE 5)

Register to be maintained regularly by the employer in the following manner:

1. Name and address of the establishment.....

Serial No.	Name of the National Holiday with date	employees	Total no. of employees				
			On leave on the National Holiday	On lay off on the National Holiday	Who availed the National Holiday	Who were called for duty on the National Holiday by the employers	Who actually attended duty on the National Holiday
1	2	3	4	5	6	7	8

No. of employees who opted for twice average wages for work on the National Holiday	No. of employees who opted for single average wage for the National Holiday together with a substituted Holiday	Date of substituted holiday	Remarks
9	10	11	12

Dated.....

Signature of the employer
with designation.

Notification

English translation of Shram Anubhag-3, Noti No. 4024/XXXVI-3-34

(F)-88, dated April 19, 1991, published in the U.P. Gazette, Extra,

Part 4, Section (kha), dated 19th April, 1991, P.2

In exercise of the powers under subsection (1) of Section 4 of the Uttar Pradesh Industrial Establishments (National Holidays) Act, 1904 (Act No. I of 1904) and in suppression of Government Notification No. 1564 (LL) XXXVI (B)/266 (LL)-57, dated August 11, 1961, the Governor is pleased to appoint the officers mentioned in column 2 of the Schedule below as Inspectors for said Act within the local limits mentioned against the column 3 of the said Schedule.

SCHEDULE

Sl. No.	Officers	Local limits within which the functions are to be exercised
1	2	3
1.	Labour Commissioner and All Additional/ deputy and Assistant Labour commissioners posted at Headquarters, Kanpur.	Whole of Uttar Pradesh
2.	All Regional Additional Deputy and Assistant Labour Commissioners	In their respective Regions.
3.	All Regional Assistant Welfare Officers and all Labour Enforcement Officers.	Ditto.