

OFFICE OF THE LABOUR COMMISSIONER
GOVERNMENT OF NCT OF DELHI
5, SHAM NATH MARG, DELHI-110054

No. J.L.C.(HQ)/C.L.A./2014/01/5454

Dated 4-03-2014
07/03/14

OFFICE ORDER

Labour Department, Govt. of NCT of Delhi has been revising minimum rates of wages on time to time on the basis of consumer price index number. Nevertheless, there are large scale violations regarding non-payment of notified minimum rates of wages.

The Department has received large number of complaints on this issue from various trade unions, workers and also from the office of Hon'ble Labour Minister and Hon'ble Chief Minister, GNCTD

Public advertisement has been issued by the department in various newspapers (Hindi, English, Urdu, Punjabi) for creating awareness among the employers including the contractors regarding payment of notified minimum wages to their employees through ECS/ cheque. The contractor / employer shall facilitate their employees/ workers in opening their bank accounts. Every Employer shall upload the details of category of workmen employed, wages being paid and other statutory records maintained by them on their respective website within 90 days from the date of issue of this order. In case contractor does not have his own website, the information shall be uploaded by the Principal Employer on his website till the contractor uploads the required information on his website. Hard copies of the above mentioned information shall also be submitted by the principal employer/ contractor to the concerned registering / licensing officer.

All District JLC/ DLC who are notified registering / licensing officers under CL(R&A) Act, 1970 are directed to ensure payment of notified minimum wages by the contractors to their employees by cheque/ ECS while issuing fresh licenses or at the time of renewal of licence under contract Labour Act, 1970. 90 days have been permitted for all the employers of Delhi to ensure payment of wages by cheque/ ECS, failing which the license if issued shall be revoked and further

penal action shall also be initiated under the provisions of Contract Labour (R&A) Act, 1970 and Rules framed thereunder.

Regarding issuance of registration certificate and licence under Contract Labour (R&A) Act, 1970, Check list has been devised and enclosed herewith. All registering / licensing officers shall ensure the compliance of the same, at the time of amending the registration certificate and renewing licence.

Compliance of Rule 25 of the Contract Labour (Regulation & Abolition) Central Rules, 1971 shall be ensured by the Registering / Licensing officer concerned.

Non compliance of these instructions shall be viewed seriously. This issue with the approval of Secretary-cum- Commissioner (Labour).

Encl: As above



(V.S. Arya)

Joint Labour Commissioner

To,

All Joint Labour Commissioner/ Deputy Labour Commissioner
in the District

Copy for kind information to:

1. Additional Labour Commissioner
2. PA to Secretary-cum-Labour Commissioner

CHECK LIST

DOCUMENTS REQUIRED FOR GRANT OF FRESH REGISTRATION CERTIFICATE

SL.No.	Details of the Documents/Records
1.	Application for Registration of establishment employing contract Labour Form-1 [Rule 17(1)]
2.	Copy of Memorandum and Articles of Association/Partnership deed/Proprietor's ID Proof.
3.	Copy of Registration under the Delhi Shops & Estt. Act/Factories Act
4.	Challan of registration fee(GAR-7).
5.	Notice of commencement/completion of contract work Form-VI B[Rule 81(3)]
6.	Register of Contractors -Form-XII [Rule(74)]
7.	Copy of Agreement with each contractor.
8.	Copy of Power of Attorney authorized by Resolution of the Board or signed by Partner/Proprietor.
9.	Affidavit by the P.E. informing that they have not employed workers directly for the work they have assigned to the contract workmen and if so, there is no violation of Rule 25(2) (v) of the Rules.
10.	Certificate by Principal Employer Form-V [Rule (21)] issued to the contractors.
11.	Reasons for delay in filing of application for registration, if any.

DOCUMENTS REQUIRED FOR AMENDMENT IN REGISTRATION CERTIFICATE

SL.No.	Details of the Documents/Records
1.	Application for amendment duly signed by PE.
2.	Challan of Registration Fee(GAR-7) if there is increase in number of workmen.
3.	Fresh Affidavits if there is any change in PE.
4.	Annual returns of Principal Employer to be sent to Registering Officer Form-XXV[Rule 82(2)]
5.	Document to establish from the Bank that salary is transferred through ECS or Cheque by each contractor, as per the order dated 16.12.2011.
6.	Copy of last month register of wages-cum-muster roll (Form -XVIII) alongwith certification under Rule 72 & 73 alongwith bank statement of all contractors, to establish that salary is paid through ECS/Cheque as per order dated 16.12.2011.
7.	Reasons for delay in filing of application for amendment, if any.

Note: All other instructions issued earlier on the subject, shall continued to be followed.



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CHECK LIST

DOCUMENTS REQUIRED FOR GRANT OF FRESH LICENCE

Sl.No.	Details of the Documents/Records
1.	Application for license under the Contract Act, Rule 21(1), (Form-IV)/ signed by the Director/Partner/Prop.
2.	Form V issued by Principal Employer [Rule-21(2)]
3.	Copy of Memorandum and Articles of Association/Partnership deed/Proprietor's ID Proof.
4.	Challan of licence fee(GAR-7) for granting of licence (alongwith late fee, if any)
5.	Challan of Security deposit (GAR-7).
6.	Copy of proof of allotment of ESL/PF code.
7.	Notice for commencement/completion of contract work, Rule 25(2)(viii), (Form-VIA)
8.	Copy of Registration of workmen employed by the Contractor, Rule 75, Form-XIII
9.	Copy of agreement with the PE along with the rates & no. of contract workmen for which award/contract has been given.
10.	Affidavit that wages are being disbursed to the contract workmen through Account Payee Cheque/ECS transfer only.
11.	Affidavit for legal compliance including condition of licence Rule-25 of the Rules.

DOCUMENTS REQUIRED FOR RENEWAL OF LICENCE

Sl.No.	Details of the Documents/Records
1.	Application for renewal in Form-VII
2.	Letter of extension of contract period.
3.	Last month Register of Wages-cum-Muster Roll Rule 78(1)(a) (i) along with Certificate from Principal Employer, Rule 72 & 73 & bank statement to establish that salary is paid through ECS/Cheque as per order dated 16.12.2011.
4.	Challan of licence fee(GAR-7) for renewal of licence (alongwith late fee, if any) and additional fees if there is an increase in workmen.
5.	Challan of Security deposit(GAR-7) if there is any increase in number of workman
6.	Copies of Wages slip for the last month, Rule 78(1) (b), Form-XIX.
7.	Affidavit that wages are being disbursed to the contract workmen through Account Payee Cheque/ECS transfer only.
8.	Affidavit for legal compliance including terms & conditions of licence[Rule-25] of the Rules.
9.	Half yearly returns Form-XXIV [Rule-82(1)]
10.	E.S.I. and P.F. Challans for the last 3 months.

Note: All other instructions issued earlier on the subject, shall continued to be followed.

