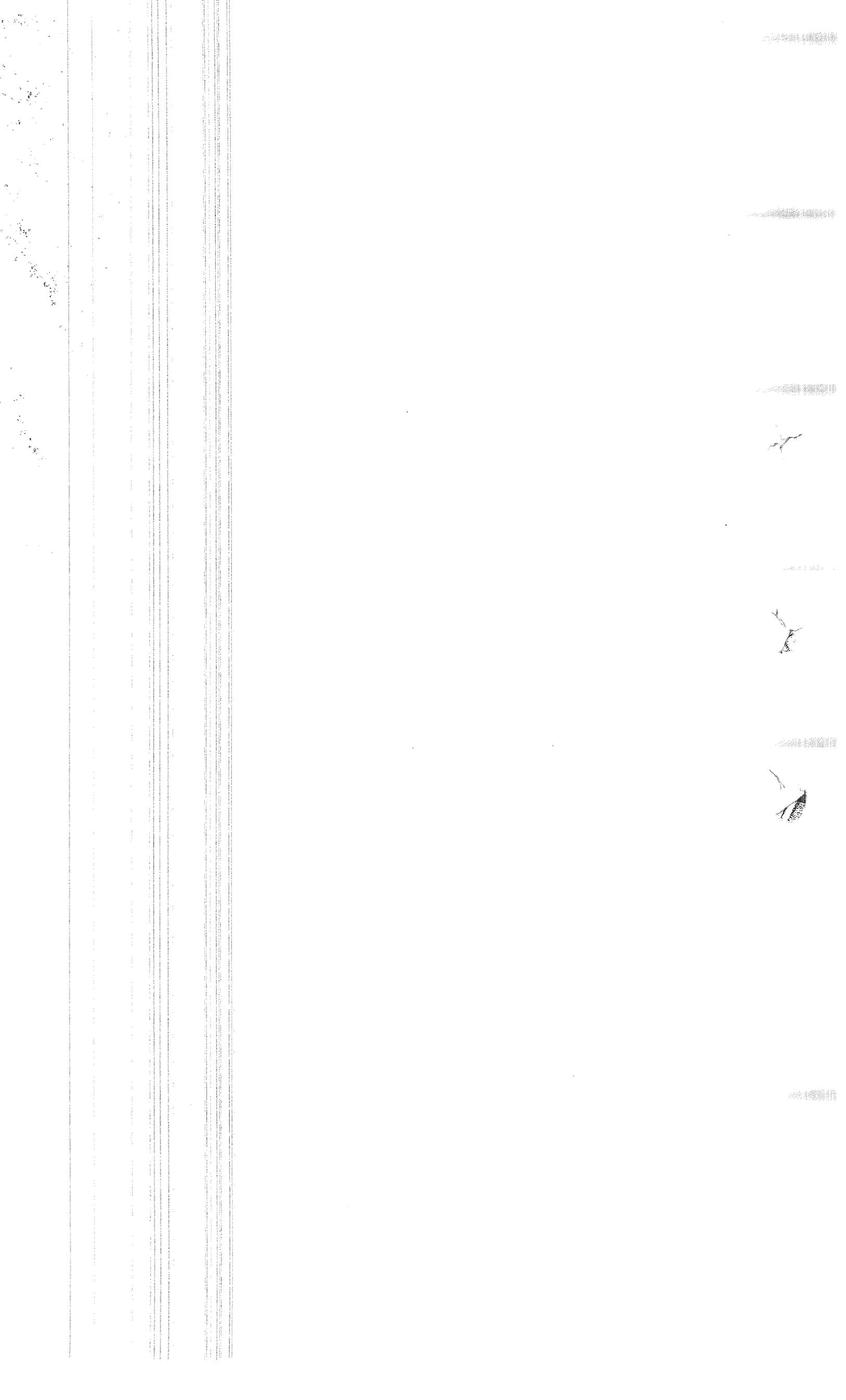


A&N ISLANDS CONTRACT
LABOUR (REG. & ABO.) RULES, 1970



अण्डमान तथा
ANDAMAN AND



निकोबार राजपत्र
NICOBAR GAZETTE

20, 1974

Part II
Section (2) of

असाधारण

EXTRAORDINARY

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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ANDAMAN AND NICOBAR ADMINISTRATION
CHIEF COMMISSIONER'S SECRETARIAT

NOTIFICATION

Port Blair, the 20th April 1974/Chaitra 30, 1896

No. 74-P. No. 4/1 (4) 61 L.C.—In exercise of the powers conferred by Section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Act 37 of 1970) read with the notification No. P. 2/271-UT, dated the 30th March, 1974 of the Government of India, Ministry of Home Affairs, I, Har Mandar Singh, Chief Commissioner, Andaman and Nicobar Islands hereby makes the following rules, the same having been previously published as required by Section 35 of the said Act.

CHAPTER—I.

1. *Short title, Extent and Commencement*:—(1) These rules may be called the Andaman and Nicobar Islands Contract Labour (Regulation and Abolition) Rules, 1974.

(2) These rules shall extend to the whole of the Andaman and Nicobar Islands.

(3) They shall come into force at once.

2. *Definition*:—In these rules unless the subject or context otherwise requires—

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

(b) "Appellate Officer" means the Appellate Officer appointed by the Chief Commissioner under Sub-section (1) of Section 15.

(c) "Board" means the Advisory Contract Labour Board constituted for the Union Territory of Andaman and Nicobar Islands under section 4;

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

(e) "Chief Commissioner" means the Chief Commissioner Andaman and Nicobar Islands.

(f) "Committee" means a Committee constituted under Sub-section (1) of Section 15.

(g) "Form" means form appended to these rules;

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

CHAPTER—II

Andaman And Nicobar Advisory Contract Labour Board

3. The Board shall consist of the following:—

(a) A Chairman to be appointed by the Chief Commissioner.

(b) The Labour Commissioner-Ex-Officio; or in his absence any of the officer nominated by the Chief Commissioner in that behalf.

(c) Two persons representing the Andaman and Nicobar Administration to be appointed by the Chief Commissioner from amongst officials of the Andaman and Nicobar Administration.

(d) One person representing the Central Government to be appointed by the Chief Commissioner in consultation with the Central Government.

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one person, one representing the employers in public sector, one representing employers in private sector and one representing contractor to whom the Act applies, to be appointed by the Chief Commissioner after consultation with such organisation, if any, of the employers and the contractors.

(1) Three persons: one representing the employees in public sector, one representing the employees in private sector and one representing the employees of contractors to whom the Act applies, to be appointed by the Chief Commissioner after consultation with such organisation, if any, of employees representing the respective interest as may be recognised by the Chief Commissioner.

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

(2) Each of the members of the Board, referred to in clause (c) and (d) of rule 3, shall hold office as such during the pleasure of the Chief Commissioner.

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

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

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

(5) *Resignation*:—(1) A member of the Board, not being an ex-officio member may resign his office by a letter in writing addressed to the Chief Commissioner.

(2) The office of the member of the board shall fall vacant from the date on which his resignation is accepted by the Chief Commissioner on the expiry of thirty days from the date of receipt of intimation of the resignation whichever is earlier.

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

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

(7) *Disqualification For Membership*:—(1) A person shall be disqualified for re-appointment, and for being a member of the Board,—

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

(ii) if he is an undischarged insolvent; or

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

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

(8) *Removal From Membership*:—The Chief Commissioner may remove from office any member of the Board, if in his opinion such a member has ceased to represent the interest which he purports to represent on the Board:

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

(9) *Vacancy*:—When a vacancy occurs or is likely to occur in the membership of the Board, the Chairman shall submit a report to the Chief Commissioner and on receipt of such report the Chief Commissioner shall take steps to fill the vacancy by making an appointment from amongst the class of persons to which the person vacating membership belonged and the person so appointed shall fill the place for the remainder of the term of office of the member in whose place he is appointed.

(10) *Staff*:—(1) (i) The Chief Commissioner may appoint one of the officials of the Administration as Secretary to the Board and appoint such other staff as he may think necessary to assist the Board to carry out its functions.

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

(i) 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 meeting of the Board.

(11) *Allowances of Members*—(1) The traveling 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 traveling allowance for attending the meeting of the Board at such rates as are admissible to Grade I Officers of the Central Government and daily allowances shall be calculated at the maximum rate admissible to Grade I Officer of the Central Government and daily allowances shall be calculated at the maximum rate admissible to Grade I Officers of the Central Government in their respective places.

(12) *Disposal of Business*—Every question which the Board is required to take into consideration shall be considered at a meeting, or if the Chairman so directs by sending the necessary papers to every member for opinion, and the question shall be disposed of in accordance with the decision of the majority.

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

Explanation—“Chairman” for the purposes of this Rule shall include the Chairman nominated under sub-rule (2) of rule 13 to preside over a meeting.

(13) *Meetings*—(i) 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*—(1) Ordinarily seven day's notice shall be given to the members of a proposed meeting.

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

(15) *Quorum*—No business shall be transacted at any meeting unless at least five members are present:

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

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

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

(2) (i) The Committee shall meet at such time and place as the Chairman of the said Committee may decide.

(ii) Provisions of Rules 12, 13 (2), 14 and 15 shall apply to the Committee for transacting its business at its meetings as they apply to the board, subject to the modification that quorum specified in rule 15 shall be one third of the members instead of five members.

(3) The provisions of rule 11 shall apply to the members of the Committee for attending the meetings 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 Establishments:*

(1) The application referred to in sub-section (1) of section 7 shall be made in triplicate. Form 1 to the registering officer of the area in which the establishment sought to be registered is located.

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

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

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

18. *Form of Certificate of Registration*:—(1) The certificate of registration granted under sub-section (2) of section 7 shall be in Form II. (2) Every certificate of registration granted under sub-section (2) of section 7 shall contain the following particulars namely:—

- (a) The name and address of the establishment;
- (b) the maximum number of workmen to be employed as contract labour in the establishment;
- (c) the type of business, trade, industry, manufacture or occupation which is carried on in the establishment;
- (d) such other particulars as may be relevant to the employment of contract labour in the establishment;

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

(4) If, 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 reasons for, such change.

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

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

20. *Amendment of Certificate of Registration*:—(1) Where, on receipt of the intimation under sub-rule (4) of rule 18, the registering officer is satisfied that an amount higher than the amount which has been paid by the principal employer as fees for the registration of the establishment is payable, he shall require such principal employer to deposit a sum which, together with the amount already paid by such principal employer, should 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 the change which has occurred:

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

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

21. *Application For A Licence*:—(1) Every application by a contractor for the grant of a licence shall be made in triplicate, in Form IV, to the licencing 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 applicant.

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

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

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

- (a) the amount of the security at the rates specified in rule 24, and
- (b) the payment of the fees at the rates specified in rule 20.

22. *Matters to be taken into account in granting or refusing a licence*:—(1) In granting or refusing to grant a licence, the licencing officer shall take the following matters into account, namely:—

- (a) Whether the applicant—
 - (i) is a minor, or
 - (ii) is of an sound mind and stands so declared by a competent court, or

(iii) is an undischarged insolvent, or

(iv) has been convicted (at any time during a period of five years immediately preceding the date of application) of an offence which, in the opinion of the Chief Commissioner involve 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* :- (1) On receipt of application from the Contractor and as soon as possible thereafter the licensing officer shall investigate or cause investigation to be made and satisfy himself about the correctness of the facts and particulars furnished in such application and the eligibility of the applicant for the licence.

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

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

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

Provided that where the Contractor is a Co-operative Society, the amount deposited as security shall be at the rate of Rs. 5.00 for each of the workman to be employed as a Contract Labour.

(2) The amount of security deposit shall be paid in the local treasury under the Head of Account: Section T-Deposits & Advances--Part II Deposits not bearing interest (c) other Deposit Accounts--Departmental and Judicial Deposits--Civil Deposits--Deposits under Contract Labour (Regulation and Abolition) Act 1970 (Central).

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

(2) Every licence granted under sub-rule (1) or renewed under rule 29 shall be subject to the following condition, 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 (11 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 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, Andaman and Nicobar Islands 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, Andaman and Nicobar Islands;

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

(vi) (a) in every establishment where twenty or more women 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 bed room for the children,
- (c) the contractor shall supply adequate number of toys and games in the play rooms 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, Andaman and Nicobar Islands.
- (vii) The licensee shall notify any change in the number of workmen or the conditions of work to the licensing officer.

26. *FEES:* (1) The fees to be paid for the grant of a certificate of registration under section 7 shall be as specified below, namely:—
If the number of workmen proposed to be employed on contract on any day—

	Rs.
(a) is 20	20
(b) exceeds 20 but does not exceed 50	50
(c) exceeds 50 but does not exceed 100	100
(d) exceeds 100 but does not exceed 200	200
(e) exceeds 200 but does not exceed 400	400
(f) exceeds 400	500

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

	Rs.
(a) is 20	5.00
(b) exceeds 20 but does not exceed 50	12.50
(c) exceeds 50 but does not exceed 100	25.00
(d) exceeds 100 but does not exceed 200	60.00
(e) exceeds 200 but does not exceed 400	100.00
(f) exceeds 400	175.00

27. *Validity Of The Licence:*—Every licence granted under rule 25 or renewed under rule 29 shall remain in force for twelve months from the date it is granted or renewed.

28. *Amendment Of The Licence:*—(1) A licence issued under rule 25 or renewed under rule 29 may, for good and sufficient reasons be amended by the licensing officer.

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

(3) (i) If the licensing officer allows the application he shall require the applicant to furnish a treasury receipt for the amount, if any by which the fee that would have been payable if the licence had been originally issued in 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 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:*—Every contractor shall apply to the licensing officer for renewal of the licence.

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

(2) 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 (1), 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 the 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:*— Where a certificate of registration or a licence granted or renewed under the preceding rules has been lost, defaced or accidentally destroyed, a duplicate may be granted on payment of fees of rupees five.

31. *Refund Of Security:*—(1) (i) On expiry of the period of licence the contractor may, if he does not intend to have his licence renewed, make an application to the Licensing Officer for the refund of the security deposited by him under rule 24.

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

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

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

32. *Grant Of Temporary Certificate Of Registration and Licence:*—(1) Where conditions arise in an establishment requiring the employment of contract labour immediately and such employment is estimated to last for not more than fifteen days, the Principal Employer of the establishment or the contractor, as the case may be, may apply for a temporary certificate of registration or licence to the registering officer, 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 Form VIII and X respectively and shall be accompanied by a treasury receipt 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 or the licensing officer, as the case may be, shall forthwith grant a certificate of registration in Form IX or a licence in Form XI, as the case may be, for 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.
(a) exceeds 20 but does not exceed 50	10.00
(b) exceeds 50 but does not exceed 200	20.00
(c) exceeds 200	30.00

(7) The fees to be paid for the grant of 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.
(a) exceeds 20 but does not exceed 50	5.00
(b) exceeds 50 but does not exceed 200	20.00
(c) exceeds 200	30.00

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

CHAPTER IV

Appeals And Procedure

31. (1) (i) Every appeal under sub-section (1) of section 15 shall be preferred in the form of a memorandum signed by the appellant or his authorised agent and presented to the appellate officer in person or sent to him by registered post.

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

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

32. (1) Where the memorandum of appeal does not comply with the provision of sub-rule (2) of rule 31 it may be rejected or returned to appellant for the purpose of being amended within a time to be fixed by the Appellate Officer.

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

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

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

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

33. (1) 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.

(2) (i) Where an appeal has been dismissed under rule 33 the appellant may apply to the Appellate Officer for the readmission of the appeal, and where it is proved that he was prevented by any sufficient cause from appearing when the appeal was called on for hearing, the Appellate Officer shall restore the appeal on its original number.

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

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

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

35. *Payment of fees:* Unless otherwise provided in these rules all fees to be paid under these rules shall be paid in the local treasury under the head of account "XXXII-Misc-Social and Developmental Organisations Labour and Employment Fees under Andaman and Nicobar Islands Contract Labour (Regulation and Abolition) Rules, 1971" and a receipt obtained which shall be submitted with the application of the memorandum of appeal as the case may be.

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

CHAPTER V

Welfare and health of contract labour

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

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

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

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

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

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

(5) The rest room or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 1.1 sq. meters 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 floor 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. *Canteens*: (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 these rules, in the case of the existing establishments and within 60 days of the commencement of the employment of contract labour in the case of new establishments.

(2) If the contractor fails to provide the canteen within the time laid down, the same shall be provided by the principal employer within sixty days of the 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) (i) The canteen shall consist of at least a dining hall, kitchen, store room, pantry and washing places separately for workers and for utensils.

(ii) (a) The canteen shall be sufficiently lighted at all times when any person has access to it.

(b) The floor shall be made of smooth and impervious material and inside walls shall be lime washed or colour-washed at least once in each year.

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

(5) (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.

43. (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 by furniture e.g. tables and chairs shall not be less than one square metre per diner to be accommodated as prescribed in sub-rule (1).

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

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

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

44. (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, utensils and other equipment shall be maintained in a clean and hygienic condition.

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

- (4) A service counter, if provided, shall have top of smooth and impervious material.
- (5) Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of transit and equipment.
46. The foodstuffs and other items to be served in the canteen shall be in conformity with the normal habits of the contract labour.
47. 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. In arriving at the prices of foodstuffs and other articles served in the canteen the following items shall not be taken into consideration as expenditure, namely:—
- the rent for the land and building;
 - the depreciation and maintenance charges for the building and equipment provided for in the canteen;
 - the cost of purchase, repairs and replacement of equipments including furniture, crockery, cutlery and utensils;
 - the water charges and other charges incurred for lighting and ventilation;
 - the interest on the amounts spent on the provision and maintenance of furniture and equipment provided for in the canteen.
49. The books of accounts and registers and other document used in connection with the running of the canteen shall be produced on demand to an Inspector.
50. The accounts pertaining to the canteen shall be audited once in every 12 months by registered accountants, and auditors;
- Provided that the Labour Commissioner, Andaman and Nicobar Islands 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.
51. *Latrines And Urinals:*— Latrines shall be provided in every establishment coming within the scope of the Act on the following scale, namely:—
- Where females are employed, there shall be at least one latrine for every 25 females;
 - Where males are employed, there shall be at least one latrine for every 25 males;
- Provided that where the number of males or females exceeds 100, it shall be sufficient if there is one latrine for every 25 males or females, as the case may be upto the first 100, and one for every 50 thereafter.
52. Every latrine shall be under cover and so partitioned off as to secure privacy, and shall have proper door and fastenings.
53. (1) Where workers of both sexes are employed there shall be displayed outside each block of latrines and urinals a notice in the language understood by the majority of the workers "For Men only" or "For Women only" as the case may be.
- (2) The notice shall also bear the figure of a man or a woman, as the case may be.
54. There shall be at least one urinal for male workers upto 50 and one for female workers upto fifty employed at a time;
- Provided that where the number of male or female workmen, as the case may be, exceeds 500 it shall be sufficient if there is one urinal for every 50 males upto the first 500 and one for every 100 or part thereof thereafter.
55. (1) The latrine and urinals shall be conveniently situated and accessible to workers at all times at the establishment.
- (2) (i) The latrines and urinals shall be adequately lighted and shall be maintained in a clean and sanitary condition at all times.
- (ii) Latrines and urinals other than those connected with a flush sewage system shall comply with the requirements of the public health authorities.
56. Water shall be provided by the means of tap or otherwise so as to be conveniently accessible in or near latrine and urinals.
57. *Washing Facilities:*—(1) In every establishment coming within the scope of the Act adequate and suitable facilities for washing shall be provided and maintained for the use of contract labour employed therein.

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

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

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

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

A. For establishments in which the number of contract labour employed does not exceed fifty —

Each first-aid box shall contain the following equipment :—

- (i) 9 small sterilized dressings.
- (ii) 3 medium size sterilized dressings.
- (iii) 3 large size sterilized dressings.
- (iv) 3 large size sterilized burn dressings.
- (v) 1 (30 ml.) bottle containing a two per cent alcoholic solution of iodine.
- (vi) 1 (30 ml.) bottle containing salvolatile 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 Institutes, Govt. of India.
- (xi) A bottle containing 100 tablets (each of 5 grams) of aspirin.
- (xii) Ointment for burns.
- (xiii) A bottle of suitable surgical anti-septic solution.

B. For establishments in which the number of contract labour exceed fifty

Each first-aid box shall contain the following equipment :—

- (i) 12 small sterilized dressings.
- (ii) 6 medium size sterilized dressings.
- (iii) 6 large size sterilized dressings.
- (iv) 6 large size sterilized burn dressings.
- (v) 6 (15 gms.) packets sterilized cotton wool
- (vi) 1 (60 ml.) bottle containing a two per cent. alcoholic solution of iodine.
- (vii) 1 (60 ml.) bottle containing salvolatile 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) 1 pair scissors.
- (xii) 1 copy of the first-aid leaflet issued by the Director General, Factory Advice Service and Labour Institutes, Government of India.
- (xiii) A bottle containing 100 tablets (each of 5 gms.) of aspirin.
- (xiv) Ointment for burns.
- (xv) A bottle of a suitable surgical anti-septic solution.

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

60. Nothing except the prescribed contents shall be kept in the First-aid box.

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

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

CHAPTER VI

Wages

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

64. No wage period shall exceed one month.

65. The wages of every person employed as Contract Labour in an establishment or by a contractor shall be paid before the expiry of the 10th day of employed within the Municipal limits of Port Blair and in all other areas before the expiry of 20th day after the last day of wage period in respect of which wages are payable.

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

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

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

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

70. Wages shall be paid without any deductions of any kind except those specified by the Andaman and Nicobar Administration, by general or special order in this behalf or permissible under the payment of Wages Act, 1936 (Act 4 of 1936).

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

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

73. The authorised representative of the principal employer shall record under his signature a certificate at the end of the entries in the Register of wages or the Wages-Cum-Muster Roll, as the case may be, in the following form:

"Certified that the amount shown in column No
has been paid to the workmen concerned in my presence on at"

CHAPTER VII

Registers and Records and collection of Statistics.

74. *Register of contractors*:—Every principal employer shall maintain in respect of each registered establishment a register of contractors in Form XII.

75. *Register of persons employed*:—Every contractor shall maintain in respect of each registered establishment where he employs contract labour a register in Form XII.

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

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

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

78. Muster Roll, Wages Register, Deduction Register and Overtime Register:

(1) In respect of establishments which are governed by the Payment of Wages Act, 1936 (Act 4 of 1936) and rules made thereunder, or the Minimum Wages Act, 1948 (Act 11 of 1948) or the rules made thereunder, the following registers and records required to be maintained by the contractor as employer under those 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 Deduction;
- (d) Register of Overtime;
- (e) Register of fines;
- (f) Register of advances.

(2) In respect of establishments not covered 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 workers at least a day prior to the disbursement of wages;

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

- (d) Registers of deductions, fines and advances:—Registers of deductions for damage or loss, Register of fines and Register of advances shall be maintained by every contractor in Forms XX, XXI and XXII respectively;

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

(3) Notwithstanding anything contained in these rules, where a combined or alternative form is sought to be used by the contractor to avoid duplication of work for compliance with the provisions of any other Act or the Rules framed thereunder or any other laws or regulations or in cases where mechanised pay rolls are 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, Andaman and Nicobar Islands.

79. 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 form as may be approved by the Labour Commissioner, Andaman and Nicobar Islands.

80. (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 with the precincts of the workplace or at a place within a radius of three Kilometres.

- (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 rule shall be produced on demand before the Inspector or any other authority under the Act or any person authorised in that behalf by the Chief Commissioner.

- (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 'nil' entry relates, in the respective registers maintained in Form XX, XXI and XXIII respectively.

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

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

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

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

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

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

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

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

FORM I

[See rule 17 (1)]

Application for Registration of Establishments Employing Contract Labour:

1. Name and location of the Establishment.
2. Postal address of the Establishment.
3. Full name and address of the Principal Employer (furnish father's name in the case of individuals).
4. Full name and address of the Manager or person responsible for the supervision and control of the Establishment.
5. Nature of work carried on in the Establishment.
6. 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 under each contractor.
7. Particular 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 & Stamp.

Date of receipt of
application.

Office of the Registering Officer.

FORM II

[See rule 18 (1)]

Certificate of Registration

No.

(Andaman and Nicobar Administration)
Office of the Registering Officer.

Date

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

1. Nature of work carried on in the establishment.
2. Name and address of contractors.
3. Nature of work in which contract labour 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

[See rule 18 (3)]

Register of Establishments.

Sl No.	Registration No. & date	Name & 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 estt.	Total No. of workmen directly employed.
1	2	3	4	5	6

Particulars of contractor and contract labour.

Name and address of Contractor	Nature of work in which contract labour is employed or is to be employed	Maximum No. of contract labour to be employed on any day	Probable duration of employment of contract labour	Remarks.
7	8	9	10	11

FORM IV

[See rule 21 (1)]

Application for Licence.

1. Name and address of the contractors (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 commencement and ending);
 - (c) Name and address of the Agent or Manager of contractor at the work-site;
 - (d) Maximum No. of contract labour proposed to be employed in the establishment on any date;
5. Whether the contractor was convicted of any offence within the preceding five years. If so, give details.
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security 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, No. of Treasury Chalan and date.
- 10. Amount of security deposit—Treasury Receipt No. and date.

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

Place: _____ Signature of the applicant
 Date: _____ (Contractor)

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

(To be filled in the office of the Licensing Officer)
 Date of receipt of the application with chalan 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 Andaman and Nicobar Islands Contract Labour (Regulation and Abolition) Rules, 1973 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: _____ Name and address of the Establishment.

FORM VI

[See rule 25 (1)]

(Andaman and Nicobar Administration)

Office of the Licensing Officer.

Licence No. Dated Fee paid Rs.

LICENCE

Licence is hereby granted to under section 12(1) of the contract Labour (Regulation and abolition) Act, 1970 subject to the Conditions specified in Annexure. The licence shall remain in force till:

Date: _____ Signature and Seal of the Licensing Officer:
 Date: _____

RENEWAL (rule 29)

Date of renewal.	Fee paid for renewal.	Date of expiry.

ANNEXURE

The licence is subject to the following conditions :

- 1. The licence shall be non-transferable.
- 2. The number of workmen employed as contract labour in the establishment shall not, on any day, exceed.....
- 3. Except as provided in the rules the fees paid for the grant, 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 rate prescribed for the Schedule of employment under the Minimum wages Act, 1948, where applicable and where the rates have been fixed by agreement, settlement or award, not less than the rates fixed.
5. In cases where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the Principal employer of the establishment the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be 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, Andaman and Nicobar Islands whose decision shall be final.
6. In other cases the wage rate, holidays, hours of work, conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by Labour Commissioner Andaman and Nicobar Islands.
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 bedroom for the children. For this purpose the contractor shall supply adequate number of toys and games in the playroom and sufficient number of cots and beddings 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, Andaman and Nicobar Islands.
8. The licensee shall notify any change in the number of workmen or the conditions of work to the licensing Officer.

FORM VII

[See rules 20 (2)]

Application for Renewal of Licences

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

Place:

Date:

Signature of the applicant.

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

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

Signature of the Licensing Officer.

FORM VIII

[See rule 32 (2)]

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 persons 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 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

Office of the Registering Officer.

FORM IX

[See rule 32 (3)]

Date of expiry.....

Temporary Certificate of Registration

Date

No.

Andaman and Nicobar Administration

Office of the Registering Officer

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

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

Signature of Registering Officer
with seal.

FORM X

[See rule 32 (2)]

Application for Temporary Licence.

- 1. Name and address of the contractor (including his father's name in case of individuals).
- 2. Date of birth and age (in case of individuals).
- 3. Particulars of Establishment where Contract Labour is to be employed :—
 - (a) Name address of the Establishment :
 - (b) Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment :
 - (c) Name and address of the Principal Employer :
- 4. Particulars of contract Labour :—
 - (a) Nature of work in which contract labour is to be employed in the establishment :

(b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending):

(c) Name and address of the Agent or Manager of Contractor at the work-site:

(d) Maximum No. of the 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, give details of the Principal Employer, Establishment and nature of work.

8. Amount of licence fee paid, No. of Treasury Chalan and date.

9. Amount of security deposit, Treasury Receipt No. and date.

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

Place:

Signature of the applicant.
(CONTRACTOR)

Date:

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

Signature of the Licensing Officer.

FORM XI

[See rule 32 (3)]

Andaman and Nicobar Administration.

Office of the licensing Officer.

Licence No. Dated Fees paid Rs.

Signature of the Licensing Officer.

Temporary Licence Expires on.....

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

The licence shall remain in force till.....

Date:

Signature and Seal of the Licensing Officer.

ANNEXURE

The licence is subject to the following conditions:—

1. The licence shall be non-transferable.

2. The number of workmen employed as contract labour in the establishment shall not, on any day exceed.....

3. Except as provided in the rules the fees paid for the grant of the licence shall be non-refundable.

4. The rate of wages payable to the workmen by the contractor shall not be less than the rate prescribed for the Schedule of employment under the Minimum Wages Act, 1948, when applicable, and where the rates have been fixed by agreement, settlement or award not less than the rates fixed.

5. In cases where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work, and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work; provided that in the case of any disagreement with regard to the type of work the same shall be decided by the Labour Commissioner, Andaman and Nicobar Islands whose decision shall be final.

6. 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, Andaman and Nicobar Islands.

FORM XII

(See rule 74)

Register of Contractors.

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

Sl. No.	Name, and address of the Contractor.	Nature of work on contract.	Location of contract work.	Period of contract		Maximum No. of workmen employed.
				From	To	

FORM XIII

(See rule 75)

Register of Workmen Employed by Contractor.

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

Sl. No.	Name & surname of workman	Age & Sex	Father's/Husband's Name	Nature of employment Designation	Permanent Home Address of workman (Village and Tehsil/Taluka and District)	Local Address	Date of commencement of employment	Signature or Thumb impression of workman	Date of termination of employment	Reasons for termination	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12

FORM XIV

(See rule 76)

Employment Card.

1. 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 workman.....

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

Name and address of the workman.....

Age or Date of Birth.....

Identification Marks.....

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

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

Signature.....

FORM XVI

[See rule 78 (2) (a)]

Muster Roll

Name and address of Contractor.....

Nature and location of work.....

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

Name and address of Principal Employer.....

For the month of.....

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

FORM XIX

[See rule 78 (2) (b)]

Wage Slip

Name and address of Contractor.....	Name and Father's/Husband's name of the workman.....
Nature and location of work	For the week/Fortnight/Month ending
1. Number of days worked.....
2. Number of units worked in case of piece rate
3. Rate of daily wages/piece rate
4. Amount of overtime wages
5. Other wages payable
6. Deductions, if any
7. Net amount of wages paid.....

Initials of the Contractor or his representative.

FORM XXI

[See rule 78 (2) (a)]

Register for Fines

Name and address of Contractor

Name and address of establishment in/under which offence is committed

Nature and location work

Name and address of Principal Employer

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

FORM XXXIII

(See Note 76 (a) (i))

Register of Overtime

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 work.....

Sl. No.	Name of workman	Estee's/Hus- band's name	Sex	Designation/status of employment	Date on which over-time worked	Total overtime worked or pro- portion in case of piece-rated	Normal rate of wages	Overtime earnings	Date on which overtime wages paid	Remarks	
1					6		8	9	10	11	12
2					5						

FORM XXIV

[See Rule 82 (1)]

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

Half year ending.....

- 1. Name and address of the Contractor
- 2. Name and address of the establishment
- 3. Name and address of the Principal Employer
- 4. Duration of contract. From.....to.....
- 5. No. of days during the half year on which—
 - (a) the establishment of the principal employer had worked.
 - (b) Contractor's establishment had worked.....

6. Maximum number of contract labour 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) No. of man hours of overtime worked—

8. Number of mandays worked

Men	Women	Children	Total
-----	-------	----------	-------

9. Amount of wages paid

Men	Women	Children	Total
-----	-------	----------	-------

10. Amount of deductions from wages, if any:—

Men	Women	Children	Total
-----	-------	----------	-------

11. Whether the following have been provided—

- (i) Canteen.....
- (ii) Rest Room.....
- (iii) Drinking water.....
- (iv) Creches.....
- (v) First Aid.....

(If the answer is 'yes' state briefly standards provided)

Place:

Date: