CHAPTER III

STANDING ORDERS

The Need for Standing Orders

In order to ensure that there is peace and harmony in industrial establishments, it is necessary that all workmen should know in detail the conditions of their employment. Conditions of employment which are also called terms of service are to be prepared by the employers. The Industrial Employment (Standing Orders) Act was enacted in 1946 in order to require employers in industrial establishments to formally define with sufficient precision the conditions of employment under them and to make the settled conditions known to workmen employed by them.\(^1\) This law applies to every industrial establishment where 100 or more workmen are employed. Under this law the employer of an industrial establishment has to submit to the Certifying Officer five copies of the draft

\(^1\) The Industrial Employment (Standing Orders) Act, 1946 - preamble to the Act.
Standing Orders proposed by him for adoption in his establishment. The draft Standing Order has to provide for every matter set out in the schedule to the Act. The Act also provides for the notification of model Standing Orders by Government for industrial establishments in general or for a particular type of industry. Where model Standing Orders have been prescribed for an industry, the Standing Orders of every establishment in that industry will have to be, as far as practicable, in conformity with such model Standing Orders.

The content of Standing Orders

In order to see that employers do not leave out any important matter, the schedule to the Industrial Employment (Standing Orders) Act, lists out in detail the various matters to be catered for in the Standing Orders. These include classification of workmen into permanent, temporary, probationers, apprentices and badlis. The orders are also to provide for the manner of intimating to workmen, periods and hours of work, holidays, pay days and wage rates. The Standing Orders are to include
rules regarding shift working, attendance and late coming which are very important matters in industrial undertakings. The Orders are also required to prescribe conditions and procedure for applying for leave as well as the authority which is competent to grant leave and holidays. The Order is also to provide for matters regarding closing and reopening of sections of the industrial establishment, temporary stoppage of work and the rights and liabilities of the employer and workman arising out of such actions. An important aspect of industrial relations to which Standing Orders have to cater, relate to termination of employment and notice thereof to be given by the employer and workmen. In addition, the Orders have to define matters relating to suspension or dismissal for misconduct and acts and omissions which constitute misconduct. Alongwith provisions relating to misconduct and proceedings, the workman has to be told of the means of redress available to him against unfair treatment or wrongful actions by the employer or his agents.
How Standing Orders are made

The Chief Labour Commissioner to the Government of India is the certifying officer for Standing Orders in the case of all industries where the Central Government is the appropriate authority under the Industrial Disputes Act 1947 and for all undertakings and companies owned by the Central Government. In the case of the coal industry, as the Central Government is the appropriate authority under the Industrial Disputes Act, the Chief Labour Commissioner of the Ministry of Labour is the certifying officer for Standing Orders. The draft Standing Orders which the employer is required to submit to the Certifying Officer have to be accompanied by a statement giving the particulars of the workmen employed in the industrial establishment including the names of the trade unions, if any, to which they belong. The law permits a group of employers in similar industrial establishments to submit joint draft of Standing Orders. The Act goes a step further to associate the workmen in the making of the Standing Orders itself. For this purpose,
the Certifying Officer is required to give a copy of the draft Standing Orders to the trade unions in the establishment. If there are no trade unions in an establishment, the Certifying Officer has to ensure that the draft Orders are brought to the notice of as many workers as possible. The method followed to achieve this is to display the draft Orders on the notice board of the establishment. The draft has to be in English and in a language which the workers understand. The workers have a right to file objections to the draft Standing Orders before the Certifying Officer. Thereafter the Certifying Officer has to give the employer and the trade unions or other representatives of the workmen where trade unions do not exist, an opportunity of being heard. After the hearing, the Certifying Officer has to decide whether any modification or addition to the draft submitted by the employer is necessary. After this is decided, the Officer certifies the Standing Orders which then become binding on the establishment. The Act ensures that the Standing Orders are known to as many workmen as possible in the establishment. For this purpose, the employer is required to display
the orders prominently in English and in the language understood by the majority of the workmen on special boards to be maintained for the purpose at the premises through which the majority of the workers enter the establishment. The employers also required to display the Orders in all the departments of the establishment where workers are employed.

Model Standing Orders for Coal Mines

In the year 1971 the Schedule to the Act was amended in order to include additional matters to be provided in Standing Orders for industrial establishments in coal mines. According to this amendment, establishments in coal mines were required to provide in their Standing Orders, for matters relating to medical aid in case of accidents, railway travel facility, method of filling vacancies, transfers of workmen, and service certificates for workers. The Orders were also required to indicate the liability of the manager of the mining establishment as well as the manner of exhibition and supply of Standing Orders to workmen. Model Standing Orders for the coal industry, were published by the Ministry of
Labour on the 12th May, 1971.² These orders go into considerable detail of all aspects covered by the Schedule to the Act. The definition of workman and their classification into permanent, probationers, badlis or substitutes, temporary, apprentices and casual, have been given in detail. The definition of badli which is important in the coal industry where absenteeism is high, also indicates how a badli working in place of a probationer would be deemed to be permanent after completion of the probationary period. The Model Orders define the manner in which shift working is to be resorted to in the coal industry. More than one shift may be worked in a department or a section of a department of the establishment at the discretion of the employer. Where more than one shift is worked, a workman shall be liable to be transferred from one shift to another. The Order provides that no shift working shall be discontinued without two months notice given in writing to the workmen prior to such

² These form Schedule 1-A to the Industrial (Employment) Standing Orders Act.
discontinuance. The Order also provides for the procedure for retrenchment of workmen as a result of discontinuance of shift workers and for their absorption if the shift working is restarted. If as a result of discontinuance of shift working any workmen are to be retrenched, such retrenchment shall be affected in accordance with the provisions of the Industrial Disputes Act, 1947. If the shift working is restarted, the same workmen should be given notice and re-employed in accordance with the provisions of Industrial Disputes Act.

Under the Model Standing Orders, a permanent workman had been defined as one who has been engaged on a permanent basis and includes any person who has satisfactorily completed a probationary period of three months. A probationer is a workman who is provisionally employed to fill a permanent vacancy and has not completed three months of service therein. A badli or a substitute is one who is appointed in the post of the permanent workman or a probationer who is temporarily absent. A badli worker ceases to be a badli on completion of a
period of continuous service for one year which is 190 days attendance in the case of below ground workmen and 240 days of attendance in the case of other workmen. In Chapter I it has been observed how the bulk of the disputes in the coal industry are regarding personnel matters relating to categorisation and permanency. It is because of this reason that emphasis is being laid here on classification of workers into permanent, probationer, temporary and badlis. Workers move from one category to another and in the absence of a clear and distinct classification and conditions qualifying for improvement in status, confusion and therefore grievances can result. An important provision in the Model Orders requires the publication of wage rate notices specifying the rate of wages payable to all classes of workmen and for all classes of work, on the notice boards. The Model Standing Orders prescribe leave entitlement, the method of applying for leave by the worker and defines the authorities empowered to sanction various

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3 See Table VII and pages 32 and 33.
types of leave. Matters relating to termination of service are frequently the cause of industrial disputes in the industry. The Model Orders on the subject prescribe the detailed process to be followed by the management in matters of termination for different classes of workmen. An important area covered by the Model Standing Orders for the establishment in the coal industry relates to disciplinary action for misconduct. Misconduct has been defined comprehensively in all its aspects. The circumstances and manner in which workers can be suspended, removed or dismissed for proven misconduct have been given in the Model Orders.

Standing Orders Prior to Nationalisation

As has been observed in Chapter I dealing with the organisation of the Industry, prior to nationalisation coal mines were mainly in the private sector and owned by different managements. Large collieries belonging to major companies who were members of the Indian Mining Association had evolved a set of Standing Orders. Most of the individually owned smaller collieries also had
their own certified Standing Orders. In details, these differed from each other. A few collieries did not make their own Standing Orders and in these cases, the Model Standing Orders became applicable under Section 12A of the Industrial Employment (Standing Orders) Act. The coal mines under the National Coal Development Corporation had meanwhile adopted their own set of Standing Orders. With nationalisation, all the privately owned coal mines came under one management under the aegis of the Coal India Limited. Under the Coal India and its subsidiaries therefore, there came to be mines which were with the National Coal Development Corporation’s Standing Orders, mines which were under the companies who were members of the Indian Mining Association and therefore had a uniform set of Standing Orders, small mines earlier owned by individuals who had in each case adopted a set of certified Standing Orders and small mines to whom in the absence of their own Standing Orders, the Model Standing Orders had come to apply.
The Need for Uniform Standing Orders

A large number of miners belong to Adivasi and Harijan communities and are mostly illiterate. Coal is an exhaustible resource and when deposits in a mine under a subsidiary company taper off, it has become possible with nationalisation, to shift workers to another mine under the company where employment is available. In such circumstances, it is necessary to have an identical set of orders in all establishments under the Coal India so that the workers do not face uncertainty and confusion. Unfortunately this is not the case today.

Differences in the Definition of Badli Workers

Differences regarding categorisation of workers is an important cause for grievance in the industry. Regularisation of badli workers is one such area of conflict. It is, therefore, necessary that there must be one standard definition of badli worker in all establishments under the Coal India. At present there are differences from establishment to establishment. To demonstrate these differences, it is necessary
to examine the important features in the Standing Orders of Coal Mines which have come from different ownership. In the Standing Orders for Nowrazabad and Kotma collieries which were formerly owned by the Associated Cement Companies and are now under the Western Coalfields, a badli is one who is appointed in the post of a permanent employee or probationer who is temporarily absent. The Standing Orders for Bhurhar and Amlai collieries formerly owned by a private company called Rewa Coalfields Ltd. and now under the Western Coalfields do not contain the definition of badli worker. Standing Orders of the Orient Colliery which prior to nationalisation was under a private concern called West Bengal Coal Company and is now under the Central Coalfields, define a badli worker in the same manner as the Nowrazabad and Kotma Collieries. As against these, the definition of badli worker in the Standing Orders of Collieries which were under the erstwhile National Coal Development Corporation are more comprehensive and include the manner in which a badli worker becomes permanent. According to this order, a badli or substitute
worker is one who is appointed in the post of a permanent workman or a probationer who is temporarily absent, but he shall become permanent on completion of one year continuous service that is, by putting in 190 attendances in the case of underground workmen and 240 attendances in the case of other workmen, in a period of 12 months, in the same post or posts of the same category. Thus the Standing Orders in the Collieries of the erstwhile National Coal Development Corporation are superior to those of the other collieries like Nowrasabad, Kotma and Orient. The order clearly states the manner in which a Badli becomes a permanent worker. However, even this definition of badli in the Standing Orders falls short of the provisions in the Model Standing Orders framed in 1971 as Schedule 1 A to the Industrial Employment (Standing Orders) Act. In this order, there are provisions which further facilitate the badli into becoming permanent earlier than the stipulated number of days of attendance. The badli becomes permanent earlier, if the post in which he is working is vacated by the permanent workman or probationer. According to the Model Orders a badli working in place of a
probationer would be deemed to be permanent after completion of the probationary period. The Model Rules bestow clarity as well as additional advantage to workers, based on principles of fair play and natural justice. It makes the rights available to a probationer also available to a badli working in place of a probationer.

**Difference in the Definition of Permanent Workmen.**

Take the definition of a permanent workman. A large number of disputes relate to claims for permanency. In the Nowrazabad and Kotma Collieries Standing Orders, a permanent workman is a workman who has been engaged on a permanent basis and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment. In the Orient Colliery, a permanent workman is one who is appointed for an unlimited period or who has satisfactorily put continuous service of six months in a permanent post as probationer. On the other hand in the collieries which were under the former National
Coal Development Corporation, a permanent workman is one who is appointed for an unlimited period, or who has put in six months of satisfactory continuous service. The Model Standing Orders in Schedule 1A of the Act define a permanent workman as one who is appointed for an unlimited period or who has satisfactorily put in three months continuous service in a permanent post as a probationer. A close scrutiny will show that there are substantial differences in the definitions in the different orders. In the Orient, Nowrazabad and Kotma Collieries, a workman engaged for an unlimited period or on a permanent basis is a permanent workman. In the collieries under the former National Coal Development Corporation, to become a permanent workman one has to put in six months of satisfactory continuous service in any case, even if one is appointed for an unlimited period right at the beginning. The Model Standing Orders are far simpler and advantageous in this respect. According to them, a workman is permanent if he is appointed for an unlimited period. A
workman is also permanent if he has satisfactorily put in three months continuous service in a permanent post as a probationer. Thus the period of probation has been reduced by half.

Provisions Regarding Misconduct and Disciplinary Action

Spur of the moment strikes are not unusual in the coal industry and for that reason one expects Standing Orders to cover the subject in some detail. An important part of Standing Orders relates to disciplinary action for misconduct. In this section, various actions of workmen which can constitute misconduct have been defined. In the Orient Collieries Standing Orders, resorting to strike or inciting others to strike in contravention of certain conditions and legal provisions, have been included as a misconduct. The Order says that no workman in the mine shall go on strike (a) without giving the company a notice of strike in the form prescribed under the Industrial Disputes Act, within six weeks before the strike or (b) within 14 days of giving such notice or (c) before the expiry of the date of strike in any such notice. In
addition, no workman shall go on strike in contravention of the relevant provisions of the Industrial Disputes Act, 1947. It may be observed that the first three conditions are also in the Industrial Disputes Act. But the Standing Orders of the colliery have attempted to make these important conditions clearly known to the workers. This is a good arrangement when it is realised that while the Industrial Disputes Act is available in English the Standing Orders have to be made in the language of the majority of the workers in the establishment. In the Standing Orders of the Burhar and Amlai collieries the list of actions amounting to misconduct includes taking part in an illegal strike, instigating other workers to go on illegal strike, or forcing workers to take part in an illegal strike. However nowhere is a description of what is an illegal strike to be found.

Surprisingly Standing Orders of the collieries under the erstwhile National Coal Development Corporation do not make any mention of illegal strikes in the list of actions constituting misconduct. In a similar fashion Standing Orders
of the Howrazabad and Kotma collieries omit any reference to strikes in the list of misconduct.

The Model Standing Orders 1971 for collieries make a brief mention of strikes under misconduct. It says, going on illegal strike either singly or with other workers without giving 14 days previous notice, amounts to misconduct. This analysis shows that as far as illegal strikes are concerned, the Standing Orders of the Orient Colliery are more explicit and clear than the Model Standing Orders for the Coal Industry in Schedule 1A of the Industrial Employment (Standing Orders) Act.

Procedure and Forum for complaints and Appeals.

An important objective of Standing Orders is to provide the workers with a forum and procedure for making complaints regarding matters arising out of employment. These include complaints regarding unfair treatment or wrongful exaction on the part of the employer or his servant. The Order is also to provide for procedure for appeal to the employer against the orders of the Manager.

All Standing Orders prescribe limits on the time
available to workers for making complaints and appeals. This is important because even good management can be upset if such demands can be raised without time limit. In the Standing Orders of the Orient Colliery complaints are to be made to the Manager of the mine within seven days of the cause of complaint. An appeal to the Employer from the decision of the Manager has to be made within three days of the decision of the Manager. The employer is normally to give his decision within three days from the receipt of the appeal. In the Burhar and Amlai Collieries, while the complaint has to be submitted within seven days to the Manager, appeal to the Employer from the decision of the Manager has to be made within ten days. The employer is normally to give his decision within ten days of the receipt of the appeal. In the former collieries of the National Coal Development Corporation, all complaints arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the employer have to be submitted within seven days of
such cause of complaint, to the Manager of the mine. An appeal to the competent authority from the decision of the Manager has to be made within thirty days of the decision of the Manager. The Appellate Authority is normally to give his decision within thirty days of the receipt of the appeal. In the Model Standing Orders under Schedule 1A of the Industrial Employment (Standing Orders) Act, complaints to the Manager have to be made within seven days of the cause of complaint. An appeal to the employer has to be made within three days of the decision of the Manager. The Appellate authority is normally to give his decision within three days of the receipt of the appeal.

Major Variations in Provisions for Appeal

There are considerable variations in the time available to workers for making complaints and appeals. While there is need for uniformity in this area of Standing Orders as in others, the time of three days for appeals from the decisions of the Manager provided in the Model Rules appears to be inadequate. While the need to provide early means
of settlement of grievances of workers cannot be questioned, it is at the same time necessary to give the workers reasonable time to make the appeal. If we remember that the rank and file of workers in the coal mines are illiterate or semi-literate, the need to provide for adequate time to appeal, becomes all the more necessary. On the other hand, the thirty days for making the appeal available to the workmen in the collieries which were formerly under the National Coal Development Corporation is on the higher side. Workmen are normally anxious to have their grievances settled as early as possible and would require only a reasonable amount of time for making the appeal. In this context, the time provided in the Standing Orders for the Burhar and Amsai collieries, which is ten days for making the appeal, is more reasonable. The National Coal Development Corporation Standing Orders require the Appellate Authority to give his decision normally within thirty days of the receipt of the appeal. This time limit also appears to be on the higher side in large establishments, cases which come on appeal
tend to be repetitive. A senior officer of the company assisted by a competent Personnel Department would not require thirty days to dispose of such appeals. Here again the Burhar and Amlai colliery Standing Orders which say that the employer shall normally give his decision within ten days of receipt of the appeal, are more realistic. In exceptional cases where the appeal involves complicated matters, the Appellate Authority can avail of more time within the provisions of the Orders. At the other extreme is the time provided in the Model Standing Orders for disposal of appeals. These allow the employer normally three days from the receipt of the appeals to give his decision. This is very much on the lower side and is not practicable where the Appellate Authority is on a separate location.

**Deficiencies in the Model Standing Orders**

The foregoing analysis conclusively establishes the need for uniformity in the Standing Orders of all establishments under the Coal India Limited. While the Model Standing Orders in Schedule 1A of the Industrial Employment (Standing Orders) Act are
generally satisfactory, in certain areas, there are deficiencies which require to be remedied. One of these relates to the definition of illegal strike under the list of misconduct. The definition needs to be more elaborate than what is provided at present, so that it becomes clear to the workers. The other deficiency in the Model Orders relates to the provision regarding complaints and appeals. The time available to the worker for appealing from an order of the Manager, is inadequate. Similarly inadequate is the time available for the Appellate Authority to decide on the appeal. Apart from these deficiencies, developments since 1971 when the Model Orders were notified, have rendered a number of provisions out of date. The National Coal Wage Agreement II which came into effect from 1st January, 1979, has considerably liberalised provisions regarding leave and travel benefits for workers. According to Standing Order 10(f) in the Model Standing Orders, a workman may be granted casual leave with pay not exceeding five days in the aggregate in a calendar year. The National Coal Wage Agreement has allowed eleven days casual
leave in a year for all workmen. As regards journey to home and back on annual leave, Order 12(f) of Model Standing Orders had prescribed the class by which a workman is entitled to travel by train in the following manner:

(1) If the basic wage is Rs.165/- per month or less - by III class.

(2) If the basic wage is above Rs.165/- per month and upto 265/- by II class,

(3) If the basic wage is above Rs.265/- per month - by I class.

With the abolition of III class in the Railways and with the substantial upward revision of the basic wage, the National Coal Wage Agreement permits those with a basic wage of less than Rs.510 per month to travel by II class. Workers receiving a basic wage of Rs.510 per month and more are entitled to travel by 1st class. In addition, the

5 National Wage Agreement-II, Chapter-VII, Paragraphs 7.42 and 7.43.

6 National Coal Wage Agreement-II, Chapter-IX, paragraph 9.1.1.
National Coal Wage Agreement has introduced a system of leave travel concession for travel to any place in India, to which the workers and their families become eligible once in four years of service.\(^7\) For the reasons stated above, it is not possible to advocate the adoption of the Model Rules of 1971 as they are, by all the establishments under the Coal India Limited.

**Attempts to Formulate Uniform Standing Orders**

That the need for a uniform set of Standing Orders for all establishments under the Coal India was overwhelming, was recognised immediately following nationalisation and the work was entrusted to the first Joint Bipartite Committee which was constituted in 1973. At its meeting held on 28th March, 1976, the Joint Bipartite Committee constituted a sub-committee comprising of six management representatives and six workers representatives for framing uniform

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\(^7\) National Coal Wage Agreement-II Chapter-I paragraph 9.2.1
Standing Orders for the Coal Industry. In the first instance the management representatives prepared a draft of Standing Orders and made it available to all the members of the Sub-Committee. The Sub-Committee held detailed discussions on the basis of the draft. It was, however, not found possible to reach unanimous agreement in regard to all the items covered in the Standing Orders. However, agreement was reached on most of the points. This draft was to be discussed at a meeting of the Joint Bipartite Committee held on 10th October, 1976 but the Committee did not find the time to take up the matter. The subject figured again in the agenda for the sixth meeting of the Joint Bipartite Committee held on 24th January, 1977. Again, the Committee did not discuss the item. The matter had remained at this stage when the Second Joint Bipartite Committee was constituted in 1978. The Joint Bipartite Committee authorised its Standardisation Committee to go into

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8 Material given here on bipartite efforts to evolve a uniform set of Standing Orders for the Industry was obtained through discussions with Trade Union leaders at Dhanbad.
the earlier recommendations and submit an agreed draft as early as possible. However, no progress had been achieved in this direction until the beginning of 1982. By then, as has been discussed in Chapter IV, the Joint Bipartite Committee itself had become non-functional due to the withdrawal of representatives of the INTUC affiliated unions. The Sub-Committee constituted by the first Joint Bipartite Committee on 20th March, 1977, to evolve a uniform set of draft Standing Orders consisted of the following:

Management Representatives:

1. Shri B.S. Murthy, Central Coalfields (Convenor)
2. Shri S.N. Singh, Bharat Coking Coal
3. Shri B.W. Bijapurkar, Eastern Coalfields
4. Shri T.T. Tayade, Western Coalfields
5. Shri G. Prasad, Indian Iron & Steel Company
6. Shri V. Gopalashantra, Singareni Collieries.

Workers' Representatives:

1. S. Dasgupta, INTUC
2. J. Vishwanath Reddy, INTUC

Contd....
Draft Standing Orders Suggested by the Sub-Committee

The draft prepared by the Sub-Committee remains the basic document for consideration by the bipartite forum. Differences over the draft can be broadly divided into two categories. The first consists of differences in general with employers representatives advocating one view and workers representatives, another. The other type of differences are those where representatives of one organisation of workers disagree with the rest of the Committee. To the first category belong the differences over the inclusion of contract labour under the Standing Orders. The employers representatives on the Sub-Committee were unanimous against this collective suggestion of the

9 Access to this draft became possible by courtesy of Coal India Office, Calcutta.
workers representatives. Similarly, there was disagreement where the workers representatives wanted usage, customs, agreement and awards to be mentioned alongside the Mines Act, 1952 in the determination of overtime allowance, festival holidays, quantum of leave, casual leave and leave travel facilities. Other important points of general differences between the two sides relate to inter-company transfers and termination of service. The workers representatives wanted inter-company transfers to be made only with the agreement of the union or the workmen concerned. The management representatives said that there could at best be consultation with trade unions or workmen concerned. On termination of service, the management came up with a simple draft requiring specific periods of notice or wages in lieu for equal periods for different employees belonging to different classifications. The workers representatives on the other hand preferred the corresponding provisions applicable to establishments of the former National Coal Development Corporation. These orders require the management to furnish to the workman a notice with reasons in writing. In addition, during
discussions in the Sub-Committee at Singrauli on 24th August, 1976, the workers representatives suggested that a workman who remains on unauthorised absence beyond the period of leave granted to him and therefore loses his lien and his appointment, should be kept in the badli list. The management representatives could not agree to this.

The provisions where representatives of individual workers organisations recorded disagreement relate to definitions of misconduct. The AITUC representative did not want, resorting to go slow, gherao, coercion, wrongful confinement and intimidation to figure in the list of misconduct.

**How the position continues to be unsatisfactory**

The foregoing analysis shows that there has not been adequate will and effort on the part of the management and workers in the coal industry to evolve an uniform set of Standing Orders. Under the pretext of wanting to achieve an unanimous draft the matter has been kept pending since nationalisation and subsequent formation of the first joint Bipartite Committee. Provisions under the
Industrial Employment (Standing Orders) Act do not contemplate that Standing Orders should be unanimously arrived at by the management and representatives of workers. Under the Act, it is the responsibility of the Management to provide for Standing Orders for its establishment. The workers have a right to know of the orders proposed by the management, to express their views on the draft and to make suggestions. This is to be ensured by the Certifying Officer. He gets the draft orders displayed on the notice Board of the establishment and invites representations from the workers. The officer then proceeds to hear both the management and the workers before he certifies the Standing Orders. Because of opposing interests, it is rarely that there is unanimity between management and workers on draft Standing Orders. But the problem is not insurmountable. In particular, for the establishments in the coal industry Schedule 1A to Industrial Employment (Standing Orders) Act, provides for model Standing Orders. Whatever orders are ultimately certified would have to be built around this basic fabric.
The question of contract labour on which there is difference is not peculiar to the coal industry. In fact, with the abolition of contract labour in most of the occupations in the coal industry under the Contract Labour (Regulation and Abolition) Act in 1975, the issue has lost much of its significance. Similarly, matters relating to overtime allowance, festival holidays, quantum of leave, casual leave and leave travel concession have received far more liberal treatment under the National Coal Wage Agreement and cease to be of significance for the purpose of Standing Orders. As far as incorporation of go slow, gherao, coercion, wrongful confinement and intimidation under the list of misconduct is concerned, the workers in the coal industry cannot seek to be an exception. If industry in India in general is following this practice, the coal industry would have to follow suit. Meanwhile with establishments coming from diverse industrial culture want of uniformity contributes to chaos in industrial relations in the coal industry. The position will continue until managements, unions and the Central
Government shed their attitudes of indifference and work for uniform Standing Orders on priority basis.

Our study of the grievance system and Standing Orders has clearly brought out the crucial role to be played by workers and their organisations in maintaining industrial peace and harmony. The interest of workers can be best advanced through their organisations. Workers organisations can play a vital role in ensuring that workers get a fair deal from the employer. They can also participate with the management in ensuring efficiency and productivity in the industry. Broadly, these are the important aspects which we will examine in detail in the next chapter which deals with the role of Trade Unions in the coal industry.