

# Bare Acts Live

Central Acts and Rules Amended and Updated

► Inter-State Migrant Workers (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983 (PU296.HTM#0)

## ***The Inter-State Migrant Workers (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983***

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### **CHAPTER 1**

**1. Short title and commencement.** - (1) These rules may be called the Inter- State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Definitions.** - In these rules, unless the subject or context otherwise requires, -

- (a) "Act" means the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979;
- (b) "appellate officer" means an appellate officer nominated by the State Government under section 11;
- (c) "Form" means a form appended to these rules;
- (d) "Inspector" means an Inspector appointed by the State Government under Section 20;
- (e) "Labour Commissioner" means an officer appointed as such by the State Government;
- (f) "Licensing Officer" means the Licensing Officer appointed by the State Government under section 7;
- (g) "migrant workman" means an inter-State migrant workman as defined in section 2;
- (h) "Registering Officer" means the registering officer appointed by the State Government under section 3;
- (i) "Section" means a section of the Act;
- (j) "State Government" means the Government of the State of Punjab.

### **CHAPTER II**

**3. Application for registration of establishment.** - [Sections 4 and 35(2)(a)] - (1) The application for registration of an establishment shall be made by the principal employer in triplicate in 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) accompanied by a crossed demand draft for the amount of requisite fee as specified in rule 12 and drawn in favour of the registering officer shall either be delivered to him personally or be sent to him by registered post.

(3) On receipt of the application under sub-rule (2), the registering officer shall note thereon the date of receipt by him of the application and give an acknowledgement to the applicant.

**4. Issue of certificate of registration.** - [Section 35(2)(a)] - (1) Where the registering officer registers the establishment, he shall issue to the principal employer a certificate of registration in Form II.

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

(3) If, in relation to an establishment, there is any change in the particulars specified in the certificate of registration, the principal employer of the establishment shall intimate to the registering officer, within a period of thirty days from the date of change, the particulars of, and the reasons for, such change.

**5. Circumstances in which application for registration may be rejected.** - [Section 35 (2)(a)] - (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.

**6. Amendment of certificate of registration.** - [Section 35(2)(a)] - Where on receipt of the intimation under sub-rule (3) of rule 4, the registering officer is satisfied that :

(a) an amount higher than the amount already paid by the principal employer as fee 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 him, would be equal to such higher amount of fee payable for the registration of the establishment and to produce receipt showing such deposit;

(b) there has occurred a change in the particulars of establishment, as entered in the register in Form III he shall amend the said register and record therein the change thus occurred :

Provided that no such amendment shall 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 fee has been deposited.

**7. Application for a Licence.** - [Section 35(2)(b)] - (1) Every application by a contractor for the grant of a licence for recruiting a person under clause (a) of sub-section (1) of section 8 shall be made in triplicate in Form IV to the licensing officer having jurisdiction in relation to the area wherein the recruitment is made.

(2) Every application by a contractor for employing a migrant workman under clause (b) of sub-section (1) of section 8 shall be made, in Form V to the licensing officer having jurisdiction in relation to the area wherein the establishment is situated.

(3)(i) Every application for the grant of a licence under sub-rule (1) or sub-rule (2), shall be accompanied by a certificate of the principal employer in Form VI to the effect that he undertakes to be bound by all the provisions of the Act and the rules made thereunder so far as they are applicable to him with respect to the

recruitment or employment of the migrant workmen, in respect of whom the contractor is making the application.

- (ii) Every such application shall be either personally delivered to the licensing officer concerned or sent to him by registered post.
- (4) On receipt of the application referred to in sub-rule (1) or sub-rule (2), the licensing officer shall note thereon the date of receipt of the application, and give an acknowledgement to the applicant.

**8. Matters to be taken into account in granting or refusing a licence.** - [Section 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 stands so declared by a competent court, or
  - (iii) is an undischarged insolvent, or
  - (iv) has been convicted at any time during the period of five years immediately preceding the date of application of an offence which, in the opinion of the State Government, involves moral turpitude;
- (b) Whether any order has been made in respect of the applicant under sub-section (1) of section 10, and if so, whether a period of three years has elapsed from the date of that order;
- (c) Whether the fee for the application has been deposited at the rates specified in rule 12; and
- (d) Whether security, wherever necessary, has been deposited by the applicant at the rate specified in sub-rule (1) of rule 10.

**9. Refusal of issue Licence.** - [Section 35(2)(c)] - On receipt of the application from the Contractor, and as soon as possible thereafter, the licensing officer shall investigate or cause investigation to be made to satisfy himself about the correctness of the facts and particulars furnished in such application and the eligibility of the applicant for a licence.

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

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

**10. Security.** - [Sections 8(2) and 32(2)(d)] - Where the licensing officer is satisfied in accordance with the procedure laid down in the proviso to sub- section (2) of section 8, that any person who has applied for or who has been issued a licence should furnish security for the due performance of the conditions of the licence, he shall prepare an estimate of the amount needed to provide for recruitment or employment of migrant workmen on the basis of the factors specified in sub-section (3) of the said section and after considering the solvency of such person determine the amount of the security to be furnished by such person which shall not exceed forty per cent of the amount so estimated by him.

(2) Where the applicant for the licence was holding licence in regard to another work and that licence had expired, the licensing officer if satisfied that any amount out of the security, deposited in respect of that licence, is to be refunded to the applicant under rule 17 may on an application made to him for that

purpose in Form VII adjust the amount to be refunded towards the security, if any, required to be deposited in respect of the application for the new licence and the applicant shall deposit, in such a case, only the balance amount if any, after making such adjustment.

**11. Forms and terms of conditions of licences.** - [Sections 8(2) and 35(2)(d)] - (1) Every licence issued under sub-section (1) of section 8 shall be in Form VIII.

(2) The Licence referred to in sub-rule (1) shall be non- transferable and shall be subject to the following conditions, namely :-

- (i) the terms and conditions of the agreement or other arrangement under which the migrant workman is recruited or employed;
- (ii) the maximum number of migrant workmen to be recruited for employment or to be employed on any day;
- (iii) that the rates of wages payable to the migrant workmen by the contractor shall not be less than the rate fixed under the Minimum Wages Act, 1948 for such employment and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed;
- (iv)(a) that in cases where the migrant workmen recruited or employed by the contractor perform the same or similar kind of work performed by the workmen employed directly by the principal employer of the establishment, then the wage rates, holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall be the same as applicable to the workmen employed directly by the principal employer of the establishment on the same or similar kind of work;
- (b) that in other cases, the wages rates, holidays, hours of work and condition of service of the migrant workmen recruited or employed by the contractor shall be such as are prescribed in the rules;
- (v) every migrant workman shall be entitled to allowances, benefits, facilities, etc. as specified in the Act and in these rules;
- (vi) that no female migrant workman shall be employed by any contractor to work before 6 a.m. or after 7 p.m.:

Provided that this clause shall not apply to the employment of female migrant workmen in Pit heads Baths, Creches and Canteens or as midwives or nurses in hospitals and dispensaries;

- (vii) that the contractor shall notify any change in the number of migrant workmen or the conditions of work to the licensing officer;
- (viii) that the contractor shall comply with all the provisions of the Act and the rules made thereunder;
- (ix) that a copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed;
- (x) the period for which the licence shall be valid.

**12. Fees.** - (1) The fees to be paid for the grant of certificate of registration of an establishment under section 4 shall be as specified below:-

If the number of migrant workmen proposed to be recruited for employment or proposed to be employed in the establishment on any day

- (a) is five or more but does not exceed twenty sixty rupees;
- (b) exceeds twenty but does not exceed fifty one hundred and fifty rupees;
- (c) exceeds fifty but does not exceed one hundred three hundred rupees;
- (d) exceeds one hundred but does not exceed two hundred six hundred rupees;
- (e) exceeds two hundred but does not exceed four hundred one thousand and two hundred rupees; and
- (f) exceeds four hundred one thousand and five hundred rupees.

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

If the number of migrant workmen to be recruited for employment or to be employed by the contractor on any day -

- (a) is five or more but does not exceed twenty fifteen rupees;
- (b) exceeds twenty but does not exceed fifty forty rupees;
- (c) exceeds fifty but does not exceed one hundred eighty rupees;
- (d) exceeds one hundred but does not exceed two hundred one hundred and fifty rupees;
- (e) exceeds two hundred but does not exceed four hundred three hundred rupees; and
- (f) exceeds four hundred [four hundred rupees.]

**13. Amendment of Licence.** - [Sections 10(2) and 35(2)(e)] - (1) A licence issued under the Act 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 amendment and reasons thereon.

(3) (i) If the Licensing Officer allowed the application, he shall require the applicant to deposit the amount, if any, by which the fee that would have been payable if the licence had been originally issued in the amended form exceeds the fees originally paid for the licence.

- (ii) On the applicant depositing the requisite amount, the licence shall be amended according to the orders of the licensing officer.
- (4) Where the application for amendment is to be refused, the licensing officer shall after giving the applicant an opportunity of being heard pass an order which shall contain the reasons for such refusal and communicate the same to the applicant.

**14. Renewal of Licence.** - [Sections 9(3) and 35(2)(d)] - (1) Every Contractor may apply to the licensing officer for renewal of the licence.

(2) Every application for renewal shall be in Form IX 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 till the date on which the licence is renewed.

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

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fee of twenty-five per cent in excess of the fees 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 deems fit the payment of such excess fee.

**15. Period of renewal of the Licence.** - [Section 9(3)] - Every licence renewed under Rule 14 shall remain in force for a period of twelve months from the date of its expiry.

**16. Issue of duplicate certificate of registration of licence.** - [Section 35(2)(d) and (e)] - Where a certificate of registration or licence granted or renewed under the preceding rules has been lost, defaced or destroyed, a duplicate thereof may be granted on payment of fees of [twenty rupees].

**17. Refund of security.** - [Sections 8, 10 and 35(2)(d)] - (1) (i) On expiry of the period of licence the contractor may, if he does not intend to have his licence renewed or get the security amount adjusted in respect of his fresh application for licence in terms of sub-rule (2) of rule 10, make an application to, the licensing officer for the refund of the security, if any, deposited by him under sub-rule (I) of rule 10.

(ii) If the licensing officer is satisfied that there is no breach of the conditions of licence or there is no order under section 10 of the forfeiture of security or any portion thereof he shall direct the refund of the security to the applicant.

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

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

**18. Appeals and procedure.** - [Sections 11 and 35(2)(f)] - (1) (i) Every appeal under section 11 shall be preferred in the form of a memorandum signed by the appellant or his authorised agent and presented to the appellate officer in person or sent to him by registered post.

- (ii) The memorandum shall be accompanied by a certified copy of the order against which appeal has been preferred and a crossed demand draft for twenty-five rupees drawn on any Scheduled Bank in favour of the appellate officer.
- (2) The memorandum shall set forth precisely and under distinct heads the grounds of appeal of the order appealed from.
- (3) Where the memorandum of appeal does not comply with the provision of sub-rule (2), it may be rejected or returned to the appellant for the purpose of being amended within a time to be fixed by the appellate officer.
- (4) Where the appellate officer rejects the memorandum of appeal under sub- rule (3), he shall record the reasons for such rejection and communicate the same to the appellant.
- (5) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, endorse thereon the date of presentation and shall register the appeal in the register of appeals kept for the purpose.
- (6) (i) When the appeal has been admitted, the appellate officer shall send a notice to the Registering Officer or the Licensing officer, as the case may be, from whose order the appeal has been preferred. The registering officer or, as the case may be, the licensing officer shall thereupon send the record of the case to the appellate officer.
- (ii) On receipt of the record, the appellate officer shall send notice to the appellant to appear before him on such date and time as may be specified in the notice for the hearing of appeal.
- (7) If on the date fixed for the hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellant.
- (8) (i) Where an appeal has been dismissed under sub-rule (7), the appellant may apply to the appellate officer for readmission of the appeal, and where it is proved that he was prevented by any sufficient cause from appearing when appeal was called on for hearing, the appellate officer shall restore the appeal on its original number.
- (ii) An application under clause (i) shall unless the appellate officer extends the time for sufficient reasons be made within thirty days of the date of dismissal.
- (9) (i) If the appellant is present when the appeal is called on for hearing, the appellate officer shall proceed to hear the appellant or his authorised agent and any other person summoned by him for the purpose, and pronounce judgment on the appeal either confirming, reversing or modifying the order appealed from.
- (ii) The order of the appellate officer shall state the points for determination, decisions thereon and the reasons for the decisions.
- (iii) The order shall be communicated to the appellant and a copy thereof shall be sent to the registering officer or the licensing officer, as the case may be from whose order the appeal has been preferred.
- 19. Obtaining of copies of orders.** - [Section 35(2)(a)] - A copy of the order of the registering officer, licensing officer or appellate officer may be obtained in payment of fee of [five rupees] per copy of each

order on an application specifying the date and other particulars of the order, made to the officer concerned.

**20. Payment of fees and security deposits.** - [Section 35(2)(a)(d)] - (1) The payment of the various fees relating to registration, licensing and security deposits shall be made through a crossed demand draft drawn on any Scheduled Bank in favour of the concerned Officer and payable at the station at which he is stationed along with a Treasury Challan duly filled in indicating the relevant head of account creditable to the accounts of the concerned Pay and Accounts Office.

(2) The head of accounts under which the receipts relating to the fees for registration, licensing and appeals shall be credited, will be "087-Labour and Employment (g) other Receipts under the Inter-State Migrant Workmen (Regulation and Conditions of Service) (Punjab) Rules, 1983". The security deposits are to be booked under the head "Deposits Advance (b), Deposits not bearing Interest-843-Civil Deposits-Security Deposits".

## CHAPTER III

### ***Duties of the Contractor***

**21. Particulars of migrant workman.** - [Section 12(i)(a)] - (1) Every contractor shall furnish to the specified authorities the particulars regarding recruitment and employment of migrant workmen in Form X.

(2) The particulars shall be either personally delivered by the Contractor to the concerned specified authorities or sent to them by registered post.

**22. Return fare.** - [Section 12(1)(b)(v)] - The contractor shall pay to the migrant workman the return fare from the place of employment to the place of residence in the home-State of the migrant workman on the expiry of the period of employment and also on his -

- (a) termination of service before the expiry of the period of employment for any reason whatsoever;
- (b) being incapacitated for further employment on account of injury or continued ill-health duly certified as such by a registered medical practitioner;
- (c) cessation of work in the establishment which is not due to any fault on the part of the migrant workman; and
- (d) resignation from service on account of non-fulfilment of terms and conditions of his employment by the contractor.

**23. Pass Book.** - [Section 12(1)(b)(vii)] - (1) In the pass book referred to in clause (b) of sub-section (1) of section 12 the following additional particulars shall be indicated namely :-

- (a) the date of recruitment;
- (b) the date of employment;
- (c) total attendance or unit of work done (in respect of piece- rated migrant workman), total wages earned, deductions, if any made, net amount paid and signatures of contractor or his duly authorised representative with date (these entries shall be made separately in respect of each wage period) within three days from the date of payment; and

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

(2) In case of fatal accident or serious bodily injury to any migrant workman, the contractor shall immediately send telegrams to the specified authorities of both the States and also to the next of kins of the migrant workman intimating death or the nature of serious bodily injury sustained by the migrant workman, as the case may be, date, place and nature of accident. The Contractor shall further send written report to the specified authorities concerned and the next of kins of the migrant workman undermentioned particulars by registered post within twenty-four hours of the occurrence of the accident :-

- (i) Name of the migrant workman;
- (ii) Date, place and nature of accident;
- (iii) Condition of the migrant workman (if alive);
- (iv) Action taken by the contractor/principal employer;
- (v) Remarks

(3) If the contractor fails to send the telegraphic intimation and/or written report as required under sub-rule (2), the principal employer shall comply with the requirements of sub-rule (2) as early as possible but in any case not later than forty-eight hours of the time of occurrence of the accident.

**24. Return and Report.** - [Section 35(2)(b) and (c)] - Every contractor shall furnish a return regarding migrant workmen who have ceased to be employed in Form XI to the specified authorities concerned either personally or by registered post so as to reach them not later than 15 days from the date of the migrant workman ceased to be employed.

## CHAPTER IV

### **Wages**

**25. Rate of Wages.** - [Sections 13(1)(b) and 35(2)(g)] - The rate of wages of a migrant workman in an establishment where he is required to work which is neither same nor of similar kind as is being performed by any other workman in that establishment shall not be less than the rate of wages paid by the principal employer to a workman in the lowest category of workman directly employed by him in that establishment or the minimum rates of wages notified by the State Government under the Minimum Wages Act, 1948, for the same or similar type of work performed by workman in any scheduled employment in the area in which the establishment is located or the rates of wages payable to the workmen for performing same or similar kind of work in that establishment in the State in which the establishment is located, whichever is higher : Provided that if there is any dispute in this regard or with regard to applicability of wages rates to a migrant workman under sub-clause (b) of sub-section (1) of section 13, the same shall be decided by the Labour Commissioner, Punjab.

**26. Wage period.** - [Sections 17(1) and 32(2)(h)] - The Contractor shall fix wage periods in respect of which wages shall be payable by him to the migrant workmen.

**27. Maximum wage period.** - [Sections 17(1) and 32(2)(h)] - No wage period shall exceed one month.

**28. Payment of Wages.** - [Sections 17(1) and 32(2)(h)] - The wages of every migrant workman in an establishment by a contractor where less than 1,000 workmen are employed shall be paid before the expiry of the seventh day and in other cases before the expiry of tenth day every month.

**29. Payment of Termination.** - [Section 35(2)(g)] - Where the employment of any migrant workman is terminated by or on behalf of the contractor, the wages earned by the migrant workman shall be paid before the expiry of the second working day from the date on which his employment is terminated.

**30. Mode of payment.** - [Section 35(2)(g)] - All payments of wages shall be made by the contractor 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 last working day, the final payments shall be made within forty-eight hours of the last working day.

**31. Person to whom wages to be paid.** - [Section 35(2)(g)] - Wages due to every migrant workman shall be paid to him direct or to other person duly authorised by him in this behalf.

**32. Deduction from wages.** - [Section 35(2)(g)] - All wages shall be paid in current coin or in currency or in both. Wages shall be paid without any deduction of any kind except those specified by the State Government by general or special order in this behalf or permissible under the Payment of Wages Act, 1936.

**33. Displaying of notice.** - [Section 35(2)(g)] - 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 thereof will be sent by the contractor to the principal employer under acknowledgement.

**34. Presence of Principal employer's representative.** - [Section 35(2)(g)] - The principal employer shall ensure the presence of his authorised representative at the place and time of disbursement of wages by the contractor to the migrant workmen and it shall be the duty of the contractor to ensure the disbursement of wages in the presence of such authorised representative.

**35. Signing of certificate.** - [Sections 17(2) and 35(2)(h)] - The authorised representative of the principal employer shall record under his signature a certificate at the end of all the entries in the register of wages or the wages-cum-muster roll, as the case may be, in the following form :-

"Certified that the amount shown in column No. \_\_\_\_\_ has been made to the migrant workman concerned in my presence on \_\_\_\_\_".

## CHAPTER V

### ***Medical and other facilities to be provided to migrant workmen***

**36. Holidays, hours of work and other conditions of service.** - [Sections 13(1) and 35(2)(g)] - (1) Holidays, hours of work and other conditions of service including extra wages for overtime work done of migrant workmen shall not be less favourable than those obtaining in that establishment in similar employment in the area in which the establishment is located as the case may be.

(2) Where there is any dispute in this regard or with regard to applicability of holidays, hours of work and other conditions of service including extra wages for overtime work done to a migrant workman under

clause (a) of sub- section (1) of section 13, the same shall be decided by the Labour Commissioner, Punjab whose decision shall be final.

**37. Medical facilities.** - [Section 16(e)] - (1) The contractor shall ensure provision of suitable and adequate medical facilities for outdoor treatment to the migrant workmen free of cost for treatment of any ailment from which the migrant workman or any member of his family may suffer during his employment in the establishment or to meet any preventive measure against epidemic or any virus infection. Whenever any medicine is purchased by a migrant workman from market on the basis of the prescription issued by any doctor provided by the contractor or the principal employer, as the case may be, or any registered medical practitioner, the cost of such medicines including the consultation not exceeding rupees sixteen per consultation shall be reimbursed by the contractor to the migrant workman concerned within a period of seven days from the date of presentation of the bill by the migrant workman.

(2) In the event of migrant workman or any of his family members suffering from any ailment requiring hospitalisation during his employment in the establishment, the contractor shall promptly arrange for the hospitalisation of the migrant workman or the concerned member of his family. The contractor shall bear entire expenses on treatment, hospital charge (including diet), if any, and travel expenses for the patient from the place of his residence to the hospital and back.

(3) Every contractor shall provide and maintain so as to be readily accessible during all working hours first-aid boxes at the rate of not less than one box for one hundred and fifty workmen or part thereof.

(4) The first-aid box shall be distinctly marked with a Red Cross on a white ground and shall contain the following equipment, namely :-

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

- (i) six small sterilized dressings;
- (ii) three medium size sterilized dressings;
- (iii) three large size sterilized dressings;
- (iv) three large size sterilized burn dressings;
- (v) one (30 ml) bottle containing two per cent alcoholic solution of iodine;
- (vi) one (30 ml) bottle containing salvolatile having the dose and mode of administration indicated on the label;
- (vii) one snake-bite lancet;
- (viii) one (30 mgs.) bottle of potassium permanganate crystals;
- (ix) one pair of scissors;
- (x) one copy of the first-aid leaflet issued by the Director General, Factory Advice Service and Labour Institute, Government of India;
- (xi) one bottle containing 100 tablets (each of 5 grains) of aspirin;

- (xii) ointment for burns; and
- (xiii) One bottle of suitable surgical antiseptic solution.

(b) for establishments in which the number of migrant workmen exceeds fifty each first-aid box shall contain the following equipment :-

- (i) twelve small sterilized dressings;
- (ii) six medium size sterilized dressings;
- (iii) six large size sterilized dressings;
- (iv) six large size sterilized burn dressings;
- (v) six (15 gms.) packets sterilized cotton wool;
- (vi) one (80 ml.) bottle containing two per cent alcoholic solution iodine;
- (vii) one (60 ml.) bottle containing salvolatile having the dose and mode of administration indicated on the label;
- (viii) one roll of adhesive plaster;
- (ix) one snake-bite lancet;
- (x) one (30gms.) bottle of potassium permanganate crystals.
- (xi) one pair of scissors;
- (xii) one copy of the first-aid leaflet issued by the Director General, Factory Advisory Service and Labour Institute, Government of India;
- (xiii) one bottle containing 100 tablets (each of 5 grains) of aspirin;
- (xiv) ointment for burns; and
- (xv) One bottle of suitable surgical antiseptic solution.

(5) Adequate arrangement shall be made for immediate recoupment when necessary.

(6) Nothing except the contents mentioned in sub-rule (4) shall be kept in the first-aid box.

(7) The first-aid box shall be in the charge of a responsible person who shall always be readily available during the working hours of the establishment.

(8) The person incharge of the first-aid box shall be a person trained in first-aid treatment, in establishments where the number of migrant workmen is one hundred and fifty or more.

**38. Protective Clothing.** - [Section 16(f)] - (1) The contractor shall provide to every migrant workman where the temperature falls below twenty degree contingade, protective clothing consisting of one woollen coat and one woollen trousers once in two years:

Provided that where the temperature falls below five degree centigrade, one woollen overcoat shall also be provided to the migrant workman once in three years.

(2) The protective clothing shall be provided by the contractor to every migrant workman before onset of winter season in the area where the establishment is located or on the 30th day of September, whichever

is earlier.

**39. Drinking Water, Latrines, Urinals and Washing facilities.** - [Sections 16(c) and 35(2)(n)] - (1) The Contractor shall provide sufficient quantity of a wholesome drinking water, sufficient number of sanitary latrines and urinals, washing facilities for the migrant workman at the establishment in the case of existing establishments within seven days of the commencement of these rules, and in case of new establishments, within seven days of the commencement of employment of migrant workmen therein.

(2) If any of the facilities is not provided by the contractor within the specified period, the same shall be provided by the principal employer within seven days of the expiry of the period specified in sub-rule (1).

**40. Rest rooms.** - [Sections 16(c)(d) and 35(2)(n)] - (1) In every place where migrant workmen are required to halt at night in connection with the working of the establishment in which employment of migrant workmen is likely to continue for three months or more, the contractor shall provide and maintain rest rooms or other suitable alternative accommodation within fifteen days of the coming into force of these rules in case of the existing establishments, and within fifteen days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the amenity is not provided by the contractor within the specified period, the principal employer shall provide the same within a period of fifteen days of the expiry of the period specified in sub-rule (1).

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

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

(5) The rest rooms, or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 1.1 square metre for each person.

(6) The rest room, rooms, or other suitable alternative accommodation shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.

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

**41. Canteens.** - [Sections 16(c) and 35(2)(n)] - (1) In every establishment wherein work regarding the employment of migrant workmen is likely to continue for six months and wherein migrant workmen numbering one hundred or more are ordinarily employed, an adequate canteen shall be provided by the contractor for the use of such migrant workmen within sixty days of the date of coming into force of these rules in the case of the existing establishments and within sixty days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the contractor fails to provide canteen within the specified time, the same shall be provided by the principal employer within sixty days of the expiry of the time allowed to the contractor.

(3) The canteen shall be maintained by the contractor, or principal employer, as the case may be, in an efficient manner.

(4) The canteen shall consist of at least a dining hall, kitchen, store room, pantry and washing places separately for migrant workmen and for utensils.

- (5) (i) The canteen shall be sufficiently lighted at all times when any person has access to it.
- (ii) The floor shall be made of smooth and impervious material and inside walls shall be lime-washed or colour washed at least once in each year :
- Provided that the inside walls of the kitchen shall be lime-washed every four months.
- (6) (i) The precincts of the canteen shall be maintained in a clean and sanitary condition.
- (ii) Waste water shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause a nuisance.
- (iii) Suitable arrangements shall be made for the collection and disposal of garbage.
- (7) The dining hall shall accommodate at a time at least 30 per cent of the migrant workmen working.
- (8) 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 diner to be accommodated as specified in sub-rule (7).
- (9) (i) A portion of the dining hall and service counter shall be partitioned off and reserved for women migrant workmen in proportion to their numbers.
- (ii) Washing places for women shall be separate and screened to secure privacy.
- (10) Sufficient tables, stools, chairs or benches shall be made available for the diners to be accommodated as specified in sub-rule (7).
- (11) (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.
- (12) (i) Suitable clean clothes for the employees serving in the canteen shall be provided and maintained.
- (ii) A service counter, if provided, shall have 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.
- (13) The foodstuffs and other items to be served in the canteen shall be in conformity with the normal habits of the migrant workmen.
- (14) The charges for meals, other foodstuffs, beverages and any other item served in the canteen shall be based on no-profit no-loss basis and shall be conspicuously displayed in the canteen.
- (15) In arriving at the prices of 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 buildings;
  - (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 equipments including furniture, crockery, cutlery 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.
- (16) The books of accounts and registers and other documents used in connection with the running of the canteen shall be produced on demand to an Inspector.

(17) The accounts pertaining to the canteen shall be audited one every twelve months by registered Accountants and Auditors :

Provided that the Labour Commissioner 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 for the location of the canteen.

**42. Latrines and Urinals.** - [Sections 16(c) and 35(2)(n)] - (1) Latrines shall be provided in every establishment 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 190, it shall be sufficient if there is one latrine for 25 males or females, as the case may be, upto the first 200, and one for every 30 thereafter.

(2) Every latrine shall be under cover and so partitioned off as to secure privacy, and shall have a proper door and fastenings.

(3) (i) Where workers of both sexes are employed there shall be displayed outside each block of latrine and urinal a notice in the language understood, by the majority of the workers 'For Men only' or 'for Women only,' as the case may be.

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

(4) There shall be at least one urinal for male workers upto fifty 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 fifty females upto the first 500 and one for every 100 or part thereafter.

(5) The latrines and urinals shall be conveniently situated to access to workers at all times at the establishment.

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

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

(7) Water shall be provided by means of tap or otherwise so as to be conveniently accessible in or near the latrine and urinals.

**43. Washing facilities.** - [Sections 16(c) and 35(2)(n)] - (1) In very establishment adequate and suitable facilities for washing shall be provided and maintained for the use of migrant workmen employed therein.

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

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

**44. Creche.** - [Sections 16(c) and 35(2)(n)] - (1) In every establishment where twenty or more workmen are ordinarily employed as migrant workmen and in which employment of migrant workmen is likely to continue for three months or more, the contractor shall provide and maintain two rooms of reasonable dimensions for the use of their children under the age of six years, within fifteen days of the coming into force of these rules, in case of existing establishments and within fifteen days of the commencement of the employment of not less than twenty women as migrant workmen in new establishments.

(2) One of such rooms shall be used as play room for the children and the other as bedroom for the children.

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

(4) The contractor or the principal employer, as the case may be, shall supply adequate number of toys and games in the play rooms and sufficient number of cots and beddings in the sleeping room.

(5) The creche shall be so constructed as to afford adequate protection against heat, damp, wind, rain and shall have smooth, hard and impervious floor surface.

(6) The creche shall be at a convenient distance from the establishment and shall have adequate supply of the wholesome drinking water.

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

**45. Residential accommodation.** - [Sections 16(d) and 35(2)(n)] - (1) The contractor shall provide to every migrant workman :-

(i) in case he is accompanied by any other member of his family a suitable quarter consisting of minimum one room having at least a floor area of ten square meters, a verandah and adequate additional covered space for cooking food as well as one common sanitary latrine, and common bathroom for every three such quarters; and

(ii) in case he is unaccompanied by any other member of his family a suitable barrack so as to accommodate not more than ten such migrant workmen, having at least a floor area of not less than 6.5 square metres for each such migrant workman making use of the barrack, a verandah and adequate additional covered space for cooking food as well as one common sanitary latrine and one common bathroom for every ten such migrant workmen;

within fifteen days of coming into force of these rules in the case of the existing establishments and within fifteen days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) Every quarter and the barrack shall be so constructed as to afford adequate ventilation, protection against heat, wind and rain and shall have smooth, hard and impervious floor surface.

(3) The quarters or the barracks, as the case may be, shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

(4) The area in which the quarter and/or the barracks are located as well as the latrines and the bathrooms provided therein shall be kept in a clean and sanitary condition at all times.

(5) If amenities referred to in sub-rule (1) are not provided by the contractor within the period prescribed, the principal employer shall provide the same within a period of fifteen days of the expiry of the period specified in the said sub-rule.

(6) If there is any dispute or disagreement regarding suitability or adequacy of provision of any of the amenities referred to in sub-rules (1) to (4), the same shall be decided by the Labour Commissioner.

**46. Liability of the principal employer in certain cases.** - [Sections 18(1) and 35(2)(i)] - If any allowance required to be paid under section 14 or section 15 to a migrant workman employed in an establishment to which this Act applies, is not paid by the contractor or if any facility specified in section 16 is not provided for the benefit of such migrant workman, such allowance shall be paid, or, as the case may be, the facility shall be provided by the principal employer within fifteen days of the expiry of the time allowed to the contractor under these rules except where otherwise provided for in the relevant rules :

Provided that in case of ailment requiring urgent medical attention or hospitalisation, as the case may be, the principal employer shall provide the same immediately on the failure of the contractor to do so.

**47. Relaxation in certain cases.** - [Section 35(2)(n)] - If the contractor or principal employer, as the case may be, has already provided any facility relating to supply of wholesome drinking water or rest-rooms or latrines and urinals or washing, canteen or creche or first aid which is required under any Act applicable to the establishment and the same is adequate and also available for use for the migrant workmen, that facility shall be deemed to be provided for under these rules.

## CHAPTER VI

### *Registers and Records Collection of Statistics*

**48. Registers of Contractors.** - [Sections 33 and 35(2)(n)] - Every principal employer shall maintain in respect of each registered establishment a register of contractor in Form XII.

**49. Register of persons employed.** - [Sections 33 and 35(2)(n)] - Every principal employer and contractor shall maintain in respect of each establishment where he employs migrant workman a register in Form XIII.

**50. Service Certificate.** - [Section 35(2)(n)] - On termination of employment for any reason whatsoever the contractor shall issue to the migrant workman whose service has been terminated a service certificate in Form XIV.

**51. Displacement-cum-outward journey allowances sheet and return journey allowances register.** - [Sections 23 and 35(2)(k)] - (1) Every contractor shall maintain displacement-cum-outward journey allowances sheet in Form XV and return journey allowance register in Form XVI.

(2) Entries in the sheet and the register required to be maintained under sub-rule (1) shall be authenticated by the contractor or his duly authorised representative.

**52. Muster roll, wages register, deductions register and overtime register. - [Sections 23 and 35(2)(k)]**

- (1) In respect of establishments which are governed by the Payment of Wages Act, 1936 and the rules made thereunder or the Minimum Wages Act, 1948, and rules made thereunder or the Contract Labour (Regulation and Abolition) Act, 1970 and the rules made thereunder, the following registers, and records required to be maintained by the contractor as employer under those Acts and the rules shall be deemed to be registers and records to be maintained by the contractor under these rules :-

- (a) muster roll;
- (b) register of wages;
- (c) register of deductions;
- (d) register of fines;
- (e) register of overtime;
- (f) register of advances.

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

- (a) Every contractor shall maintain a muster roll register and a register of wages in Forms XVII and XVIII, respectively;
- (b) Signatures or thumb-impression of every migrant workman on the register of wages shall be obtained and entries therein shall be authenticated by the contractor or his duly authorised representative and duly certified by the authorised representative of the principal employer as required by rule 35;
- (c) Register of deduction for damage of loss, register of fines and register of advances shall be maintained by every contractor in Forms XIX, XX and XXI, respectively;
- (d) Every contractor shall maintain register of overtime in Form XXII.

(3) Notwithstanding anything contained in these rules where a combined or alternative form is sought to be used for the contractor to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder or any other law 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.

**53. Maintenance and preservations of registers. - [Sections 23 and 35(2)(k) and (n)]**- (1) All registers and other records required to be maintained under the Act and these rules, shall be maintained and completed upto date, and unless otherwise provided for, shall be kept at an office or the nearest convenient building within a precincts of the work place or at a place, if any, specified by the Inspector on the specific request, made by the contractor in this behalf.

(2) All the registers shall be maintained legibly in English or Punjabi.

(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 made therein.

(4) All the registers, records and notices maintained under the Act or these rules shall be produced on demand before the Inspector or Labour Commissioner, or any other authority under the Act or any other person authorised in that behalf by the State Government.

(5) Where no deduction has been made or fine has been imposed or no overtime has been worked during any wage period, a 'NIL' entry shall be made across the body of the register at the end of every wage period, indicating also in precise terms the wage period of which the 'NIL' entry relates in the respective registers maintained in Forms XIX, XX and XXI, respectively.

**54. Display of an abstract of the Act and the rules.** - [Sections 23 and 35(2)(n)] - Every contractor shall display an abstract of the Act and these rules in English and Punjabi languages and in the language understood by the majority of migrant workmen in such form as may be approved by the Labour Commissioner.

**55. Notices.** - [Sections 23 and 35(2)(n)] - (1) 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 date of payment of unpaid wages shall be displayed in English and Punjabi languages and in the language understood by the majority of the workers in conspicuous places at the establishment and at the work-side 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 occurs, the same shall be communicated to him forthwith.

**56. Periodicals returns.** - [Section 35(2)(n)] - (1) Every contractor shall send half-yearly return in form XXIII (in duplicate) so as to reach the licensing officer concerned not later than thirty days from the close of the half-year.

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

(2) Every principal employer of a registered establishment shall send annually a return in Form XXIV (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.

**57. Power to require information.** - [Section 35(2)(n)] - (1) The Labour Commissioner or the Inspector or any other authority under the Act shall have powers to call for any information or statistics in relation to migrant workmen from any contractor or principal employer at any time by an order in writing.

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

## CHAPTER VII

### *Legal aid to migrant workman*

**58. Legal aid.** - [Section 35(2)(m)] - On receipt of a written application from a migrant workman or in the event of his death from next of his kin for providing legal aid in relation to any proceedings before the authority appointed under section 15 of the Payment of Wages Act, 1936 or authority under section 20 of the Minimum Wages Act, 1948 or appropriate Labour Court under section 33-C(2) of the Industrial

Disputes Act, 1947 or Commissioner for Workmen's Compensation appointed under the Workman's Compensation Act, 1923, in which the migrant workman or his legal heir is party, the specified authority concerned, if he is satisfied may with the prior approval of the Labour Commissioner, engage an advocate to conduct the relevant proceedings on behalf of the migrant workman or his legal heir, as the case may be, and meet all legal expenses in this regard.

**Form I**

[See rule 3(1)]

**Application for registration of establishment employing migrant workmen**

1. Name and location of the establishment.
2. Postal address of the establishment.
3. Full name and address of the principal employer (furnish father's/husband's name in the case of individuals).
4. Names and addresses of the directors/particulars of partners (in case of companies and firms).
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
6. Nature of work carried on in the establishment.
7. Particulars of contractors and migrant workmen :-
  - (a) Names and addresses of contractors.
  - (b) Nature of work for which migrant workmen are to be recruited or are to be employed.
  - (c) Maximum number of migrant workmen to be employed on any day through each contractor.
  - (d) Estimated date of commencement of work under each contractor.
  - (e) Estimated date of termination of employment of migrant workmen under each contractor.
8. Particulars of crossed demand draft (name of the Bank, amount, number and date).

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

Principal Employer

(Seal and Stamp)

Office of the Registering Officer

Date of receipt of application.

-----

**Form II**

[See rule 4(1)]

**Certificate Of Registration**

**Government Of Punjab**

Date \_\_\_\_\_

Office of the Registering Officer

A certificate of registration containing the following particulars is hereby granted under clause (a) of sub-section (2) of section 4 of the Inter- State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the rules made thereunder to -

1. Nature of work carried on in the establishment.
2. Names and addresses of contractors.
3. Nature of work for which migrant workmen are to be employed or are employed.
4. Maximum number of migrant workmen to be employed on any day through each contractor.
5. Other particulars relevant to the employment of migrant workmen.

Signature of Registering Officer with seal.

### Form III

[See rule 4(2)]

#### Register of Establishments

Serial No.	Registration Number and Date	Name and address of the establishment registered	Name of the principal employer and his address.	Type of business, trade, industry, manufacture of occupation which is carried on in establishment .	Maximum number of migrant workmen directly employed on any day.
1	2	3	4	5	6

Particulars of Contractor and Inter-State Migrant workmen				
Name and address of Contractor	Nature of work for which Migrant workmen are to be recruited or are employed	Maximum number of migrant workmen employed on any day through a contractor	Probable duration of employment of migrant workmen	Remarks
7	8	9	10	11

**Form IV**

[See rule 7(1)]

**Application For Licence For Recruitment**

1. Name and address of the contractor (including his father's/husband's name in case of individuals)
2. Date of birth and age (in case of individuals)
3. Particulars of establishment where migrant workmen are to be employed -
  - (a) Name and address of the establishment
  - (b) Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment
  - (c) Number and date of certificate of registration of the establishment under the Act
  - (d) Name and address of the principal employer
4. Particulars of migrant workmen -
  - (a) Nature of work in which migrant workmen are employed or are to be employed in the establishment
  - (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending)
  - (c) Name and address of the agent or manager of the contractor at the work site
  - (d) Maximum number of migrant workmen proposed to be employed in the establishment on any date
  - (e) Names and addresses of the directors/partners (in case of companies and firms)
  - (f) Names and address(es) of the person(s) incharge of and responsible to the company/firm for the conduct of the business of the company/firm as the case may be
5. Whether the contractor was convicted of any offence within the preceding five years, if so, give details.
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposits in respect of an earlier contract. If so, the date of such order
7. Whether the contractor has worked in any other establishment within past five years. If so, give details of the principal employer, establishment and nature of work
8. Whether certificate by the principal employer in Form V is enclosed
9. Amount of licence fee paid. Number of crossed demand draft and date
10. Amount of security deposit, if any

**Declaration**

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

Place \_\_\_\_\_

Date \_\_\_\_\_ Signature of the applicant

(Contractor)

**Note.** - The application should be accompanied by a crossed demand draft showing the payment of the prescribed licence fee and security deposit, if any, and a certificate in Form V from the Principal employer.

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

Date of receipt of the application with crossed demand draft for fee.

Signature of Licensing Officer.

**Form V**

[See rule 7(2)]

**Application For Licence For Employment**

1. Name and address of the contractor (including his father's/husband's name in case of individuals)
2. Date of birth and age (in case of individuals)
3. Particulars of establishment where migrant workmen are to be employed -
  - (a) Name and address of the establishment
  - (b) Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment
  - (c) Number and date of certificate of registration of the establishment under the Act
  - (d) Name and address of the principal employer
4. Particulars of migrant workmen -
  - (a) Nature of work in which migrant workmen are employed or are to be employed in the establishment
  - (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending)
  - (c) Name and address of the agent or manager of the contractor at the work site
  - (d) Maximum number of migrant workmen proposed to be employed in the establishment on any date
  - (e) Names and addresses of the directors/partners (in case of companies and firms)
  - (f) Name and address(es) of the person(s) incharge of and responsible to the company/firm for the conduct of the business of the company/firm as the case may be
5. Whether the contractor was convicted of any offence within the preceding five years, if so, give details.
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposits in respect of an earlier contract.. If so, the date of such order
7. Whether the contractor has worked in any other establishment within past five years. If so, give details of the principal employer, establishment and nature of work
8. Whether certificate by the principal employer in Form V is enclosed
9. Amount of licence fee paid. Number of crossed demand draft and date
10. Amount of security deposit, if any

**Declaration**

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

Place \_\_\_\_\_

Date \_\_\_\_\_ Signature of the applicant

(Contractor)

**Note.** - The application should be accompanied by a crossed demand draft showing the payment of the prescribed licence fee and security deposit, if any, 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 crossed demand draft for fees.

Signature of Licensing Officer.

### Form VI

[See rule 7(3)]

#### Form Of Certificate By Principal Employer

Certified that I have engaged the applicant (name of the Contractor) as a Contractor in my establishment. I undertake to be bound by all the provisions of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983 in so far as the provisions are applicable to me in respect of the employment of migrant workmen by the applicant in my establishment.

Place \_\_\_\_\_

Date \_\_\_\_\_ Signature of Principal Employer

Name and address of establishment.

### Form VII

[See rule 10(2)]

Name and address of the Contractor	Number and date of application for fresh licence	Date of expiry of previous licence	Whether the previous licence of the contractor was suspended or revoked	Number and date of the crossed demand draft of security deposit in respect of the previous licence	Amount of previous security deposit
1	2	3	4	5	6

Amount of security deposit on the fresh licence	Number and date of crossed demand draft of the balance security deposited with the fresh application	Number and date of certificate of registration of the establishment in relation to which the fresh licence is applied for	Name and address of the principal employer	Particulars of fresh application	Remarks
7	8	9	10	11	12

Place \_\_\_\_\_

Date \_\_\_\_\_

Signature of the applicant

**Form VIII**

[See rule 11(1)]

**Government of Punjab**  
**Office of Licensing Officer**

Licence No.

Date

Fee paid Rs.\_\_\_\_\_

**Licence**

Licence is hereby granted \_\_\_\_\_ under section 8(1) of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, subject to the conditions specified in the Annexure.

2. This licence is for doing the work (nature of work to be indicated) in the establishment of (name of principal employer to be indicated) at (place of work to be indicated).
3. The licence shall remain in force till (date to be indicated);

Signature and seal of Licensing Officer

**Renewal**

(See rule 14)

Date of renewal Fee paid for renewal Date of expiry

- 1.
- 2.
- 3.

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 migrant workmen in the establishment shall not, on any day, exceed the maximum number specified in the application for licence.
3. Save as provided in these rules, the fee paid for the grant or, as the case may be, for renewal of licence shall be non-refundable.
4. The rates of wages payable to the migrant workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948, for such employment where applicable and where the rates have been fixed by agreement, settlement or award not less than the rates so fixed.
- 5.(a) In case where the migrant workmen employed by the contractor perform the same or similar kind of work performed by the workmen employed directly by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall be the same as applicable to the workmen employed directly 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, whose decision shall be final.
- (b) In other cases the wage rates, holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall be such as prescribed in these rules.
6. Every migrant workman shall be entitled to allowances, benefits, facilities, etc. as specified in the Act and these rules.
7. No female migrant workman shall be employed by any contractor to work before 6 a.m. or after 7 p.m. :  
Provided that this clause shall not apply to the employment of female migrant workmen in Pit head Baths, Creches and canteens and to the employment of Midwives and Nurses in hospitals and dispensaries.
8. The contractor shall notify any change in the number of migrant workmen or the conditions of work to the licensing officer.
9. The contractor shall comply with all the provisions of the Act and these rules.
10. A copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed.

### **Form IX**

[See rule 14(2)]

#### **Application for Renewal of Licence**

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

Place \_\_\_\_\_ Signature of the applicant.

Date \_\_\_\_\_

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

Date of receipt of the application with crossed demand draft number and date.

Signature of the Licensing Officer

(See rule 21)

**Particulars in respect of recruitment and employment of migrant workmen.**

1. Name and address of the contractor \_\_\_\_\_
2. Name and address of the sub-contractor, if any, through whom recruitment has been made \_\_\_\_\_
3. Name and address of the establishment \_\_\_\_\_
4. Name and address of the principal employer \_\_\_\_\_
5. Name of the State in which the place of work is located \_\_\_\_\_
6. Name of the State in which recruitment was made. \_\_\_\_\_

Serial No.	Name of migrant workman	Father's/Husband's name	Sex	Age	Permanent home address
1	2	3	4	5	6

Name and address of the next of kin of the migrant workman	Place and address of residence in the home State	Amount of displacement allowance paid	Amount of outward journey allowance paid	Amount of wages for outward journey period paid	Nature of job required to be performed
7	8	9	10	11	12

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

Signature of Contractors or his authorised representatives

Date \_\_\_\_\_

Submitted to

(1) \_\_\_\_\_

(Specified authority in the State in which migrant workman/workmen is/are employed)

(2) \_\_\_\_\_

(Specified authority in the State in which the migrant workman/workmen has/have been recruited).

Copy forwarded to

(The Principal Employer)

Signature of the Contractor or his authorised representative.

Date \_\_\_\_\_

*Note. - In case where migrant workmen concerned have been recruited from more than one State, separate return shall be submitted in respect of each such State.*

### Form XI

(See rule 24)

#### **Return in respect of migrant workmen who ceased to be employed.**

1. Name and address of the contractor \_\_\_\_\_
2. Name and address of the sub-contractor, if any, through whom recruitment has been made \_\_\_\_\_
3. Name and address of the establishment \_\_\_\_\_
4. Name and address of the principal employer \_\_\_\_\_
5. Name of the State in which the place of work is located \_\_\_\_\_
6. Name of the State in which recruitment was made \_\_\_\_\_

Serial No.	Name of migrant workman	Father's/Husband's name	Sex	Designation	Age	Permanent home address
1	2	3	4	5	6	7

Place and address of residence in home State	Date of employment	Date on which ceased to be employed	Total days worked	Details of rates of wages and other allowances paid	Amount of displacement allowance paid	Amount of outward journey allowances and wages for outward journey paid
8	9	10	11	12	13	14

Amount of return journey allowance and wages for return journey paid	Total wages paid	Details of compensation and other allowances	Amount of deductions, if any	Amount of advance, if any, paid	Amount of advance, if any recovered	Remarks
15	16	17	18	19	20	21

### Declaration

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

Place :

Date :

Signature of the Contractor or his authorised representative

Submitted to

(1) \_\_\_\_\_

(Specified authority in the State in which migrant workman/workmen is/are employed):

(2) \_\_\_\_\_

(Specified authority in the State in which the migrant workman/workmen has/have been recruited).

Copy forwarded to -

(The Principal Employer)

Signature of the Contractor or his authorised representative.

Date \_\_\_\_\_

Note. - In case where migrant workmen concerned have been recruited from more than one State, separate return shall be submitted in respect of each such State.

### Form XII

(See rule 48)

### Register of Contractors

(1) Name and address of the principal employer \_\_\_\_\_

(2) Name and address of the establishment \_\_\_\_\_

			Period of contract	
--	--	--	--------------------	--

Name and address of contractor	Nature of work of contract	Location of contract work	From	To	Maximum number of migrant workmen employed by contractor
1	2	3	4	5	

**Form XIII**

(See rule 49)

**Register of migrant workmen employed**

Name and address of principal employer/ contractor	Name and address of establishment in/under which migrant workmen are employed
	Name and address of principal employer

Name and address of the establishment.....

Serial No.	Name and surname of migrant workman	Age and Sex	Father's/Husband's/Name	Nature of employment of migrant workmen /designation	Permanent Home address workmen/village/Tehsil/Taluk and district
1	2	3	4	5	6

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

Signature of Principal Employer/  
Contractor or his authorised representative

**Form XIV**

(See rule 50)

**Service Certificate**

Name and address of Contractor \_\_\_\_\_ Nature and location of work \_\_\_\_\_ Name and address of establishment in/ under which migrant workmen are employed \_\_\_\_\_

Name and address of migrant workman Age or date of birth \_\_\_\_\_ Name and address of principal employer

Identification marks \_\_\_\_\_

Father's/Husband's name \_\_\_\_\_

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

Signature of Contractor or his authorised representative

**Form XV**

[See rule 51(1)]

**Displacement and Outward Journey Allowances Sheet**

Name and address of the Contractor \_\_\_\_\_ Name and address of the establishment \_\_\_\_\_

Name and address of the Principal employer \_\_\_\_\_ Month and Year \_\_\_\_\_

Serial No.	Name of the migrant workman	Father's /Husband's Name	Permanent address indicating the State	Place and address of residence in the home State	Designation	Rate of wages	Wages payable in a month	Place of recruitment

1	2	3	4	5	6	7	8	9

Place of work with address indicating the State	Railway Station/Bus Stand	Railway Station/Bus Stand nearest to the place of work	Date and time of commencement of journey from the place of residence	Expected date and time of arrival at the place of work	Details of modes of journey from the place of residence in the Home State to the place of work
10	11	12	13	14	15

Amount of bus fare and/or second class train fare and/or other journey expenses separately as per modes of journey indicated in Col. 15	Total of amounts indicated in Col. 16	Amount of displacement allowance	Amount of outward journey allowance	Wages for outward journey period	Total amount paid	Date on which paid
16	17	18	19	20	21	22

Signature or thumb-impression of the migrant workman	Actual date and time of arrival at the place of work	Balance wages for outward journey, if any, payable	Date of payment of the balance wages indicated in column No. 25	Signature or thumb-impression of the migrant workman	Remarks
23	24	25	26	27	28

Note :- Indicate separately different modes of journey. Entries are to be made against each individual migrant workman.

Signature of the Contractor or his authorised representative

Date \_\_\_\_\_

**Form XVI**

[See rule 51(1)]

**Return Journey Allowance Register**

Name and address of the Contractor \_\_\_\_\_ Name and address of the establishment \_\_\_\_\_

Name and address of the Principal employer \_\_\_\_\_ Month and Year \_\_\_\_\_

Serial No	Name of the migrant workman	Father's/ Husband's Name	Permanent Home address indicating the State	Place and address of residence in the home State	Designation	Rate of wages	Place of work	Railway Station/Bus Stand nearest to the place of work,
1	2	3	4	5	6	7	8	9

Railway Station/Bus Stand nearest to the place of residence in the home State	Date and time of commencement of journey from the place of work	Expected date and time of arrival at residence in the home State	Expected modes of journey from the place of work to place of residence in the home State	Amount of bus fare and/or second class fare and/or other expenses separately as per expected modes of journey indicated in Col. 13
10	11	12	13	14

Total amounts indicated in Col. 14	Amount of return journey allowance	Wages for return journey period	Total amount paid	Date on which paid	Signature or thumb-impression on the migrant workman	Remarks
15	16	17	18	19	20	21

*Note :- Entries are to be made against each individual inter-State migrant workman.*

Signature of the Contractor or his authorised representative

Date \_\_\_\_\_

### **Form XVII**

[See rule 52(2)(a)]

#### **Muster Roll**

Name and address of Contractor \_\_\_\_\_

Name and address of Establishment in/under which migrant workmen are employed \_\_\_\_\_ Name and address of Principal employer \_\_\_\_\_

Nature and Location of work \_\_\_\_\_

For the month of \_\_\_\_\_

Serial No.	Name of migrant workman	Father's/Husband name	Sex	Dates	Remarks
1	2	3	4	5	6

### **Form XVIII**

[See rule 52(2)(a)]

#### **Register of Wages**

Name and address of contractor

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

Nature and location of work \_\_\_\_\_

Name and address of Principal Employer

Wages Period \_\_\_\_\_

Serial No.	Name of inter-State migrant workman	Serial No. in the register of workmen	Designation/ Nature of work	Number of days worked	Units of work done	Daily rate of wages/piece-rate
1	2	3	4	5	6	7

Amount of wages earned								
Basis of wages	Dearness Allowance	Over-time	Other cash payments (nature of payment to be indicated)	Total	Deductions, if any (indicate nature)	Net amount paid	Signature/Thumb impression of inter-State migrant workman	Initials of Contractor or his authorised representative
8	9	10	11	12	13	14	15	16

**Form XIX**

[See rule 52(2)(c)]

**Register of deductions for damage or loss**

Name and address of contractor \_\_\_\_\_

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

Nature and location of work

Name and address of Principal Employer \_\_\_\_\_

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

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

### Form XX

[See rule 52(2)(c)]

#### Register of Fines

Name and address of

Contractor

\_\_\_\_\_

Name and Address of Establishment

in/under which inter-State migrant workmen

are employed \_\_\_\_\_

Nature and location of work

Name and address of Principal Employer

\_\_\_\_\_

Serial No.	Name of Inter-State migrant workman	Father's/Husband's name	Designation/Nature of employment	Act/Omission for which fine imposed	Remarks

1	2	3	4	5	6

Whether inter-State migrant workman showed cause against fine	Name of person in whose presence employee's explanation was heard	Wages periods and wages payable	Amount of fine imposed	Date on which fine realised	Remarks
7	8	9	10	11	12

### Form XXI

[See rule 52(2)(c)]

#### Register of Advances

Name and address of Contractor \_\_\_\_\_

Name and Address of Establishment in/under which inter-State migrant workmen are employed \_\_\_\_\_

Nature and location of work \_\_\_\_\_

Name and address of Principal Employer \_\_\_\_\_

Serial No.	Name of Inter-State migrant workman	Father's/Husband's name	Nature of employment/Designation	Wage period and wages payable	Date and amount of payable advance given
1	2	3	4	5	6

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

--	--	--	--	--

**Form XXII**

[See rule 52 (2)(d)]

**Register of Overtime**

Name and address of Contractor	Name and Address of Establishment in/under which inter-State migrant workmen are employed
Nature and location of work	Name and address of Principal Employer

Serial No	Name of Inter-State migrant workman,	Father's/Husband's name	Sex	Designation/Nature of employment	Date on which overtime worked
1	2	3	4	5	6

Total overtime worked production in case of piece-rated,	Normal rates of Wages	Overtime rate of Wages	Overtime earnings	Date on which overtime wages paid,	Remarks
7	8	9	10	11	12

**Form XXIII**

[See rule 56(1)]

Return to be sent by the Contractor to the Licensing Officer

Half-Year Ending.....

1. Name and address of the Contractor
2. Name and address of the establishment
3. Name and address of the Principal Employer
4. Duration of contract from \_\_\_\_\_ to \_\_\_\_\_
5. Number of days during the half-year on which :
  - (a) the establishment of the principal employer had worked \_\_\_\_\_

(b) the contractor's establishment had worked \_\_\_\_\_

6. Maximum number of inter-State migrant workmen employed on any day during the half year.

Men/Women/Children      Total

7. (i) Daily hours of work and spread over;

(ii) (a) Whether weekly holiday observed and on what day

(b) If so, whether it was paid for;

(iii) Number of man-hours of overtime worked.

8. Number of man days worked by :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

9. Amount of wages paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

Note :- Wages shall not include wages for periods of outwards and return journeys.

10. Amount of deductions from wages, if any :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

11. Amount of displacement allowance paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

12. Amount of outward journey allowance paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

13. Amount of wages for outward journeys period paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

14. Amount of return journeys allowance paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

15. Amount of wages for return journeys period paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

16. Whether the following have been provided :-

(i) Residential accommodation;

(ii) Protective clothing;

(iii) Canteen;

(iv) Rest-Room;

(v) Latrine and Urinals;

(vi) Drinking Water;

(vii) Creche;

(viii) Medical facilities;

(ix) First Aid;

(If the answer is 'Yes' state briefly nature/standard provided)

Place \_\_\_\_\_

Date \_\_\_\_\_

Signature of Contractor

**Form XXIV**

[See rule 56(2)]

**Annual Return of Principal Employer to be sent to the Registering officer****Year ending 31st December .....**

1. Full name and address of the Principal Employer
2. Name of the Establishment
  - (a) District;
  - (b) Postal address
  - (c) Nature of operation/industry work carried on
3. Full name of the manager or person responsible for supervision and control of the establishment
4. Number of contractors who worked in the establishment during the year (Give details in Annexure)
5. Nature of work/operations on which migrant workman was employed
6. Total number of days during the year on which migrant workman was employed
7. Total number of mandays worked for by migrant workman during the year
8. Maximum number of workmen employed directly on any day during the year
9. Total number of days during the year on which direct labour was employed
10. Total number of mandays worked by directly employed workmen
11. Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates.

Place \_\_\_\_\_

Date \_\_\_\_\_

Principal Employer

## Annexure To Form

Name and address of the contractor	Period of Contract	Nature of work	Maximum number of Workers employed by each Contractor	No. of days worked	No. of mandays worked
1	2	3	4	5	6

--	--	--	--	--	--

12. Amount of wages for outward journeys period paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

13. Amount of return journeys allowance paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

14. Amount of wages for return journeys period paid :

Men \_\_\_\_\_ Women \_\_\_\_\_ Children \_\_\_\_\_ Total \_\_\_\_\_

15. Whether the following have been provided :-

(i) Residential accommodation;

(ii) Protective clothing;

(iii) Canteen;

(iv) Rest-Room;

(v) Latrine and Urinals;

(vi) Drinking Water;

(vii) Creche;

(viii) Medical facilities;

(ix) First Aid;

(If the answer is 'Yes' state briefly nature/standard provided)

Place \_\_\_\_\_

Date \_\_\_\_\_

Signature of Contractor

## Bare Acts Live

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