

**THE
KARNATAKA
INDUSTRIAL ESTABLISHMENTS
(NATIONAL AND FESTIVAL HOLIDAYS)
RULES, 1964**

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(As amended by GSR 8, dated 17-1-1998)

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.**

1. Published in the Karnataka Gazette, dated 4-2-1965 vide Notification No. HD 198 TMT 63, dated 23-1-1965.

2. Commencement.—These rules shall come into force at once.

3. Definitions.—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.

(2) Where no objections or suggestions are filed within the time limit set under sub-rule (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 there upon display such decision in the manner specified in rule 5.]

¹[7. Approval of Inspector.—x x x x x.

8. Statement of holidays to be displayed before 31st December.—x x x x x x].

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.

²[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.]

³[11. Annual returns.—x x x x x.

12. Muster-Roll.—x x x x x].

13. Penalties.—Any person who contravenes the provisions of ⁴[these rules] shall be punishable with fine which may extend to fifty rupees.

⁵[FORM I x x x x x

[FORM II x x x x x

FORM III x x x x x

FORM IV x x x x x

FORM V x x x x x

FORM VI x x x x x]

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- Rules 7 and 8 omitted by GSR 8, dated 17-1-1998, s. 3, w.e.f. 12-3-1998.
 - Rule 10 substituted by GSR 8, dated 17-1-1998, s. 4, w.e.f. 12-3-1998.
 - Rules 11 and 12 omitted by GSR 8, dated 17-1-1998, s. 5, w.e.f. 12-3-1998.
 - Substituted for the words and figures "Rules 4, 8, 9, 11 or 12" by GSR 8, dated 17-1-1998, s. 6, w.e.f. 12-3-1998.
 - Forms I, II, III, IV, V and VI omitted by GSR 8, dated 17-1-1998, s.7, w.e.f. 12-3-1998.

NOTIFICATION
No. PLM 169 LLE

In exercise of the powers conferred by sub-section (1) of Section 6 of the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963 (Karnataka Act No. 24 of 1963), the Government of Karnataka hereby appoints the officers mentioned in Column 2 of the table below to the Inspectors for the purposes of the said Act within the local limits specified in the corresponding entries in Column 3 thereof.

TABLE

<i>Sl. No.</i>	<i>Officers</i>	<i>Local Limits</i>
1	2	3
1.	Labour Officer, Bangalore	Districts of Bangalore (Urban), Bangalore (Rural), Tumkur and Kolar
2.	Labour Officer, Mysore	Districts of Mysore and Mandya
3.	Labour Officer, Bhadravathi	Districts of Shimoga and Chitradurga
4.	Labour Officer, Chikmagalur	Districts of Chikmagalur and Hassan.

NOTIFICATION

No. SWL 95 LBW 75, Kar. Gaz. dt. 21-8-1975

SO 2747, dated 6th August, 1975.—In exercise of the powers conferred by Clause (iv) of sub-section (4) of Section 2 of the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963 (Karnataka Act No. 24 of 1963), the Government of Karnataka hereby declares all establishments as defined in Section 2(h) of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966), to be Industrial Establishments for the purpose of the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963.

NOTIFICATION

No PLM 189 LLE 63, dated 14th August, 1963

In exercise of the powers conferred by Section 10 of the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963 (Karnataka Act 24 of 1963), the Government of Karnataka hereby exempts the following classes of establishments from the provisions of the Section 3 of the said Act subject to the condition that the employees of such establishments shall be allowed holidays with wages in lieu of the days for which holidays had to be allowed if this exemption had not been granted:—

1. Cinemas and other places of public amusement or entertainment;

2. Hotels, restaurants, boarding or eating houses, cafes or other refreshments houses;
 3. Chemists and druggists shops, Hospitals, Nursing Homes and Dispensaries;
 4. Shops and refreshment rooms at railway stations, bus stands, ports or aerodromes;
 5. Establishments for retail sale of petrol;
 6. Industrial Establishments under the control of the Karnataka State Road Transport Corporation and other transport services engaged in the Transport of goods and passengers;
 7. Industrial establishments relating to supply of power, light or water to the public;
 8. Shops dealing in pan (betal leaf), pan with beedies or cigarettes, or liquid refreshments sold retail for consumption on the premises;
 9. Shops dealing mainly in meat, fish, poultry, eggs, dairy produce (except ghee) bread, confectionery, sweets, chocolates, ice, ice-cream, cooked-food, fruits, flowers, vegetables or green-fodder;
 10. Shops dealing in newspapers or periodicals;
 11. Shops dealing in articles required for funerals, burials or cremations.
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