

No.LIR/A/Contract labour/
M.S.E.D.C.Ltd.,
Prakashgad, Plot No.G-9,
Bandra(East), Mumbai 400 0
Date :- 23-02-06

CIRCULAR

This is to inform you that the provisions of Contract Labour (Regulation & Abolition) Act, 1970 applies to the establishments of Maharashtra State Elec. Dist. Co. where 20 or more labourers are employed on contract basis on any day of the preceding 12 months.

Therefore, it is the responsibility of every Executive Engineer of this Commission to obtain a registration under this Act from the Registering Authority appointed by the Government of Maharashtra as they may engage more than 20 labourers on contract/on out sourcing basis in their divisions. Apart from the registration, every concerned Executive Engineer must ensure that any Contractor who engages more than 20 labourers on any day of the preceding 12 months, possess a valid license issued by the Licensing Authority appointed under the Act before the actual contract is awarded.

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Besides, the Executive Engineer as "Principal Employer" must follow and comply with the following provisions of the Act.

- must nominate a representative to observe disbursement of wages by the contractors who must certify that the payment is made before him.
- must ensure that the minimum rates of wages prescribed by the Government of Maharashtra are paid to these labourers without any deduction other than those mentioned under the Payment of Wages Act.
- must ensure that only the jobs of temporary nature are got done through the contractors.
- must provide the welfare facilities like sufficient supply of wholesome drinking water.
- must provide the sufficient number of latrines and urinals, washing facilities, etc.
- must maintain First Aid boxes with well equipped and prescribed manner.
- must provide canteen or canteens where 100 such labourers are engaged.
- must observe that the restrooms etc. are provided to these labourers.

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- must observe that the compensation under Workmen's Compensation Act in case of an accident arising out and in the course of employment is paid to the labourer in question by the Contractor.
- must ensure that the contribution of ESIC, CPF must be deposited with concerned authority under the Acts along with matching contribution of employer (Contractor) within the due date (s) and copies of receipts/challans obtained from the Contractors.
- must ensure leave with wages to these labourers, issuance of Identity Cards, safety equipments etc. by the Contractor.
- must display notices, file annual return by 15th February, each year with the Labour Commissioner.
- must ensure certain registers, records and notices under the various Acts also need to be maintained by Mahavitrān (i.e. concerned Executive Engineer) and must ensure the Contractor also maintains such statutory records.

In case, any of the Executive Engineers fail to obtain the registration as well as to observe/verify the validity of licenses of the Contractors, it will be presumed that the labourers engaged by those Contractors are the labourers of Principle Employers i.e. Mahavitrān and in certain cases, if approached, the Court may award against Mahavitrān stating that the labourers engaged are working on the muster of Mahavitrān.

The Executive Engineers are requested to:

- 1) Keep one updated copy of the Act and Rules with them for guidance and compliance.
- 2) Submit on half yearly basis, a status report and exception report along with action taken report to C.I.R.O. by 15th day of the next quarter i.e. the first report for the year 30th June 2006 shall be received by C.I.R.O. by 15th July 2006.

The above instructions / provisions of various labour laws should be observed scrupulously.

- This is circulated with the approval of M.D.(DISCOM)

B. D. U. S. V.
23-2
Chief Industrial Relations Officer

Date:-

14 MAR 2006

No. SE/JLG/LIR/ **No 01872**
To
The Executive Engineer
Jalgaon(O)/Jalgaon/Dharangaon/
Pachora/Chalisingaon/Bhusawal/Savda/
For information and similar action.

The Admn. Officer/Acctt. Officer/
The Divnl. Acctt/Audit/Acctt.
Circle Office Jalgaon.

[Signature] 14.3.06
Superintending Engineer
Jalgaon.