पूर्वोत्तर सीमा रेल / N.F. Railway
कार्यालय / Office of the
मुख्य कारखाना प्रबंधक / Chief Workshop Manager
पू. सी. रेल यांत्रिक कारखाना / N. F. Rly Mechanical Workshop
डिब्रूगढ़, असम – 786001 / Dibrugarh, Assam – 786001
dibrugarhworkshop2017@gmail.com

No. G/27/GSO (E195528) Date: 29.05.2026

GENERAL STANDING ORDER NO: - 37

All Officers/DBWS
All In-charges/DBWS
N. F. Railway

Sub: Strict implementation of Labour Law provisions for employees and contract labour in all units under Ministry of Railways.
Ref:
i. Railway Board's letter No. 2026/E(LL)/AT/CNR/5 dated 11.05.2026.
ii. Dy.CME/EnHM/NFR letter No. Mech/C/EnHM Wing/Pt-V/250 dated 11.05.2026.
iii. General Standing Order No. 33 issued vide this office letter No. G/27/GSO (E1995528) dated 09.02.2026.

Attention of all Officers/In-charges/DBWS is invited to the above referred letters regarding strict compliance of Labour Law provisions in respect of employees and contract labour engaged under various contracts in Railway establishments.

In this connection, General Standing Order No. 33 had already been issued by this office for compliance of statutory provisions relating to:

A. Contract Labour (Regulation & Abolition) Act, 1970 and Central Rules, 1971.
B. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and Central Rules, 1980.
C. GCC Works and Services provisions.

The said order delegated the responsibilities of the Principal Employer, i.e. Dy.CME/DBWS and Dy.CEE/DBWS, to their Authorized Representatives namely PE/DBWS, APE/DBWS, ACMT/DBWS, AEE/DBWS, Shop In-charges and nominated officials handling respective contracts. The arrangement shall continue to remain in force until further orders.

Accordingly, all concerned are hereby instructed to ensure strict compliance of the following provisions with immediate effect:

1. Timely Payment of Wages

All contractors shall ensure timely disbursement of wages to all workers and contract labour without delay or unauthorized deductions. Effective monitoring mechanisms shall be adopted to prevent irregularities in wage payment.

The prescribed time limits for payment of wages under the Code on Wages, 2019 are as under:

Signature Not Verified
Digitally signed by Arnav Sinha
Date: 2026.06.15 13:16:17 IST
Reason: IREPS-CRIS
Location: New Delhi

Wages Period	Time limit for Payment of Wages
Daily Wages	End of shift
Weekly	Before weekly holiday
Fortnightly	Within 2 days of end of fortnight
Monthly	Within 7 days of next month

2. Issuance of Appointment Letters

Every employee and contract labourer shall be provided with a formal Appointment Letter clearly indicating the terms and conditions of employment, as mandated under the Occupational Safety, Health and Working Conditions Code, 2020.

All Principal Employers shall ensure compliance of the same.

3. Issuance of Wage Slips

To ensure transparency and accountability in wage disbursement, Wage Slips shall invariably be issued to all employees and contract labourers at the time of payment of wages, indicating earnings, deductions and net payable amount, in accordance with the provisions of the Code on Wages, 2019.

4. Provision of Welfare Facilities by Principal Employer

The Occupational Safety, Health and Working Conditions Code, 2020 mandates provision of statutory welfare facilities such as:

Safe drinking water
Sanitation facilities
Rest shelters/rest areas
Creche facilities
First-aid arrangements

The above facilities shall be ensured at all worksites for contract labourers. Regular inspections shall also be conducted to verify compliance.

5. Grievance Redressal Mechanism for Contract Labour

A proper Grievance Redressal Mechanism shall be established for contract workers. A committee comprising representatives of Principal Employers and Contractors may be constituted at suitable levels for prompt redressal of grievances.

All complaints shall be resolved fairly and preferably within a period of 30 days from the date of receipt.

All Officers/In-charges shall ensure meticulous compliance of the above instructions. Any deviation or non-compliance shall be viewed seriously. A nodal officer-ACMT/DBWS has been nominated under reference Rly Board.

6. "Hindi version will follow".

DA – As above.

(R. C. Banerjee)
Dy.CEE/DBWS/NFR

Copy to : - CWM/DBWS – for kind information please.

उप मुख्य यांत्रिक इंजीनियर
Dy Chief Electrical Enginee
पू सी रेल यांत्रिक कारखाना डिब्रूगढ़
N F Rly Mech Workshop Dibrugarh

पूर्वोत्तर सीमा रेल / N.F. Railway
कार्यालय / Office of the
मुख्य कारखाना प्रबंधक / Chief Workshop Manager
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dibrugarhworkshop2017@gmail.com

No. G/27/GSO (E195528) Date: 29.05.2026

सामान्य स्थायी आदेश सं.: - 37

सभी अधिकारीगण/डीबीडब्ल्यूएस
सभी प्रभारी/डीबीडब्ल्यूएस
पूर्वोत्तर सीमांत रेलवे

विषय: रेल मंत्रालय के अधीन सभी इकाइयों में कर्मचारियों एवं संविदा श्रमिकों हेतु श्रम कानून प्रावधानों का कड़ाई से अनुपालन।

संदर्भ: i. रेलवे बोर्ड का पत्र सं. 2026/E(LL)/AT/CNR/5 दिनांक 11.05.2026।
ii. उप मुख्य यांत्रिक अभियंता/EnHM/एनएफआर का पत्र सं. Mech/C/EnHM Wing/Pt-V/250 दिनांक 11.05.2026।
iii. इस कार्यालय पत्र सं. G/27/GSO (E1995528) दिनांक 09.02.2026 द्वारा जारी सामान्य स्थायी आदेश सं. 33।

उपरोक्त संदर्भित पत्रों के माध्यम से रेलवे प्रतिष्ठानों में विभिन्न संविदाओं के अंतर्गत कार्यरत कर्मचारियों एवं संविदा श्रमिकों के संबंध में श्रम कानून प्रावधानों के कड़ाई से अनुपालन की ओर सभी अधिकारियों/प्रभारियों/डीबीडब्ल्यूएस का ध्यान आकृष्ट किया जाता है।

इस संबंध में, निम्नलिखित वैधानिक प्रावधानों के अनुपालन हेतु इस कार्यालय द्वारा सामान्य स्थायी आदेश सं. 33 पूर्व में ही जारी किया जा चुका है:

क. संविदा श्रम (विनियमन एवं उन्मूलन) अधिनियम, 1970 तथा केंद्रीय नियम, 1971।
ख. अंतर्राज्यीय प्रवासी कर्मकार (रोजगार का विनियमन एवं सेवा शर्तें) अधिनियम, 1979 तथा केंद्रीय नियम, 1980।
ग. जीसीसी कार्य एवं सेवाएं संबंधी प्रावधान।

उक्त आदेश के अंतर्गत प्रधान नियोक्ता अर्थात उप मुख्य यांत्रिक अभियंता/डीबीडब्ल्यूएस एवं उप मुख्य विद्युत अभियंता/डीबीडब्ल्यूएस की जिम्मेदारियां उनके अधिकृत प्रतिनिधियों, अर्थात पीई/डीबीडब्ल्यूएस, एपीई/डीबीडब्ल्यूएस, एसीएमटी/डीबीडब्ल्यूएस, एईई/डीबीडब्ल्यूएस, शॉप प्रभारियों एवं संबंधित संविदाओं का कार्य देख रहे नामित अधिकारियों को प्रत्यायोजित की गई थीं। यह व्यवस्था आगामी आदेश तक प्रभावी बनी रहेगी।

तदनुसार, सभी संबंधितों को निम्नलिखित प्रावधानों का तत्काल प्रभाव से कड़ाईपूर्वक अनुपालन सुनिश्चित करने हेतु निर्देशित किया जाता है:

1. वेतन का समय पर भुगतान

सभी ठेकेदार यह सुनिश्चित करेंगे कि सभी श्रमिकों एवं संविदा श्रमिकों को वेतन का समय पर भुगतान बिना किसी विलंब अथवा अनधिकृत कटौती के किया जाए। वेतन भुगतान में अनियमितताओं की रोकथाम हेतु प्रभावी निगरानी व्यवस्था अपनाई जाए।

वेतन संहिता, 2019 के अंतर्गत वेतन भुगतान की निर्धारित समय-सीमा निम्नानुसार है:-

वेतन अवधि	वेतन भुगतान की समय-सीमा
दैनिक वेतन	ड्यूटी/शिफ्ट समाप्ति पर
साप्ताहिक	साप्ताहिक अवकाश से पूर्व
पाक्षिक	पाक्षिक अवधि समाप्त होने के 2 दिनों के भीतर
मासिक	आगामी माह के 7 दिनों के भीतर

2. नियुक्ति पत्र जारी किया जाना

व्यावसायिक सुरक्षा, स्वास्थ्य एवं कार्य परिस्थितियां संहिता, 2020 के प्रावधानों के अनुसार प्रत्येक कर्मचारी एवं संविदा श्रमिक को सेवा की शर्तों एवं नियमों का स्पष्ट उल्लेख करते हुए औपचारिक नियुक्ति पत्र प्रदान किया जाना अनिवार्य है।

सभी प्रधान नियोक्ता उक्त प्रावधान का अनुपालन सुनिश्चित करेंगे।

3. वेतन पर्ची जारी किया जाना

वेतन वितरण में पारदर्शिता एवं उत्तरदायित्व सुनिश्चित करने हेतु वेतन भुगतान के समय सभी कर्मचारियों एवं संविदा श्रमिकों को अनिवार्य रूप से वेतन पर्ची प्रदान की जाएगी, जिसमें अर्जित वेतन, कटौतियां एवं देय शुद्ध राशि का विवरण अंकित होगा, जैसा कि वेतन संहिता, 2019 में प्रावधानित है।

4. प्रधान नियोक्ता द्वारा कल्याणकारी सुविधाओं की व्यवस्था

व्यावसायिक सुरक्षा, स्वास्थ्य एवं कार्य परिस्थितियां संहिता, 2020 के अंतर्गत निम्नलिखित वैधानिक कल्याणकारी सुविधाएं उपलब्ध कराना अनिवार्य है:

- सुरक्षित पेयजल
- स्वच्छता सुविधाएं
- विश्राम शेल्टर/विश्राम स्थल
- क्रेच सुविधा
- प्राथमिक उपचार की व्यवस्था

उपरोक्त सुविधाएं सभी कार्यस्थलों पर संविदा श्रमिकों हेतु सुनिश्चित की जाएं। अनुपालन की पुष्टि हेतु नियमित निरीक्षण भी किए जाएं।

5. संविदा श्रमिकों हेतु शिकायत निवारण तंत्र

संविदा श्रमिकों के लिए समुचित शिकायत निवारण तंत्र स्थापित किया जाए। शिकायतों के त्वरित निवारण हेतु प्रधान नियोक्ता एवं ठेकेदारों के प्रतिनिधियों की एक समिति उपयुक्त स्तर पर गठित की जा सकती है।

सभी शिकायतों का निष्पक्ष रूप से निस्तारण किया जाए तथा यथासंभव प्राप्ति की तिथि से 30 दिनों के भीतर उनका समाधान सुनिश्चित किया जाए।

सभी अधिकारी/प्रभारी उपरोक्त निर्देशों का सूक्ष्मता एवं गंभीरता के साथ अनुपालन सुनिश्चित करें। किसी भी प्रकार की विचलन अथवा अनुपालन में कमी को गंभीरता से लिया जाएगा। रेलवे बोर्ड के संदर्भाधीन पत्र के अनुसार एसीएमटी/डीबीडब्ल्यूएस को नोडल अधिकारी नामित किया गया है।

संलग्नक – उपर्युक्तानुसार।

(आर. सी. बनर्जी)
उप मुख्य विद्युत इंजीनियर
डिब्रूगढ़ कारखाना/एनएफआर

Dy Chief Electrical Engineer
पू सी रेल यांत्रिक कारखाना डिब्रूगढ़
N F Rly Mech Workshop Dibrugarh

प्रतिलिपि :- मुख्य कारखाना प्रबंधक/डिब्रूगढ़ कारखाना – सूचनार्थ.

पूर्वोत्तर सीमा रेल
NORTHEAST FRONTIER RAILWAY

कार्यालय
प्रमुखमुख्ययांत्रिकअभियंता
मालीगाँव - 781011

Office of The
Principal Chief Mechanical Engineer
Maligaon– 781011

संख्या/No.Mech/C/EnHM Wing/Pt V/250
CWM/NBQS, DBWS
Sr. DMEs/LMG, KIR, TSK, APDJ, RNY
Sr.CDO/GHY

Date: 11-05-2026

Sub: Strict implementation of Labor law Provisions for Employees and Contract Labor in all units under Ministry of Railways.
Ref: Rly Bd's letter no. 2026/E(LL)/AT/CNR/5 Dtd. 11.5.2026

With reference to above Railway Board's letter, there has been instructed for ensuring compliance the statutory labor law provisions in respect of employees and contract labor engaged in Railways and accordingly the above referred letter has been attached herewith for ready reference.

This is for your information and necessary action please.

DA: As above

11-5-26
Luskar Boro
(Dy CME/EnHM)

No.2026/E(LL)/AT/CNR/5 **Dated: 11.05.2026**

The General Managers,
All Zonal Railways, Production Units,
Metro Railway/Kolkata,
CORE Prayagraj, RWP/Bela, WPO/Patna,
The Director General, RDSO, Lucknow,
The Director General, NAIR, Vadodara,
The CMDs, Railway PSUs, **MD** CRIS
Vice Chairman, RLDA, **Director**, All CTIs

Subject: Strict Implementation of Labour Law Provisions for Employees and Contract Labour in all units under Ministry of Railways.

Sir/Madam,

Government of India has introduced major labour reforms and has on 21.11.2025 notified new Labour Codes which have become effective from the date of notification. It is imperative to ensure full compliance with statutory labour law provisions in respect of employees and contract labour engaged across Railways and Railway PSUs. The following key areas require immediate attention and strict implementation:

1. **Timely Payment of Wages**

All contractors must ensure disbursement of wages within the prescribed time limits without any delay. Monitoring mechanisms may be strengthened to prevent instances of wage withholding or irregular deductions. The time limits for payment of wages for different wage periods as per Code on Wages 2019 for all workers and contract workers is as under.

Wages Period	Time limit for Payment of Wages
Daily Wages	End of shift
Weekly	Before weekly holiday
Fortnightly	Within 2 days of end of fortnight
Monthly	Within 7 days of next month

2. **Issuance of Appointment Letters**

Every employee and contract worker should be provided with a formal appointment letter clearly outlining terms and conditions of employment. This promotes transparency and safeguards the rights of workers and this should be ensured by all principal employers as mandated by The Occupational Safety, Health and Working Conditions Code, 2020. A proforma of the appointment letter is enclosed as **Annexure I**.

3. **Issuance of Wage Slips**

To ensure accountability and clarity in wage disbursement, wage slips must be issued to all employees and contract labour at the time of wage payment, detailing earnings, deductions, and net payable amount as per Code on Wages, 2019. A proforma Wage Slip is enclosed as **Annexure II**. In case appointment letter and wage slips are being issued with fields mentioned in the above indicated formats, the same may be continued to be used.

4. **Provision of Welfare Facilities by Principal Employer**

The Occupational Safety, Health and Working Conditions Code, 2020 mandates that the principal employer must ensure that statutory welfare facilities such as drinking water, sanitation, rest areas, creche and first aid are adequately provided to all contract labourers at the worksites. The same should be ensured and regular inspections should be conducted to ensure compliance.

5. **Grievance Redressal Mechanism for Contract Labour**

A structured grievance redressal system must be established for contract workers. A committee consisting of representatives of principal employers and contractors may be constituted at appropriate levels to address complaints promptly and ensure fair resolution within a period of 30 days.

All concerned are advised to take necessary steps to ensure strict adherence to the above provisions. Compliance should be reviewed periodically, and any deviations must be addressed without delay. Ministry of Labour and Employment has launched **e-SHRAM Portal**, a national database for unorganized workers. All principal employers are required to ensure that the **e-SHRAM Portal** and the **Shramik Kalyan Portal** are updated at all times. Railways/Units are requested to nominate a Nodal Officer for monitoring the implementation of the Labour Codes and to furnish update on action taken in this matter, not later than 29.05.2026.

Aruna Nayar

Aruna Nayar
Director General(HR)
Railway Board

Copy for information and necessary action:-
All Board Members, DGs,
Secretary, Railway Board

पूर्वोत्तर सीमा रेल / N.F. Railway
कार्यालय / Office of the
मुख्य कारखाना प्रबंधक / Chief Workshop Manager
पू .सी .रेल यांत्रिक कारखाना / N.F. Rly Mechanical Workshop
डिब्रूगढ़, असम – 786001 / Dibrugarh, Assam – 786001
dibrugarhworkshop2017@gmail.com

सं/.No. G/27/GSO (E195528) दिनांक/Date: 09.02.2026

GENERAL STANDING ORDER - 33

SUBJECT: Compliance of Statutory Provisions of

A. Contract Labour (Regulation & Abolition) Act, 1970 & **Central Rules, 1971.**
(Ref : *https://clc.gov.in/clc/acts-rules/contract-labour-regulation-abolition-act-1970)*
B. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 & Central Rules, 1980
(Ref : *https://clc.gov.in/clc/acts-rules/inter-state-migrant-workmen)*
C. GCC Works and Services Provisions.

"This order transfers the responsibilities of the Principal Employer i.e Dy.CME/DBWS and Dy.CEE/DBWS to their Authorized Representatives i.e. PE/DBWS, APE/DBWS, ACMT/DBWS & AEE/DBWS, Shop In-charges, and the Nominees of Contracts handling the respective contracts."

- **Authorized Representatives of Principle Employer:** APE/DBWS, PE/DBWS, ACMT/DBWS & AEE/DBWS.
- **Nominees of Authorized Representatives:** Supervisor-In-Charges of various Shops and Supervisors Nominated for respective Contracts.
- **Duty:** To enforce the following statutory provisions for every contract under their jurisdiction engaging 20 or more contract workers & Engaging 5 or more Migrant Workers.

PART A: Licensing, Registration & Legal Requirements

S.No	Compliance Item	Responsibility
1.	**Registration of Establishment:** A. Ensure the Workshop is registered as a Principal Employer with the Labour Commissioner with respect to **Rule 18** of Contract Labour (Regulation & Abolition) Act, 1970 and Central Rules 1971 & **Rule 4** of Inter-State Migrant Workmen Act, 1979 and Central Rules 1980. B. As per **Rule 18(4)** & **Rule4(3)** of above Acts respectively, Any change in the particulars of the establishment as recorded in the Certificate of Registration shall be intimated by the Principal Employer to the Registering Officer within 30 days, along with details and reasons for such change. C. Registration Certificates to be kept in safe custody.	Ch./OS/G OS/Budget

Ratna C Banerjee Digitally signed by Ratna C Banerjee Date: 2026.02.09 18:10:22 +05'30'

Arnav Sinha Digitally signed by Arnav Sinha Date: 2026.02.09 17:39:17 +05'30'

S.No	Compliance Item	Responsibility
2.	Every Contract before commencement should be verified for ; 1. Applicability of Licence **(≥20 contract labour)** & 2. Applicability for Migrant Worker License **(≥5 Inter State Migrant Worker)**	PE/APE/ACMT/AEE/All ICs/ Nominated Supervisors of respective contracts./ SSE/Tender
3.	**Contractor's License:** • *Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971.* A. Form III as per **Rule 21(2)** to be issued to Applicable Contractors by Principle Employers. B. Before commencement of work, ensure the Contractor possesses a valid **License** specific to the work and site in Form VI as per **Rule 25(1)**. C. Renewals thereof as per Rule 29. • *Inter-State Migrant Workmen Act, 1979 & Central Rules 1980.* A. 2 Nos Form VI as per **Rule 7(3)** to be issued to Contractor from Principle Employers. B. Before Commencement of work, Below 2 licenses required to be submitted in Form VIII by Contractor as per **Rule 11(1).** I. License from Licensing Officer of Home State of Migrant Worker. II. License from Licensing Officer of State of establishment of Migrant Worker. C. Renewal thereof as per **Rule 14**.	A & C.SSE/Tender B.PE/APE/ACMT/AEE/All ICs/ Nominated Supervisors of respective contracts/SSE/Tender.
4.	A. Submission of List of Staffs along with **Police Verification document** employed by the contractor before commencement of work and in case of any replacement of staff, permission to be taken from competent authority with valid Police verification report. **B. Same list should be checked in Shramik Kalyan Portal during passing of Bills.**	A.PE/APE/ACMT/AEE/All ICs/ Nominated Supervisors of respective contracts./SSE/Tender B.All Officers /ICs/SSE/Tender & OS/Budget
5.	**Notice of Commencement/Completion:** **Rule 81(3)**-Ensure submission of Form VI-B as per the Contract Labour (Regulation & Abolition) Act, 1970 by Principle Employer to the Inspector within 15 days of commencement/completion of work.	SSE/Tender to ensure **All ICs/ Nominated Supervisors of respective contracts** – To submit details to SSE/Tender
6.	**Display of Notices in prominent location of workshop:** A. **Rule 81(1)(i) of** Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971. **& Rule 55(1)(i)** of Inter-State Migrant Workmen Act, 1979 & Central Rules 1980 : Ensure notices showing rates of wages, hours of work, wage periods, and date of payment, names and addresses of the Inspectors having jurisdiction , date of payment of unpaid wages are displayed in English/Hindi/Assamese language at the work site.	Ch/OS/G/IC OS/Budget

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S.No	Compliance Item	Responsibility
	B. Rule 81(2) of Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971. **& Rule 55(2)** of Inter-State Migrant Workmen Act, 1979 & Central Rules 1980 : **A copy of the notice shall be sent to the Inspector** and C. Whenever any changes occur it should be displayed and the same shall be communicated to inspector forthwith.	Ch/OS/G/IC OS/Budget
7.	**Half-Yearly Returns by Contractor:** Ensure Contractor submits Form XXIV as per **Rule 82(1)** of Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971. & Form **XXIII** as per **Rule 56(1)** of Inter-State Migrant Workmen Act, 1979 & Central Rules 1980 to the Licensing Officer within 30 days of the close of each half-year i.e. 31st January & 31st July.	SSE/Tender OS/Budget Both to ensure before Passing of bills.
8.	**Annual Return by Principle Employer:** Principal Employer to submit A. Form XXV as per **Rule 82(2)** of Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971. B. Form **XXIII as per Rule 56(2)** of Inter-State Migrant Workmen Act, 1979 & Central Rules 1980 by 15th Feb following the end of the calendar year.	Ch/OS/G OS/Budget

PART B: PAYMENT OF WAGES/ALLOWANCES

S.No	Compliance Item	Responsibility
9.	**Witnessing Payment:** **Rule 72 & Rule 73** of Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971. An authorized representative (APE/PE/ACMT) or their Nominees (Shop ICs or Supervisors nominated to look after respective contracts as decided by Authorized representatives) **MUST be physically present** at the time of wage disbursement by the contractor. **Certification:** The representative must certify the Wage Register (Form XVII) of above mentioned rule with the following endorsement: *"Certified that the amount shown in column No... has been paid to the workman concerned in my presence on ... at ... hours."*	PE/APE/ACMT/AEE/All ICs **Nominated Supervisors of respective contracts-** To ensure presence & signing of wage report as mentioned and should be attached with bill. **OS Budget** to ensure checking of this certification in every bill for each month.
10.	**Timely Payment:** Ensure wages are paid before the expiry of the 7th day (if <1000 workers) or 10th day (if >1000 worker) of the next month.	PE/APE/ACMT/AEE/All ICs/ Nominated Supervisors of respective contracts

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S.No	Compliance Item	Responsibility
11.	**Bank Transfer:** Ensure wages are paid directly to the bank accounts of Workers to maintain transparency. **Proof of Payment of Wages**: Bank remittance of salaries of all the Contractor's workers and to produce the documents to the effect to Railways for claiming monthly bills.	PE/APE/ACMT/AEE/All ICs/ Nominated Supervisors of respective contracts
12.	**Allowances & other Legal requirements as per Inter-State Migrant Workmen Act, 1979.** **A.** Displacement cum Outward Journey allowance payment – Form XV as per **Rule 51(1).** **B.** Return Journey Allowance Payment – Form XVI as per **Rule 51(2).** **C.** Particulars regarding recruitment and employment of migrant worker to be furnished to Licensing Officer of the State in which migrant workers are employed as well as to Licencing Officer of the State from which migrant workers have been recruited with a copy to Principle Employer in Form X as per **Rule 21**. **D.** Every Contractor to furnish a return regarding employment of migrant worker in Form XI as per **Rule 24** to the authorities mentioned above either personally or by registered post so as to reach them not later than **15 days from the date of the migrant worker is employed.** **E.** Register of persons employed– Principal employer and the Contractor to maintain migrant workers register in Form XIII as per **Rule 49.** **F.** Service Certificate to Migrant Worker upon termination of employment by Contractor in Form XIV as per **Rule 50.** **G.** Passbook for Migrant Worker: As per **Rule 23** to be maintained by Contractor as per Annexure-I attached below. And he should produce it to CWM office on demand.	PE/APE/ACMT/AEE/All ICs/ Nominated Supervisors of respective contracts- Ensure these allowances are paid before commencement of contract. & Point C,D, F & G to be ensured. Documents to be forwarded with the bills. SSE/Tender & OS/Budget to ensure checking during preparation of bills and ensure compliance of Point E.

PART C: REGISTERS & RECORDS

S.No	Compliance Item	Responsibility
13.	**Register of Contractor with Principle Employer :** Every principal employer shall maintain in respect of each registered establishment a register of contractors in Form XII as per **Rule 74** of Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971. & Form XII as per **Rule 48** of Inter-State Migrant Workmen Act, 1979 & Central Rules 1980	SSE/Tender Cell
14.	**Register of persons employed**.- Every contractor shall maintain in respect of each registered establishment where he employs contract labour a register in Form XIII. As per **Rule 74** of Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971.	Nominated Supervisors for contracts. & Shop-In-Charges
15.	**Employment card**.- (i) Every contractor shall issue an employment card in Form XIV to each worker within three days of the employment of the worker. As per **Rule 76** of Contract Labour (Regulation & Abolition) Act,	PE/APE/ACMT/AEE All Shop-In-Charges and Nominated Supervisors

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	1970 & Central Rules 1971.	for contracts
16.	Following registers to be maintained by Contractor in mentioned forms as per **Rule 78** of Contract Labour (Regulation & Abolition) Act, 1970 & Central Rules 1971. A. **Muster Roll**: (Attendance Register) in **Form XVI** B. **Register of Wages** in **Form XVII** C. **Wage Slip** in **Form XIX** to be issued to workers at least a day before wage disbursement showing details of the gross wages, deductions (if any) and the net wages. D. **Register of Fines** in **Form XXI**. E. **Register of deductions for damages/loss** in **Form XX**. F. **Register of Overtime** at the workplace – **Form XXIII**. G. **Register of Advances – Form XXII**.	PE/APE/ACMT/AEE All Shop-In-Charges and Nominated Supervisors for contracts.
17.	Checks before forwarding bills for passing : A**. EPF** (as per the EPF & MP Act, 1952)- I. 12% deduction from Basic wages of worker with 12% contribution from contractor. II. Mandatory for workers with basic wages up to ₹15,000. III. If the monthly wage is higher than ₹15,000, the EPF contribution is often limited to 12% of ₹15,000 (i.e., ₹1,800). B. **ESIC** as per Employees' State Insurance Act of 1948 I. Eligibility: Mandatory for workers earning up to ₹21,000 per month (₹25,000 for persons with disabilities). II. Contribution Rates: The workers contributes 0.75% of their wages (Deduction from monthly wages), while the contractor contributes 3.25%. C. **Minimum wage** notification to be followed and payment based on that to be ensured. (Payment of Wages Act, 1936 & Minimum Wages Act, 1948) D. **Payment of Bonus** as per Payment of Bonus Act, 1965 : I. Applicability: Applies to every contractor employing 20 or more persons. II. Workers earning ₹21,000 or less per month are eligible. III. The worker must have worked for at least 30 days in the accounting year, IV. Minimum Bonus: 8.33% of wages or ₹100 whichever is higher. V. Payment Time Limit: Bonus to be paid within 8 months from the close of the accounting year. VI. Calculation ceiling: ₹7,000/month or minimum wages (whichever is higher) → Bonus amount is calculated on this limit, not on actual higher salary. D. **Maternity Benefit** as per Maternity Benefit Act, 1961. I. Contractors must provide 26 weeks of paid leave to female workers who have worked for 80 days. II. Valid proof includes signed salary slips, bank transfer records (NEFT/RTGS) showing maternity payments, and entries in the	PE/APE/ACMT/AEE All Shop-In-Charges and Nominated Supervisors for contracts

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	Wage Register/Muster Roll. E. **Identity cards** of workers duly mentioning Phone Number and Blood Group in addition to basic requirements. F. Documents mentioned above in Point 3,4,7,9,12 etc. **G. Shramikkalyan Portal Compliance** I. Contractor shall register on Shramikkalyan Portal. II. Monthly uploading of labour details and wage payment mandatory. III. Certificate of uploading to be submitted with every RA/Final Bill.	

PART D: OTHER COMPLIANCES.

18.	**Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013:** Concerned officers/Supervisors of DBWS shall ensure that the contractor has made the women employees working under him aware of the provisions under this act. The women employees must be counselled and Counselling should be recorded and record should be kept with Complaints Committee. So that they can immediately report any incident/events to the Complaint Committee of the Sexual Harassment Cell of DBWS.	PE/APE/ACMT/AEE All Shop-In-Charges and Nominated Supervisors for contracts. Internal Complaints Committee on Sexual Harassment of Women.
19.	**For all Houskeeping and Cleaning Contracts: as per National Commission for Safai Karamcharis Act, 1993.** Following points to be ensured: I. Recorded Counselling for Safai Karamcharis: The Contractor shall ensure recorded counselling and awareness sessions for all Safai Karamcharis deployed under this contract regarding welfare schemes of National Safai Karamcharis Finance & Development Corporation (NSKFDC). II. Medical Fitness Certificates. Quarterly health check-ups be conducted for all Safai Karmacharis.	PE/APE/ACMT/AEE
20.	**For all Contracts:** Monthly Position of Ongoing LOAs/CAs w.r.t quantity executed in respective months & cummulative quantity executed along with penalty levied clause wise and intimation given to Firm on which date to be submitted to SSE/Tender Cell by 5th of every month, upon receipt SSE/Tender will submit a compiled report to CWM/DBWS and DyCME/Dy.CEE by 10th of every month. Format Attached at **Annexure II.** Sr Clerk/Tender Cell will prepare monthly Position duly supervised by Tender Cell/IC.	All Shop-In-Charges and Nominated Supervisors for contracts. & SSE/Tender Cell/IC SrClerk/Tender Cell
21	**For all Contracts:** Penalty Memorandum and Unsatisfactory Performance Reports to be issued to defaulter Contractors after every incident of failure. Nominated Supervisors for contracts will inform regarding non-compliance to Controlling Officer through Shop In Charges, Upon receipt Controlling Officer will forward the same to SSE/Tender for issuance of Penalty Memorandum/Performance Letter, with a copy to OS/Budget for deducting the penalty from running bill. **GSO-31** to be followed.	PE/APE/ACMT/AEE All Shop-In-Charges and Nominated Supervisors for contracts. & SSE/Tender, OS/Budget

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- ***Sl no 1 to 16 is for those contracts in which 20 or more contract workers are hired & Also 5 or more Inter State Migrant Workers are hired.***
- ***Sl no 17, 18, 20 & 21 is for all contracts.***
- ***Sl no 19 is for Housekeeping and Cleaning Contracts.***

Non-compliance Any deviation from the above checklist may attract penalties under **Section 23 & 24** of the Act, including imprisonment and fines. The authorized representatives of Principle Employers (APE/PE/ACMT/AEE) or their Nominees of Contracts i.e. Shop ICs and Supervisors Handling respective Contracts. shall be held accountable for ensuring compliance in their respective contracts.

EFFECTIVE DATE

This Standing Order shall come into force with immediate effect and shall be strictly complied with by all concerned officers and contractors of DBWS.

DA –

1. Annexure I - **Passbook for Inter-State Migrant Workman.**
2. Annexure II - **Monthly Position of Ongoing LOAs/CAs.**
3. Link for website of **The Contract Labour (Regulation & Abolition) Act, 1970** & **Central Rules, 1971.** *(https://clc.gov.in/clc/acts-rules/contract-labour-regulation-abolition-act-1970)*
4. Link for website of **The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 & Central Rules, 1980** *(https://clc.gov.in/clc/acts-rules/inter-state-migrant-workmen)*
5. PDF Copy of The Contract Labour (Regulation And Abolition) Assam Rules, 1971 & The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam Rules, 1981 is attached for reference purpose only, Copy of forms to be followed from above CLC links only.

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PASSBOOK FOR INTER-STATE MIGRANT WORKMAN

(Required under Section 12(1)(b) of the Act and Rule 23 of the Central Rules)

[MANDATORY: Passport Size Photograph of the Workman]

1. Personal Details

- **Name of the Workman: _____**
- **Name of Next of Kin: _____**
- **Address of Next of Kin: _____**

2. Employment & Establishment Details

- **Name of Establishment where employed: _____**
- **Location of Establishment: _____**
- **Period of Employment: _____**

3. Recruitment & Benefits

- **Date of Recruitment: _____**
- **Date of Employment: _____**
- **Displacement Allowance (50% of the monthly wages *or* ₹75, *whichever is higher or latest rules*) (Paid): ₹ _____**
- **Journey Allowance (*sum not less than the* fare from the place of recruitment to the place of work, *plus wages for the journey period as if he were on duty or latest rules)* (Paid): _____**
- **Return Fare : (full return fare back to the place of recruitment upon the expiration of the employment period or cessation of work. Or latest rules) (Payable) : _____**

4. Wage Structure

- **Proposed Rate of Wages: ₹ _____**
- **Proposed Mode of Payment: _____**

5. Payment & Attendance Record (Updates required within 3 days of payment)

Wage Period	Total Attendance / Units of Work	Total Wages Earned	Deductions Made	Net Amount Paid	Date of Payment	Signature of Contractor / Representative with date

Compliance Check

- **Language:** This book **must** be printed in Hindi, English, and the **vernacular language** of the workman. Section 12(1)(b).
- **Maintenance:** The contractor is responsible for keeping entries updated, but the **workman must retain** the physical book. Rule 23(2).

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ANNEXURE II

Name of Work:							
LOA/CA Number							
Period of work:							
Name of Firm:							
Agreement Value:							
SCA Value							
MONTH :							
Sr. No.		**Quantity Schedule wise**					
		Schedule 1	**Schedule 2**	**Schedule 3**	..	..	**Schedule n**
1	**CA Qty.**						
2	**SCA Qty.**						
3	Qty. Executed This month						
4	Cumulative qty. executed						
PENALTY		Penalty Clause 1	Penalty Clause 2	Penalty Clause 3			Penalty Clause n
5	Penalty Amount						
6	Memorandum issued to firm						

Signature of Nominated Supervisor for respective contract

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THE CONTRACT LABOUR (REGULATION AND ABOLITION) ASSAM RULES, 1971[1]

NOTIFICATION

[*Dated the 8th November, 1971*]

No. GLR.512/70/97.– In exercise of the powers conferred by Section 35 of the Contract Labour Regulation and Abolition Act, 1970 the Governor of Assam having considered the representation received from the public in response to the Notification No. GLR. 512/70/92, dated 24th March, 1971 published under sub-section (1) of the said Section is pleased to make the following Rules *viz.*–

ARRANGEMENT OF RULES

Rules

CHAPTER - I

1. Short title and commencement.
2. Definitions.

CHAPTER - II

STATE BOARD

3. State Board.
4. Terms of Office.
5. Resignation.
6. Cessation of membership.
7. Disqualification.
8. Removal from membership.
9. Vacancy.
10. Staff.
11. Allowances of members.
12. Disposal of business.
13. Meetings.
14. Notice of meetings and list of business.
15. Quorum.
16. Committees of the Board.

CHAPTER - III

REGISTRATION AND LICENSING

17. Manner of making application for registration of establishment.
18. Grant of certificate of registration.
19. Circumstances in which application for registration may be rejected.
20. Amendment of certificate of registration.
21. Application for a licence.
22. Matters to be taken into account in granting or refusing are licence.
23. Refusal to grant licence.
24. Security.
25. Forms and terms and conditions of licence.

1. Published *vide* Notification No. GLR.512/70/92, dated the 24th March,1971 *See* Assam *Gazette,* Part IIA, dated the 5th May, 1971.

26. Fees.
27. Validity of the licence.
28. Amendment of the licence.
29. Renewal of licence.
30. Issue of duplicate certificate of registration or licence.
31. Refund of Security.
32. Grant of temporary certificate of registration and licence.

CHAPTER - IV

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38. Payment of fees.
39. Copies.

CHAPTER - V

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CHAPTER - VII

REGISTER AND RECORDS AND COLLECTION OF STATISTICS

74. Register of constructors.
75. Register of Persons employed.
76. Employment Card.
77. Service Certificate.
78. Muster Roll, Wages Registers, Deduction Register and Overtime Register.
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81.
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83.

FORMS

LIST OF AMENDING RULES, WHICH HAVE BEEN INCORPORATED IN ITS DUE PLACES AND THEREFORE NOT PRINTED SEPARATELY

1. No.GLR.512/70/116, dated the 20th December, 1972.
2. No.GLR.512/70/105, dated the 24th March, 1972.
3. No.GLR.512/70/101, dated the 24th February, 1972.
4. No.GLR.512/70/111, dated the 27th October, 1972.
5. No.GLR.512/70/151, dated the 22nd March, 1975.
6. No.GLR.512/70/230, dated the 20th July, 1977.
7. No.GLR(RC)51/82/4, dated the 13th December, 1982.
8. No.GLR(RC) 51/81/9, dated the 26th March, 1984.
9. No.GLR(RC)109/89/37, dated the 8th August, 1991

CHAPTER - I

1. Short title and commencement.– (1) These rules may be called the Contract Labour (Regulation and Abolition) Assam Rules, 1971.

(2) They shall come into force on the date of publication in the Official *Gazette.*[1]

2. Definitions.– In these rules, unless the subject or context otherwise requires–

(a) "Act" means the Contract Labour (Regulation and Abolition) Act, 1970;

(b) "Appellate Officer" means the Appellate Officer appointed by the Government of Assam under sub-section (1) of Section 15;

(c) "Board" means the State Advisory Board constituted under Section 4;

(d) "Chairman" means the Chairman of the Board;

(e) "Committee" means a Committee constituted under sub-section (1) of Section 5;

(f) "Form" means a form appended to these rules;

(g) "Section" means a section of the Act.

CHAPTER - II

STATE BOARD

3. The Board shall consist of the following Members–

1. With effect from the date of publication in the official *Gazette, .i.e.,* 5th May, 1971, *vide* Notification No. GLR.512/70/97, dated 8th November, 1971.

(a) a Chairman to be appointed by the Government of Assam;

(b) the Labour Commissioner, Assam--Ex-officio;

(c) one person representing the State Government to be appointed by that Government of Assam from among it officials;

(d) one person representing the P.W.D. be appointed by State Government after consultation withP.W.D.;

(e) four persons representing different employing concerns contractor interests industries or State Government Departments to whom the Act applies, after consul-tation with such organisations of the employees, if any, as may be recognised by the State Government in this behalf;

[*(f)* five persons representing workmen in different employing concerns, including contractors, industries or State Government Departments to which the Act applies, to be appointed by the State Government after consultation with such organisations of the workmen, if any, as may be recognised by the State Government in this behalf."][1]

NOTIFICATION*

[*Dated the 16th October, 2008*]

No.GLR(RC).149/90/320.– In exercise of the power conferred by Section 4 of the Contract Labour (Regulation and Abolition) Act, 1970 (*Act No. 37 of 1970)* and read with Rule 3 of the Contract Labour (R & A) Assam Rules, 1971, the Governor of Assam is pleased to re-constitute the "State Advisory Contract Labour Board" for the State of Assam which was last reconstituted *vide* Notification No. GLR(RC). 19/87/177, dated 8th June, 2005 to advise the State Government on such matters arising out of the administration of the said Act as may be referred to it and to carry out other function assigned to it under the Act, with the following members:-

The term of the Board will for a period of 3 (three) years from the date of publication of the Notification in the Assam *Gazette.*

1.	Minister, Labour and Employment	Chairman
2.	Commissioner & Secretary, Labour & Employment.	Member
3.	Regional Labour Commissioner, Government of India.	Member
4.	Principal Chief Conservator of Forests	Member

1. Substituted "Clause *(f)*", *vide* Noti. No. GLR.512/70/105, dated the 24th March,1972.

*. Published in the Assam *Gazette* Part IIA, dated 26th November, 2008.

5.	Commissioner & Special Secretary, Public Works Department.	Member
6.	Director, Employment & Craftsmen Training, Assam.	Member
7.	Representative of CII, Assam State Council, 59 M.G. Road, Uzan Bazar, Guwahati-1.	Member
8.	Representative of FINER, Swahid Dilip Chakraborty Road, Guwahati.	Member
9.	Representative of ICC, Tezpur.	Member
10.	General Secretary, INTUC (Assam Branch), K.C. Sen Road, Paltan Bazar, Guwahati.	Member
11.	General Secretary, BMS, Assam State Unit, Qr. No. 787/D, BRPL Township, Dhaligaon, District-Chirang.	Member
12.	General Secretary, CITU, Assam Branch, A.R.B. Road, Guwahati.	Member
13.	Labour Commissioner, Assam, Gopinath Nagar, Guwahati.	Member-Secretary

K.K. MITTAL,
Commissioner and Secretary
to the Government of Assam,
Labour and Employment Department.

4. Terms of Office.– (1) The Chairman of the Board shall hold office as such for a period of three years from the date on which his appointment is first notified in the Official *Gazette.*

(2) Each of the members of the Board, referred to in clauses *(c)* and *(d)* of Rule 3, shall hold office as such during the pleasure of the Government of Assam.

(3) Each of the members referred to in clauses *(e)* and *(f)* of Rule 3 shall hold office as such for a period of three years commencing from the date on which his appointment is first notified in the Official *Gazette* :

Provided that where the successor of any such member has not been notified in the Official *Gazette* on or before the expiry of the said period of three years, such member shall, notwithstanding the expiry of the period of his office, continue to hold such office

until the appointment of his successor has been notified in the Official *Gazette*.

(4) If a member is unable to attend a meeting of the Board, the State Government or the body which appointed or nominated him may, by notice in writing signed on its behalf and by such member and addressed to the Chairman of the said Board, nominate a substitute in his place to attend the meeting and such a substitute member shall have all the rights of a member in respect of that meeting and any decision taken at the meeting shall be binding on the said body.

5. Resignation.– A member of the Board, not being an *ex-officio* member, may resign his office by a letter in writing addressed to the State Government and on such resignation being accepted by that Government, his office shall fall vacant on the date on which such resignation is accepted.

6. Cessation of membership.– If any member of the Board, not being an *ex-officio* member, fails to attend three consecutive meetings of the Board without obtaining the leave of the Chairman for such absence, he shall cease to be a member of the Board :

Provided that the State Government may, if it is satisfied that such member was prevented by sufficient cause from attending three consecutive meetings of the Board, direct that such cessation shall not take place and on such direction being made, such member shall continue to be a member of the Board.

7. Disqualification for membership.– (1) A person shall be disqualified for re-appointed, and for being a member of the Board–

(i) if he is of unsound mind and stands so declared by a competent Court; or

(ii) if he is an undischarged insolvent; or

(iii) if he has been or is convicted of an offence which, in the opinion of the State Government, involves moral turpitude.

(2) If a question arises as to whether a disqualification has been incurred under sub-rule (1), the State Government shall decide the same.

8. Removal from membership.– The State Government may remove from the office any member of the Board, if in its opinion such a member has ceased to represent the interest which he purports to represent on the Board :

Provided that no such member shall be removed unless a reasonable opportunity is given to him of making any representation against the proposed action.

9. Vacancy.– When a vacancy occurs or is likely to occur in the membership of the Board the Chairman shall submit a report to the State Government and on receipt of such report the State Government shall take steps to fill the vacancy by making an appointment from amongst the category of persons to which the person vacating membership belonged and the person so appointed shall hold office for the remainder of the term of office of the member in whose place he is appointed.

10. Staff.– (1) *(i)* The State Government may appoint one of its officials as Secretary to the Board and appoint such other staff as it may think necessary to enable the Board to carry out its functions;

(ii) the salaries and allowances payable to the staff and the other conditions of service of such staff shall be such as may be decided by the State Government.

(2) The Secretary–

(i) shall assist the Chairman in convening meetings of the Board;

(ii) may attend the meetings but shall not be entitled to vote at such meetings;

(iii) shall keep a record of the minutes of such meetings; and

(iv) shall take necessary measures to carry out the decisions taken at the meetings of the Board.

11. Allowances of members.– (1) The travelling allowance of an official member shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the authority paying his salary.

(2) The non-official members of the Board shall be paid travelling allowance for attending the meeting of the Board at such rates as are admissible to Grade I, officers of the State Government and daily allowances shall be calculated at the maximum rate admissible to Grade I, officers of the State Government in their respective places.

12. Disposal of business.– Every question which the Board is required to take into consideration shall be considered at a meeting, or if the Chairman so directs by sending the necessary

papers to every member for opinion, and the question shall be disposed of in accordance with the decision of the majority :

Provided that in the case of equality of votes, the Chairman shall have second or a casting vote.

Explanation.– "Chairman" for the purposes of this Rule shall include the Chairman nominated under Rule 13 to preside over a meeting.

13. Meetings.– (1) The Board shall meet at such places and times as may be specified by the Chairman.

The Chairman shall preside over every meeting of the Board at which he is present and his absence nominate a member of the Board to preside over such meeting.

14. Notice of meetings and list of business.– (1) Ordinarily seven days, notice shall be given to the members of a proposed meeting.

(2) No business which is not on the list of business for a meeting shall be considered at that meeting without the permission of the Chairman.

15. Quorum.– No business shall be transacted at any meeting unless at least five members are present :

Provided that if at any meeting less than five members are present, the Chairman may adjourn the meeting to another date informing members present and giving notice to the other members that the proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not, and it shall-thereupon be lawful for him to dispose of the business at the adjourned meeting irrespective of the number of members attending.

16. Committees of the Board.– (1) *(i)* The Board may constitute such Committees and for such purpose or purposes as it may think fit.

(ii) While constituting the Committee the Board may nominate one of its members to be the Chairman of the Committee.

(2) The Committee shall meet at such times and places as the Chairman of the said Committee may decide and the Committee shall observed such rules of procedure in regard to the transaction of business at its meeting as it may decide upon.

(3) The provisions of Rule 11 shall apply to the members of the Committee for attending the meetings of the Committee as they apply the members of the Board.

CHAPTER - III

REGISTRATION AND LICENSING

17. Manner of making application for registration of establishment.– (1) The application referred to in sub-section (1) of Section 7 shall be made in triplicate, in Form 1 to the registering officer of the area in which the establishment sought to be registered is located.

(2) The application referred to in sub-rule (1), shall be accompanied by a treasury receipt showing payment of the fees for the registration of the establishment.

(3) Every application referred to in sub-rule (1) shall be either personally delivered to the registering officer or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1) the registering officer shall, after noting thereon the date of receipt by him of the application, grant an acknowledgement to the applicant.

18. Grant of certificate of registration.– (1) The certificate of registration granted under sub-section (2) of Section 7 shall be in Form II.

(2) Every certificate of registration granted under sub-section (2) of Section 7 shall contain the following particulars, namely-

(a) the name and address of the establishment;

(b) the maximum number of workmen to be employed as contract labour in the establishment;

(c) the type of business, trade, industry manufacture or occupation which is carried on in the establishment;

(d) such other particulars as may be relevant to the employment of contract labour in the establishment.

(3) The registering officer shall maintain a register in Form III showing the particulars of establishments in relation to which certificates of registration have been issued by him.

(4) If, an relation to an establishment, there is any change, in the particulars specified in the certificate, of registration, the principal employer of the establishment shall intimate to the registering officer within thirty days from, the date when such change takes place, the particulars of, and the reason for, such change.

["(5) The principal employer of every registered establishment shall furnish to the Registering officer of his area particulars of the Contractor or Contractors engaged by him from time to time in Form III (A) within fifteen days of signing or giving the contract to such contractor or contractors".][1]

19. Circumstances in which application for registration may be rejected.– (1) If any application for registration is not complete in all respects, the registering officer shall require the principal employer to amend the application so as to make it complete in all respects.

(2) If the principal employer, on being required by the registering officer to amend his application for registration omits or fails to do so, the registering officer shall reject the application for registration.

20. Amendment of certificate of registration.– (1) Where, on receipt of the intimation under sub-rule (4) of Rule 18, the registering officer is satisfied that an amount higher than the amount which has been paid by the principal employer as fees for the registration of the establishment is payable, he shall require such principal employer to deposit a sum which, together with the amount already paid by such principal employer, would be equal to such higher amount of fees payable for the registration of the establishment and to produce the treasury receipt showing such deposit.

(2) Where, on receipt of the intimation referred to in sub-rule (4) or Rule 18, the registering officer is satisfied that there has occurred a change in the particulars of the establishment, as entered in the register in Form III, he shall amend the said register and record therein the change which has occurred :

Provided that such amendment shall effect anything done or any action taken or any right, obligation or liability acquired or incurred before such amendment :

Provided further that the registering officer shall not carry out any amendment in the register in Form III unless the appropriate fees have been deposited by the principal employer.

21. Application for a licence.– (1) Every application by a contractor for the grant of a licence shall be made in triplicate, in Form IV, to the licensing officer of the area in which the establishment, in relation to which he is the contractor, is located.

1. Inserted sub-rule "(5)" in Rule 18, *vide* Notification No. 512/70/230, dated the 20th July, 1977 (w.e.f. at once).

(2) Every application for the grant of a licence shall be accompanied by a certificate by the principal employer in Form V to the effect that applicant has been employed by him as a contractor in relation to his establishment and that he undertakes to be bound by all the provisions of the Act and the rules made thereunder in so far as the provisions are applicable to him as principal employer in respect of the employment of contract labour by the applicant.

(3) Every such application shall be either personally delivered to the licensing officer or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1) the licensing officer shall, after noting thereon, the date of receipt of the application, grant an acknowledgement to the applicant.

(5) Every application referred to in sub-rule (1) shall also be accompanied by a treasury receipt showing–

(i) the deposit of the security at the rates specified in Rule 24, and

(ii) the payment of the fees at the rates specified in Rule 26.

22. Matters to be taken into account in granting or refusing are licence.– In granting or refusing to grant a licence, the licensing office shall take the following matters into account namely–

(a) whether the applicant–

(i) is a minor, or

(ii) is of unsound mind and stands so declared by a competent court, or

(iii) is an undischarged insolvent, or

(iv) has been convicted (at any time during a period of five years immediately preceding the date of application) of an offence which, in the opinion of the State Government involves morals turpitude;

(b) whether there is an order of the appropriate Government or an award or settlement for the abolition of contract labour in respect of the particular type of work in the establishment for which the applicant is a contractor;

(c) whether any order has been made in respect of the applicant under sub-section (1) of Section 14, and if so, whether a period of three years has elapsed from the date of that order;

(d) whether the fees for the application have been deposited at the rate specified in Rule 26, and

(e) whether security has been deposited by the applicant at the rates specified in Rule 24.

23. Refusal to grant licence.– (1) On receipt of the application and as soon as possible thereafter, the licensing officer shall make such enquiry as he considers necessary to satisfy himself about the eligibility of the applicant for a licence.

(2) *(i)* Where the licensing officer is of opinion that the licence should not be granted, he shall, after affording reasonable opportunity to the applicant to be heard, make an order rejecting the application.

(ii) The order shall record the reasons for the refusal and shall be communicated to the applicant.

24. Security.– (1) Before a licence is issued, and amount calculated at the rate of Rs. 30 for each of the workman to be employed as contract labour, in respect of which the application for licence has been made, shall be deposited by the contractor for due performance of the conditions of the licence and compliance with the provisions of the Act or the rules made thereunder :

[Provided that where the contractor is a co-operative society, the amount deposited as security shall be at the rate of Rs. 5 for each of the workman to be employed as contract labour".][1]

["(IA) Where the applicant for the licence was holding a licence in regard to another work and that licence had expired, the Licensing Officer, if he is of the view that amount of the security deposited in respect of that licence is directed to be refunded to the applicant under Rule 31, may on an application made for that purpose in form VA by the applicant, adjust the amount so to be refunded towards the security required to be deposited in respect of the application for the new licence and the applicant need deposit, in such a case, only the balance amount if any, after making such adjustment".][2]

["(2) The amount of security deposit shall be paid into the local treasury under such Head of Account as may be specified by the State Government from time to time by notification in the

1. Inserted as new "proviso" after sub-rule (1) of Rule 24, *vide* Notification No.GLR (RC)51/81/9, dated the 26th March, 1984, published in the Assam *Gazette,* Part-IIA, dated 9th May, 1984, pp-697-700.
2. Inserted as new sub-rule"(1A)" after the proviso of sub-rule (1) of Rule 24, by *Ibid.*

official *Gazette."*][1]

25. Forms and terms and conditions of licence.– (1) Every licence granted under sub-section (1) of Section 12 shall be in Form VI.

(2) Every licence granted under sub-rule (1) or renewed under Rule 29 shall be subject to the following conditions, namely–

(i) the licence shall be non-transferable;

(ii) the number of workmen employed as contract labour in the establishment shall not, on any day, exceed the maximum number specified in the licence;

(iii) save as provided in there rules, the fees paid for the grant or as the case may be, for renewal of the licence, shall be non-refundable;

(iv) the rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948 (*II of 1948),* for such employment where applicable, and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed;

(v)(a) in cases where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work :

Provided that in the case of any disagreement with regard to the type of work the same shall be decided by the Labour Commissioner (Assam) whose decision shall be final;

(b) in other cases the wage rates, holidays, hours of work and conditions of service of the workmen of the

1. Substituted sub-rule (2) of Rule 24, *vide* Notification No. GLR.512/70/230, dated the 20th July, 1977. **Note -** Before substitution sub-rule (2) of Rule 24, read as follows-

(2) The amount of security deposit shall be paid in the local treasury under the Head of Account ["Section T-Deposits and Advances-Part II Deposits not bearing interest-*(d)* Other Deposit Account-Departmental and Judicial Deposits - Civil Deposits- Deposits under the Contract Labour (Regulation and Abolition) Assam Rules, 1971"].

Which was earlier substituted in sub-rule (2) of Rule "24" for the words "the Head of Account, "Section T-Deposits and Advances-Part II Deposits-not bearing interest (c) Other Deposits Accounts -Departmental and Judicial Deposit - Civil Deposits - Deposits under Contract Labour (Regulation and Abolition Act, 1970 (Central)" *vide* Notification No. GLN.512/70/111, dated the 27th October,1972.

contractor shall be such as may be specified in this behalf by the Labour Commissioner (Assam);

Explanation:- While determining the wage rates, holidays, hours of work and other conditions of service under *(b)* above the Labour Commissioner, Assam shall due regard to the wage rates, holidays, hours of work and other condition of service obtaining in similar employments;

(vi)(a) in every establishment where twenty or more women are ordinarily employed at contract labour, there shall be provided two rooms of reasonable dimensions for the use of their children under the age of six years;

(b) one of such rooms shall be used as a play room for the children and the other as bed room for the children;

(c) the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and beddings in the sleeping room;

(d) the standard of construction and maintenance of the creches shall be such as may be specified in this behalf by the Labour Commissioner (Assam);

(vii) the licencee shall notify any change in the number of workmen or the conditions of work to the licensing officer;

[*(viii)* no female contract labour shall be employed by a contractor before 6-00 A.M. or after 7-00 P.M.;

Provided, that this clause shall not apply to the employment of women in creches and as midwives and nurses in hospitals and dispensaries;

(ix) the Licensee shall within fifteen days of the commencement and completion of each contract work submit a return to the Inspector of the area appointed under Section 28 of the Act, intimating the actual date of the commencement or as the case may be, completion of such work in Form VI A.][1]

[26. Fees.– (1) The fee to be paid for the grant of a certificate or registration under Section 7 shall be as specified below, namely:--

1. Inserted as new *clauses* "viii" and "ix" after clause vii of sub-rule (2) of Rule 25, *vide* Notification No.GLR(RC)51/81/9, dated the 26th March, 1984 (w.e.f at once) [*See* A.G. Part-IIA, dated 9th May, 1984.]

If the number of workmen proposed to be employed on contract on any day-

(a) is 10 ..... Rs. 20.00
(b) exceeds 10 but does not exceed 20 ..... Rs. 40.00
(c) exceeds 20 but does not exceed 50 ..... Rs. 100.00
(d) exceeds 50 but does not exceed 100 ..... Rs. 200.00
(e) exceeds 100 but does not exceed 200..... Rs. 400.00
(f) exceeds 200 but does not exceed 300..... Rs. 600.00
(g) exceeds 300 but does not exceed 400 ..... Rs. 800.00
(h) exceeds 400 but Rs.1000.00

(2) The fees to be paid for grant of licence under Section 12 shall be as specified below:-

If the number of workmen employed by the contractor on any day-

(a) is 10 ..... Rs. 10.00
(b) exceeds 10 but does not exceed 20 ..... Rs. 20.00
(c) exceeds 20 but does not exceed 50 ..... Rs. 50.00
(d) exceeds 50 but does not exceed 100 ..... Rs. 100.00
(e) exceeds 100 but does not exceed 200..... Rs. 200.00
(f) exceeds 200 but does not exceed 300..... Rs. 300.00
(g) exceeds 300 but does not exceed 400 ..... Rs. 400.00
(h) exceeds 400 but ..... Rs.500.00][1]

1. Substituted Rule "26" *vide* Notification No. GLR(RC) 109/89/37, dated the 8th August, 1991, Before substituted Rule "26" read as follows-

"**26. Fees.–** (1) The fees to be paid for the grant of a certificate of registration under Section 7 shall be as specified below, namely:-

(a) is 10 ..... Rs. 10.00
(b) Exceeds 10 but does not exceed 20 ..... Rs. 20.00
(c) Exceeds 20 but does not exceed 50 ..... Rs. 50.00
(d) Exceeds 50 but does not exceed 100 ..... Rs. 100.00
(e) Exceeds 100 but does not exceed 200..... Rs. 200.00
(f) Exceeds 200 but does not exceed 400..... Rs. 400.00
(g) Exceeds 400 .... Rs. 500.00

(2). The fees to be paid for the grant of a licence under Section 12, shall be as specified below:-

If the number of workmen employed by contractor on any day-

(a) is 10 ..... Rs. 2.50
(b) Exceeds 10 but does not exceed 20 ..... Rs. 5.00
(c) Exceeds 20 but does not exceed 50 ..... Rs. 12.50
(d) Exceeds 50 but does not exceed 100 ..... Rs. 25.00
(e) Exceeds 100 but does not exceed 200..... Rs. 50.00
(f) Exceeds 200 but does not exceed 400..... Rs. 100.00
(g) Exceeds 400 .... Rs. 125.00".

27. Validity of the licence.– Every licence granted under Rule 25 or renewed under Rule 29 shall remain in force for twelve months from the date it is granted or renewed.

28. Amendment of the licence.– (1) A licence issued under Rule 25 or renewed under Rule 29 may, for good and sufficient reasons, be amended by the licensing officer.

(2) The contractor who desires to have the licence amended shall submit to the licensing officer an application stating the nature of the amendment and reasons therefor.

(3)*(i)* If the licensing officer allows the application he shall require the applicant to furnish a treasury receipt for the amount, if any, by which the fees that would have been payable if the licence had been originally issued in the amended form exceeds the fees originally paid for the licence.

(ii) On the applicant furnishing the requisite treasury receipt the licence shall be amended according to the orders of the licensing officer.

(4) Where the application for amendment is refused, the licensing officer shall record the reasons for such refusal and communicate the same to the applicant.

29. Renewal of licence.– (1) Every contractor shall apply to the licensing officer for renewal of the licence.

(2) Every such application shall be in Form VII in triplicate and shall be made not less than thirty days before the date on which the licence expires, and of the application is so made, the licence shall be deemed to have been renewed until such date when the renewed licence is issued.

(3) The fees chargeable for renewed of the licence shall be the same as for the grant thereof :

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fee of ["50"][1] per cent in excess of the fee ordinarily payable for the licence shall be payable for such renewal :

Provided further that in case where the licensing officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the contractor, he may reduce or remit as he thinks fit the payment of such excess fee.

1. Substituted for the figure "25" in the First proviso of sub-rule (3) of Rule 29, *vide* Notification No.GLR(RC)109/89/37, dated 8th August, 1991.

30. Issue of duplicate certificate of registration or licence.– Where a certificate of registration or a licence granted or renewal under the preceding rules has been lost, defaced or accidentally destroyed a duplicate may be granted on payment of fees of ["rupees twenty five"][1].

31. Refund of Security.– (1)*(i)* On expiry of the period of licence the contractor may, if he does not intend to have his licence renewed, make an application to the licensing officer for the refund of the security deposited by him under Rule 24.

(ii) if the licensing officer is satisfied that there is no breach of the conditions of licence or there is no order under Section 14 for the forfeiture of security or any portion thereof, he shall direct the refund of the security to the applicant.

(2) If there is any order directing the forfeiture of any portion of the security the amount to be forfeited shall be deducted from the security deposit, and balance, if any, refunded to the applicant.

(3) Any application for refund shall, as far as possible be disposed of within 60 days of the receipt of the application.

32. Grant of temporary certificate of registration and licence.– (1) Where conditions arise in an establishment requiring the employment of contract labour immediately and such employment is estimated to last for not more than fifteen days, the Principal Employer of the establishment or the contractor, as the case may be, may apply for a temporary certificate of registration or licence to the registering officer or the licensing officer, as the case may be, having jurisdiction over the area in which the establishment is situated.

(2) The application for such temporary certificate of registration or licence shall be made in triplicate in Forms VIII and X respectively and shall be accompanied by a treasury receipt or a crossed postal order drawn in favour of the appropriate registering or licensing officer, as the case may be, showing the payment of appropriate fees and in the case of licence the appropriate amount of security also.

(3) On receipt of the application, complete in all respects, and on being satisfied either on affidavit by the applicant or otherwise that the work in respect of which the application has been made would be finished in a period of fifteen days and was of a nature

1. Substituted for the words "rupees five" by Notification No. GLR(RC)109/89/37, dated 8th August, 1991.

which could not but be carried out immediately, the registering officer, as the case may be, shall forthwith grant a certificate of registration in Form IX or a licence in Form XI, as the case may be, for not more than fifteen days.

(4) Where a certificate of registration or licence is not granted the reasons therefore shall be recorded by the registering officer or the licensing officer, as the case may be.

(5) On the expiry of the validity of the registration certificate the establishment shall cease to employ in the establishment contract labour in respect of which the certificate was given.

(6) The fees to be paid for the grant of the certificate of registration under (6) sub-rule 3 shall be as specified below:-

If the number for workmen proposed to be employed on contract on any day-

			Rs. P.
(a) exceeds 20 but does not exceed 50	...	....	10.00
(b) exceeds 50 but does not exceed 200	...	....	20.00
(c) exceeds 200	...	....	30.00

(7) The fees to be paid for the grant of a licence under sub-rule (3) shall be as specified below:-

If the number of workmen to be employed by the contractor on any day-

			Rs. P.
(a) exceeds 20 but does not exceed 50	...	....	5.00
(b) exceeds 50 but does not exceed 200	...	....	20.00
(c) exceeds 200	...	....	30.00

(8) The provision of Rule 23 and Rule 24 shall apply to the refusal to grant licence or to grant licence under sub-rule (4) and sub-rule (3) respectively.

CHAPTER - IV

APPEALS AND PROCEDURE

33. (1)*(i)* Every appeal under sub-section (1) of Section 15 shall be preferred in the form of a Memorandum signed by the appellant or his authorised agent and presented to the Appellate Officer in person or sent to him by registered post.

(ii) The memorandum shall be accompanied by a certified copy of the order appealed from and a treasury receipt for Rupees 10.

(2) The memorandum shall setforth concisely and under distinct heads the grounds of appeal to the order appealed from.

34. (1) Where the memorandum of appeal does not comply with the provisions of sub-rule (2) of Rule 33 it may be rejected or returned to appellant for the purpose of being amended within a time to be fixed by the Appellate Officer.

(2) Where the Appellate Officer rejects the memorandum under sub-rule (1) shall record the reason for such rejection, and communicate the order to the appellant.

(3) Where the memorandum of appeal is in order the Appellate Officer shall admit the appeal, endorse thereon the date of presentation and shall register the appeal in a book to be kept for the purpose called the Register of appeals.

(4)*(i)* When the appeal has been admitted, the Appellate Officer shall send the notice of the appeal to the Registering Officer or the Licensing Officer as the case may be from whose order the appeal has been preferred and the Registering Officer or the Licensing Officer shall send the record of the case to the Appellate Officer;

(ii) On receipt of the record, the Appellate Officer shall send a notice to the appellant to appear before him at such date and time as may be specified in the notice for the hearing of the appeal.

35. If on the date fixed for hearing, the appellant does not appear, the Appellate Officer may dismiss the appeal for default of appearance of the appellant.

36. *(i)* Where an appeal has been dismissed under Rule 35 the appellant may apply to the Appellate Officer for the re-admission of the appeal, and where it is proved that he was prevented by any sufficient cause from appearing when the appeal was called on for hearing, the Appellate Officer shall restore the appeal on its original number;

(ii) Such an application shall, unless the Appellate Officer extends the time for sufficient reason be made within 30 days of the date of dismissal.

37. (1) If the appellant is present when the appeal is called on for the hearing, the Appellate Officer shall proceed to hear the appellant or his authorised agent and any other person summoned by him for this purpose, and pronounce judgment on the appeal, either confirming, reversing or varying the order appealed from.

(2) The judgment of Appellate Officer shall state the points for determination, the decisions thereon and the reasons for the decisionsy.

(3) The order shall be communicated to the appellant and copy thereof shall be sent to the Registering Officer or the Licensing Officer from whose order the appeal has been preferred.

["**38. Payment of fees.–** Unless otherwise provided in these rules all fees to be paid under these rules shall be paid in the local treasury under the Head of Account "0230 - Labour and Employment-106-Fees under Contract Labour (Regulation & Abolition) Rules, 1971", under the Contract Labour (Regulation & Abolition) Assam Rules, 1971, and the receipt obtained thereof shall be submitted with the application or the memorandum of appeal as the case may be."][1]

39. Copies.– Copy of the order of the Registering Officer, Licensing Officer or the Appellate Officer may be obtained on payment of fees of rupees two for each order on application specifying the date and other particulars of the order, made to the officer concerned.

CHAPTER - V

WELFARE AND HEALTH OF CONTRACT LABOUR

40. (1) The facilities required to be provided under Section 18 and 19 of the Act, namely, sufficient supply of wholesome drinkings water, a sufficient number of latrines and urinals, washing facilities and first aid facilities shall be provided by the contractor in the case of the existing establishments within seven days of the commencement of these rules and in the case of new

1. Substituted "Rule 38" *vide* Notification No. GLR.(RC)109/89/37, dated the 8th August, 1991. **Note (1) -** Before substitution "Rule 38" read as follows-

"**38 payment of Fees-** Unless otherwise provided in these rules, all fees to be paid under these rules shall be paid into the local treasury under such Head of Account as may be specified by the State Government from time to time by notification in the official *Gazette,* and a receipt obtained which shall be submitted with the application of the application or the memorandum of appeal as the case may be."

Note (2)- "Rule 38" which was earlier *substituted vide* Notification No. GLR.512/70/230, dated the 20th July, 1977, Originally read as follows-

"**38. Payment of fees.–** Unless otherwise provided in these rules all fees to be paid under these rules shall be paid in the local treasury under the head of account "XXXII-Misc.-Social and Developmental, Organisation on Labour and Employment-Fees" under the Contract Labour (Regulation and Abolition) Assam Rules, 1971 and I receipt obtained which shall be submitted with the application or the memorandum of appeal as the case may be."

establishments within seven days of the commencement of the employment of contract labour therein.

(2) If any of the facility mentioned in sub-rule (1) is not provided by the contractor within the period prescribed the same shall be provided by the principal employer within seven days of the expiry of the period laid down in the said sub-rule.

41. Rest Rooms.– (1) In every place wherein contract labour is required to halt at night in connection with the working of the establishment to which the Act, applies and in which employment of contract labour is like to continue for 3 months or more the contractor shall provide and maintain rest-rooms or other suitable alternative accommodation within fifteen days of the coming into force of the rules in the case of existing establishments, and within fifteen days of the commencement of the employment of contract labour in new establishments.

(2) If the amenity referred to sub-rule (1) is not provided by the contractor within the period prescribed the principal employer shall provide the same within a period of fifteen days of the expiry of the period laid down in the said sub-rule.

(3) Separate rooms shall be provided for women employees.

(4) Effective and suitable provision shall be made in every room for securing and maintaining adequate ventilation by the circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting.

(5) The rest-room or rooms or other suitable alternative accommodation shall be of such dimensions so as to provided at least a floor area of 1.1 sq. metre for each person making use of the rest-room.

(6) The rest-rooms or other suitable alternative accommodation shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.

(7) The rest-room or rooms or other suitable alternative accommodation shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

42. Canteens.– (1) In every establishment to which the Act applies and wherein work regarding the employment of contract labour is likely to continue for fix months and wherein contract labour numbering one hundred or more are ordinarily employed

an adequate canteen shall be provided by the contractor for the use of such contract labour within sixty days of the date of coming into force of the rule in the case of the existing establishment and within 60 days of the commencement of the employment of contract labour in the case of new establishments.

(2) If the contractor fails to provide the canteen within the time laid down the same shall be provided by the principal employer within sixty days of the expiry of the time allowed to the contractor.

(3) The canteen shall be maintained by the contractor or principal employer, as the case may be, in an efficient manner.

43. (1) The canteen shall consist of at least a dining hall, kitchen, store-room, pantry and washing places separately for workers and for utensils.

(2)*(i)* The canteen shall be sufficiently lighted at all times when any person has access to it.

(ii) The floor shall be made of smooth and impervious materials and inside walls shall be lime washed or colour washed at least once in each year :

Provided that the inside walls of the kitchen shall be lime washed every four months.

(3)*(i)* The precinct of the canteen shall be maintained in a clean and sanitary condition;

(ii) Waste water shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause a nuisance;

(iii) Suitable arrangements shall be made for the collection and disposal of garbage.

44. (1) The dining hall shall accommodate at a time at least 30 percent of the contract labour working at a time.

(2) The floor area of the dining hall, excluding the area occupied by the service counter and any furniture except tables and chairs shall be not less than one square meter per dinner to be accommodated as prescribed in sub-rule (1).

(3)*(i)* A portion of the dining hall and service counter shall be partitioned off and reserved for women workers, in proportion to their number;

(ii) Washing places for women shall be separate and screened to secure privacy.

(4) Sufficient tables, stools, chairs or benches shall be available

for the number of diners to be accommodated as prescribed in sub-rule (1).

45. (1)*(i)* There shall be provided and maintain sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen;

(ii) The furniture, utensils and other equipment shall be maintained in a clean and hygienic condition.

(2)*(i)* Suitable clean cloths for the employees serving in the canteen shall also be provided and maintained;

(ii) A service counter, if provided, shall have top of smooth and impervious material;

(iii) Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and equipment.

46. The foodstuffs and other items to be served in the canteen shall be in conformity with normal habits of the contract labour.

47. The charges for foodstuffs, beverages and other items served in the canteen shall be based on 'no-profit, no loss' and shall be conspicuously displayed in the canteen.

48. In arriving at the prices of foodstuff and other articles served in the canteen the following items shall not be taken into consideration as expenditure, namely-

(a) the rent for the land and building;

(b) the depreciation and maintenance charges for the building and equipment provided for in the canteen;

(c) the cost of purchase, repairs and replacement of equipments including furniture, crockery, cutlery and utensils;

(d) the water charges and other charges incurred for lighting and ventilation;

(e) the interest on the amounts spent on the provision and maintenance of furniture and equipment provided for in the canteen.

49. The books of accounts and registers and other documents used in connection with the running of the canteen shall be produced on demand to an Inspector.

50. The accounts pertaining to the canteen shall be audited once every 12 months by registered accountants and auditors :

Provided that the "Labour Commissioner Assam" may approve of an other person to audit the accounts, if he is satisfied that it

is not feasible to appoint a registered accountant and auditor in view of the site or the location of the canteen.

51. Latrines and Urinals.– Latrines shall be provided in every establishment coming within the scope of the Act on the following scale namely-

(a) where females are employed, there shall be at least one latrine for, every 25 females;

(b) where males are employed, there shall be at least one latrine for every 25 males :

Provided that where the number of males or females exceeds 100, it shall be sufficient if there is one latrine for every 25 males or females, as the case may be upto the first 100, and one for every 50 thereafter.

52. Every latrine shall be under cover and so partitioned off as to secure privacy, and shall have a proper door and fastenings.

53. (1) Where workers of both sexes are employed there shall be displayed outside each block of latrine and urinal a notice in the language understood by the majority of the workers "For Men Only" or "Women Only", as the case may be.

(2) The notice shall also bear the figure of a man or of a woman, as the case may be.

54. There shall be at least one urinal for male workers upto 50 and one for female workers upto fifty employed at a time :

Provided that where the number of male or female workmen, as the case may be, exceeds 500 it shall be sufficient if there is one urinal for every 50 males or females upto the first 500 and one for every 100 or part thereof thereafter.

55. (1) The latrines and urinals shall be conveniently situated and accessible to workers at all times at the establishment.

(2)*(i)* The latrines and urinals shall be adequately lighted and shall be maintained in a clean and sanitary condition at all times.

(ii) Latrines and urinals other than those connected with a flush sewage system shall comply with the requirements of the public health authorities.

56. Water shall be provided by the means of tap or otherwise so as to be conviently accessible in or near the latrine and urinals.

57. Washing Facilities.– (1) In every establishment coming within the scope of the Act adequate and suitable facilities for washing shall be provided and maintained for the use of contract labour employed therein.

(2) Separate and adequate screening facilities shall be provided for the use of male and female workers.

(3) Such facilities shall be conveniently accessible and shall be kept in clean and hygienic condition.

58. First-Aid Facilities.– In every establishment coming within the scope of the Act there shall be provided and maintained so, as to be readily accessible during all working hours first-aid boxes at the rate of not less than one box for 150 contract labour or part thereof ordinarily employed.

59. (1) The first-aid box shall be distinctively marked with a red cross on a white ground and shall contain the following equipment, namely-

A. For establishment in which the number of contract labour employed does not exceed fifty-

Each first-aid box shall contain the following equipments-

(i) 6 small sterilized dressings;

(ii) 3 medium size sterilized dressings;

(iii) 3 large size sterilized dressings;

(iv) 3 large sterilized burn dressings;

(v) 1 (30 ml.) bottle containing a two per cent alcoholic solution of iodine;

(vi) 1 (30 ml.) bottle containing salvolatile having the does and mode of administration indicated on the table;

(vii) 1 snake-bite lancet;

(viii) 1 (50 gms.) bottle of potassium permanganate crystals;

(ix) 1 pair scissors;

(x) 1 copy of the first-aid leaflet issued by the Director General, Factory Advice Service and Labour Institutes, Government of India;

(xi) A bottle containing 100 tablets (each of 5 grains) of aspirin;

(xii) Ointment for burns;

(xiii) A bottle of suitable surgical anti-septic solution.

B. For establishments in which the number of contract labour exceed fifty- Each First-Aid-Box shall contain the following equipment-

(i) 12 small sterilized dressings;

(ii) 6 medium size sterilized dressings;

(iii) 6 large size sterilized dressings;

(iv) 6 large size sterilized burn dressings;

(v) 6 (15 gms.) packets sterilized cotton wool;

(vi) 1 (60 ml.) bottle containing a two per cent alcoholic solution iodine;

(vii) 1 (60 ml.) bottle containing salvolatile having the dose and mode of administration indicated on the label;

(viii) I roll of adhesive plaster;

(ix) A snake-bite lancet;

(x) 1 (30 gms.) bottle of potassium permanganate crystals;

(xi) 1 pair scissors;

(xii) 1 copy of the first-aid leaflet issued by the Director General Factory Advice Service and Labour Institutes, Government of India;

(xiii) A bottle containing 100 tablets (each of 5 grains) of aspirin;

(xiv) Ointment for burns;

(xv) A bottle of a suitable surgical anti-septic solution.

(2) Adequate arrangement shall be made for immediate recoupment of the equipment when necessary.

60. Nothing except the prescribed contents shall be kept in the First-Aid-Box.

61. The First-Aid Box shall be kept in charge of a responsible person who shall always be readily available during the working hours of the establishment.

62. A person in charge of the First-Aid Box shall be a person trained in First-Aid treatment in establishments where the number of contract labour employed is 150 or more.

CHAPTER - VI

WAGES

63. The contractor shall fix wage periods in respect of which wages shall be payable.

64. No wage period shall exceed one month.

65. The wages of every person employed as contract labour in an establishment or by a contractor where less than one thousand such persons are employed shall be paid before the expiry of the seventh day and in other cases before the expiry of tenth day after the last day of the wage period in respect of which the wages are payable.

66. Where the employment of any worker is terminated by or on behalf of the contractor the wages earned by him shall be paid before the expiry of the second working day from the day on which his employment is terminated.

67. All payments of wages shall be made on a working day at the work premises and during the working time and on a date notified in advance and in case the work is completed before the expiry of the wage period, final payment shall be made within 48 hours of the last working day.

68. Wages due to every worker shall be paid to him direct or to other person authorised by him in this behalf.

69. All wages shall be paid in current coin or currency or in both.

70. Wages shall be paid without any deductions of any kind except those specified by the ["Government of Assam"][1] by general or special order in this behalf or permissible under the Payment of Wages Act, 1936 *(4 of 1935)*.

71. A notice showing the wage period and the place and time of disbursement of wages shall be displayed at the place of work and a copy sent by the contractor to the Principal Employer under acknowledgement.

72. The Principal Employer shall ensure the presence of his authorised representative at the place and time of disbursement of wages by the contractor to workmen and it shall be the duty of the contractor to ensure the disbursement of wages in the presence of such authorised representative.

1. Substitutes for the words "Central Government" *vide* Notification No. G.L.R. 512/70/111, dated the 27th October, 1972.

73. The authorised representative of the principal employer shall record under his signature a certificate at the end of the entries in the Register of Wages or the wages-*cum*-Muster Roll, as the case may be, in the following form; "Certified that the amount in column No. ..... has been paid to the workmen concerned in my presence on ..... at ..... .

CHAPTER - VII

REGISTER AND RECORDS AND COLLECTION OF STATISTICS

74. Register of constructors.– Every principal employer shall maintain in respect of each registered establishment a register of contractors in Form XII.

75. Register of Persons employed.– Every Contractor shall maintain in respect of each registered establishment where the employees contract labour a register in Form XIII.

76. Employment Card.– *(i)* Every contractor shall issue an employment card in Form XIV to each worker within three days of the employment of the worker.

(ii) The card shall be maintained upto date and any change in the particulars shall be entered therein.

77. Service Certificate.– On termination of employment for any reason whatsoever the contractor shall issue to the workmen whose services have been terminated a Service Certificate in Form XV.

78. Muster Roll, Wages Registers, Deduction Register and Overtime Register.– (1) In respect of establishments which are governed by the Payment of Wages Act, 1936 (*4 of* 1936) and the rules made thereunder, or the Minimum Wages Act, 1948 (*11 of 1948)* or the rules made thereunder, the following registers and records required to be maintained by the contractor as employer under those Act and the rule made thereunder shall be deemed to be registers and records to be maintained by the contractor under these rules.

(a) Muster Roll;

(b) Register of Wages;

(c) Register of Deduction;

(d) Register of Overtime;

(e) Register of Fines;

(f) Register of Advances;

(2) In respect of establishment not cover under sub-rule(1), the following provisions shall apply namely-

(a) Every contractor shall maintain a Muster Roll Register and a Register of Wages in Form XVI and Form XVII respectively:

Provided that a combined Muster Roll-*cum*-Wages Register in Form XVIII shall be maintained by the contractor where the wages period is a fortnight or less;

(b) Where the wage period is one week or more contractor shall issue wage slips in Form XIX to the workers at least a day prior to the disbursement of wages;

(c) Signature or thumb-impression of every worker on the register of wages or wages-*cum*-muster roll as the case may be shall be obtained and entries therein, shall be authenticated by the initials of the contractor or his representative and duly certified by the authorised representative of the Principal Employer as required by Rule 73;

(d) ***Registers of Deductions, Fines and Advances.–*** Registers of deductions for damage or loss, Register of fines and Register of advances shall be maintained by every contractor in Forms XX, XXI and XXII, respectively;

(e) ***Register of Overtime.–*** A register of overtime shall be maintained by every contractor in Form XXIII to record therein number of hours and wages paid for overtime work, if any.

(3) Notwithstanding anything contained in these rules, where a combined or alternative form is sought to be used by the contractor to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder or any other laws or regulations or in cases where mechanised pay rolls are introducted for better administration, alternative suitable form or forms in lieu of any of the forms prescribed under these rules, may be used with the previous approval of the [Labour Commissioner, (Assam).][1]

79. Every contractor shall display and abstract of the Act and rules in English and ["Assamese"][2] and in the language spoken by the majority of workers in such form as may be approved by the Labour Commissioner (Assam).

80. (1) All registers and other records required to be maintained under the Act, and rules shall be maintained complete and up-

1. Substituted for the words "Chief Labour Commissioner (Central)" in sub-rule (3) of Rule 78, *vide* Notification No.G.L.R. 512/70/111, dated the 27th October, 1972.
2. Substituted for the word "HINDI" by the word "ASSAMESE" in Rule 79, by *Ibid.*

to-date, and unless otherwise provided for, shall be kept at an office of the nearest convenient building within the precincts of the work place or at a place within a radius of three kilometers.

(2) Such registers shall be maintained legibly in English or ["Assamese".][1]

(3) All the registers and other records shall be preserved in original for a period of the calendar years from the date of last entry therein.

(4) All the registers, records and notices maintained under the Act or rules shall be produced on demand before the Inspector or any other authority under the Act or any person authorised in the behalf by the Government of Assam.

(5) Where no deduction or fine has been imposed or no overtime has been worked during any wage period, a "nil" entry shall be made across the body of the register at the end of the wage period indicating also in precise terms the wage period to which the "nil" entry relates, in the respective registers maintained in Forms XX, XXI and XXIII respectively.

81. *(i)* Notices showing the rates of wages, hours of work, wage periods, dates of payment of wages names and addresses of the Inspector having jurisdiction, and date of payment of unpaid wages, shall be displayed in English and in [Assamese][1] and in the local language understood by the majority of the workers in conspicuous places at the establishment and the work-site by the principal employer or the contractor, as the case may be;

(ii) The notices shall be correctly maintained in a clean and legible condition.

(2) A copy of the notice shall be sent to the Inspector and whenever any changes occur the same shall be communicated to him forthwith.

82. (1) Every contractor shall send half yearly return in Form XXIV (in duplicate) so as to reach the Licensing Officer concerned not later than 30 days from the close of the half 'year'.

Note- Half year for the purpose of this rule means "a period of 6 months commencing from 1st January and 1st July of every year".

(2) Every principal employer of a registered establishment shall send annually a return in Form XXV (in duplicate) so as to reach

1. Substituted for the word "HINDI" by the word "ASSAMESE" *vide* Notification No. GLR.512/70/111, dated the 29th October, 1972.

the Registering Officer concerned not later than the 15th February following the end of the year to which it relates.

83. (1) The Board, Committee Labour Commissioner (Assam) or the Inspector or any other authority under the Act shall have powers to call for any information or statistics in relation to contract labour from any contractor or principal employer at any time by an order in writing.

(2) Any person called upon to furnish the information under sub-rule (1) shall be legally bound to do so.

[FORM - I

[*See* Rule 17 (1)]

APPLICATION FOR REGISTRATION OF ESTABLISHMENTS

Employing Contract Labour.

1. Name and location of the Establishment.
2. Postal Address of the Establishment.
3. Full name and address of the Principal Employer (furnish father's name in the case of individuals).
4. Full name and address of the Manager or person responsible for the supervision and Control of the establishment.
5. Nature of work carried on in the Establishment.
6. Nature of work in which contract labour is employed or is to be employed.
7. Maximum no. of Contract Labour to be employed in the Establishment on any day (through all the contractors).
8. Particulars of treasury receipt enclosed (Name of the Treasury, amount and date).

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Principal Employer.

Date of receipt of application

Seal and Stamp

Office of the Registering Officer."][1]

1. Substituted "Form I" *vide* Notification No. GLR. 512/70/230, dated the 20th July, 1977, (w.e.f.) at once.

FORM - II

[*See* Rule 18 (1)]

CERTIFICATE OF REGISTRATION

No. ..... Date.....

GOVERNMENT OF ASSAM

OFFICE OF THE REGISTERING OFFICER

A certificate of Registration containing the following particulars is hereby granted under sub-section (2) of Section 7 of the Contract Labour (Regulation & Abolition) Act, 1970, and the rules made thereunder to ..... .

1. Nature of work carried on in the establishment.
2. Nature of work in which Contract Labour is employed or is to be employed.
3. Maximum number of Contract Labour to be employed on any day (through all the contractors).
4. Other particulars relevant to the employment of contract labour.

Signature of Registering Officer
with seal.

[1]FORM - III

[*See* Rule 18 (3)]

REGISTER OF ESTABLISHMENTS

Serial No. .....

Registration No. and date	Name and address of the establishment registered	Name of the Principal Employer & his address	Type of business trade, industry, manufacture or occupation, which is carried on in the establishment	Total number of workmen directly employed	Particulars of Contractor and	
					Sl.No. of contractor	Name & address of the contractors
1	**2**	**3**	**4**	**5**	**6**	**7**

Contract Labour				
Licence No. of the Contractor	Maximum number of contract labour to be employed on any day by each contractor	Estimateed or actual date of employment of Contract Labour under each contractor	Estimated date of termination of employment Contract Labour under each Contractor	Exact location of the worksite where the workers engaged under each contractor are working or will be working.
8	**9**	**10**	**11**	**12**

1. Substituted "Form III," *vide* Notification No. GLR. 512/70/230, dated the 20th July, 1977 (w.e.f. at once).

FORM - IV

[*See* Rule 21(1)]

APPLICATION FOR LICENCE

1. Name and address of the contractor (including his father's name in case of individuals).
2. Date of birth and age (in case of individuals).
3. Particulars of establishment where contract labour is to be employed:-
   (a) Name and address of the establishment;
   (b) Type of business, industry, manufacture or occupation, which is carried on in the establishment;
   (c) Number and date of Certificate of Registration of the Establishment under the Act;
   (d) Name and address of the Principal Employer.
4. Particulars of contract labour–
   (a) Nature of work in which contract labour is employed or is to be employed in the establishment;
   (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending);
   (c) Name and address of the Agent or Manager of Contractor at the work site;
   (d) Maximum No. of contract labour proposed to be employed in the establishment on any date.
5. Whether the contractor was convicted of any offence within the preceding five years. If so, give details.
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposit in respect of an earlier contract. If so, the date of such order.
7. Whether the contractor has worked in any other establishment within the past five years. If so, give details of the Principal Employer, establishments and nature of work.
8. Whether a certificate by the Principal Employer in Form V is enclosed.
9. Amount of licence fee paid-No. of Treasury Challan and date.
10. Amount of security deposit-Treasury Receipt No. and date.

Declaration.– I hereby declare that the details given above are correct to the best of my knowledge and belief.

Place : Signature of the applicant
Date : (Contractor)

Note : The application should be accompanied by a Treasury Receipt for the appropriate amount and a certificate in Form V from the Principal Employer.

(To be filled in the office of the Licencing Officer)

Date of receipt of the application with challan for fees/Security Deposit.

Signature of the Licencing Officer.

[1][FORM - V

FORM OF CERTIFICATE BY PRINCIPAL EMPLOYER

Certified that I have engaged/propose to engage* the applicant ..... (name of the contractor) as a contractor in my establishment. I undertake to be bound by all the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 and the Contract Labour (Regulation and Abolition) Assam Rules, 1971 in respect of employment of Contract Labour by the applicant in my establishment.

Place :
Date :

Signature of Principal Employer
Name and Address of the Establishment"]

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1. Substituted Form "V" *vide* Notification No. GLR(RC).109/89/37, dated the 8th August, 1991 (with effect from the date of publication in the official *Gazette*.)

[1]FORM - VA

[*See* Rule 24 (1A)]

APPLICATION FOR ADJUSTMENT OF SECURITY DEPOSIT

Name and address of the contractor	No. and date of Licence	Date of expiry of previous Licence	Whether the Licence of the contractor was suspended or revoked
1	2	3	4

No. and of the Treasury receipt of Security deposit in respect of the previous licence	Amount of previous security deposit	No. and date of Treasury receipt of the balance security deposit if any, required on the fresh contract
5	6	7

No. and date of certificate of registration of the establishment in relation to which the new licence is applied for	Name and address of the Principal Employer	Particulars of fresh contract	Remarks
8	9	10	11

1. Inserted as new FORM "VA" after FORM V, *Vide* Notification No.GLR(RC).5/81/9, dated the 26th March, 1984 (with effect from at once) [*See* A.G.Part-IIA, dated 9th May, 1984.

FORM - VI

[*See* Rule 25 (1)]

Government of Assam

Office of the
Licensing Officer,

Sl. No.

Licence No. Date ..... Fee paid Rs. .....

LICENCE

1. Licence is hereby granted to ..... under Section 12(1) of the Contract Labour (Regulation and Abolition) Act, 1970, subject to the condition specified in Annexure.
2. This licence is for doing the work of .....
(nature of work to be indicated)
in the establishment of .....
(name of the principal employer to be indicated)
at ..... (place of work to be indicated)
3. The licence shall remain in force till .....(date to be indicated)

Date Signature and Seal of the Licensing Officer.

RENEWALS [Rule 29]

	Date of renewal	Fee paid for renewal	Date of expiry
1.			
2.			
3.			
4.			
5.			

Date : Signature and Seal of the Licensing Officer

Annexure

The licence is subject to the following condition :

1. The licence shall be non-transferable.
2. The number of workmen employed as contract labour in the establishment shall not on any day, exceed .....
3. Except as provided in the rules the fees paid for the grant or as the case may be, for renewal of the licence shall be non refundable.
4. The rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed for the schedule of employment under the Minimum Wages Act, 1948, where applicable, and where the rates have been fixed by agreement/ settlement or award, not less than the rates fixed.
5. In case where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work provided that in the case of any disagreement with regard to the type of work the same shall be decided by the Labour Commissioner, Assam whose decision shall be final.
6. In other case the wage rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the Labour Commissioner (Assam).
7. In every establishment where 20 or more women are ordinarily employed as contract labour there shall be provided 2 rooms of reasonable dimensions for the use of their children under the age of six years. One of such rooms would be used as a play room for the children as the other as bedroom for the children. For this purpose the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and beddings in the sleeping room. The standard of construction and maintenance of the creches may be such as may be specified in this behalf by the Labour Commissioner (Assam)[1].
8. The licensee shall notify any change in the number of workmen or the conditions of work to the Licensing Officer.

[8A. Copy of the licence shall be displayed prominently at the premises where the contract work is being carried on."][2]

1. Substitituted for the words "Chief Labour Commissioner (Central)" by the words "Labour Commissioner, Assam" in paragraph No. (5), (6) and (7) of the *Annexure* to FORM VI, *Vide* No. GLR.512/70/111, dated the 27th Oct.1972.
2. Insterted as the new Paragraph (8A) after paragraph (8) in Annexure *vide* Notification No.GLR (RC)51/81/9, dated the 26th March, 1984 (w.e.f. at once) [*See* A.G.Part IIA, dated 9th May, 1984.

[1]FORM - VIA

[*See* Rule 25 (2)*(ix)*]

I/We/Shri/Sarbashree (Name and address of the contractor or contractor .....
Hereby intimate that the contract work (name of the work) .....
.....

fill the establishment of (name and address of Principal employer) ..... for which licence No. ..... dated ..... has been issued to me/us by the licencing Officer (name of the Head Quarter) .....
.....
has been commenced/completed with effect from (date) on (date) .....
.....

Signature of the contractors.

To,
The Inspector,

Under Contract Labour (Regulation and Abolition) Act, 1970.

1. Inserted as new FORM 'VIA" after FORM VI, *vide* Notification No.GLR(RC) 51/81/9, dated the 26th March, 1984 (with effect from at once), *See* A.G.Part IIA, dated 9th May, 1984.

[1]FORM - VII

[*See* Rule 29(2)]

APPLICATION FOR RENEWAL OF LICENCES

1. Name and address of the contractor.
2. Number and date of the licence.
3. Date of expiry of the previous licence.
4. Whether the licence of the contractor was suspended or revoked.
5. Particulars of the establishment where contract Labour is to be employed.
6. Number and date of the treasury receipt enclosed.

Place :
Date : Signature of the Applicant.

1. Substituted FORM "VII" under Rule 29(2), *vide* Notification No. GLR(RC)109/89/37, dated the 8th August, 1991.

Note : Before *Substitution* FORM "VII" originally read as follows-

FORM - VII

[*See* Rule 29(2)]

Application for Renewal of Licences.

1. Name and address of the contractor.
2. Number and date of the licence.
3. Date of expiry of the previous licence.
4. Whether the licence of the contractor was suspended or revoked.
5. Number and date of the treasury receipt enclosed.

Place :
Date : Signature of the Applicant

(To be filled in office of the Licensing Officer)

Date of receipt of the application
with Treasury Receipt No. and date.

Signature of the Licensing Officer.

FORM - VIII

[*See* Rule 32(2)]

APPLICATIONS FOR TEMPORARY REGISTRATION OF ESTABLISHMENT'S EMPLOYING CONTRACT LABOUR

1. Name and location of the establishment.
2. Postal address of the establishment.
3. Full name and address of the Principal Employer (furnish father's name in the case of individuals).
4. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
5. Nature of work carried on in the establishment.
6. Particulars of contract labour:-
   A. Nature of work in which contract labour is to be employed and reasons for urgency.
   B. Maximum number of contract labour to be employed on any day.
   C. Estimated date of termination of employment of contract labour.
7. Particulars of treasury Receipt or the crossed Postal Order enclose..... I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Principal employer
Seal and Stamp

Time and date of receipt of application with
Treasury Receipt or the Crossed Postal order.

Officer of the Registering Officer.

FORM - IX

[*See* Rule 32(3)]

Date of expiry .....

TEMPORARY CERTIFICATE OF REGISTRATION

No. ..... Date .....

[Government of Assam][1]

Officer of the Licensing Officer

A Temporary Certificate of Registration containing the following particulars is hereby granted under sub-section (2) of Section 7 of the Contract Labour (Regulation and Abolition) Act, 1970 and the rules made thereunder to ..... valid from ..... to ..... .

1. Nature of work carried on in the establishment.
2. Nature of work in which contract labour is to be employed.
3. Maximum number of contract labour to be employed on any day.
4. Other particulars relevant to the employment of contract labour.

Signature of Registering Officer with Seal.

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1. Substituted for the words "Government of India" by the words "Government of Assam" *vide* Notification No.GLR.512/70/111, dated the 27th October 1972.

FORM - X

[*See* Rule 32(2)]

APPLICATION FOR TEMPORARY LICENCE

1. Name and address of the contractor (including his father's name in case of individuals).
2. Date of birth and Age (in case of individuals).
3. Particulars of Establishment where contract labour is to be employed:-
   (a) Name and address of the Establishment,
   (b) Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment,
   (c) Name and address of the Principal Employer,
4. Particulars of contract labour:-
   (a). Nature of work in which contract labour is to be employed in the establishment,
   (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending),
   (c) Name and address of the Agent or Manager of Contractor at the work-site:
   (d) Maximum No. of contract labour proposed to be employed in the establishment on any day:-
5. Whether the contractor was convicted of any offence within the preceding five years. If so, give details.
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposits in respects of an earlier contract. If so the date of such order.
7. Whether the contractor has worked in any other establishment within the past give years. If so, give details of the Principal Employer Establishment and nature of work.
8. Amount of licence fee paid No. of Treasury Challan or the crossed postal order and date.
9. Amount of security deposit Treasury Receipt or crossed postal order No. and date.

   I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Place : Signature of the applicant
Date : (Contractor)

(To be filled in the office of the Licensing Officer)

Date of receipt of the application
with challan for fee/Security Deposit.

Signature of the Licensing Officer.

FORM - XI

[*See* Rule 32(3)]

Government of Assam[1]

Office of Licensing Officer

Licence No. Dated..... Fee paid Rs. .....

Signature of the Licensing Officer

Temporary Licence Expires on.....

Licence is hereby granted to ..... under Section 12(2) of the Contract Labour (Regulation and Abolition) Act, 1970, subject to the conditions specified in Annexure.

The Licence shall remain in force till. _____

Date : Signature and Seal of the Licensing Officer.

ANNEXURE

The licence is subject to the following conditions:-

1. The licence shall be non-transferable.
2. The number of workmen employed as contract labour in the establishment shall not, on any day exceed, _____ .
3. Except as provided in the rules the fees paid for the grant of the licence shall be non-refundable.
4. The rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed for the Schedule of employment under the Minimum Wages Act, 1948, where applicable, and where the rates have been fixed by agreement, settlement or award, not less than the rates fixed.
5. In cases where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work: provided that in the case of any disagreement with regard to the type of work the same shall be decided by the Chief Labour Commissioner (Central) whose decision shall be final.
6. In other cases the wage rates, rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the Chief Labour Commissioner (Central).

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1. Substituted for the words "Government of India" by the words "Government of Assam" *vide* Notification No. GLR.512/70/111, dated the 27th October, 1972.

FORM - XII

[*See* Rule 74]

REGISTER OF CONTRACTORS

1. Name and address of the Principal Employer .....
2. Name, address of the establishment .....

Sl.No	Name and address of contractor	Nature of work on contract	Location of contract work	Period of contract		Maximum No. of workers employed by contractor
				From	To	

FORM - XIII

[*See* Rule 75]

REGISTER OF WORKMEN EMPLOYED BY CONTRACTOR

Name and address of Contractor ..... Name and address of establishment in/under which contract is carried on .....

Nature and location of work ..... Name and address of Principal Employer .....

.....

Sl. No.	Name and surname of workman	Age and Sex	Father's/ Husband's name	Nature of Employ-ment/ Desig-nation	Permanent Home Address of workman (Village and Tehsil/Taluk and District)	Local Address	Date of commen-cement of employment	Signature or Thumb im-pression of workman	Date of termi-nation of em-ployment	Reasons for ter-mination	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

FORM - XIV

[*See* Rule 76]

EMPLOYMENT CARD

Name and address of Contractor.....

Nature of work and location of work .....

1. Name of the workman .....
2. Sl.No. in the register of workman employed.
3. Nature of Employment/ Designation.
4. Wage rate (with particulars of unit, in case of piece-work.)
5. Wage period.....
6. Tenure of employment .....
7. Remarks .....

Name and address of establishment in/under which contract is carried on .....

Name and address of Principal Employer .....

.....

.....

.....

.....

.....

.....

Signature of Contractor.

FORM - XV

[*See* Rule 77]

SERVICE CERTIFICATE

Name and address of contractor .....

Nature and location of work .....

Name and address of the workman .....

Age or Date of birth .....

Identification marks .....

Father's/Husband's name .....

Name and address of establishment in/under which contract is carried on .....

.....

Name and address of Principal Employer .....

Sl.No.	Total period for which employed		Nature of work done	Rate of wage (with particulars of unit in case piece-work)	Remarks
	From	To			
1	2	3	4	5	6

Signature .....

FORM - XVI

[*See* Rule 78(2)(a)]

MUSTER ROLL

Name and address of Contractor .....

Name and address of establishment in/under which contract is carried on .....
.....

Name and location of work .....

Name and address of Principal Employer .....
For the month of .....

Sl.No.	Name of workman	Father's/Husband's name	Sex	Dates					Remarks
				1	2	3	4	5	

FORM - XVII

[*See* rules 78(2) *(a)*]

REGISTER OF WAGES

Name and address of Contractor ..... Name and address of establishment in/under which contract is carried on .....

Nature and location of work .....

Name and address of Principal Employer .....

Wage period : Monthly

Sl.No.	Name of workman	Serial No. in the register of workmen	Designation/ Nature of work done	Worked	Units of work done	Daily rate of wage piece	Amount of wages earned					Deductions if any, (indicate nature)	Net amount paid	Signature/ Thumb impression of workman	Initial of contractor or his representative
							Basic wages	Dearness allowances	Over time	Other cash payments (Nature of Payment to be indicated)	Total				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

FORM - XVIII

[*See* rules 78(2)*(a)*]

FORM OF REGISTER OF WAGES-CUM-MUSTER ROLL

Name and address of Contractor ..... Name and address of establishment in/under which contract is carried on .....

Name and address of Principal Employer .....

Wage period : Weekly/Fortnightly

Nature and location of work.. From to

Sl.No.	Sl.No. in Register of workmen	Name of employee	Designation/ Nature of work	Daily attendance/ units worked 1-2-15	Total attendance/ units of work done	Daily rate of Wages/ piece rate	Amount of wages earned					Deduction if any, (indicate nature)	Net amount paid	Signature/ Thumb impression of workmen	Initials of contractor or his representative
							Basic wages	Dearness allowance	Over time	Other cash payments (Nature of Payments to be indicated)	Total				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

FORM - XIX

[*See* Rule 78(2)*(b)*]

WAGE SLIP

Name and Address of Contractor..... Name and Father's/Husband's name of the workman.....

Nature and location of work ..... For the Week/Fortnight Month ending .....

1. No. of days work .....
2. No. of units worked in case of piece rate workers.
3. Rate of daily wages/piece rate .....
4. Amount of overtime wages.
5. Gross wages payable .....
6. Deductions if any .....
7. Net amount of wages paid.

.....

Initials of the Contractor or his representative.

FORM - XX

[*See* Rule 78(2) *(d)*]

REGISTER OF DEDUCTIONS FOR DAMAGE OR LOSS

Name and address of Contractor ..... Name and address of Establishment in/under which contract is carried on .....

Nature and location of work ..... Name and address of Principal Employer .....
.....

Sl.No.	Name of workman	Father's/ husband's name	Designation/ Nature of employment	Particulars of damage or loss	Date of damage or loss	Whether workman showed cause against deduction	Name of person in whose presence employee's explanation was heard	Amount of deduction imposed	No. of instalments	Date of recovery		Remarks
										First instalment	Last instalment	
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM - XXI

[*See* Rule 78(2)*(d)*]

REGISTER OF FINES

Name and address of Contractor ..... Name and address of establishment in/under which contract is carried on .....

Name and location of work ..... Name and address of Principal Employer .....
.....

Sl.No.	Name of workman	Father's/ Husband's name	Designation/ Nature of employment	Act/ Omission for which fine imposed	Date of offence	Whether workman showed cause against fine	Name of person in whose presence employee's explanation was heard	Wages periods and wage payable	Amount of fine imposed	Date on which fine realised	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

FORM - XXII

[*See* Rule 78(2) *(d)*]

REGISTER OF ADVANCES

Name and Address of Contractor ..... Name and address of establishment in/under which contract is carried on .....

Nature and location of work ..... Name and address of Principal Employer .....

Sl.No.	Name	Father's/ Husband's name	Nature of employ-ment Desig-nation	Wage period and wages payable	Date and amount of advance given	Purpose(s) for which advance made	No. of instalments by which advance to be re-paid	Date of amount of each instalment was re-paid	Date on which last instalment was re-paid	Remarks
1	2	3	4	5	6	7	8	9	10	11

FORM - XXIII

[*See* Rule 78(2)*(e)*]

REGISTER OF OVERTIME

Name and address of Contractor ..... Name and address of establishment in/under which contract is carried on .....

Nature and location of work ..... Name and address of Principal Employer .....

Sl. No.	Name of workman	Father's/ Husband's name	Sex	Designation/ nature of employment	Dates on which over-time worked	Total overtime worked or production in case of piece rated	Normal rate of wages	Overtime rate of wages	Overtime earnings	Date on which over time wages paid	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

FORM - XXIV

[*See* Rule 82(1)]

RETURN TO BE SENT BY THE CONTRACTOR TO THE LICENSING OFFICER

Half Year Ending .....

1. Name and address of the contractor .....
2. Name and address of the establishment.
3. Name and address of the Principal employer.
4. Duration of contract : From..... to .....
5. No. of days during the half year on which-
   (a) the establishment of the principal employer had worked .....
   (b) the contractor's establishment had worked .....
6. Maximum number of contract labour employed on any day during half year :
   Men Women Children Total
7. *(i)* Daily hours of work and spread over–
   (ii) *(a)* whether weekly holiday observed and on what day–
   (b) If so, whether it was paid for-
   (iii) No. of man hours of overtime worked–
8. Number of man days worked by–
   Men Women Children Total
9. Amount of wages paid–
   Men Women Children Total
10. Amount of deductions from wages, if any–
    Men Women Children Total
11. Whether the following have been provided-
    (i) Canteen ... ...
    (ii) Rest Rooms ... ...
    (iii) Drinking water ... ...
    (iv) Creches .. ..
    (v) First Aid ... ...

(If the answer is "yes" state briefly standard provided)

Place

Date Signature of Contractor

FORM - XXV

[*See* Rule 82(2)]

ANNUAL RETURN OF PRINCIPAL EMPLOYER TO BE SENT TO THE REGISTERING OFFICER

Year ending 31st, December

1. Full name and address of Principal Employer.
2. Name of Establishment-
   (a) District
   (b) Postal Address
   (c) Nature of operation/industry/work carried on.
3. Full name of the manager or person responsible for supervision and control of the establishment :
4. No. of contractors who worked in the establishment during the year (Give details in Annexure).
5. Nature of work/operations on which contract labour was employed:
6. Total number of days during the year on which contract labour was employed.
7. Total number of mandays worked by contract labour during the year.
8. Maximum No. of workmen employed directly on any day during the year.
9. Total No. of days during the year on which direct labour was employee.
10. Total No. of mandays worked by directly employed workmen.
11. Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates.

Place : Principal Employer

Date :

ANNEXURE TO FORM

Name and address of the Contractor	Period of Contract From —— To	Nature of work	Maximum No. of workers employed by each Contractor	No. of days worked	No. of man days worked
1	2	3	4	5	6

THE INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ASSAM RULES, 1981

(ASSAM RULE V OF 1982)[1]

(*Dated the 23rd September, 1982*]

No.GLR(RC).9/80/166– *In exercise of the powers conferred by sub-section (I) of Section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979), the Governor of Assam after making previous publication of the draft rules vide this Department Notification No.GLR(RC)9/80/25, dated 26th September, 1981, is pleased to finalise the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam, Rules, 1981 as follows-*

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1. Short title and commencement.
2. Definitions.

CHAPTER-II

3. Form and manner of making application for registration of establishment.
4. Issue of certificate of Registration.
5. Circumstances in which application for registration may be rejected.
6. Amendment of certificate of registration.
7. Application for a licence.
8. Matters to be taken into account in granting or refusing a licence.
9. Refusal to issue licence.
10. Security.
11. Forms, terms and conditions of licence.
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18. Appeals and procedure.
19. Obtaining of copies of orders.
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DUTIES OF THE CONTRACTOR

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22. Return fare.
23. Pass-Book.
24. Return and Report.

1. Published in the Assam *Gazette*, Part IIA, dated 10th November,1982,pp.-2440-2490.

CHAPTER-IV

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CHAPTER-I

1. Short title and commencement– (1) This rules may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam Rules, 1981.

(2) They shall come into force at once.

2. Definitions– In these rules unless the subject or context otherwise requires–

(a) "Act" means the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979;

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

(c) "Appellate Officer" means an Appellate Officer nominated by the State Government under Section 11;

(d) "Deputy Labour Commissioner" means an Officer as such appointed by the State Government;

(e) "Form" means a form appended to these rules;

(f) "Inspector" means an Inspector appointed by the State Government under Section-20;

(g) "Licensing Officer" means the Licensing Officer appointed by the State Government under Section-7;

(h) "Migrant Workmen" means an inter-state Migrant workmen as defined in Section-2;

(i) "Registering Officer" means the registering Officer appointed by the State Government under Section-3;

(j) "Specified authority" means the authority specified by the State Government for the purpose of Section 12 and 16, and

(k) all other words and expressions used in these rules but not defined, therein shall have the meanings respectively assigned to them in the Act.

CHAPTER-II

3. Form and manner of making application for registration of establishment– (1) The application for registration of an establishment shall be made in triplicate in Form I to the Registering Officer of the area in which the establishment sought to be registered is located.

(2) The application shall be accompanied by the original copy

of the Treasury Challan showing payment of the fees for the registration of the establishment.

(3) The application shall be either personally delivered to the Registering Officer or sent to him by registered post.

(4) On receipt of the application, the Registering Officer shall after nothing thereon the date of receipt by him of the application give an acknowledgement to the applicant.

4. Issue of certificate of registration– (1) Where the Registering Officer registers the establishment, he shall issue to the Principal employer a certificate of registration in Form II.

(2) The Registering Officer shall maintain a register in Form-II showing the particulars of the establishment in relation to which certificates of registration are issued by him.

(3) If, in relation to an establishment, there is any change in the particulars specified in the certificate of registration, the principal employer of the establishment shall intimate to the Registering Officer, within thirty days from the date when such change takes place, the particulars of the reasons for such change.

5. Circumstances in which application for registration may be rejected– (1) If any application for registration is not complete in all respects, the Registering Officer shall require the principal employer to amend the application so as to make it complete in all respects.

(2) If the principal employer, on being required by the Registering Officer to amend his application for registration, omits or fails to do so, the Registering Officer shall reject the application for registration.

6. Amendment of certificate of registration– (1) Whereon receipt of the intimation under sub-rule (3) of Rule 4, the Registering Officer is satisfied that an amount higher than the amount, which has been paid by the principal employer as fees for the registration of the establishment is payable, he shall require such principal employer to deposit a sum which together with the amount already paid by such principal employer, would be equal to such higher amount of fees payable for the registration of the establishment and to produce receipt showing such deposit.

(2) Where, on receipt of the intimation referred to in sub-rule (3), of Rule 4, the Registering Officer is satisfied that there has occurred a change in the particulars of the establishment, as

entered in the register in Form-III, he shall amend the said register and record therein the change thus occurred :

Provided that no such amendment shall affect anything done or any action taken or any right, obligation or liability acquired or incurred before such amendment :

Provided further that the Registering Officer shall not carry out any amendment in the registration Form-III unless the appropriate fees have been deposited by the principal employer.

7. Application for a licence– (1) Every application by a Contractor for the grant of a licence for recruiting a person under clause *(a)* of sub-section (1) of Section 8 shall be made in triplicate, in Form-IV to the Licensing Officer having jurisdiction in relation to the area wherein recruitment is made.

(2) Every application by a Contractor for employing a migrant workmen under clause *(b)* sub-section (1) of Section 8 shall be made in Form-V to the Licensing Officer having jurisdiction in relation to the area wherein the establishment is situated.

(3) *(i)* Every application for the grant of a licence under sub-rule (1) or sub-rule (2), shall be accompanied by a certificate of the principal employer in Form -IV to the effect that he undertakes to be bound by all the provisions of the Act and the rules made thereunder so far as they are applicable to him in respect of the recruitment or employment of the migrant workman, in respect of which the Contractor is making the application.

(ii) Every such application shall be either personally delivered to the Licensing Officer concerned or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1) or sub-rule (2), the Licensing Officer concerned shall after nothing thereon the date of receipt of the application, grant an acknowledgement to the applicant.

(5) Every application referred to in sub-rule (1) shall also be accompanied by the receipt obtained as required by Rule-20.

8. Matters to be taken into account in granting or refusing a licence– In granting or refusing to grant a licence the Licensing Officer shall take the following matters into account, namely–

(a) Whether the applicant–

(i) is a minor, or

(ii) is of unsound mind and stands so declared by a competent, court, or

(iii) is an undischarged insolvent, or

(iv) has been convicted at any time during the period of five years immediately preceding the date of application, of an offence which, in the opinion of the State Government, involves moral turpitude;

(b) whether any order has been made in respect of the applicant under sub-section (1) of Section 10, and if so, whether a period of three years has clapsed from the date of that order;

(c) whether the fees for the application has been deposited at the rates specified in Rule 12, and

(d) whether security, wherever necessary, has been deposited by the applicant at the rates specified in sub-rule (1) of Rule 10.

9. Refusal to issue licence– (1) On receipt of the application from the Contractor, and as soon as possible thereafter, the Licensing Officer shall investigate or cause investigation to be made to satisfy himself about the correctness of the facts and particulars furnished in such application and the eligibility of the applicant for a licence.

(2) *(i)* Where the Licensing Officer is of the opinion that the licence should not be issued, he shall, after affording reasonable opportunity to the applicant to be heard, make an order rejecting the application.

(ii) The order shall record the reasons for the refusal and shall be communicated to the applicant.

10. Security– (1) Where the Licensing Officer is satisfied in accordance with the procedure laid down in the proviso to sub-section (2) of Section 8, that any person who has applied for or who has been issued a licence should furnish security for the due performance of the conditions of the licence, he shall prepare an estimate of the amount needed to provide for recruitment or employment of migrant workmen on the basis of the factors specified in sub-section (3) of the said section and after considering the solvency of such person, determine the amount of the security to be furnished by such person, which shall not exceed forty percent of the amount estimated by him.

(2) Where the applicant for the licence was holding in licence in regard to another work and that licence had expired, the licensing Officer, if he is of the view that any amount out of the security, if any, deposited in respect of that licence is to be refunded to the applicant under Rule 17, he may on an application made for that purpose in Form-VII by the applicant adjust the amount so to be refunded towards the security, if any, required to be deposited in respect of the application for the new licence and the applicant need deposit, in such a case, only the balance amount, if any, after making such adjustment.

11. Forms, terms and conditions of licence– (1) Every licence issued under sub-section (1) of Section 8 shall be in Form-VIII.

(2) Every licence granted under sub-rule (1) or renewed under Rule 15 shall be subject to the following conditions, namely-

(i) the licence shall be non-transferable;

(ii) the terms and conditions of the agreement of arrangement or the arrangement under which the migrant workmen is recruited or employed;

(iii) the number of migrant workmen recruited or employed;

(iv) the number of workmen recruited or employed as migrant workmen in the establishment shall not on any day, exceed the maximum number specified in condition *(iii)*;

(v) the rates of wages payable to the migrant workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948, for such employment and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed;

(vi) save as provided in these Rules the fees paid for the issue, or as the case may be for renewal of licence shall be non-refundable;

(vii)(a) in cases where the migrant workmen recruited or employed by the Contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the migrant workmen of the Contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work :

Provided that in the case of any disagreement with regard to the type of work, the same shall be decided by the Deputy Labour Commissioner, Assam, whose decision thereon shall be final;

(b) in other cases, the wage rates, holidays, hours of work and conditions of service of the migrant workmen recruited or employed by the Contractor shall be such as prescribed in these rules;

(viii) every migrant workmen shall be entitled to allowances, benefits, facilities etc., as prescribed in the Act and the Rules;

(ix) no female migrant workmen shall be employed by any Contractor before 6 A.M. or after 7 P.M. :

Provided that this clause shall not apply to the employment of female migrate workmen in Pit head Baths, Creches and canteens and Midwives and Nurses in hospitals and dispensaries;

(x) the contractor shall notify any change in the number of migrant workmen or the conditions of work to the licensing Officer;

(xi) the contractor shall comply with all the provisions of the Act and the Rules;

(xii) a copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed;

(xiii) the period for which the licence shall be valid.

12. Fees– (1) The fees to be paid for the grant of certificate of registration of an establishment under Section 4 shall be as specified below-

If, the number of migrant workmen proposed to be employed in the establishment on any day:-

			Rs. Ps.
(a) is 5 but does not exceed 20	...	...	30.00
(b) exceeds 20 but does not exceed 50	...	...	75.00
(c) exceeds 50 but does not exceed 100	...	...	150.00
(d) exceeds 100 but does not exceed 200	...	...	300.00
(e) exceeds 200 but does not exceed 400	...	...	600.00
(f) exceeds 400	...	...	750.00

(2) The fees to be paid for the grant of licence under Section 7 shall be as specified below:-

If the number of migrant workmen recruited or employed by the Contractor on any day:-

			Rs. Ps.
(a) is 5 but does not exceed 20	...	...	10.00
(b) exceeds 20 but does not exceed 50	...	...	20.00
(c) exceeds 50 but does not exceed 100	...	...	40.00
(d) exceeds 100 but does not exceed 200	...	...	80.00
(e) exceeds 200 but does not exceed 400	...	...	160.00
(f) exceeds 400	...	...	200.00

13. Amendment of the Licence– (1) A licence issued under Rule 11 or renewed under Rule 15 may, for good and sufficient reasons may be amended by the Licensing Officer.

(2) The Contractor who desires to have the licence amended shall submit to the Licensing Officer an application stating the nature of amendment and reasons therefor.

(3) *(i)* If the Licensing Officer allows the application he shall require the applicant to deposit the amount, if any by which the fees that would have been payable if the licence had been originally issued in the amended form exceeds the fee originally paid for the licence and furnish the original copy of the Treasury Challan making the additional deposit;

(ii) On the application furnishing the requisite receipt, the licence shall be amended according to the orders of the Licensing Officer.

(4) Where the application for amendment is refused, the licensing officer shall record the reasons for such refusal and communicate the same to the applicant.

14. Renewal of licence– (1) Every Contractor may apply to the licensing officer for renewal of the licence.

(2) The application shall be in Form-XI in triplicate and shall be made not less than thirty days before the date on which the licence expires, and if the application is so made the licence shall be deemed to have been renewed until such date when the renewed licence is issued.

(3) The fee chargeable for renewal of the licence shall be same as for the grant thereof :

Provided that if the application for renewal is not received within the time specified in sub-rule (2) a fee of twenty-five percent

in excess of the fee ordinarily payable for the licence shall be payable for such renewal :

Provided further that in case where the Licensing Officer satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the Contractor, he may reduce or remit as he deems fit the payment of such excess fee.

15. Period of renewal of the licence– Every licence renewed under this rule 15 shall remain in force for a further period of twelve months from the date of last renewal.

16. Issue of duplicate certificate of registration or licence– Where a certificate of registration/or licence granted or renewed under the preceding Rule, has been lost, defaced or accidentally destroyed a duplicate thereof may be granted on payment of fees of Rs.10.

17. Refund of security– (1)*(i)* On expiry of the period of licence the Contractor may, if he does not intend to have his licence renewed or get the security amount adjusted in respect of his fresh application for licence in terms of sub-rules (2) of Rule, 10 make an application to the Licensing Officer for the refund of the security, if any, deposited by him under Rule 10;

(ii) If the Licensing Officer is satisfied that there is no breach of the conditions of licence or there is no order under Section 10 for the forfeiture of security of any portion thereof, he shall direct the refund of the security to the applicant.

(2) If there is any order directing the forfeiture of the whole or any part of the security, the amount to be forfeited shall be deducted from the security deposit and balance, if any, shall be refunded to the applicant.

(3) The application for refund shall as far as possible be disposed of within sixty days of the receipt of the application.

18. Appeals and procedure– (1)*(i)* Every appeal under Section 11 shall be preferred in the form of a memorandum signed by the appellant or his authorised agent and presented to the Appellate Officer in person or sent to him by registered post;

(ii) The memorandum shall be accompanied by a certified copy of the order and the original copy of the treasury challan showing the deposit of Rs. 25.00.

(2) The memorandum shall set forth precisely and under distinct head the grounds of appeal to the order appealed from.

(3) Where the memorandum of appeal does not comply with the provisions of sub-rule (2) it may be rejected or returned to the appellant for the purpose of being amended within a time to be fixed by the appellate officer.

(4) Where the Appellate Officer rejects the memorandum of appeal under sub-rule (3), he shall record the reasons for such rejection and communicate the same to the appellant.

(5) Where the memorandum of appeal is in order, the Appellate Officer shall admit the appeal, endorse thereon the date of presentation and shall register the appeal in the register of appeals kept for the purpose.

(6)*(i)* When the appeal has been admitted, the Appellate Officer shall send a notice to the Registering Officer or the Licensing Officer, as the case may be, from whose order the appeal has been preferred. The Registering Officer or as the case may be, the Licensing Officer shall thereupon send the record of the case to the Appellate Officer.

(ii) On receipt of the record the Appellate Officer shall send a notice to the appellant to appear before him on such date and time as may be specified in the notice for the hearing of the appeal.

(7) If on the date fixed for the hearing, the appellant does not appear, the Appellate Officer may dismiss the appeal for default of appearance of the appellant.

(8)*(i)* Where an appeal has been dismissed under sub-rule (7) the appellant may apply to the Appellate Officer for re-admission of the appeal and where it is proved that he was prevented by any sufficient cause from appearing when appeal was called for hearing, the Appellate Officer shall restore the appeal on its original number;

(ii) An application under clause *(i)* shall unless the Appellate Officer extends the time for sufficient reason, be made within thirty days of the date of dismissal.

(9)*(i)* If the appellant is present when the appeal is called for hearing, the Appellate Officer shall proceed to have the appellant of his authorised agent and any other person summoned by him for the purpose and pronounce judgement on the appeal either confirming reversing or modifying the order appealed from;

(ii) The judgement of the Appellate Officer shall state the points for determination, decisions thereon and the reasons for the decision;

(iii) The order shall be communicated to the appellant and a copy thereof shall be sent to the Registering Officer or the Licensing Officer as the case may be from whose order the appeal has been preferred.

19. Obtaining of copies of orders– A copy of the order of the Registering Officer, Licensing Officer or Appellate Officer may be obtained on payment of fees of rupees two per copy of each order on application specifying the date and other particulars of the order made to the officer concerned.

20. Payment of fees and Security deposits– (1) The payment of the various fees relating to registration, licensing and security deposit shall be made in the local treasury.

(2) The heads of accounts under which the receipts relating to the fees for registration, licensing etc. shall be credited will be "087-Labour and Employment Fees under the Inter State Migrant Workmen (Regulation of Employment and Conditions of Service Assam Rules, 1981. The security deposits shall be booked under the Head "843 Civil Deposits- and Conditions of Service) Act, 1979-Deposit under Central State Acts. Deposit under the Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam Rules, 1981" under the Section K.-Deposits and Advances not bearing interest.

CHAPTER-III

DUTIES OF THE CONTRACTOR

21. Particulars of migrant workman– Every Contractor shall furnish to the specified authorities the particulars regarding recruitment and employment of migrant workmen in Form-K.

(2) The particulars shall be either personally delivered by the Contractor to the concerned specified authorities or sent to them by registered post.

22. Return fare– The Contractor shall pay to the migrant workman the return fare from the place of employment to the place of residence in the home-state of the migrant workman on the expiry of the period of employment and also on his-

(a) termination of service before the expiry of the period of employment for any reason what-so-ever;

(b) being incapacitated for further employments on account of injury or continued ill-health duly certified as such by a registered medical practitioner;

(c) cessation of work in the establishment which is not due to any fault on the part of the migrant workman; and

(d) resignation from service on account of non-fulfilment of terms and conditions of his employment by the Contractor.

23. Pass Book– (1) In the pass book referred to in clause (4) of sub-section (1) of Section 12, the following additional particulars shall be indicated, namely-

(a) the date of recruitment;

(b) the date of employment;

(c) total attendance/unit of work done (in respect of piece rated migrant workman) total wages earned/deductions if any made/net amount paid and signature of Contractor or his duly authorised representative with date; and (these entries shall be made separately in respect of each wage period within three days from the date of payment);

(d) name and address of the next of kins of migrant workman.

(2) In case of fatal accident or serious bodily injury to any migrant workman, the Contractor shall immediately sent telegrams to the specified authorities of both the States and also the next of the kins of the migrant workman intimating death or the nature of serious bodily injury sustained by the migrant workman, as the case may be, date place and nature of accident. The Contractor shall further sent written report to the specified authorities concerned and the next of the kins of the migrant workman, undermentioned particulars, by register post within 24 hours of the occurrence of the accident-

(i) Name of the migrant workman;

(ii) Date, place and nature of accident;

(iii) Condition of the migrant workman (if alive);

(iv) Action taken by the Contractor/Principal employer;

(v) Remarks.

(3) If the contractor fails to send the telegraphic intimation and or written report as required under sub-rule (2), the principal employer shall comply with the requirements of sub-rule (2) as early as possible but in any case not later than 48 hours of the time of occurrence of the accident.

24. Return and Report– Every Contractor shall furnish a return regarding migrant workmen who have ceased to be employed in Form-XI to the specified authorities concerned either personally or by registered post so as to reach them not later than 15 days from the date of the migrant workman ceases to be employed.

CHAPTER-IV

WAGES

25. Rate of Wages– The rate of wages of a migrant workman in an establishment where he is required to work which is neither same nor of similar kind as is being performed by any other workman in that establishment shall not be less than the rate of wages paid by the principal employer to a workman in the lowest category of workman directly employed by him in that establishment or the minimum rates of wages notified by the State Government under the Minimum Wages Act, 1948 for the same or similar type of work performed by workman in any scheduled employment in the area in which the establishment is located, or the rates of wages payable to the workman for performing same or similar kind of work in that establishment in the State in which the establishment is located, whichever is higher :

Provided that if there is any dispute in this regard or with regard to applicability of wages rates to a migrant workman under sub-clause *(b)* of sub-section *(i)* of Section 13, the same shall be decided by the Deputy Labour Commissioner, Assam whose decision shall be final.

26. Wages period– The Contractor shall fix wage periods in respect of which wages shall be payable.

27. No wage period shall exceed one month.

28. Payment of wages– The wages of every migrant workman in an establishment by a Contractor where less than 1,000 workmen are employed shall be paid before the expiry of the seventh day and in other cases before the expiry of tenth day every month.

29. Payment on termination– Where the employment of any migrant workman is terminated by or on behalf of the Contractor, the wages earned by the migrant workman shall be paid by the Contractor before the expiry of the second working day from the day on which his employment is terminated.

30. Mode of payment– All payments of wages shall be made by the Contractor on working day at the work premises and during the working time and on a date notified in advance and in case the work is completed before the date so notified final payments shall be made within forty eight hours of the last working day.

31. Wages due to every migrant workman shall be paid to him direct or to other persons duly authorised by him in this behalf.

32. All wages shall be paid in current coin or in currency or in both. Wages shall be paid without any deduction of any kind except those specified by the State Government by general or special order in this behalf or permissible under the Payment of Wages Act,1936.

33. A notice showing the wages period and the place and time of disbursement of wages shall be displayed as the place of work and a copy sent by the Contractor to the Principal Employer under acknowledgement.

34. The Principal Employer shall ensure the presence of his authorised representative at the place and time of disbursement of wages by the Contractor to the migrant workman and it shall be the duty of the Contractor to ensure the disbursement of wages in the presence of such authorised representative.

35. The authorised representative of the Principal Employer shall record under his signature a certificate at the end of all the entries in the register of wages or the wages-cum-muster roll, as the case may be in the following form–

"Certified that the amount shown in Column Number has been made to the migrant workman concerned in my presence on .... ."

CHAPTER-V

MEDICAL AND OTHER FACILITIES TO BE PROVIDED TO MIGRANT WORKMAN

36. Holidays, hours of work and other conditions of service holidays, hours of work including extra wages for overtime work done and other conditions of service of migrant workman shall not be less favourable than those obtaining in that establishment or in similar employment in the area in which the establishment is located as the case may be.

(2) Where there is any dispute in this regard or with regard to applicability of holidays, hours of work including extra wages for overtime work done and other conditions of service to a migrant

workman under clause *(a)* of sub-section (1) of Section 13, the same shall be decided by the Deputy Labour Commissioner, Assam whose decision shall be final.

37. Medical facilities– (1) The Contractor shall ensure provision of suitable and adequate medical facilities for outdoor treatment of the migrant workman free of cost for treatment of any ailment from which the migrant workman or any member of his family suffer during his employment in the establishment or to meet any preventive measure against epidemic or any virus infection.

Whenever any medicine is purchased by a migrant workman from market on the basis of the prescription issued by any Doctor provided by the Contractor or the Principal Employer, as the case may be or any registered medical practitioner, the cost of such medicine shall be reimbursed by the Contractor to the migrant workman concerned within a period of seven days from the date of presentation of the bill by the migrant workman.

(2) In the event of migrant workman or any of his family members suffering from any ailment requiring hospitalisation during his employment in the establishment the Contractor shall promptly arrange for the hospitalisation of the migrant workman or the concerned member of his family. The Contractor shall bear entire expenses on treatment, hospital charges (including diet), if any, and travel expenses for the patient from the place of his/her residence to the hospital and back.

(3) Every Contractor shall provide and maintain so as to be readily accessible during all working hours first-aid boxes at the rate of not less than one box for one hundred and fifty workmen or part thereof.

(4) The first-aid box shall be distinctly marked with a Red-Cross on a white ground and shall contain the following equipment, namely-

(a) For the establishments in which number of migrant workman employed does not exceed fifty, each first-aid box shall contain the following equipment-

(i) 6 small size sterilized dressings;
(ii) 3 medium size sterilized dressings;
(iii) 3 large size sterilized dressings;
(iv) 3 large size sterilized burn dressings;
(v) 1 (30 ml.) bottle containing two per cent alcoholic solution of iodine;

(vi) 1 (30 ml.) bottle containing salvolatile having the dose and mode of administration indicated the label;
(vii) 1 snake-bite lancet;
(viii) 1 (30 gms.) bottle of potassium permanganate crystals;
(ix) 1 pair scissors;
(x) 1 Copy of the first-aid leaflet issued by the Director General Factory Advice Service and Labour Institutes, Government of India;
(xi) Bottle containing 100 tablets (each of 5 grams) of aspirin;
(xii) Ointment for burns;
(xiii) A bottle of suitable surgical antiseptic solution;
(xiv) 3 (7.5 grams) packets sterilized Cotton Wool;

(b) For establishment in which the number of migrant workman exceeds fifty each first-aid box shall contain the following equipment-

(i) 12 small size sterilized dressings;
(ii) 6 medium size sterilized dressings;
(iii) 6 large size sterilized dressings;
(iv) 6 large size sterilized burn dressings;
(v) 6 (15 grams) packets sterilized cotton wool;
(vi) 1 (60 ml.) bottle containing salvolatile having the dose and of iodine;
(vii) 1 (60 ml.) bottle containing salvolatile having the dose and mode of administration indicated on the level;
(viii) 1 roll of adhesive plaster;
(ix) a snake-bite lancet;
(x) 1 (30 grams) bottle of potassium permanganate crystals;
(xi) 1 pair scissors;
(xii) 1 copy of the first-aid leaflet issued by the Director General Factory Advisory Service and Labour Institutes, Government of India;
(xiii) A bottle containing 100 tablets (each of 5 grams) of aspirin;
(xiv) Ointment for burns; and
(xv) A bottle of suitable surgical antiseptic solution.

(5) Adequate arrangement shall be made for immediate recoupment when necessary.

(6) Nothing except the contents mentioned in sub-rule (4) shall be kept in the first-aid box.

(7) The first-aid box shall be in charge of a responsible person who shall always be readily available during the working hours of the establishment.

(8) The person in-charge of the first-aid box shall be a person trained in first-aid treatment, in establishments where the number of migrant workman is one hundred and fifty or more.

38. Protective clothing– (1) The Contractor shall provide to every migrant workman where the temperature falls below 20 degree centigrade, protective clothing consisting of one woollen coat and one woollen trousers one in two years :

Provided that where the temperature falls below 5 degree centigrade an woolen overcoat shall also be provided to the migrant workman once in three years.

(2) The protective clothing shall be provided by the Contractor to every migrant workman before onset of winter season in the area where the establishment is located or on the 30th day of September whichever is earlier.

39. Drinking water, latrines, urinals and washing facilities– (1) The Contractor shall provide sufficient quantity of wholesome drinking water, sufficient number of sanitary latrines and urinals' washing facilities for the migrant workman at the establishment in the case of existing establishments within seven days of the commencement of these rules and in case of new establishment within seven days of the commencement of employment of migrant workman therein.

(2) If any of the facilities is not provided by the Contractor within the specified period, the same shall be provided by the Principal Employer within seven days of the expiry of the period specified in sub-rule (1).

40. Rest rooms– In every place where migrant workmen are required to halt at night in connection with the working of the establishment and in which employment of migrant workmen is likely to continue for three months or more, the Contractor shall provide and maintain rest room or other suitable alternative accommodation within ten days of the coming into force of these rules in case of the existing establishments and within fifteen days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the amenity is not provided by the Contractor within the specified period, the principal employer shall provide the same within a period of ten days of the expiry of the period specified in sub-rule (1).

(3) Separate rooms shall be provided for female migrant workman.

(4) Effective and suitable provisions shall be made in every room for securing and maintaining adequate ventilation by circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural and artificial lighting.

(5) The rest room, or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 1.1 square metre for each person.

(6) The rest room, rooms or other suitable alternative accommodation shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth hard and impovious floor surface.

(7) The rest rooms or other suitable accommodation shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

41. Canteens– (1) In every establishment wherein work regarding the employment of migrant workmen is likely to continue for six months and wherein migrant workmen numbering one hundred or more are ordinarily employed an adequate canteen shall be provided by the Contractor for the use of such migrant workmen within sixty days of the date of coming into force of the rules in the case of the existing establishments, and within thirty days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the contractor fails to provide canteen within the time laid down, the same shall be provided by the principal employer within sixty days of the expiry of the time allowed to the Contractor.

(3) The canteen shall be maintained by the Contractor or principal employer, as the case may be, in an efficient manner.

(4) The canteen shall consist of at least a dining hall, kitchen, store room, pantry and washing places separately for migrant workmen and for utensils.

(5)*(i)* The canteen shall be sufficiently lighted at all times when any person has access to it;

(ii) The floor shall be made of smooth and imperious material and inside walls shall be lime-washed or colour-washed atleast once in each year :

Provided that the inside walls of the Kitchen shall be lime-washed every four months.

(6)*(i)* The precincts of the canteen shall be maintained in a clean and sanitary condition;

(ii) Waste water shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause a nuisance;

(iii) Suitable arrangements shall be made for the collection and disposal of garbage.

(7) The dining-hall shall accommodate at a time at least 30 percent of the migrant workmen working at a time.

(8) The floor area of the dining-hall, excluding the area occupied by the service counter and any furniture except tables and chairs shall be not less than one square meter per dinner to be accommodated as specified in sub-rule (7).

(9)*(i)* A portion of the dining-hall and service counter shall be partitioned off and reserved for women migrant workmen in proportion to their number;

(ii) Washing places for women shall be separate and scrend to secure privacy.

(10) Sufficient tables, stools, chairs or benches shall be available for the dinners to be accommodated as specified in sub-rule (7).

(11)*(i)* Three shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen;

(ii) The furniture, utensils and other equipment shall be maintained in a clean and hygienic condition.

(12)*(i)* Suitable clean cloths for the employees serving in the canteen shall also be provided and maintained;

(ii) A service counter, if provided, shall have top of smooth and impervious material;

(iii) Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and equipment.

(13) The foodstuffs and other items to be served in the canteen shall be in conformity with the normal habits of the migrant workmen.

(14) The charges for meals, other foodstuffs, beverages and any other items served in the canteen shall be based on no-profit no-loss basis and shall be conspicuously displayed in the canteen.

(15) In arriving at the prices of food-stuffs and other articles served in the canteen the following items shall not be taken into consideration as expenditure, namely-

(a) The rent for the land and buildings;

(b) The depreciation and maintenance charges for the building and equipment provided for in the canteen;

(c) The cost of purchase, repair and replacement of equipments including furniture, crockery, cutlery and utensils;

(d) The water charges and other charges incurred for lighting and ventilation;

(e) The interest on the amounts spent on the provision and maintenance of furniture and equipment provided for in the canteen.

(16) The books of accounts and registers and other documents used in connection with the running of the canteen shall be produced on demand to an Inspector.

(17) The accounts pertaining to the canteen shall be audited once every twelve months by registered Accountants and Auditors:

Provided that the Deputy Labour Commissioner, Assam may approve of any other person to audit the accounts, if he is satisfied that it is not feasible to appoint is registered Accountant and Auditor in view of the sites or the location of the canteen.

42. Latrines and Urinals– (1) Latrines shall be provided in every establishments on the following scale namely-

(a) Where females are employed, there shall be at least one latrine for every 25 females;

(b) Where males are employed there shall be at least one latrine for every 25 males :

Provided that where the numbers of males or females exceeds 190 it shall be sufficient if there is one latrine for 25 males or females, as the case may be, upto the first 100 and one for every 30 thereafter.

(2) Every latrine shall be under cover and so partitioned off as to secure privacy, and shall have a proper door and fastenings.

(3)*(i)* Where workers of both sexes are employed there shall be displayed outside each block of latrine and urinal a notice in the language understood by the majority of the workers "for Men only", or "for Women only" as the case may be;

(ii) The notice shall also bear the figure of a man or of a woman as the case may be.

(4) There shall be at least one urinal for male workers upto fifty and one for female upto fifty employed at a time :

Provided that where the number of male or female workmen, as the case may be, exceeds 500 it shall be sufficient if there is one urinal for every fifty females upto the first 500 and one for every 100 or part thereof thereafter.

(5) The latrines and urinals shall be conveniently situated and access to workers at all times at the establishment.

(6)*(i)* The latrines and urinals shall be adequately lighted and shall be maintained in a clean and sanitary condition at all times;

(ii) Latrines and urinals other than those connected with a flush sewage system shall comply with the requirements of the public health authorities.

(7) Water shall be provided by the means of tap or otherwise so as to be conveniently accessible in or near the latrine and urinals.

43. Washing facilities– (1) In every establishment adequate and suitable facilities for washing shall be provided and maintained for the use of migrant workmen employed therein.

(2) Separate and adequate screening facilities shall be provided for the use of male and female migrant workmen.

(3) Such facilities shall be conveniently accessible and shall be kept in clean and hygienic condition.

44. Creche– (1) In every establishment where 20 or more workmen are ordinarily employed as migrant workmen and in which employment of migrant women is likely to continue for three months or more the Contractor shall provide and maintain two rooms of reasonable dimensions for the use of their children under the age of six years, within fifteen days of the coming into force of the rules, in case of existing establishment and within fifteen days of the commencement of the employment of not less than twenty women as migrant workmen in new establishments.

(2) One of such rooms shall be used as play room for the children and the other as bedroom for the children.

(3) If the Contractor fails to provide the creche within the time laid down, the same shall be provided by the Principal Employer within fifteen days of the expiry of the time allowed to the Contractor.

(4) The Contractor of the principal employer as the case may be shall supply adequate number of toys and games in the play roon and sufficient number of cots and beddings in the sleeping room.

(5) The creche shall be so constructed as to afford adequate protection against heat, damp, wind, rain shall have smooth, hard and impervious floor surface.

(6) The creche shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

(7) Effective and suitable provisions shall be made in every room of the creche for securing and maintaining adequate ventilation by circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting.

45. Residential accommodation– (1) The Contractor shall provide to every migrant workman-

(i) in case he is accompanied by any other member of his family a suitable barrack so as to accommodate him in one room having at least a floor area of 10 square metres, a verandha and adequate additional covered space for cooking food as well as one common sanitary latrine, one common bathroom for every three such quarters; and

(ii) in case he is unaccompanied by any other member of his family a suitable barrack so as to accommodate not more than ten such migrant workmen, having at least a floor area of not less than 6.5 square meters for each such migrant workman making use of the barrack, a verandha and adequate Additional covered space for cooking food as well as one common sanitary latrine and one common bathroom for every ten such migrant workmen;

within fifteen days of coming into force of these rules in the case of the existing establishments and within fifteen days of the commencement of the employment of migrant workmen in new establishment.

(2) Every quarter and the barrack shall be so constructed as to afford adequate ventilation, protection against heat, wind, rain and shall have smooth hard and impervious floor surface.

(3) The quarters or the barracks, as the case may be, shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

(4) The area in which the quarters and or the barracks are located as well as the latrines and the bathrooms provided therein shall be kept a clean and sanitary condition at all times.

(5) If the amenities referred to in sub-rule (1) are not provided by the Contractor within the period prescribed, the principal employer shall provide the same within a period of fifteen days of the expiry of the period laid down in the said sub-rule.

(6) If there is any dispute or disagreement regarding suitability or adequacy of provision of any of the amenities referred to in sub-rules (1) to (4) the same shall be decided by the Deputy Labour Commissioner, Assam whose decision shall be final.

46. Liability of the principal employer in certain cases– If any allowance required to be paid under Section 14 or Section 15 to a migrant workman employed in an establishment to which this Act applies is not paid by the Contractor or if any facility specified in "Section 16 is not provided for the benefit of such migrant workmen such allowance shall be paid, or, as the case may be, the facility shall be provided, by the principal employer within fifteen days of the expiry of the time allowed to the Contractor under the rules except where otherwise provided for in the relevant rules :

Provided that in case of ailment requiring urgent medical attention or hospitalisation as the case may be, the principal employer shall provide the same immediately on the failure of the Contractor to do so.

47. Relaxation in certain cases– If the Contractor or, Principal Employer, as the case may, be, has already provided any facility relating to supply of wholesome drinking water or rest-rooms or latrine and urinals or washing canteen or creche or first-aid is required under any Act applicable to the establishment and the same is adequate and also available for use for the migrant workmen that facility, shall be deemed to be provided for under these rules.

CHAPTER-VI

REGISTERS AND RECORDS-COLLECTION OF STATISTICS

48. Registers of Contractors– Every principal employer shall maintain in respect of each registered establishment a register of Contractors in Form XII.

49. Register of persons employed– Every principal employer and the Contractor shall maintain in respect of each establishment where he employes migrant workman a register in Form XIII.

50. Service certificate– On termination of employment for any reason whatsoever the Contractor shall issue to the migrant workman whose services had been terminated a service certificate in Form XIV.

51. Displacement-cum-outward journey allowances sheet and return journey allowances register– (1) Every Contractor shall maintain displacement-cum-outward journey allowances sheet in Form-XV and return journey allowance register in Form-XVI.

(2) Entries in the Sheet and the register required to be maintained under sub-rule (1) shall be authenticated by the Contractor or his duly authorised representative.

52. Muster roll, wages register deductions register and over-time register– (1) In respect of establishments which are governed by the Payment of Wages Act, 1936, and the rules made thereunder, or the Minimum Wages Act, 1948, and the rules made thereunder, or Contract Labour (Regulation and Abolition) Act, 1970 and the rules made thereunder, the following registers and records required to be maintained by the Contractor as employer under those Acts and the Rules shall be deemed to be registered and records to be maintained by the Contractor under these Rules-

(a) muster roll;

(b) register of wages;

(c) register of deductions;

(d) register of fines;

(e) register of overtime;

(f) register of advances.

(2) In respect of establishment not covered any of the Acts or the rules referred to in sub-rule (1) the following provisions shall apply, namely-

(a) Every Contractor shall maintain a Muster Roll register and a Register of wages in Forms XVII & XVIII respectively;

(b) Signature or thumb impression of every migrant workmen on the register of wages shall be obtained and entries there in shall be authenticated by the signature of the Contractor or his authorised representative, and duly certified by the authorised representative of the principal employer as required by Rule 35;

(c) Register of deduction, register of fines and register of advance, Register of deductions for damage or loss register of fines and register of advances shall be maintained by every contractor in Forms XIX, XX and XXI respectively;

(d) Every Contractor shall maintain register of overtime in Form XXII.

(3) Notwithstanding anything contained in these rules where a combined or alternative form is sought to be used for the Contractor to avoid duplication of work compliance with the provisions of any

other Act or the rules framed thereunder or any other laws or regulations or in cases where mechanised pay rolls are introduced or better administration, alternative suitable form or forms in lieu any of the forms prescribed under these rules, may be used with the previous approval of the Deputy Labour Commissioner, Assam.

53. Maintenance and preservation of registers– (1) All registers and other records required to be maintained under the Act and rules, shall be maintained complete and up-to-date, and unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the workplace or at a place, if any, specified by the Inspector on the specific request made by the Contractor in this behalf.

(2) All the registers shall be maintained legibly in English or Assamese.

(3) All the registers and other records shall be preserved in original for a period of three calendar years from the date of last entry made therein.

(4) All the registers records and notices maintained under the Act or rules shall be produced on demand before the Inspector or the Deputy Labour Commissioner, Assam or any other authority under the Act or any person authorised in that behalf by the State Government.

(5) Where no deduction or fine has been imposed or no overtime has been worked during any wage period, a "Nil" entry shall be made across the body of the register at the end of every wage period indicating also in precise terms the wage period to which the "NIL" entry relates in the respective registers maintained in Forms XIX, XX and XXI respectively.

54. Display of an abstract of the Act and the Rules– Every Contractor shall display an abstract of the Act and the Rules in English and Assamese and in the language spoken by majority of migrant workmen in such form as may be approved by the Deputy Labour Commissioner, Assam.

55. Notices– (1)*(i)* Notices showing the rates of wages, hours of work, wage period, dates of payment of wages, names and addresses of the Inspectors having jurisdiction, and date of payment of unpaid wages, shall be displayed in English and in Assamese and in the local language understood by the majority of the workers in conspicuous places at the establishment and the worksite by the principal employer or the Contractor, as the case may be;

(ii) The notices shall be correctly maintained in clean and eligible condition.

(2) A copy of the notice shall be sent to the Inspector and whenever any changes occur, the same shall be communicated to him forthwith.

56. Periodical returns– (1) Every Contractor shall send half yearly return in Form XXIII (in duplicate) so as to reach the Licensing Officer concerned not later than thirty days from the close of the half year :

Provided Half year for the purpose of the rule means "a period of six months commencing from 1st January and in July every year."

(2) Every principal employer of a registered establishment shall sent annually a return in Form XXIV (in duplicate) so as to reach the Registering Officer concerned not later than the 15th February following the end of the year to which it relates.

57.– (1) The Deputy Labour Commissioner, Assam or the Inspector or any other authority under the Act shall have powers to call for any information or statistics in relation to migrant workmen from any Contractor or principal employer at any time by an order in writing.

(2) Any person called upon to furnish the information under sub-rule (1) shall be legally bound to do so.

CHAPTER-VII

LEGAL AID TO MIGRANT WORKMAN

58. Legal aid– On receipt of a written application from migrant workman or in the event of his death, from next of his kin for providing legal aid in relation to any proceedings before the Authority under Section 15 of the Payment of Wages Act, 1936 or Authority under Section 20 of the Minimum Wages Act, 1948 or appropriate Labour Court under Section 33 C2 of the Industrial Disputes Act, 1947 or Commissioner for workmen's compensation under the Workmen's Compensation Act, 1973, in which the migrant workman or his legal heir is a party, the specified authority concerned if he is satisfied, may with the prior approval of the Deputy Labour Commissioner, Assam engage an advocate to contract the relevant proceedings on behalf of the migrant workman or his legal heir as the case may be and meet all legal expenses in this regard.

FORM - I

(*See* Rule 3(1))

Application for Registration of Establishments employing Migrant workman

1. Name and location of the establishment.
2. Postal address of the establishment.
3. Full name and address of the principal employer (furnish father's/husband's name in the case of individuals).
4. Names and address of the Directors/particular Partners (in case of companies and firms).
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
6. Nature of work.
7. Particulars of Contractors and migrant workman-
   (a) Names and addresses of Contractors.
   (b) Nature of work for which migrant workmen are to be recruited or are employed.
   (c) Maximum number of migrant workmen to be employed on and day through each Contractor.
   (d) Date of commencement of work under each Contractor.
   (e) Estimated date of termination of employment of migrant workmen under each Contractor.
8. Original copy of the Treasury Challan depositing the requisite fees enclosed.

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Principal Employer,
(Seal & Stamp)

Date of receipt of application.

Officer of the Registering Officer.

FORM - II

(*See* Rule 4(1))

Certificate of Registration

Date .....

GOVERNMENT OF ASSAM

Office of the Registering Officer

A certificate of registration containing the following particulars is hereby granted under clause *(a)* of sub-section (2) of Section 4 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, and the Rules made thereunder to : .....

1. Nature of work carried on the establishment.
2. Name and addresses of contractors.
3. Nature of work of which migrant workmen are to be employed or are employed.
4. Maximum number of migrant workmen to be employed on any day through each Contractor.
5. Other particulars relevant to the employment of migrant workmen.
   (i)
   (ii)

Signature of Registering Officer
with seal.

FORM - III

(*See* Rule 4(2))

Register of Establishments

Sl.No.	Registration No. and date	Name and address of the establishment registered	Name of the Principal Employer and his address	Type of business, trade, industry, manufacture of occupation which is carried on the establishment.
1	2	3	4	5

PARTICULARS OF CONTRACTOR AND INTER-STATE MIGRANT WORKMEN

Maximum No. of migrant workmen directly employed on any day.	Name and address of contractor	Nature of work for which migrant workmen are to be recruited or are employed.
6	7	8

Maximum No. of migrant workmen employed on any day through a contractor	Probable duration of employment of migrant workmen	Remarks
9	10	11

FORM - IV

(*See* Rule 7(1))

Application for Licence for recruitment

1. Name and address of the contractor (including his father's/ husband's name in case of individuals) :
2. Date of birth and age (in case of individual) :
3. Particulars of establishment where migrant workmen are to be employed–
   (a) Name and address of the establishment :
   (b) Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment :
   (c) Number and date of certificate of registration of the establishment under the Act :
   (d) Name and address of the principal employer :
4. Particulars of migrant workmen–
   (a) Nature of work in which migrant workmen are employed or are to be employed in the establishment;
   (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending);
   (c) Name and address of the agent or manager of the contractor at the work site and exact location of the work site;
   (d) Maximum number of migrant workmen proposed to be employed in the establishment on any date;
   (e) Names and address of the Directors/Partners in case of companies and firms;
   (f) Name(s) and address (es) of the person (s) in-charge of and responsible to the Company/firm for the conduct of the business of the company/firm, as the case may be.
5. Whether the contractor was convicted of any offence within the preceding five years. If so, give details :
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposits in respect of an earlier contract, if so, the date of such order :
7. Whether the Contractor has worked in any other establishment within the past five years. If so, give details of the principal employer establishment and nature of work :
8. Whether a certificate by the principal employer in Form-VI is enclosed :

9. Amount of licence fee paid.
10. Amount of security deposit, if any.

Declaration.– I hereby declare that the details given above are correct to the best of my knowledge and belief.

Place .....
Date.....

Signature of the Applicant
(Contractor)

Note- The application should be accompanied by original copy of the treasury challan/challans showing the payment of the prescribed licence fee and security deposit, if any and a certificate in Form-V from the Principal Employer.

(To be filled in the office of the licencing Officer) Date of receipt of the application with copy of the treasury challan/challans).

Signature of the Licensing
Officer.

FORM - V

(*See* Rule 7(2))

Application for Licence for employment

1. Name and address of the contractor (including his father's/ husband's name in case of individuals) :
2. Date of birth and age (in case of individuals) :
3. Particulars of establishment where migrant workmen are to be employed–
   (a) Name and address of the establishment;
   (b) Type of business, trade, industry, manufacture of occupation, which is carried on in the establishment;
   (c) Number and date of certificate of registration of the establishment under the Act;
   (d) Name and address of the principal employer.
4. Particulars of migrant workmen–
   (a) Nature of work in which migrant workmen are employed or are to be employed in the establishment;
   (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending);
   (c) Name and address of the agent or manager of the Contractor at the work site, and exact location of the work site;
   (d) Maximum number of migrant workmen proposed to be employed in the establishment on any date;
   (e) Name and address of the Directors/Partners (in case of companies and firms);
   (f) Name(s) and address(es) of the person(s) incharge of and responsible to the company/firm for the conduct of the business of the company/firm, as the case may be.
5. Whether the Contractor was convicted of any offence within the preceding five years, if so, give details :
6. Whether there was any order against the Contractor revoking or suspending licence or forfeiting security deposits in respect of an earlier contract, if so, the date of such order.
7. Whether the Contractor has worked in any other establishment within the past five years. If so, give details of the principal employer, establishment and nature of work.
8. Whether a certificate by the principal employer in Form-VI is enclosed.

9. Amount of licence fee paid.
10. Amount of security deposit, if any.

Declaration.– I hereby declare that the details given above are correct to the best of my knowledge and belief.

Place .....
Date.....

Signature of the Applicant
(Contractor)

Note- The application should be accompanied by original copy of the treasury challan/challans showing the payment of the prescribed fee and security deposit, if any and a certificate in Form-V from the principal employer.

(To be filled in the office of the licencing Officer) Date of receipt of the application with copy of the treasury challan/challans)

Signature of the Licensing
Officer

FORM - VI

[*See* Rule 7(3)]

Form of certificate by principal employer

Certified that I have engaged the applicant (name of the contractors as a contractor in my establishment, I undertake to be bound by all the provisions of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service)Act, 1979 and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam, Rules, 1981 in is far as the provisions are applicable to me in respect of employment of migrant workman by the applicant in my establishment.

Place .....
Date.....

Signature of Principal Employer
Name and address of Establishment.

FORM - VII

[*See* Rule 10(2))

Application for adjustment of Security Deposit

Name and address of the Contractor	No. and date of application for fresh licence	Date of expiry of previous licence.	Whether the previous licence of the contractor was suspended or revoked.
1	2	3	4
No. and date of the original treasury challan with regard to the security deposit in respect of the previous licence 5	Amount of previous security deposit 6	Amount of security deposit for the fresh licence. 7	No. and date of the original treasury challan with regard to the balance security deposit with the fresh application. 8
No. and date of certificate of registration of the establishment in relation to which the fresh licence is applied for.. 9	Name and address of the principal employer. 10	Particulars of fresh application 11	Remarks. 12

Place .....
Date .....

Signature of Applicant.

FORM - VIII

[*See* Rule 11(1)]

GOVERNMENT OF ASSAM

Office of Licensing Officer

Licence No. ..... Dated ..... Fee paid Rs. .....

LICENCE

Licence is hereby granted ..... under Section 8(1) of the Inter-State Migrant Workman (Regulation of Employment and Conditions of Service) Act, 1979, subject to the conditions specified in the annexure.

2. This licence is for doing the work of (nature of work to be indicated) in the establishment of (Name of principal employer to be indicated) at (place of work to be indicated).

3. The licence shall remain in force till (date to be indicated).

Signature & Seal of
Licensing Officer.

RENEWAL

(*See* Rule 14)

Date of renewal	Fee paid for renewal	Date of expiry.
1.		
2.		
3.		

Date

Signature and Seal of the
Licensing Officer.

ANNEXURE

The licence is subject to the following conditions-

1. The licence shall be non-transferable.
2. The number of workmen employed as migrant workman in the establishment shall not, on any day exceed the maximum number specified in the application for licence.

3. Save as provided in these rules the fees paid for the grant or as the case may be for renewal of Licence shall be non-refundable.
4. The rates of wages payable to the migrant workmen by the Contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948 for such employment where applicable, and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.
5. *(a)* In cases where the migrant workmen employed by the Contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment the wages rates holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same of or similar kind of work :

Provided that in the case of any disagreement with regard to the type of work, the same shall be decided by the Deputy Labour Commissioner, Assam, whose decision shall be final.

(b) In other cases the wage rates, holidays, hours of work and conditions of service of the migrant workman of the contractor shall be such as prescribed in these rules.

6. Every migrant workman shall be entitled to allowances, benefits, facilities, *etc.,* as prescribed in the Act and these rules.
7. No female migrant workmen shall be employed by any Contractor before 6 A.M. or after 7 P.M. :

Provided that this clause shall not apply to the employment of female migrant workmen in Pit head Baths, Creches and Canteens and as Midwives and Nurses in hospitals and dispensaries.

8. The Contractor shall notify any change in the number of migrant workmen or the conditions of work to the Licensing Officer.
9. The Contractor shall comply with all the provisions of the Act and these Rules.
10. A copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed.

FORM - IX

[*See* Rule 15(2)]

Application for Renewal of Licence

1. Name and address of the Contractor.
2. Number and date of licence.
3. Date of expiry of the previous licence.
4. Whether the licence of the Contractor was suspended or revoked.
5. Original copy of the Treasury Challan showing the payment of the payment of the prescribed fee.

Place : ..... Signature of the Applicant
Date .....

(To be filled in the office of the Licensing Officer)

Date of receipt of the application with copy ..... of the Treasury Challan/Challans.

Signature of the Licensing Officer.

FORM - X

(*See* Rule 21)

(Form in which to furnish particulars in respect of recruitment and employment of migrant workman/workmen as prescribed under sub-rule (1) of Rule 21, to the authorities specified under the explanation below sub-section (2) of Section (12) of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Services) Act, 1970).

1. Name and address of the Contractor.....
2. Name and address of sub-contractor through whom recruitment has been made.....
3. Name and address of the establishment .....
4. Name and address of the Principal Employer .....
5. Name of the State in which the place of work is located.....
6. Name of the State in which recruitment was made.....

Serial No.	Name of migrant workmen	Father/Husband's Name	Sex	Age	Permanent home address	Name and address of the next of kin of the migrant workman	Place and address of residence in the home State	Amount of displacement allowances paid	Amount of out-ward journey allowance paid
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Amount of wages for out-ward journey period paid	Nature of job required to be performed	Date of recruitment	Date of place and employment.	Details of rates of wages and other allowances payable	Period of contract of employment	Details of other service conditions	Remarks
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)

Signature of Contractor or his authorised representative

Date.....

Submitted to.–

(1) _____

_____

_____

(Specified authority in the State in which migrant workman/ workmen is/are employed).

(2) _____

_____

_____

(Specified authority in the State from migrant workman/ workmen has/have been recruited).

Copy forwarded to.–

_____

(The principal employer)

Signature of the Contractor or his authorised representative

Date.....

Note- In case where migrant workmen concerned have been recruited from more than one States, seperate returns shall be submitted in respect of each such State.

FORM - XI

(*See* Rule 24)

(Return to be sent by the Contractor to the authorities specified under explanation below sub-section (2) of Section 12 of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.)

1. Name and address of the contractor.....
2. Name and address of the sub-contractor through whom recruitment has been made .....
3. Name and address of the establishment.....
4. Name and address of the Principal Employer .....
5. Name of the State in which the place of work is located .....
6. Name of the State in which recruitment was made .....

Sl.No	Name of migrant workmen	Father's/ Husband's name	Sex	Designation	Age	Permanent home address indicating the State
1	2	3	4	5	6	7

Place and address of residence in home State	Date and place of Employment	Date on which ceased to be employed	Total days worked	Details of rates of wages and other allowance paid	Amount of displacement allowance paid
8	9	10	11	12	13

Amount of outward journey allowances and wages for outward journey paid	Amount of return journey allowance and wages for return journey paid	Total wages paid	Details of compensation and other allowances	Amount of deductions if any,	Amount of advance, if any paid	Amount of advance, if any recovered	Remarks
14	15	16	17	18	19	20	21

I/We hereby declare that all wages other dues including displacement allowance, outward return journeys allowances and wages for journeys periods payable to migrant workman/workmen named above and employed by me/us have been paid by me/us to him/them.

Signature of the Contractor of his
authorised representative.

Place .....
Date .....

Submitted to -
(1) _____
_____
_____
(2) _____
_____
_____

(Specified authority in the State from which the migrant workman/workmen has/have been recruited).

Copy forwarded to.–

_____
(The Principal Employer)

Signature of the Contractor of his
authorised representative

Date.....

Note- In case where migrant workmen concerned have been recruited from more than one States seperate returns shall be submitted in respect of each such State.

FORM - XII
(*See* Rule 48)
Register of Contractors

1. Name and address of the Principal Employer .....
2. Name and address of the establishment .....

Name and address of contractor	Nature of work on contract	Location of contract work	Period of Contract		Maximum No. of migrant workmen employed by contractor
			from	to	

FORM - XIII

(*See* Rule 49)

Register of Workmen employed by Contractor

Name and address of Contractor..... Name and address of establishment in/under which migrant workmen are employed .....

Name and address of the establishment ..... Name and address of Principal Employer.....

Sl. No.	Name and surname of migrant workman	Age and Sex	Father's/ Husband's name	Nature of employment/ designation	Permanent hom address of migrant workmen (Village and Tehshil/Taluk and District
1	2	3	4	5	6

Local address	Date of commencement of employment and place of employment	Signature of thumb impression of migrant workman	Date of termination of employment	Reasons for termination	Remarks
7	8	9	10	11	12

Signatute of Contractor or his authorised representatives.

FORM - XIV

(*See* Rule 50)

Service Certificate

Name and address of Contractor..... Name and address of establishment in/under which migrant workmen are employed .....

Nature and location of work..... Name and address of Principal Employer.....

Name and address of the migrant workman .....

Age or date of Birth .....

Identification Marks .....

Father's/Husband' s name .....

Sl.No.	Total period for which employed		Nature of work done	Rate of Wages (with particulars of unit in case of piece work)	Remarks
	From	To			
1	2	3	4	5	6

Signature of Contractor or his authorised representatives.

FORM - XV

[*See* Rule 51(1)]

Displacement and outward Journey allowances sheet

Name and address of the contractor ..... Name and address of the establishment .....

Name and address of the Principal Employer..... Month and year .....

Sl. No.	Name of the migrant workman	Father's/ Husband's name	Permanent home address indicating the State	Place and address of residence in the home States	Designation
1	2	3	4	5	6

Rate of Wages	Wages payable in a month	Place of recruitment	Place of work with address including the state	Railway Station/bus stand nearest to the place of residence	Railway Station/bus stand neartest to the place of work
7	8	9	10	11	12

Date and time of commencement of journey from the place of residence	Expected date and time of arrival at the place of work	Details of modes of journeys from the place of residence of the home state	Amount of bus fare and/or second class train fare and/or other journey/ expenses separately as per modes of journey indicated in Col. 15	Total of amounts indicated in column No. 16
13	14	15	16	17

Amount of Displacement Allowance Rs. Ps.	Amount of outward journey allowance	Wages for out ward journey period	Total amount paid	Date on which paid	Signature of thumb-impression of the migrant workman
18	19	20	21	22	23

Actual date and time of arrival at the place of work	Balance wages for outwards journey if any, payable	Date of payment of the balance wages indicated in Col. No.25	Signature or thumb-impression of the migrant workman	Rema-rks
24	25	26	27	25

Note: Indicate separately different mode of journey's, Entries are to be made against each individual.

Signature of the Contractor or his authorised Representative.

Date .....

FORM - XVI

[*See* Rule 51(1)]

Return journey Allowance Register

Name and Address of the Contractor ..... Name and Address of the Establishment .....

Name and Address of the Principal Employer..... Month and year .....

Sl. No.	Name of the migrant workman	Father's/ Husband's name	Permanent home address indicating the State	Place and Address of residence in the home State	Designation
1	2	3	4	5	6

Rate of Wages	Place of work	Railway Station/Bus Stand nearest to the place of work	Railway Station/bus stand nearest to the place of residence in the home State	Date and time of commencement of journey from the place of work	Expected date and time of arrival at the residence in home State
7	8	9	10	11	12

*Expected modes of journeys from the place of work to place of residence in the home State	Amount of bus fare and/or second Class train fare and/or other journey/expenses separately as per expected mode of journey indicated in Col. 13	Total amounts indicated in column No. 14	Amount of return journey allowance
13	14	15	16

Wages for return journey period	Total amount paid	Date on which paid	Signature or thumb-impression of the migrant workman	Remarks
17	18	19	20	21

* Indicate separately different modes of journey.

Note: Entries are to be made against each individual inter-State migrant workman.

Signature of the Controller or his authorised representative

Date .....

FORM - XVII

[*See* Rule 52(2) (8)]

Name and address of the Contractor .....

Nature and Location of work .....

Name and Address of the establishment/in/under which migrant workmen are employed .....

Name and Address of Principal Employer .....

For the month of .....

Sl. No.	Name of migrant workman	Father's/Husband's name	Sex	Dates					Remarks
				1	2	3	4	5	

FORM - XVIII

[*See* Rule 52(2) (a)]

Register of Wages

Name and Address of the Contractor .....

Nature and Location of work .....

Name and Address of Establishment in/under which inter-state migrant workman are employed .....

Name and Address of Principal Employer .....

Wage period .....

Sl.No.	Name of Inter-State migrant workman	Serial No. in the register of workman	Designation/nature of work	No. of days worked
1	2	3	4	5

Units of work done	Daily-rate of wages/ piece rate	Amount of wages earned				
		Basic wages	Dearness allowance	Overtime	Other each payment (Nature of payment to be indicated)	Total
6	7	8	9	10	11	12

Deductions, if any (indicate-nature)	Net amount paid	Signature/Thumb-impression of inter-State migrant workman	Initiale of Contractor of his authorised representative
13	14	15	16

FORM - XIX

[*See* Rule 52(2) (e)]

Register of Deductions for Damage or Loss

Name and Address of the Contractor .....

Name and Address of Establishment in/under which Inter-State migrant workmen are employed .....

Nature and Location of work .....

Name and Address of Principal Employer .....

Sl.No.	Name of Inter-State migrant workman	Father's/Husband's name	Designation/Nature of employment	Particulars of damage or loss	Date of damage of loss
1	2	3	4	5	6

Whether Inter-State migrant workman showed cause against deduction	Name of person in whose presence employee's explanation was heard	Amount of deduction imposed	No. of instalments	Date of recovery: First of instalments	Date of recovery: Last of instalments	Remarks
7	8	9	10	11	12	13

FORM - XX

[*See* Rule 52(2) (c)]

Register of Fine

Name and Address of the Contractor .....

Name and address of Establishment in/under which inter-State migrant workmen are employed ..... Name and Address of Principal Employer ....
.....

Sl.No.	Name of Inter-State migrant workmen	Father's/Husband's name	Designation/Nature of employment	Act/Omission for which fine imposed
1	2	3	4	5

Dated of Offence	Whether inter-State migrant workman showed cause against fine	Name of person in whose presence employee's explanation was heard
6	7	8

Wage periods and wages payable	Amount of Fine imposed	Date on which fine realised	Remarks
9	10	11	12

FORM - XXI

[*See* Rule 52(2) (c)]

Register of Advances

Name and Address of the Contractor .....

Name and Address of Establishment in/under which Inter-State migrant workmen are employed .....

Nature and Location of work .....

Name and Address of Principal Employer .....

Sl. No.	Name of Inter-State migrant workman	Father's/Husband's Name	Nature of employment Designation	Wage period and wages payable	Date and amount of advance given
1	2	3	4	5	6

Purpose(s) for which advance made	No. of Instalment by which advance to be repaid	Date & Amount of each Instalment repaid	Date on which last instalment was repaid	Remarks
7	8	9	10	11

FORM - XXII

[*See* Rule 52(2) (d)]

Register of Overtime

Name and Address of the Contractor .....

Name and Address of Establishment in/under which Inter-State migrant workmen are employed .....

Nature and Location of work .....

Name and Address of Principal Employer .....

Sl. No.	Name of Inter-State migrant workman	Father's/Husband's name	Sex	Designation/Nature of Employment	Date on which over time piece rate
1	2	3	4	5	6

Total overtime worked of production in case of piece-rated	Normal rates of wages	Overtime rate of wages	Overtime earning	Date on which overtime wages paid	Remarks
7	8	9	10	11	12

FORM - XXIII

[*See* Rule 56 (1)]

Return to be sent by the Contractor to the Licensing Officer

Half year Ending .....

1. Name and address of the Contractor :
2. Name and address of the establishment :
3. Name and address of the Principal Employer :
4. Duration of contractor : From ..... to .....
5. No. of days during the Half year on which .....
   (a) the establishment of the principal employer and worked....
   .....
   (b) the contractors establishment had worked .....
6. Maximum number of inter-State migrant workmen employed in any day during the half-year :
   Men Women Children Total
7. *(i)* Daily hours of work and spread over
   (ii) (a) whether weekly holiday observed and what day.
   (b) If so, whether it was paid for :
   (iii) No. of man-hours of over time worked.
8. Number of mandays worked by :
   Men Women Children Total
9. Amount of wages paid :
   Men Women Children Total

Note: Wages shall not include wages for periods of outwards and return journeys.

10. Amount of deductions from wages, if any :
    Men Women Children Total
11. Amount of displacement allowance paid :
    Men Women Children Total
12. Amount of outward journey allowance paid :
    Men Women Children Total
13. Amount of wages for outward journeys period paid :
    Men Women Children Total
14. Amount of return journeys allowance paid :
    Men Women Children Total
15. Amount of wages for return journeys period paid :
    Men Women Children Total

16. Whether the following have provided :
    (i) Residential accommodation;
    (ii) Protective clothing;
    (iii) Canteen;
    (iv) Rest-room;
    (v) Latrine and Urinals;
    (vi) Drinking water;
    (vii) Creche;
    (viii) Medical facilities;
    (ix) First-Aid.

(If the answer is "yes" State briefly nature/standards provided).

Place : .....
Date : .....

Signature of Contractor

FORM - XXIV

[*See* Rule 56 (2)]

Annual Return of Principal Employer to be sent to the Registering Officer

Year ending 31st December

1. Full name and address of the Principal Employer :
2. Name of the establishment :
   (a) District :
   (b) Postal Address :
   (c) Nature of operation/industry/work carried on :
3. Full name of the Manager or person responsible for supervision and control of the establishment :
4. Number of Contractors who worked in the establishment during the year (Give details in Annexure) :
5. Number of work/operations on which Migrant workmen was employed :
6. Total numbers of days during the year on which Migrant workman was employed :

7. Total number of mandays worked for by Migrant workman during the year :
8. Maximum number of workmen employed directly on any day during the year :
9. Total number of days during the year on which direct labour was employed :
10. Total number of mandays worked by directly employed workmen:
11. Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates :

Place ..... Principal Employer.
Date .....

ANNEXURE TO FORM

Name and Address of the Contractor	Period of contract		Nature of work
	From	To	
1	2		3
Maximum number of workers employed by each Contractor	No. of days worked		No. of mandays worked
4	5		6

THE INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ASSAM (AMENDMENT) RULES, 1995[1]

(*Dated the 21st March, 1995*]

No.GLR(RC).72/93/20– In exercise of the powers conferred by sub-section (1) of Section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 *(Act No. 30 of 1979)* the Governor of Assam after having made previous publication *vide* this Department's Notification No.GLR (RC).72/93/14, dated 19th February, 1994 published in the Assam *Gazette* Extraordinary issue No. 102 of 10th August, 1994 as required under sub-section (1) of Section 35 of the said Act and having considered the objections/suggestions received, is hereby pleased to finalise the Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Assam (Amendment) Rules, 1994, as follows; namely-

1. Short title extent and commencement– (1) These Rules may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam (Amendment) Rules, 1995.

(2) They shall apply to the whole of the State of Assam.

(3) They shall come into force with immediate effect.

2. Amendment of Rule 12– (1) In the Principal Rules, in sub-rule (1) of Rule 12, for the clauses *(a), (b), (c), (d), (e)* and *(f)* respectively the following shall be substituted namely-

(a) is 5 but does not exceed 10 ... Rs. 60.00
(b) Exceeds 10 but does not exceed 20 ... Rs. 100.00
(c) Exceeds 20 but does not exceed 50 ... Rs. 150.00
(d) Exceeds 50 but does not exceed 100 ... Rs. 300.00
(e) Exceeds 100 but does not exceed 200 ... Rs. 600.00
(f) Exceeds 200 but does not exceed 400 ... Rs. 120.00
(g) Exceeds 400 ... Rs. 1500.00.

(2) In the Principal Rules, in sub-rule (2) of Rule 12, for the

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clauses *(a), (b), (c), (d), (e)* and *(f)* respectively the following shall be substituted-

(a) is 5 but does not exceed 10	...	Rs. 20.00
(b) Exceeds 10 but does not exceed 20	...	Rs. 30.00
(c) Exceeds 20 but does not exceed 50	...	Rs. 50.00
(d) Exceeds 50 but does not exceed 100	...	Rs. 80.00
(e) Exceeds 100 but does not exceed 200	...	Rs. 150.00
(f) Exceeds 200 but does not exceed 400	...	Rs. 300.00
(g) Exceeds 400	...	Rs. 400.00.

3. Amendment of Rule 16– (1) In the Principal Rules, in Rule 16, for the notation and figure Rs. 10/- occurring after the words "on payment of fees of" the notation, figure and words and brackets "Rs. 20/- (Rupees twenty)" shall be substituted.

4. Amendment of Rule 19– (1) In the Principal Rules, in Rule 19, for the words "rupees two" occurring in between the words "payment of fees of" and the words "per copy" the words "rupees five" shall be substituted.

5. Amendment of Rule 20– (1) In the Principal Rules, in Rule 20, for sub-rule (2) the following shall be substituted, namely-

"(2) The Heads of Accounts under which the receipt relating to the fees for registration licensing, *etc.,* shall be credited shall be "0230-Labour & Employment-101-fees under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam Rules, 1981." The security deposits shall be booked under the Head "8443-Civil Deposits and Conditions of Service Act, 1979-166 deposit under Central State Acts-Deposits under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Assam Rules, 1981" under the Section K-Deposits and Advances not bearing Interest."

C.P. MISRA,

Spl. Com. & Spl. Secy. to the Govt. of Assam,
Labour & Employment Department.