U.P. Contract Labour (Regulation and Abolition) Rules, 1975

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In exercise of the powers conferred by sub-section (1) of section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Act No. 37 of 1970), the Governor is pleased to make the above rules in respect of, the matters connected with regulation and abolition of contract labour.

CHAPTER I

Preliminary

1. Short title, extent and commencement. - (1) These rules may be called the **Uttar Pradesh Contract Labour (Regulation and Abolition) Rules, 1975.**
(2) They shall apply to the whole of Uttar Pradesh.
(3) 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 Contract Labour (Regulation and Abolition) Act, 1970;

(b) *"Appellate Officer"* means the Appellate Officer nominated by the State Government under sub-section (1) of Section 15 of the Act;

(c) *"Award"* shall have the meaning assigned to it in section 2 (c) of the U.P. Industrial Disputes Act, 1947;

(d) *"Board"* means the State Advisory Contract Labour Board constituted under sub-section (1) of Section 4;

(e) *"Chairman"* means the Chairman of the Board;

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

(g) *"Form"* means a from appended to these rules;

(h) *"Inspector"* means an inspector appointed under sub-section (1) of Section 28 of the Act;

(i) *"Licensing Officer"* means a Licensing Officer appointed under clause (a) of section 11 of the Act;

(j) *"Registering Officer"* means a Registering Officer appointed under Section 6 of the Act;

(k) *"Section"* means a Section of the Act;

(l) *"Settlement"* shall have the meaning assigned to it in Section 2(t) of the U.P. Industrial Disputes Act, 1947; and

(m) *"State Government"* means the Government of Uttar Pradesh.

CHAPTER II

State Board

[3. Board [Section 4(2)]. - The Board shall consist of the following members:

(a) a chairman to be appointed by the State Government;

(b) the Labour Commissioner, Uttar Pradesh, ex-officio, or in his absence any other officer nominated by the State Government in that behalf;

(c) two persons representing the State Government to be nominated by the State Government from amongst its officials;

(d) two persons representing the industry, two persons representing the contractors, four persons representing the workmen and one person representing any other interest, which in the opinion of the State Government ought to be represented, to be nominated by the State Government.]

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4. Terms of office [Sections 4 (3), 35 (2) (a)]. - (1) The Chairman of the Board shall hold office as such for a period of three years from the date on which his appointment is first notified in the Gazette.

(2) Each of the members of the Board, nominated by the State Government under clauses (b) and (c) of rule 3, shall hold office as such during the pleasure of the Governor.

(3) Each of the members referred to in clause (d) of rule 3 shall hold office as such for a period of three years commencing from the date on which his appointment is first notified in the Gazette:

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

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

5. Resignation [Section 4 (3)]. - A member of the Board not being an ex officio member or a member representing the State Government, may resign his office by a letter in writing addressed to the State Government and on such resignation being accepted by the Government, his office shall fall vacant on the date on which such resignation is accepted.

6. Cessation of membership [Sections 4 (2) and 35]. - If any member of the Board, not doing an ex-officio member or a member representing the State Government, fails to attend three consecutive meetings of the Board, without obtaining the leave of the Chairman for such absence, he shall cease to be a member of the Board.

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

7. Disqualification for membership [Sections 4 (3) and 35]. - (1) A person shall be disqualified for being nominated and for being a member of the Board-

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

(ii) if he is an undercharged insolvent; or

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

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

8. Removal from membership [Sections 4 (3) and 35 (2) (a)]. - The State Government may remove from office any member of the Board, if in its opinion such a member has ceased to represent the interest which he purports to represent on the Board:
Provided that no such member shall be removed unless a reasonable opportunity is given to him of making any representation against the proposed action.

9. Vacancy [Sections 4 (2) and 35]. - When a vacancy occurs or is likely to occur in the membership of the Board, the Chairman shall submit a report to the State Government and on receipt of such report the State Government shall take steps to fill the vacancy by making an appointment from amongst the category of persons to which the person vacating membership belonged and the person so appointed shall hold office for the remainder of the term of office of the member in whose place he is appointed.

10. Staff [Sections 4 (2) and 35]. - (1) (i) The Government may appoint one of its officials as Secretary of the Board and appoint such other staff as it may think necessary to enable the Board to carry out its functions.

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

(2) The Secretary -

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

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

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

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

11. Allowances of members [Section 5 (3)]. - (1) The travelling allowance of an official member shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the authority paying his salary.
(2) The non-official members of the Board shall be paid travelling allowance for attending a meeting of the Board at such rates as are admissible to Class I Officers of the State Government and daily allowance shall be calculated at the maximum rate admissible to Class I Officers of the State Government in their respective places.

12. Disposal of business [Sections 5 (2) and 35 (2) (b)]. - Every question which the Board is required to take into consideration shall be considered at a meeting, or, as the Chairman so directs, by sending the necessary papers to every member for opinion and the question shall be disposed of in accordance with the decision of the majority:
Provided that in the case of equality of votes, the Chairman shall have a second or a casting vote.
Explanation. - "Chairman" for the purpose of this rule shall include the Chairman nominated under rule 13 to preside over a meeting.
13. Meetings [Sections 5(2) and 35 (2) (b)]. - (1) The Board shall meet at such places and times as may be specified by the Chairman.
(2) The Chairman shall preside over every meeting of the Board at which he is present and in his absence nominate a member of the Board to preside over such meeting.
14. Notice of meetings and list of business [Sections 5 (2) and 35 (2) (b)]. - (1) Ordinarily fifteen days' notice shall be given to other members of a proposed meeting.
(2) No business which is not on the list of business for a meeting shall be considered at that meeting without the permission of the Chairman.
15. Quorum [Sections 5 (2) and 35 (2) (b)]. - No business shall be transacted at any meeting unless at least four members are present:
Provided that if at any meeting less than four members are present, the Chairman may adjourn the meeting to another date informing members present and giving notice to the other members that he proposes to dispose off the business at the adjourned meeting whether there is prescribed quorum or not, and it shall thereupon be lawful for him to dispose off the business at the adjourned meeting irrespective of number of the members attending.
16. Committee of the Board [Section 5]. - (1) (i) The Board may constitute such Committee and for such purpose or purposes as it may think fit.

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

(2) The Committee shall meet at such times and places as the Chairman of the said Committee may decide and the Committee shall observe rules of procedure in regard to the transaction of business at its meeting as it may decide upon.
(3) The provisions of rule 11 shall apply to the members of the committee for attending the meeting of the committee as they apply to the members of the Board.

CHAPTER III

Registration and Licensing

17. Manner of making application for registration of establishment [Sections 7 (1) and 35 (2) (c)]. - (1) The application referred to in sub-section (1) of Section 7 shall be made in triplicate, in Form I to the registering officer of the area in which the establishment sought of be registered is located.
(2) The application referred to in sub-rule (1) shall be accompanied by a treasury receipt showing payment of the fees for the registration of the establishment.
(3) Every application referred to in sub-rule (1) shall be either personally delivered to the registering officer or sent to him by registered post.

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

18. Grant of certificate of registration (Sections 7 (2) and 35 (2) (c)]. - (1) The certificate of registration granted under sub-sections (2) of Section 7 shall be in Form No. II.

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

(a) the name and address of the establishment;

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

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

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

(3) The registering officer shall maintain a register in Form No. III showing the particulars of establishment in relation to which certificates of registration have been issued by him.

(4) 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 registration officer, within thirty days from the date when such change takes place the particulars of, and the reasons for, such change.

19. Circumstances in which application for registration may be rejected [Sections 7 (2) and 35 (2) (c)]. - (1) If any application for registration is not complete in all respects, 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 this application for registration omits or fails to do so, the registering officer shall reject the application for registration.

20. Amendment of certificate of registration [Section 8]. - (1) Where, on receipt of the intimation under sub-rule (4) of rule 18; the registering officer is satisfied that an amount higher than the amount which has been paid by the principal employer as fees for the registration of the establishment is payable, he shall require such principal employer to deposit a sum which, together with the amount already paid by such principal employer, would be equal to such higher amount of fees payable for the registration of the establishment and to produce the treasury receipt showing such deposit.

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

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

Provided further that the registering officer shall not carry out any amendment in the register in From No. III unless the appropriate fee have been deposited by the principal employer.

21. Application for a licence [Sections 13 (1) and 35 (2) (d)]. - (1) Every application by a contractor for the grant of a licence shall be made in triplicate, in Form No. IV, to the

Licensing Officer of the area in which the establishment, in relation to which he is the contractor, is located.
(2) Every application for the grant of a licence shall be accompanied by a certificate by the principal employer in Form V to the effect that the applicant has been employed by him as a contractor in relation to his establishment and that he undertakes to be bound by all the provisions of the Act and the rules made thereunder in so far as the provisions are applicable to him as principal employer in respect of the employment of contract labour by the applicants.
(3) Every such application shall be either personally delivered to the Licensing Officer or sent to him by registered post.
(4) In receipt of the application referred to in sub-rule (1), the Licensing Officer shall after noting thereon the date of receipt of the application, grant an acknowledgment to the applicant.
(5) Every application referred to in sub-rule (1) shall also be accompanied by a treasury receipt showing -

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

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

22. Matters to be taken into account in granting or refusing a licence [Sections 14 (1) and 35 (2) (c)]. - 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 stand so declared by a competent court, or

(iii) is an undischarged insolvent, or

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

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

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

(d) whether the fees for the application have been deposited at the rates specified in rule 26; and

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

23. Refusal to grant licence [Sections 14 (1) and 35 (2) (e)]. - (1) On receipt of the application, and as soon as possible thereafter, the Licensing Officer shall make such enquiry as he considers, necessary to satisfy himself about the eligibility of the applicant for a licence.

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

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

24. Security [Sections 12(2) and 35 (2) (f)]. – [Before a licence is issued, an amount calculated at the rate of Rs. 300 for each of the workmen to be employed as contract labour, in respect of which the application for licence has been made, shall be deposited by the contractor due performance of the conditions of the licence and compliance with the provisions of the Act or the rules made thereunder:
Provided that where the contractor is a co-operative society, the amount deposited as security shall be at the rate of Rs. 50 for each of the workmen to be employed as contract labour.][1]

(2) The amount of security deposit shall be paid in the local treasury under the head of account "843 - Civil Deposits - Security Deposits".

25. Form and terms and conditions of licence [Sections 12 (2) and 35 (2) (f)]. –
(1) Every licence granted under sub-section (1) of Section 12 shall be in Form VI.
(2) Every licence granted under sub-rule (1) or renewed under rule 22 shall be subject to the following conditions, namely –

(i) the licence shall be non-transferable;

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

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

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

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

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

(b) in other cases the wage rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the Labour Commissioner, Uttar Pradesh.

Explanation. – While determining the wage rates, holidays, hours of work and other conditions of service under (b) above, the Labour Commissioner, U.P. shall have due

[1] Notification no.214/36-2-2001-123{S.M}/78, date. 24-04-2001,U.P. Contract Labour (Regulation and Abolition) Rules, 1975

regard to the wage rates, holidays, hours of work and other conditions of service obtaining similar employments;

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

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

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

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

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

[26. Fees [Sections 13(3) and 35 (2) (f)]. –
(1) The fees to be paid for the grant of a certificate of registration under section 7 shall be as specified below, namely:
If the number of workmen employed by the contractor on any day –

(a) is 20 … … … Rs. 200.00
(b) exceeds 20 but does not exceed 50 … … 500.00
(c) exceeds 50 but does not exceed 100 … … 1000.00
(d) exceeds 100 but does not exceed 200 … … 2000.00
(e) exceeds 200 but does not exceed 400 … … 4000.00
(f) exceeds 400 … … 5000.00

(2) The fees to be paid for the grant of renewal of licence under Section 12 shall be as specified below:
If the number of workmen employed by the contractor on any day –

(a) is 20 … … … Rs. 50.00
(b) exceeds 20 but does not exceed 50 … … 120.00
(c) exceeds 50 but does not exceed 100 … … 250.00
(d) exceeds 100 but does not exceed 200 … … 500.00
(e) exceeds 200 but does not exceed 400 … … 1000.00
(f) exceeds 400 … … 1250.00][2]

27. Validity of licence [Sections 12 (3) and 35 (2) (f)]. –
Every licence granted under rule 25 or renewed under rule 29 shall remain in force for twelve months from the date it is granted or renewed.

[2] Notification no.214/36-2-2001-123{S.M}/78, date. 24-04-2001,U.P. Contract Labour (Regulation and Abolition) Rules, 1975

28. Amendment of the licence [Sections 13 (3) and 35 (2) (g)]. - (1) A licence issued under rule 25 or renewed under rule 20 may, for good and sufficient reasons be amended by the licensing Officer.

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

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

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

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

29. Renewal of licence [Sections 13 (3) and 35 (2) (f)]. - (1) Every contractor shall apply to the Licensing Officer for renewal of the licence.

[(2) Every contractor shall upload the renewal application with proof of prescribed fee on portal notified by the Labour Department, Uttarakhand Government. The licence shall be deemed renewed for the next one year if it is applied online with the prescribed fee. For such deemed renewal the applicant shall apply thirty days before the date of expiry of the current licence.]

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

Provided that if the application for renewal is not received within the time specified in sub-rule (2) a fee of 25 per cent, in excess of the fee ordinarily payable for the licence shall be payable for such renewal:

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

30. Issue of duplicate certificate of registration or licence [Sections 13 (3) and 35 (2)(f)]. - Where a certificate of registration or a licence granted or renewed under the preceding rules has been lost, defaced or accidentally destroyed a duplicated may be granted on payment of fees of rupees five.

31. Refund of security [Sections 13 and 35 (2)]. - (1) (i) On the expiry of the period of licence the contractor may, if he does not intend to have his licence renewed, make no application to the Licensing Officer for the refund of the security deposited by him under rule 24.

(ii) If the Licensing Officer is satisfied that there is no breach of the conditions of licence or there is no order under section 14 for the forfeiture of security or any portion thereof, he shall direct the refund of the security to the applicant.

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

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

32. Grant of temporary certificate of registration and licence. - (1) Where conditions arise in an establishment requiring the employment of contract labour immediately and such

employment is estimated to last for not more than fifteen days the principal employer of the establishment or the contractor, as the case may be, may apply for a temporary certificate of registration or licence to the registering officer or the Licensing Officer, as the case may be, having jurisdiction over the area in which the establishment is situated.

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

(3) On receipt of the application, complete in all respects and on being satisfied either on affidavit by the applicant or otherwise that the work in respect of which the application has been made would be finished in a period of fifteen days and was of a nature which could not be carried out immediately the registering officer or the Licensing Officer, as the case may be, shall forthwith grant a certificate of registration in Form IX or licence in Form XI, as the case may be, for a period of not more than fifteen days.

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

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

[(6) The fees to be paid for the grant of the certificate of registration under sub-rule (3) shall be as specified below:
If the number of workmen proposed to be employed on contract on any day –

Rs.

(b) exceeds 20 but does not exceed 50 ..... 100.00
(c) exceeds 50 but does not exceed 200 ..... 200.00
(d) exceeds 200 ..... 300.00

(7) The fees to be paid for the grant of a licence under sub-rule (3) shall be as specified below:
If the number of workmen to be employed by the contractor on any day –

Rs.

(b) exceeds 20 but does not exceed 50 ..... 100.00
(c) exceeds 50 but does not exceed 200 ..... 200.00
(d) exceeds 200 ..... 300.00][3]

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

CHAPTER IV

[3] Notification no.214/36-2-2001-123{S.M}/78, date. 24-04-2001,U.P. Contract Labour (Regulation and Abolition) Rules, 1975

Appeals

33. Appeals and procedure [Sections 15 (1) and 35 (2) (b)]. - (1) (i) Every appeal under sub-section (1) of section 15 shall be referred in the form of a memorandum signed by the appellant or his authorised agent and presented to the appellate office in person or sent to him by registered post.

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

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

34. Rejection of amendment of appeals [Sections 15 and 35 (2) (b)]. - (1) Where the memorandum of appeal does not comply with the provisions of sub-rule (2) of rule 33, it may be rejected or returned to appellant for the purpose of being amended within a time to be fixed by the appellate officer.

(2) Where the memorandum of appeal is in order the appellate officer shall admit the appeal, endorse thereon the date of presentation and shall register the appeal in a book to be kept for the purpose called the Register of Appeals.

(3) (i) When the appeal has been admitted, the appellate officer shall send the notice of the appeal to the registering officer or the Licensing Officer as the case may be from whose order, the appeal has been preferred and the registering officer or the Licensing Officer shall send the record of the case to the appellate officer.

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

35. Dismissal of appeal [Sections 15 and 35 (2) (b)]. - If on the date fixed for hearing the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellant.

36. Restoration of appeal [Sections 15 and 35(2)(b)]. - (i) Where an appeal has been dismissed under rule 35 the appellant may apply to the appellate officer for the re-admission of the appeal, and where it is proved that he was prevented by any sufficient cause from appearing when the appeal was called on for hearing the appellate officer shall restore the appeal on its original number.

(ii) Such an application shall, unless the appellate officer extends the time for sufficient reasons, be made within thirty days of the date of dismissal.

37. Decision of appeal [Sections 15 and 35(2)(b)]. - (I) If the appellant is present when the appeal is called on for hearing, the appellate officer shall proceed to hear the appellant or his authorised agent and any other person summoned by him for this purpose and pronounce judgment on the appeal either confirming, reversing or varying the order appealed from.

(2) The judgment of the appellate officer shall state the points for determination, the decisions thereon and the reasons for the decisions.

(3) The order shall be communicated to the appellant and copy thereof shall be sent to the registering officer or the licensing officer from whose order the appeal has been preferred.

38. Payment of fees [Section 35(c)]. - Unless otherwise provided in these rules, all fees to be paid under these rules shall be paid in the local treasury under the head of account:

(1) रजिस्ट्रेशन फीस;

(2) लाइसेंस फीस;

(3) लाइसेंस का नवीनीकरण;

(4) रजिस्ट्रेशन प्रमाण पत्र तथा लाइसेंस की दूसरी प्रति जारी करने की फीस तथा

(5) प्रतिलिपि सम्बन्धी फीस।

39. Copies [Section 35(c)]. – Copies of the order of the registering officer, Licensing Officer or the appellate officer may be obtained on payment of fees of rupees two for each order on an application specifying the date and other particulars of the order made to the officer concerned.

CHAPTER V

Welfare and Health of Contract Labour

40. Facilities to be provided by contractor [Sections 18 and 19]. –
(1) The facilities required to be provided under sections 18 and 19 of the Act, namely, sufficient supply of wholesome drinking water, a sufficient number of latrines and urinals, washing facilities and first-aid facilities, shall be provided by the contractor in the case of the existing establishment within seven days of the commencement of these rules and in the case of new establishments within seven days of the commencement of the employment of contract labour therein.

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

41. Rest-rooms [Sections 17 (i) and 35 (2) (f)]. –
(1) In every place wherein contract labour is required to halt at night in connection with the working of the establishment to which the Act applies and in which employment of contract labour is likely to continue for three months or more, the contractor shall provide and maintain rest-rooms or other suitable alternative accommodation within fifteen days of the coming into force of these rules in the case of existing establishments, and within fifteen days of the commencement of the employment of contract labour in any establishment.

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

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

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

(5) The rest-room or rooms or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 1 sq. meter for each person making use of the rest-room.

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

42. Provisions of canteen [Sections 16 (1) and 35 (j)]. - (1) In every establishment to which the Act applies and wherein work regarding the employment of contract labour is likely to continue for six months and wherein contract labour numbering one hundred or more are ordinarily employed, an adequate canteen shall be provided by the contractor for the use of such contract labour within sixty days of the date of coming into force of the rules in the case of the existing establishment and within sixty days of the commencement of the employment of contract labour in the case of new establishment.
(2) If the contractor fails to provide the canteen within time laid down the same shall be provided by the principal employer within sixty days of the expiry of the time allowed to the contractor.
(3) The canteen shall be maintained by the contractor or principal employer, as the case may be, in an efficient manner.

43. Canteen [Sections 16 (1) and 35(2) (j)]. - (1) The canteen shall consist of at least a dining hall, kitchen, store room, pantry and washing places separately for workers and for utensils.
(2) The floor shall be made of smooth and impervious material and inside wills shall be lime-washed or colour-washed at least once in each year.
(3) (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.

44. Dining hall [Sections 16 (1) and 35 (2) (j)]. - (1) The dining hall shall accommodate at a time at least 30 per cent of the contract labour working at a time.
(2) The floor area of the dining hall, excluding the area occupied by the service counter and any furniture except tables and chairs shall be not less than one square metre per dinner to be accommodated as prescribed in sub-rule (1)
(3) (i) A portion of the dining hall and service counter shall be partitioned off and reserved for women workers, in proportion to their number.

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

(4) Sufficient tables, stools, chairs, or benches shall be available for the number of dinners to be accommodated as prescribed in sub-rule (1).

45. Equipment [Sections 16 (1) and 35 (2) (j)]. - (1) (i) There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen.

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

(2) (i) Suitable clean clothes for the employees serving in the canteen shall also be provided and maintained.

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

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

46. Prices to be displayed [Sectionsl6 (1) and 35 (2) (j)]. - The foodstuffs and other items to be served in the canteen shall be in conformity with the normal habits of the contract labour.

47. Foodstuffs to be served [Sections 16 (1) (c) and 35 (2) (j)]. - The charges for foodstuffs, beverages and any other items served in the canteen shall be based on no profit no loss and shall be conspicuously displayed in the canteen.

48. Canteens to be run on no profits no loss basis [Sections 16 (1) and 35 (2) (j)]. - In arriving at the pieces of foodstuffs and other articles served in the canteen the following items shall not be taken into consideration as expenditure, namely:

(a) the rent, for the land and building;

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

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

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

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

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49. Books of accounts of canteens [Sections 16 and 35 (1) and (2) (j)]. - The books of accounts and registers and other documents used in connection with the running of the canteen shall be produced on demand to an Inspector.

50. Auditing of accounts of canteens [Sections 16 and 35 (2) (j)]. - The accounts pertaining to the canteen shall be audited once every twelve months by registered accountants and auditors:

Provided that the Labour Commissioner, U.P. 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 other location of the canteen.

51. Latrines and urinals [Section 18 (b) and 35 (2) (j)]. - Latrines shall be provided in every establishment coming within the scope of the Act on the following scale, namely:

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

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

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

52. Proper door and fastenings of latrines [Sections 18(b) and 35 (2) (j)]. - Every latrine shall be under Cover and so partitioned of as to secure privacy, and shall have a proper door and fastenings.

53. Indication on the latrines and urinals [Sections 18 (b) and 35 (2) (j)]. - (i) Where workers of both sexes are employed, there shall be displayed outside each block of latrine and urinal a notice in the language understood by the majority of the workers "For men only" or "For women only", as the case may be.

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

54. Number of urinals [Sections 18 (b) and 35 (2) (j)]. - There shall be at least one urinal for male workers up to 50 and one for female workers up to 50 employed at a time:
Provided that where the number of male or female workmen, as the case may be, exceeds 500, it shall be sufficient if there is one urinal for every 50 males or females up to the first 500 and one for every 100 or part thereof thereafter.

55. Accessibility to latrines and urinals [Sections 18 (b) and 35 (2) (j)]. - (1) The latrines and urinals shall be conveniently situated and accessible to workers at all times at the establishments.

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

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

56. Provision of water in latrines and urinals [Section 18 (c)]. - Water shall be provided by means of tap or otherwise so as to be conveniently accessible in or near the latrines and urinals.

57. Washing facilities [Section 18 (c)]. - (1) In every establishment coming within the scope of the Act adequate and suitable facilities for washing shall be provided and maintained for the use of contract labour employed therein.

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

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

(4) The washing facilities shall include the provision of adequate number of buckets and tumbler or mugs and water supply at the rate of 20 litres a day for each workmen employed

58. First-aid facilities [Sections 19 and 35(2) (k)]. - In every establishment coming within the scope of the Act there shall be provided and maintained so as to be readily accessible during all working hours first-aid boxes at the rate of not less than one box for 150 contract labour or part thereof ordinarily employed.

59. Contents of First-aid box [Sections 19 and 35 (2) (k)]. - The first-aid box shall be distinctively marked with a red cross on a white ground and shall contain the following equipment, namely:

(A) For establishments in which the number of contract labour employed does not exceed fifty, each first-aid box shall contain the following equipments:

(i) 6 small sterilized dressings.

(ii) 3 medium size sterilized dressings.

(iii) 3 large size sterilized dressings.

(iv) 3 large sterilized burn dressings.

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

(vi) 1 (30 ml.) bottle containing savelatile having the dose and mode of administration indicated on the label.

(vii) 1 snake-bite lancet.

(viii) 1 (30 gms.) bottle of potassium permanganate crystals,

(ix) 1 pair scissors.

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

(xi) A bottle containing 100 tablets (each of 5 grains) of as prin.

(xii) Ointment for burns.

(xiii) A bottle of suitable surgical antiseptic solution.

(B) For establishment in which the number of contract labour exceeds fifty each first-aid box shall contain the following equipment:

(i) 12 small sterilized dressings.

(ii) 6 medium size sterilized dressings.

(iii) 6 large size sterilized dressings.

(iv) 6 large size burn dressings.

(v) 6 (15 gms.) packets strelized cotton wool.

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

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

(viii) 1 roll of adhesive plaster. (ix) A snake-bite lancet.

(x) 1(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 Advise Service and Labour Institute, Government of India.

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

(xiv) Ointment for burns.

(xv) A bottle of a suitable surgical antiseptic solution. (2) Adequate arrangement shall be made for immediate recoupment of the equipment when necessary.

60. Duly prescribed content in first-aid Box [Sections 10 and 35 (2) (k)]. - Nothing except the prescribed contents shall be kept in the First-aid Box.

61. Availability of First-aid Box [Sections 19 and 35 (2) (k)]. - The First-aid Box shall be kept in charge of a separate responsible person who shall always be readily available during the working hours of the establishment.

62. Trained person as incharge of First-aid Box [Sections 19 and 35 (2) (k)]. - A person in-charge of the First-aid Box shall be a person trained in First-aid Treatment, in establishments where the number of contract labour employed is 150 or more.

CHAPTER VI

63. Fixation of wages [Sections 21 and 35 (2) (1)]. - The contractor shall fix wage periods in respect of which wages shall be payable.

64. Wage period [Sections 21 and 35 (2) (1)]. - No wage period shall exceed one month.

65. Payment of wages [Sections 21 and 35 (2) (1)]. - The wages of every person employed as contract labour in an establishment or by a contractor where less than one

thousand such persons are employed shall be paid before the expiry of the seventh day and in other cases before the expiry of tenth day after the last day of the wage period in respect of which the wages are payable.

66. Payment of wages in case of termination of employment [Sections 21 and 35 (2) (1)]. - Where the employment of any worker is terminated by or on behalf of the contractor the wages earned by him shall be paid before the expiry of the second working day from the day on which his employment is terminated.

67. Time and place of payment of wages [Sections 21 and 35 (2) (1)]. - All payments of wages shall be made on a working day at the work premises and during the working time and on a date notified in advance and in case the work is completed before the expiry of the wage period, final payment shall be made within 48 hours of the last working day.

68. Persons to whom wages are to be paid. - Wages due to every worker shall be paid to him direct or to other persons authorised by him in this behalf.

69. Payment in current coins or currency [Sections 21 and 35(2) (1)]. - All wages shall be paid in current coin or currency or in both.

70. Deductions from wages [Sections 21 and 35 (2) (1)]. - Wages shall be paid without any deductions 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 (Act No. 4 of 1936).

71. Notices regarding time and place of disbursement of wages [Sections 21 and 35 (2) (1)]. - 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 acknowledgment.

72. Disbursement of wages before authorised representatives of the principal employer [Sections 21 (2) and 35 (2) (1)]. - The principal employer shall ensure the presence of his authorised representative at the place and time of disbursement of wages by the contractor to workmen and it shall be the duty of the contractor to ensure the disbursement of wages in the presence of such authorised representative.

73. Register of wages [Sections 21 (2) and 35 (2) (1)]. - The authorised representative of the principal employer shall record under his signature a certificate at the end of the entries of 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 workman concerned in my presence on.....at....."

74. Register of Contractors [Section 29]. - Every principal employer shall maintain in respect of each registered establishment a register of contractor in Form XII.

75. Register of persons employed [Sections 29 and 35 (2) (m)]. - Every contractor shall maintain in respect of each registered establishment where he employs contract labour a register in Form XIII.

76. Employment Card [Sections 29 and 35 (2) (m)]. - (1) Every contractor shall issue an employment card in Form XIV to each worker within three days of the employment of the worker.

(2) The card shall be maintained up to date and any change in the particulars shall be entered therein.

77. Service Certificate [Sections 29 and 35 (2) (m)]. - On termination of employment for reason whatsoever the contractor shall issue to the workman whose services have been terminated a service certificate in Form XVI.

78. Muster Roll, Wages Registers, Deduction Registers and Overtime Register [Sections 29 and 35 (2) (m)]. - (1) In respect of establishment which are governed by the Payment of Wages Act, 1936 (4 of 1936) and the rules made thereunder, or Minimum Wages Act, 1948 (II of 1948) or the rules made thereunder, the following registers and record required to be maintained by the contractor as employer under these Acts, and the rules made thereunder shall be deemed to be registers and records to be maintained by the contractor under these rules:

(a) Muster Roll;

(b) Register of wages;

(c) Register of deductions;

(d) Register of overtime;

(e) Register of fines;

(f) Register of advances.

(2) In respect of establishments not recovered under sub-rule (1), the following provisions shall apply, namely:

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

Provided that a combined muster roll-cum-wages register in Form XVIII shall be maintained by the contractor where the wage period is a fortnight or less.

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

(c) Signature or thumb-impression of every worker on the register of wages or wage-cum-muster roll, as the case may be, shall be obtained and entries therein shall be authenticated by the initials of the contractor or his representative and duly certified by the authorised representative of the principal employer as required by rule 73.

(d) Register of deductions, fines and advances, registers of deductions for damage or loss, register of fines and register of advances shall be maintained by every contractor in Forms XX, XXI and XXII respectively.

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

(3) Notwithstanding anything contained in these rules, where a combined or alternative form is sought to be used by the contractor to avoid duplication of work of 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 Labour Commissioner, U.P.

79. Display of abstracts of Act and Rules [Sections 29 and 35 (20) (m)]. - Every contractor shall display an abstract of the Act and rules in English and Hindi and in the

language spoken by the majority of workers in such forms as may be approved by the Labour Commissioner, U.P.

80. Maintenance of registers and other records [Sections 29 and 35 (2) (m)]. - 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 precincts of the work place or at a place within a radius of three kilometers.

(2) Such registers shall be maintained legibly in English or Hindi.

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

(4) All the registers, records and notices maintained under the Act or rules shall be produced on demand before the Inspector or any other authority under the Act or any person authorised in 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 the wage period indicating also in precise terms the wage period to which the 'nil' entry relates, in the respective registers maintained in Forms XXI and XXIII respectively.

81. Display of notices [Sections 29 and 35 (2) (o)]. - (1) (i) Notices showing the rates of wages, hours of work, wage periods, date of payment of wages, names and addresses of the Inspector having jurisdiction, and date of payment of unpaid wages shall be displayed in English and Hindi and in the local language understood by the majority of the workers in conspicuous places at the establishment and the work site by the principal employer or the contractor, as the case may be.

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

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

82. Submission of return [Sections 29 and 35 (2) (n)]. - (1) Every contractor shall send half yearly return in Form XXIV in duplicate so as to reach the Licensing Officer concerned not later than twenty days from the close of the half year.

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

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

83. Power to call information or statistics [Sections 29 and 35 (2) (o)]. - (1) The Board, Committee, Labour Commissioner, U.P. or the Inspector or any other authority under the Act shall have powers to call for any information or statistics in relation to contract labour from any contractor or principal employer at any time by an order in writing.

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

Form I

[*See* Rule 17 (1)]

Application for Registration of Establishment employing Contract Labour

1. Name and location of the Establishment.....

2. Postal address of the Establishment.....

3. Full name and address of the Principal Employer

(Furnish father's name in the case of individuals).....

4. Full name and address of the manager or person responsible for the supervision and control of the establishment.....

5. Nature of work carried on in the establishment.....

6. Particulars of contractors and contract labour:

   (a) Names and addresses of contractors.....

   (b) Nature of work in which contract labour is employed, or is to be employed.....

   (c) Maximum number of contract labour to be employed on any day through each contractor.....

   (d) Estimated date of termination of employment of contract labour and under each contractor.....

7. Particulars of treasury receipt enclosed.

   (Name of the treasury, amount and date).....

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

Principal Employer,
Seal and Stamp

Date of receipt
of application

Office of the Registering Officer

Form II

[*See* Rule 18 (1)]

Certificate of Registration

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

Government of Uttar Pradesh
Office of the Registering Officer

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

1. Nature of work carried on the establishment.....

2. Names and address of contractors.....

3. Nature of work in which contract labour is employed or is to be employed.

4. Maximum number of contract labour to be employed on any day through each contractor.....

5. Other particulars relevant to the employment of contract labour.....

Signature of Registering Officer with seal

Form III

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[*See* Rule 18 (3)]

Registration of Establishments

Particulars of contractor and contract labour							*Particulars of contractor and contract labour*			
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 in the establishment	Total no. of workmen directly employed	Name and address of contractor	Nature of work in which contract labour is to be employed	Maximum no. of contract labour to be employed on any day	Probade duration of employment of contract labour	Remarks
1	2	3	4	5	6	7	8	9	10	11

IndiaCode

Form IV

[*See* Rule 21 (1)]

Application for License

1. Name and address of the contractor (including his father's name in case of individuals).....
2. Date of birth and age (in case of individuals).....
3. Particulars of establishment where contract labour is to be employed:
   (a) Name and address of the establishment.....
   (b) Type of business, trade, industry, manufacture or occupation which is carried on in the establishment.....
   (c) Number and date of certificate of Registration of the Establishment under the Act.....
   (d) Name and address of the Principal Employer.....
4. Particulars of contract labour:
   (a) Nature of work in which contract labour is employed or is to be employed in the Establishment.....
   (b) Duration of the proposed contract work(give particulars of proposed date of commencing and ending).....
   (c) Name and address of the Agent or Manager or Contractor at the work-site:.....

(d) Maximum number of contract labour proposed to be employed in the establishment on any date.....

5. Whether the contractor was convicted of any offence within the preceding five years, if so, give details.....
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposits in respect of an earlier contract. If so, the date of such order.....
7. Whether the contractor has worked in any other establishment within the past five years. If so, give details of the principal employer, establishments and nature of work.....
8. Whether a certificate by the principal Employer in Form V is enclosed....
9. Amount of Licence fee paid. Number of Treasury challan and date.....
10. Amount of security deposit- Treasury receipt and date.....

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

Place
Date

Signature of applicant.
(*Contractor*).

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

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

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

Signature of the Licensing Officer.

Form V

[*See* Rule 21 (2)]

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 Contract Labour (Regulation and Abolition) Act, 1970 and the Uttar Pradesh Contract Labour (Regulation and Abolition) Rules, in so far as the provisions are applicable to me in respect of the employment of contract labour by the applicant in my establishment.

Place

Signature of principal Employer

Date

Nairn and address of Establishment

Form VI

[See Rule 21 (2)]

Government of Uttar Pradesh

Office of the Licensing Officer

License no.....,dated ;.....Fee paid Rs.....

License

License is hereby granted to.....under section 12 (1) of the Contract Labour (Regulation and Abolition) Act, 1970, subject to the conditions specified in the Annexure.

The license shall remain in force tall.....

Signature and seal of the Licensing Officer

Renewal

(Rule 29)

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

Signature and seal of the licensing Officer.

Annexure

The license is subject to the following conditions:

1. The license shall be non-transferable.
2. The number of workmen employed as contract labour in the establishment shall not on any day exceed.....
3. Except as provided in the rules, the fee paid for the grant, or as the case may be, for renewal of the licence shall be non-refundable.
4. The rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed for the Schedule of employment under the Minimum Wages Act, 1948 where applicable and where the rates have been fixed by agreement, settlement or award, not less than the rates fixed.
5. In cases where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment the wages rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work: Provided that in the case of any disagreement with regard to the type of work the same shall be decided by the Labour Commissioner, Uttar Pradesh whose decision shall be final.
6. In other cases the wages rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the Labour Commissioner, Uttar Pradesh.
7. In every establishment where 20 or more women are ordinarily employed as contract labour there shall be provided 2 rooms of reasonable dimensions for the use of their children under the age of six years.

One of such rooms would be used as a play room for the children and the other as bed room for the children. For this purpose the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and bedding in the sleeping room. The standard of construction and maintenance of the crèches may be such as may be specified in this behalf by the Labour Commissioner, Uttar Pradesh.

8. The license shall notify any change in the number of workmen or the conditions of work to the Licensing Officer.

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Form VII

[*See* Rule 29 (2)]

Application for renewal of Licenses

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

Place

Date

Signature of the applicant

(To be felled in office of the Licensing Officer).

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

Signature of the Licensing Officer.

Form VIII

[*See* Rule 32 (2)]

Application for temporary registration of Establishments employing Contract Labour

1. Name and location of the Establishment.
2. Postal address of the Establishment.
3. Full name and address of the principal Employer (furnish father's name in the case of individuals).
4. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
5. Nature of work carried on in the establishment.
6. Particulars of contract labour:

(a) Nature of work in which contract labour is to be employed and reasons for urgency.

(b) Maximum number of contract labour to be employed on any day.

(c) Estimated date of termination of employment of contract labour.

7. Particulars of Treasury Receipt or the Crossed Postal Order enclosed.....

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

Principal Employer
Seal and Stamp.

Time and date of receipt of application with Treasury Receipt or the Cross Postal Order.

Office of the Registering Officer.

No.....Date.

Form IX

[See Rule 32 (3)]

Date of expiry.....

Temporary Certificate of Registration

Government of Uttar Pradesh

Office of the Registering Officer

IndiaCode

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

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

Signature of Registering Officer with Seal.

Form X

[*See* Rule 32 (2)]

Application for Temporary License

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

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

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

Signature of the Applicant
(*Contractor*)

(To be filled in the office of the Licensing Officer). Date of receipt of the application with challan for fees/security deposit.

Signature of the Licensing Officer.

Form XI

[*See* Rule 32 (3)]

IndiaCode

Government of Uttar Pradesh

Office of the Licensing Officer

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

Signature of Licensing Officer

Temporary license expires on.....
License is hereby granted to.....under section 32 (2) of the Contract Labour (Regulation and Abolition) Act, 1970, subject to the conditions specified in Annexure.
The licence shall remain in force tall.....
Date.....

Signature of the Licensing Officer

Annexure

The license is subject to the following conditions:

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

Form XII

(*See* Rule 74)

Register of Contractors

1. Name and address of the principal Employer.
2. Name and address of the establishment.

Serial no.	Name and address	Name of work on contract	location of contract	Period of contract _____	Maximum number of workmen

	of contractor		work	from To	employed by contractor
1	2	3	4	5	6

Form XIII

[*See* Rule 75]

Register of workmen employed by consumer

Name and address of contractor.....

Name and location of work.....

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

Name and address of principal Employer.....

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

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Local address	Date of commencement of employment	Signature or thumb-impression of workmen	Date of termination of employment	Reasons for termination	Remarks
7	8	9	10	11	12

Form XIV

[*See* Rule 76]

Employment Card

Name and address of Contractor.....

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

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

Name and address of principal employer.

1. Name of the workmen

2. Serial no. in the register of workmen employed.

3. Nature of employment/designation.

4. Wage rate with particulars of unit, in case of piece-work.

5. Wage period

6. Tenure of employment.

7. Remarks.

Signature of Contractor.

Form XV

[*See* Rule 77]

Service Certificate

Name and address of Contractor.....

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

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

Name and address of principal employer.

Name and address of workmen.....

Age of date of birth

Identification marks …. …. … ... … … … … … …

Father's/Husband's Name … … … … … …

IndiaCode

Serial no.	Name of workmen	Father's/ Husband's name	Designation nature of employment	Particulars of damage or loss	Date of damage or loss	Whether workmen showed cause against deductions	Name of person in whose presence employee's explanation was heard	Amount of deduction imposed	No. of instalments date of Recovery	First instalment	Last instalment	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

Signature

Form XVI

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

Muster Roll

Name and address of Contractor …....

Name and address of establishment in/under which contractor is carried

on.....

Nature and Location of workd

….....

Name and address of Principal Employer.....

For the Month of ….....

Serial no.	Name of Workman	Father's/ Husband's name	Sex	Date	Remarks
1	2	3	4	5	6

Form XVII

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

Register of Wages

Name and address of Contractor …....

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

Nature and Location of workd

….....

….....

Name and address of Principal Employer.....

Wages period Monthly….....

Amount of wages earned															
Serial no.	Name of work men	Serial no. in the Register of work men	Designation/ nature of work done	No. of days worked	Units or work done	Daily rate of wages/ price-rate	Total	Other cash payments nature of payment to be indicated	Overtime	Dearness allowance	Basic Wages	Deduction, if any (indicate nature)	Net amount paid	Signature or Thumb-impression of workmen	Initials of contractor or his representative
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Form XVIII

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

Form of Register of Wages-cum Muster Roll

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

Contractor

…....

Name and address of Principal Employer.....

Nature and Location of workd

Wage Period : Weekly/ fortnightly.....to.....

Serial no.	Serial no. in register of workmen	Name of employee	Designation nature of work	Daily attendance/ units Marked-12.15	Total attendance units of work done	Daily rate of wages piece-rate Amount of Wages earned	Basic wages	Dearness Allowance	Overtime	Other cash payment (nature of payment to be indicated	Total	Deduction if any (indicate nature)	Net amount paid	Signature/ thumb-impression of workmen initials of contractor or his representative
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

IndiaCode

Form XIX

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

Wage Slip

Name and address of Contractor …....

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

Name and address of Principal Employer.....

Nature and Location of workd.....

Wage period : Weekly/fortnightly From.....

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

Initials of the Contractor or representative

Form XX

[See Rule 78 (2) (b)]

Register of Deductions for Damage or Loss

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

Nature and Location of workd..... Name and address of Principal Employer.....

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Serial no.	Name of workmen	Father's/ Husband's name	Designation nature of employment	Particulars of damage or loss	Date of damage or loss	Whether workmen showed cause against deductions	Name of person in whose presence employee's explanation was heard	Amount of deduction imposed	No. of instalments date of Recovery	First instalment	Last instalment	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

Form XXI

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

Register of Fines

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

Nature and Location of Name and address of Principal

workd..... Employer.....

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

Form XXII

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

Register of Advance

Name and address of Contractor …....

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

Nature and Location of workd.....

Name and address of Principal Employer.....

Serial no.	Name	Father's/ Husband's name	Nature of employment Designation	Wage period and Wages payable	Date and amount of advance given	Purpose(s) for which advance given	Number of instalments by which advances to be repaid	Date and amount of each instalment repaid	Date on which last instalment was repaid	Remarks
1	2	3	4	5	6	7	8	9	10	11

Form XXIII

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

Register of Overtime

Name and address of Contractor ….....	Name and address of establishment in/under which contract is carried on ….....
Nature and location of work …..... .	Name and address of Principal Employer ….....

Serial no.	Name of 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 date of wages	Overtime rate of wages	Overtime earnings	Date on which overtime wages paid	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

Form XXIV

[*See* Rule 82 (1)]

Return to be sent by the Contractor to the Licensing Officer.

Half Year ending

1. Name and address of the contractor.
2. Name and address of that 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 contractors' establishment had worked.
6. Maximum number of contract labour employed on any day during the half Year:

   Men Women Children Total
7. (1) Daily hours of work and spread over.

   (2) (a) Whether weekly holiday observed and on what day.

   (b) If so, whether it was paid for__

   (3) 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
10. Amount of deductions from wages, if any:

    Men Women Children Total
11. Whether the following have been provided:

    (1) Canteen,

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(2) Rest-room,

(3) Drinking water,

(4) Creches,

(5) First-aid.

(If the answer is 'Yes' state briefly standards provided).

Place:

Signature of Contractor

Date

Form XXV

[*See* Rule 82 (2)]

Annual return of principal employer to be sent to the Registering Officer. Year ending 31st December.

1. Full name and address of principal employer.
2. Name of establishment:

(a) District.

(b) Postal Address.

(c) Nature of operation/industry/work carried on.

3. Full name of 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/operation on which contract labour was employed
6. Total number of days during the year on which contract labour was employed.
7. Total number of mandays worked by contract labour during the Year.
8. Maximum number of workmen employed directly on any day during the Year.
9. Total number of days during the year on which direct labour was employed.
10. Total number of mandays worked by directly employed workmen.
11. Change, if any, in the management of establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating all the dates.

Place:

Date:

Principal Employer

Annexure to Form

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

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