UTTAR PRADESH SHASAN

SHRAM ANUBHAG-3

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification **no. 970/36-3—12(V)/80-CA—30-1979-Rule-83,** dated April 14, 1983:

NOTIFICATION

MISCELLANEOUS

No. 970-36-3—12(V)/80-CA—30/1979-Rule-83

Lucknow, dated April 14, 1983

IN exercise of the powers under section 35 of the Inter-State-Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Act no. 30 of 1979). The Governor is pleased to make the following rules after their previous publication with Government notification **no. 2518/36-3—12(V)/80-CA—30-1979-Rule/1981,** dated July 31, 1982, as required by sub-section (1) of section 35 of the said Act:

THE UTTAR PRADESH INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) RULES, 1982

CHAPTER—I

Preliminary

1, Short title and commencement—(1) These rules may be called the Uttar Pradesh Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1982.

(2) They shall come into force with effect from the date of their publication in the *Gazette*.

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*) "Appellate Officer" means an Appellate Officer nominated by the State Government under section 11 and notified in the *Gazette*;

(*c*) "Chief Inspector of Migrant Workmen" means an officer or officers appointed and notified in the *Gazette* by the State Government to perform and exercise the duties and functions of the Chief Inspector of Migrant Workmen as prescribed in these Rules;

(*d*) "Form" means the forms appended to these rules;

(*e*) "Inspector" means an Inspector appointed by the State Government under section 20 and notified in the *Gazette*;

(*f*) "Licensing Officer" means the Licensing Officer appointed by the State Government under section 7 and notified in the *Gazette*;

(*g*) "Migrant Workmen" means an Inter-State Migrant workman as defined in clause (*e*) of sub-section (1) of section 2;

(*h*) "Registering Officer" means the Registering Officer appointed by the State Government under section 3 and notified in the *Gazette* ;

(*i*) "Specified Authority" means the authority specified by the State Government for the purposes of sections 12 and 16 and notified in the *Gazette* ;

(*j*) "Section" means a section of the Act ; and

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

CHAPTER—II

3. **Manner of making application for registration of Establishments.**—(1) The application for registration of an establishment shall be made in triplicate in Form I by the Principal employer or his duly authorised agent to the Registering Officer of the area in which the establishment sought to be registered is located.

(2) The application shall be accompanied by a crossed demand draft/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 by the Principal employer or by his duly authorised agent or sent to him by registered post.

(4) On receipt of the application, the Registering Officer, shall after noting 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 III showing the particulars of the establishments 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 and the reason 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 applicationfor registration omits or fails to do so, the Registering Officer shall reject the application for registration.

6. **Amendment of certificate of registration.**—(1) Where, on 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 afect any thing 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.

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 workman under clause (*b*) of 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 VI 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 workmen 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 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 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 elapsed 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 invetigation to be made to satisfy himself about the correctness of the facts and the particulars furnished in such application and 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 Licensing Officer shall record the reasons for its refusal and shall communicate 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 per cent of the amount estimated by him.

(2) 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 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 and terms and conditions of licence.**—(1) Every licence issued under sub-section (1) of section 8 shall be in Form VIII.

(2) Every license granted under sub-rule (1) or renewed under rule 15 shall be subject to the following conditions, namely
(i) the license shall be non-transferable ;
(ii) the terms and conditions of the agreement or arrangement, under which the migrant
workman 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 lesa than the rates prescribed under the Minimum Wages Act, 1948, for anch 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 license shall be nonrefundable ;
(vii) (a) in case 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 tne workmen directly employed by the principal employer of the establishment on the same or similar kind of work : Provided that in case of any disagreement with regard to the type of work, the same shall be decided by the Chief Inspector of. migrant workmen as may be notified under the
provisions of the Act, 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 the rules;
(viii) every migrant workman shall be entitled to allowances, benefits, facilities, etc. as prescribed in the Act and the rule made there under;
(ix) no female migrant workman 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 the female migrant workman in pit head baths, crèches and canteens and midwives and nurses in hospitals and dispensaries :
(x) the contractor shall notify any change in the number of migrant workman or the conditions of work to the Licensing Officer ;
(xi) the contractor shall display a copy of the license prominently at the premises where the migrant workmen are employed ;
(xii) the license shall be valid for one calendar year only ;
(xiii) the contractor shall comply with all the provisions of the Act, and the rule made there under.
[12. (1) The fees to be paid for the grant certificate of registration of an establishment under section 4 shall be as specified below namely:

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

a)	is 5 but does not exceed 20	90.00
b)	exceeds 20 but does not exceed 50	225.00
c)	exceeds 50 but does not exceeds 100	450.00
d)	exceeds 100 but does not exceed 200	900.00
e)	exceeds 200 but does not exceed 400	1800.00
f)	exceeds 400.	2250.00

(2) The fees to be paid for the grant of license under section 8 shall be specified below namely :-

If the number of migrant workmen recruited or employed by the contractor or any day -.

a)	is 5 but does not exceed 20	30.00
b)	exceeds 20 but does not exceed 50	60.00

c)	exceeds 50 but does not exceeds 100	120.00
d)	exceeds 100 but does not exceed 200	240.00
e)	exceeds 200 but does not exceed 400	480.00
f)	exceeds 400.	600.00][1]

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

(2) The contractor who desires to have the license amended shall submit to the Licensing Officer an application stating the nature of amendment and reasons therefore.

(3) (i) If the Licensing Officer allows the application, he shall require the applicant to furnish a crossed demand draft/treasury challan for the amount, if any, by which the fees that would have been payable if the license had been originally issued in the amended form exceeds the fees originally paid for the license.

(ii) On the applicant furnishing the requisite demand draft/treasury challan, the license 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 License. – (1) Every contractor may apply to the Licensing Officer for renewal of the license.

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

(3) The fees chargeable for renewal of the license 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 per cent in excess of the fee ordinarily payable for the license 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 deems fit the payment of such excess fee.

15. Period of renewal of the License. - Every license renewed under this Rule 15 shall remain in force for a further period of twelve months from the date of the order of the renewal or from such date as may be directed.

[16. Issue of duplicate certificate of Registration or License. - Where a certificate of registration or license granted or renewed under the preceding rules has been lost, defaced or accidentally destroyed, a duplicate thereof may be granted on payment of Fee of Rs. 30.00.] [2]

17. Refund of security. - (1) (i) On expiry of the period of license the contractor may, if he does not intend to have his license renewed or get the security amount adjusted in respect of his fresh application for license in terms of sub-rule (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 conditions of license or there is no order under Section 10 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 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 crossed demand draft/treasury challan for Rs. 75.00 towards fee.] [3]

(2) The memorandum shall set forth precisely and under distinct heads 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.

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[1] U.P. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) first amendment Rules, 1993

[2] U.P. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) first amendment Rules, 1993

[3] U.P. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) first amendment Rules, 1993

. (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 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 readmission of the appeal, and where it is proved that he-was prevented by any sufficient cause from appearing when appeal was called on for hearing, the Appellate Officer shall restore the appeal to its original number.
(ii) An application under Clause (i) shall, unless the Appellate Officer extends the time for sufficient reasons, 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 hear the appellant or his authorised agent and any other person summoned by him for the purpose and pronounce judgment on the appeal either confirming, reversing or modifying the order appealed from.
(ii) The judgment of the Appellate Officer shall state the points for determination, decisions thereon and the reasons for the decisions.
(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 Rs. 6.00 per copy of each order on application specifying the date and other particulars of the order made to the officer concerned.] [4]
20. Payment of fees and security deposits. - (1) The payment of the various fees relating to registration, licensing and security deposits shall be made through a crossed Demand Draft drawn in favour of the concerned departmental officer, and payable at the station at which he is stationed or through a Treasury Challan under relevant head of account.
(2) The head of account under which the receipts relating to the fees for registration, licensing and appeals etc. shall be credited will be-
"087. श्रम सेवायोजन - अन्तरराज्यिक प्रवासी कर्मकार राज्य नियमावली के अन्तर्गत शुल्क उ0प्र0 अन्तरराज्यिक प्रवासो कर्मकार राज्य नियमावली, 1983 के अन्तर्गत शुल्क-
1- रजिस्टेशन फीस;
2- लाईसेन्स फीस;
3- जमानत धन;
4- लाईसेन्स का नवीनीकरण;
5- रजिस्टेशन अथवा लाइसेन्सों की दूसरी प्रति जारी करने की फीस; तथा
6-अपील सम्बन्धी फीस।"
21. Particulars of Migrant Workman. - (1) Every contractor shall furnish to the specified authorities the particulars regarding recruitment and employment of migrant workmen in Form X.
(2) The particulars shall be either personally delivered by the contractor to the concerned specified authorities or sent to them by registered post.

[4] U.P. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) first amendment Rules, 1993

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 whatsoever ;

(*b*) being in capacitated for further employments on account of injury or continued ill-health duly certified as such by 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. **Passbook.**—(1) In the pass book referred to in clause (*b*) 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 the contractor or his duly authorised representative with date.

These entries shall be made separately in respect of each wage period within three days from the date of payment ; and

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

(2) In case of fatal accident of serious bodily injury to any migrant workman, the contractor shall immediately send 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 conrtractor shall further send written report to the specified authorities concerned and the next-of-the kin of the migrant workman, under mentioned particular by registered post within twenty-four hours of the occurrance 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 forty-eight hours of the time of occurrence of the accident.

24. **Return and report.**—Every contractor shall furnish a return regarding migrant workman 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 fifteen days from the date of the mirgant 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 nature 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 workmen directly employed by him in the 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 workmen in any scheduled employment in the area in which the establishment is located, or the rates of wages payable to the workmen for performing same or similar type of work in similar type of establishment 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 wage rates to a migrant workman under sub-clause (*b*) of sub-section (1) of section 13 the same shall be decided by the Chief Inspector of Migrant Workmen, whose decision shall be final.

26. **Wage 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 one thousand workmen are employed shall be paid before the expiry of the seventh day and in other cases before the expiry of the tenth day of very 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 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 expiry of 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 on to other persons duly authorised by him in this behalf.

32. All wages shall be paid in current coins 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 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.

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 workmen 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 no.....has been paid to the migrant workmen concerned in my presence on ....."

CHAPTER—V

Medical and other facilities to be provided to migrant workmen

36. **Holidays, hours of work and other conditions of service.**—(1) Holidays, hours of work including extra wages for overtime work done and other conditions of service of migrant workmen 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 Chief Inspector of Migrant Workmen, whose decision shall be final.

37. **Medical facilities.**—(1) The contractor shall ensure provision of suitable and adequate medical facilities for outdoor treatment to the migrant workman free of cost for treatment of any ailment from which the migrant workman or any member of his family may suffer during his employment in the establishment or to meet any preventive measure against epidemic or any virus infection. Whenever any medicine is purchase 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 equipments, namely —

(*a*) for the establishments in which number of migrant workmen employed does not exceed fifty, each first-aid box shall contain the following equipments :—

(i) six small sterilized dressings ;

(ii) three medium size sterilized dressings ;

(iii) three large size sterilized dressings ;

(iv) three large sterilized burn dressings ;

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

(vi) one (30 ml.) bottle containing salvolatile having the doze and mode of administration indicated on the label ;

(vii) one snake-bite lancet ;

(viii) one (30 gms.) bottle of potassium permagante crystals ;

(ix) one pair scissors ;

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

(xi) a bottle containing one hundred tablets (each of five grains) of Aspirin ;

(xii) ointment for burns ; and

(xiii) a bottle of suitable surgical antiseptic solution.

(*b*) For establishments in which the number of migrant workmen exceeds fifty, each first-aid box shall contain the following equipment—

(i) twelve small sterilized dressings ;

(ii) six medium size sterilized dressings ;

(iii) six large size sterilized dressings ;

(iv) six large size sterilized burn dressings ;

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

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

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

(viii) one roll of adhesive plaster ;

(ix) a snake bite lancet ;

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

(xi) one pair scissors ;

(xii) one copy of the first-aid leaflet issued by the Director-General, Factory Advisory Service and Labour Institute, Government of India ;

(xiii) a bottle containing one hundred tablets (each of five grains) of aspirin ;

(xiv) ointment for burns ; and

(xv) a bottle of a suitable surgical antiseptic solution.

(5) Adequate arrangements 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 workmen is one hundred and fifty or more.

38. **Protective clothing.**—(1) The contractar shall provide to every migrant workman where the temperature falls below twenty degrees centigrade, protective clothing consisting of one woollen coat and one woollen trousers once in two years :

Provided that where the temperature falls below five degrees centigrade a woollen 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 laterines and urinals and washing facilities for the migrant workmen at the establishment in the case of existing establishments within seven days of the commencement of these rules, and in case of new establishments, within seven days of the commencement of employment of migrant workmen 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.**—(1) 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 rooms or other suitable alternative accommodations within fifteen days of the coming into force of the 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 fifteen days of the expiry of the period specified in sub-rule (1).

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

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

(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 impervious 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 sixty 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-rooms, pantry and washing places separately for migrant workmen and for utencils.

(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 impervious material and inside wall 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.

(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 thirty per cent 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 table and chairs shall not be less than one square metre per dinner to be accommodated as specified in sub- rule (7).

(9) A portion of the dining hall and service counter shall be partitioned off and reserved for women migrant workmen in proportion to their number and washing places for women shall be separate and screened 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) There shall be provided and maintained in clean and hygenic condition sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen. Suitable clean clothes for the employees serving in the canteen shall also be provided and maintained.

(12) A service counter, if provided, shall have top of smooth and impervious material. Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and equipment.

(13) The food-stuffs 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 food-stuffs, 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 :

(i) the rent for the land and buildings ;

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

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

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

(v) 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 the Inspector.

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

Provided that the Chief Inspector of Migrant Workmen may approve of any 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.

42. **Latrines and urinals.** (1) Latrines shall be provided in every establishment on the following scale, namely :-

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

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

Provided that where number of males or females exceed 190, it shall be sufficient if there is one latrine for 25 males or females, as the case may be, up to 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 Man Only" or "For Woman 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 up to fifty and one for female up to fifty employed at a time :

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

(5) The latrine and urinal shall be conveniently situated and accessible 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 conditions at all times.

(ii) Latrines and urinals other than those connected with a flush severage 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 latrines 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 workmen and should be maintained in clean and hygenic condition.

44. **Creche.**—(1) In every establishment where twenty or more female workmen are ordinarily employed as migrant workmen, the employment of which is likely to continue for three months or more, the contractor shall provide and maintain two rooms of reasonable diamensions for the use of their children under the age of six years, within fifteen days of the coming into force of these 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 bed-room for the children.

(3) If the contractor fails to provide the creche with the time laid down the same shalll be provided by the principal employer within fifteen days of the expiry of the time allowed to the contractor.

(4) The contractor or the principal employer as the case may be, shall supply adequate number of toys and games in the play-room 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 and rain and 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 sufficient and suitable natural or artificial lighting shall also be provided and duly maintained in each of them.

45. **Residenttal accommodation**—(1) The contractor shall provide to every migrant workman :—

(i) In case he is accompanied by any other members of his family, a suitable barrack so as to accommodate them having one room of at least a floor area of 10 square metres, a verandah 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 members 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 vara dah 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 the rules in the case of the exis ing establishments and within fifteen days of the commencement of the employment of migrant workmen in the new establishments.

(2) Every quarter and the barrack shall be so constructed as to afford adequate ventilation protection against heat, wind and 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 latrine and the bathrooms provided therein shall be kept in 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 diagreement regarding suitability or adequacy of provisions of any of amenities referred to in sub-rules (1) to (4) the same shall be decided by the Chief Inspector of Migrant Workmen, 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 workman, 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 hospitalistion, 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 case.**—If the contractor or the principal employer, as the case may be has already provided any facility relating to supply of wholesome drinking water or rest rooms or latrines and urinals or washing, canteen or creche or first -aid as required under any Law 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 contractor shall maintain in respect of each establishment where he employ migrant workmen 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 have been terminated a service certificate in Form XIV.

51. **Displacement-cum-outward journey allowance sheet and return journey allowances register.**—(1) Every contractor shall maintain a sheet for payment of displacement-*cum*-outward journey allowances as required to be paid under sections 14 and 15 of the Act in Form XV, and a register for return journey allowances as required to be paid under section 15 of the Act 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 overtime 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 as required to be maintained by the contractor as employer under those Acts, and the rules shall be deemed to be registers and records to be maintained by the contractor under these rules ;

(i) Muster roll;

(ii) Register of wages ;

(iii) Register of deductions;

(iv) Register of fines;

(v) Register of overtime ;

(vi) Register of advances.

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

(i) Every contractor shall maintain a Muster Roll Register and Register of Wages in Form XVII and Form XVIII respectively.

(ii) Signature or thumb-impression of every migrant workman on the register of wages shall be obtained and entries therein shall be authenticated by the contractor or his authorised representative and duly certified by the authorised representative of the principal employer as required under rule 35.

(iii) Register of deductions, register of fines and register of advances shall be maintained by every contractor in Forms XIX , XX and XXI respectively.

(iv) Every contractor shall maintain a register of overtime in Form XXII.

(3) Notwithstanding anything contained in these rules where a combined or alternative form is sought to be used by the contrctor 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 introduced 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 Chief Inspector of Migrant Workmen.

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 precints of the work place 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 Hindi or wherever necessary in English with the prior permission of the Chief Inspector of Migrant Workmen.

(3) All the registers and other records shall be preserved 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 Chief Inspector of Migrant Workmen 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 Rules,**—Every contractor shall display an abstract of the Act and the Rules in Hindi in the Devanagri script and in the language spoken by majority of migrant workmen in such form as may be approved by the Chief Inspector of Migrant Workmen.

55. **Notices** —(1) (i) Notices showing the rates of wages, hours of works, wage periods dates of payment of wages, names and addresses of the Inspectors having jurisdiction, and date of payment of unpaid wages, shall be displayed in Hindi in the Davanagri Script and in the local language understood by the majority of the migrant workmen in conspicuous places at the establishment and the worksite by the principal employer of 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 notices 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 sent 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.

Note—"Half year for the purpose of the rules means a period of six months commencing from 1st January and 1st July every year."

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

57. (1) The Chief Inspector of Migrant Workmen 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 Workmen

58. **Legal aid.**—On receipt of a written application from migrant workmen or in the event of his death, from next of his kins 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 sub-section (2) of section 33-C of the Industrial Disputes Act, 1947 for Commissioner for Workmen's Compensation under the Workmen's Compensation Act, 1923, 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 Chief Inspector of Migrant workmen engage an advocate to conduct 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 establishment employing Migrant Workmen

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 addresses 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 carried on in the establishment.
7. Particulars of contractors and migrant workmen :
   (*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 any day through each contractor.
   (*d*) Estimated date and commencement of work under each contractor.
   (*e*) Estimated date of termination of employment of migrant workmen under each contractor.

8. Particulars of crossed demand draft (.....
.....Name of the bank, amount, number and date) and/or particulars of treasury receipts (name of the treasury, number and date) original Treasury Receipt should be enclosed.

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

Principal Employer,
Seal and Stamp.

Date of receipt of application. *Office of the Registering Officer.*

FORM II

(*See* rule 4(1)

CERTIFICATE OE REGISTRATION

(*For Principal Employer*)

Dated.....19 .

GOVERNMENT OF UTTAR PRADESH

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 or Employment and Conditions of Service) Act, 1979 and the rules made thereunder to.....

1. Nature of work carried on in the establishment.
2. Names and addresses of contractors—
   (i) .....
   (ii) .....
3. Nature of work for which migrant workmen are to be employed or are employed.
4. Maximum number of migrant workmen to be employed on any day through each contractors.
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

Serial 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 or occupation, which is carried on by the Establishment	Maximum No. of migrant workmen directly employed on any day
(1)	(2)	(3)	(4)	(5)	(6)

Particulars of Contractor and Inter-State Migrant workmen

Name and address of Contractor(s)	Nature of work for which migrant workmen are to be recruited or are employed	Maximum No. of migrant workmen employed on any day through a contractor	Probable duration of employment of migrant workmen	Remarks
(7)	(8)	(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 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 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 workmen.
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.
   (*d*) Maximum number of migrant workmen proposed to be employed in the establishment on any date.
   (*e*) Names and addresses 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 offe ce 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 the 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 ?

IndiaCode

9. Amount of licence fee paid. Number of crossed demand draft/Treasury Chalan, place and date.

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.

(*Signature of the Applicant*)
(*Contractor*).

Place.....

Date.....

NOTE—The application should be accompanied by a crossed demand draft/treasury Challan in original showing the payment of the prescribed licence fee and security deposit, if any, and a certificate Form VI from the Principal Employer.

(*To be filled in the Office of the licensing Officer.*)

Date of receipt of the application with crossed demand draft/Treasury Challan in original for fees.

Signature and seal of the Licensing Officer.

FORM V

(*See* rule 7(2)

Application for Licensing 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 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.
   - (*d*) Maximum number of migrant workmen proposed to be employed in the establishment on any date.
   - (*e*) Names and addresses 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 a 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. Number of crossed demand draft/Treasury Challan, place and date.
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 a crossed demand draft/Treasury Challan in original) showing the payment of the prescribed fee and security deposit, if any, and a certificate in Form VI from the principal employer.

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

Date of receipt of the application with crossed demand draft/Treasury chalan in original) for fees.

Signature and Seal 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 contractor) 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 Uttar Pradesh Inter-State Migrant Workmen (Regulation of Employment and Conditions of Services) Rules 1982, in so far as the provisions are applicable to me in respect of the employment of migrant workmen by the applicant (name, parentage and address of the contractor) in my establishment.

Signature of Principal Employer
Name and address of Establishment.

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

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	No. and date of the crossed demand draft/ Treasury Challan of security deposit in respect of the previous licence	Amount of previous security deposit
1	2	3	4	5	6

Amount of Security deposit for the fresh licence	No. and date of crossed demand draft/ Treasury Chalan of the balance security deposit fresh application	No. and date of certificate for registration of the establishment in relation to which the fresh licence is applied for	Name and address of the principal employer	Particulars of fresh application	Remarks
7	8	9	10	11	12

Signature of applicant.

Place.....

Date.....

FORM VIII

[*See* rule 11(1)]

GOVERNMENT OF UTTAR PRADESH

OFFICE OF LICENSING OFFICER

Licence no. Dated———— Fee paid Rs. ————

LICENCE

Licence is hereby granted to..... ..... under sub-section (1) of section 8 of the Inter-State Migrant Workmen (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 and seal of Licensing Officer.

RENEWAL

(*See* rule 14)

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

Dated *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 workmen 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 and were 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 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 Chief Inspector of Migrant Workmen, U. P. whose decision shall be final ;

(*b*) in other cases the wage rates, holidays, hours of work and conditions of service of the migrant workmen 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 workman 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 workman 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 Licencing 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 14(2)

Application for Renewal of Licence

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 removed.
5. Number and date of the Crossed Demand Draft/Treasury Chalan enclosed.

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

Signature of the Applicant.

(*To be filled in the Office of the Licensing Officer*)

Date of the receipt of the application with Crossed Demand Draft/Treasury Chalan and date.

Signature and Seal 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, Inter-State Mirgant 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 _____

Serial no.	Name of migrant workmen	Father's/husband's name	Sex	Age	Permanent Home address	Name and address of the next of the kin of migrant workman
1	2	3	4	5	6	7

Place and address of residence in the home State	Amount of displacement allowance paid	Amount of outward journey allowance paid	Amount of wages for outward journey period paid	Nature of job required to be performed
8	9	10	11	12

Date of recruitment	Date of employment	Details of rates of wages and other allowances payable	Period of contract of employment	Details of other service conditions	Remarks
13	14	15	16	17	18

Signature of the 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 which the 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 State, separate 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 the 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 ————————

Serial no.	Name of migrant workman	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 of employment	Date on which ceased to be employed	Total of days worked	Details of rates of wages and other allowances paid	Amount of displacement allowance paid	Amount of outward journey allowances and wages of outward journey paid
8	9	10	11	12	13	14

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
15	16	17	18	19	20	21

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Declaration

I/We hereby declare that all wages, other dues including displacement allowance, outward and return journey allowances and wages for journey periods payable to the migrant workman/workmen named above and employed by me/us has/have been paid by me/us to him/them.

Place———————— *Signature of the 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 which the 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 State, separate returns shall be submitted in respect of each such State.

FORM XII

(*See* rule 48)

Register of Contractor

(1) Name and address of the Principal Employer ——————

(2) Name and address of the establishment ——————

Serial no.	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	
1	2	3	4	5	6	7

FORM XIII

(*See* Rule 49)

Register of Workmen employed by Contractor

Name and Address of Contractor ——————

Name and address of the establishment ——————

Name and address of establishments in under which migrant workmen are employed ——————

Name and address of Principal Employer ——————

Serial no.	Name and surname of migrant workman	Age and sex	Father's/Husband's name	Nature of employment/ designation	Permanent home address of migrant workmen (village and tehsil/ Taluk and district)	*Local* address
1	2	3	4	5	6	7

Date of commencement of employment	Signature or thumb-impression of migrant workmen	Date of termination of employment	Reasons for termination	Remarks
8	9	10	11	12

Signature of the contractor or his authorised representative.

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FORM XIV

(*See* rule 50)

Service Certificate

1. Name and address of Contractor———— Name and address of establishment in/under which migrant workmen are employed ————
2. Nature and location of work ————
3. Name and address of the migrant workman————
4. Age or date of birth ————
5. Identification Marks ———— Name and address of Principal Employer ————
6. Father's/husband's name————

Serial no.	Total period for which employed		Nature of work done	Rate of wages with particulars of unit in case of piece work	Reasons for termination of employment	Remarks
	From	To				
1	2	3	4	5	6	7

Signature of the contractor or his authorised representative.

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 ————

Serial 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	Wages payable in a month	Place of recruitment	Place of work with address indicating the State	Railway station/ bus stand nearest to the place of residence	Railway station/ bus stand nearest to the place of work
7	8	9	10	11	12
Rs. P.	Rs. P.				

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Date and time of commencement of journey from the place of residence	Expected date and time of arrival at the place of works	Details of modes of journeys from the place of residence in the home state to the place of work	Amounts of bus fare and/or second class train fare and/ or other journey expenses separately as per the modes of journeys indicated in col. 15 Rs. P.	Total of amounts indicated in col. no. 16 Rs. P.	Amount of displacement allowances Rs. P.
13	14	15	16	17	18

Amount of outward journey allowance Rs. P.	Wages for outward journey period Rs. P.	Total amount paid Rs. P.	Date on which paid	Signature or thumb-impression of the migrant workman	Actual date and time of arrival at the place of work
19	20	21	22	23	24

Balance wages for out ward journey, if any, payable Rs. P.	Date of payment of the balance wages indicated in col. no. 25	Signature or thumb-impression of the migrant workman	Remarks
25	26	27	28

NOTE—Indicate separately different modes of journey. Entries are to be made against each individual migrant workman.

Signature of the contractor or his authorised representative

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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————

Serial 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	Rate of wages Rs. P.	Place of work	Railway station/ bus-stand nearest to place of work	Railway station/ bus-stand nearest to the place of residence in the home State
1	2	3	4	5	6	7	8	9	10

Date and time of commencement of journey from the place of work	Expected date and time of arrival at the residence in home State	Expected modes of journey from the place of work to place of residence in the home State	Amounts of bus fare and/or second class train fare and/or other journey expenses separately as per expected modes of journey indicated in col. no. 13 Rs. P.	Total amounts indicated in column no. 14 Rs. P.	Amount of return journey allowance Rs. P.	Wages for return journey period Rs. P.	Total amount paid Rs. P.	Date on which paid	Signature or thumb-impression of the migrrant workman	Remarks
11	12	13	14	15	16	17	18	19	20	21

Signature of the Contractor or his authorised representative.

Date————

*Indicated separately different modes of journey.

NOTE—Entries are to be made against each individual inter-State migrant workman.

FORM XVII

[*See* Rule 52(2)(i)]

Muster Roll

Name and address of the contractor _____
Nature and location of work _____

Name and address of establishment in/under which migrant workman are employed _____
Name and address of the Principal Employer _____
For the month of _____

Serial no.	Name of migrant workman	Father's/Hunsband's name	Sex	Dates						Remarks
				1	2	3	4	5	to 31	

FORM XVIII

[*See* Rule 52(2)(ii)]

Register of Wages

Name and address of contractor _____
Nature and location of work _____

Name and address of establishment in/under which inter-State migrant workman are employed _____
Name and address of the Principal Employer _____
Wage period _____

Serial no.	Name of inter-State migrant workman	Serial no. in the register of workman	Designation/Nature of work	Number of days worked	Unit of work done	Daily rate of wages/Piece rate	
						Rs.	P.
1	2	3	4	5	6	7	

Amount of wages earned								
Basic wages Rs. P.	Dearness allowance Rs. P.	Overtime Rs. P.	Other cash payments (nature of payment to be indicated) Rs. P.	Total Rs. P.	Deductions, if any, (indicate nature) Rs. P.	Net amount paid Rs. P.	Signature/Thumb-impression of inter-State migrant workman	Initials of contractor or his authorised representative
8	9	10	11	12	13	14	15	16

FORM XIX

[*See* RULE 52(2) (iii)]

Register of deductions for Damage or Loss

Name and address of contractor _____

Nature of location work _____

Name and address of establishment in/under which inter-State migrant workmen are employed _____

Name and address of the Principal Employer _____

Serial no.	Name of inter-State migrant workmen	Father's/ Husband's name	Designation/ Nature of employment	Particulars of damage or loss	Date of damage or loss	Whether inter-State migrant workmen showed causes against deduction
1	2	3	4	5	6	7

Name of person in whose presence employee's explanation was heard	Amount of deduction imposed Rs. P.	Number of instalments	Date of recovery		Remarks
			First instalment	Last instalment	
8	9	10	11	12	13

FORM XX

[*See* RULE 52(2)(iv)]

Register of Fines

Name and address of contractor _____
Nature and location of work _____

Name and address of establishment in/under which inter-state migrant workmen are employed _____
Name and address of Principal Employer _____

Serial no.	Name of inter-State migrant workman	Father's/ Husband's name	Designation/ nature of employment	Act/omission for which fine imposed	Date of offence
1	2	3	4	5	6

Wehther inter-State migrant workmen showed causes against fine	Name of person in whose presence employee's explanation was heard	Wages periods and wages payable	Amount of fine imposed Rs. P.	Date of which fine realised	Remarks
7	8	9	10		12

FOMR XXI

[*See* RULE 52(2)(vi)]

Register of Advances

Name and address of contractor _____
Nature and location of work _____

Name and address of establishment in/under which inter-State migrant workmen are employed _____
Name and address of Principal Employer _____

Serial no.	Name of inter-State migrant workman	Father's/ Husband's name	Nature of employment/ designation	Wage period/wage payable Rs. P.	Date/and amount of advance given Rs. P.
1	2	3	4	5	6

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Purpose(s) for which advance made	Number of instalments by which advance to be repaid	Date /and amount of each instalment repaid Rs. P.	Date on which last instalment was repaid	Remarks
7	8	9	10	11

FORM XXII

[*See* RULE 52(2)(v)]

Register of Overtime

Name and address of contractor _____

Nature and location of work _____

Name and address of establishment in/under which migrant workmen are employed _____

Name and address of Principal Employer _____

Serial no.	Name of inter-State migrant workmen	Father's/ Husband's name	Sex	Designation/ nature of employment	Date on which overtime worked	Total overtime worked or production in case of piece rate	Normal rates of wages	Overtime rates of wages	Overtime earnings	Date on which over time wages paid	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

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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 contract: From.....To.....
5. Number 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 inter-State migrant workmen employed on 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 on what day—
   (*b*) if, so whether it was paid for—
   (iii) Number of man-hours of overtime worked—
8. Number of mandays worked by—

Men	*Women*	*Children*	*Total*

9. Amount of wages paid—

Men		*Women*		*Children*		*Total*	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

NOTE—Wages shall not include wages for periods of outward and return journeys.

10. Amount of deductions from wages if any .....

Men		*Women*		*Children*		*Total*	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

11. Amount of displacement allowance paid—

Men		*Women*		*Children*		*Total*	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

12. Amount of outward journey allowance paid—

Men		*Women*		*Children*		*Total*	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

13. Amount of wages for outward journeys period paid—

Men		*Women*		*Children*		*Total*	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

14. Amount of return journeys allowance paid—

Men		*Women*		*Children*		*Total*	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

15. Amount of wages for return journey period paid—

Men		*Women*		*Children*		*Total*	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

16. Whether the following have been provided :
   (i) Residential accommodation.
   (ii) Protective clothing.

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(iii) Canteen.
(iv) Rest-room.
(v) Latrine and Urinals.
(vi) Drinking Water.
(vi) 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.
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. Number of contractors who worked in the establishment during the year (Give details in Annexure).
5. Nature of work/operations on which migrant workmen was employed.
6. Total number of days during the year on which migrant workmen 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 dirctly employed workmen.
11. Change, if any, in the management of the establishment its location or any other particular furnished to the Registering Officer in the application for Registration indicating also the dates.

Principal Employer.

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

ANNEXURE TO FORM

Name and address of the contractor	Period of contract		Nature of work	Maximum number of workers employed by each contractor	No. of days worked	No. of mandays worked
	From	To				
1	2	3	4	5	6	7

By Order,
DIVAKAR DEV,
Sachiv.