

पी.ए.बी.एक्स / PABX : 26588980, 26588707, 26589336, 26589745  
26589873, 26589414  
फैक्स / FAX : 011-26588662, 011-26859791, 011-26589258

तार/GRAM: विज्ञानी/SCIENTIFIC  
web-site : www.icmr.nic.in  
E-mail : icmrhqds@sansad.nic.in



**भारतीय आयुर्विज्ञान अनुसंधान परिषद**  
**INDIAN COUNCIL OF MEDICAL RESEARCH**  
**स्वास्थ्य अनुसंधान विभाग ( स्वास्थ्य एवं परिवार कल्याण मंत्रालय )**  
**DEPARTMENT OF HEALTH RESEARCH ( MINISTRY OF HEALTH & FAMILY WELFARE )**

वी. रामलिंगस्वामी भवन, अन्सारी नगर, पोस्ट बॉक्स 4911, नई दिल्ली-110 029  
V.RAMALINGASWAMI BHAWAN, ANSARI NAGAR, POST BOX-4911, NEW DELHI-110029

No.18/8/2013-Admn-II

Dated: 26.2.2013.

To,

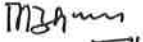
The Directors/Director-in-Charge  
of all permanent Institutes/Centers  
of the Council.

**Subject:** Engagement of workers through Contractors by the Ministries and Departments of Central Government.

Sir/Madam,

I am directed to send herewith a copy of OM No. 14(113), Misc. RLC (Coord.)/2012 dated 23.1.2013 on the above mentioned subject received from Ministry of Labour and Employment, Office of the Chief Labour Commissioner, New Delhi for compliance.

Yours faithfully,

  
27/2/13

(Bharat Bhushan)  
Administrative Officer  
for Director General

Government of India

Ministry of Labour and Employment

Office of the Chief Labour Commissioner

*AO (Adm. II)*  
*JPel*  
*08/02/13*

DG, ICMR OFFICE  
DIARY NO. 432  
DATE: 7/2/13

Shram Shakti Bhavan,

New Delhi-110001

Dated:- January 23, 2013

**OFFICE MEMORANDUM**

**Subject: Engagement of workers through Contractors by the Ministries and Departments of Central Government.**

It has been noticed in the recent past that a large number of workers are being engaged on contract by various central Government Ministries and Departments. Parliament Questions have been received in this regard apart from various complaints relating to non-compliance of various provisions of law. These include wages and social security benefits flowing out of various legislations.

Similarly 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.

You may be aware that Government has enacted the Contract Labour (Regulation and Abolition) Act, 1970 and central rules made

*Kum. Shakti*  
*ms*  
*8/2/13*

thereunder which provide regulation of contract labour in the establishments. The Act also provides for prohibition of employment of contract labour where a notification is issued under Section 10. So far 82 Notifications have been issued. This Act casts obligation on employing departments to register their establishments under the Act before the authority notified by the Central Government, the contractors have also to obtain licence before engagement of contract labour in the establishments. The Act & Rules provide for certain facilities to be provided to the contract workers engaged in the establishments and also to maintain registers and records, to issue wages slips and employment cards to the contract workers by the employing department and contractor.

The Act also provides for penal action against the defaulters. The relevant Sections are as under:-

**Section 23. Contravention of provisions regarding employment of contract labour.**—Whoever contravenes any provision of this Act or of any rules made thereunder prohibiting, restricting or regulating the employment of contract labour, or contravenes any condition of a licence granted under this Act, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, and in the case of continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention. provide penalty for Contravention of provisions regarding employment of contract labour shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both and in the case of a continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

**Section 24 Other offences.**—If any person contravenes any of the provisions of this Act or any rules made thereunder for which no other penalty is elsewhere provided, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both. .provide penalty for contravention of Other offences shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

It is also noticed that some establishments are engaging contract workers in the employments which have been prohibited under section 10 of the Contract Labour (Regulation and Abolition) Act, 1970. Some principal employers and contractors are violating the provisions of Act & Rules.

In view of above, the employing departments are hereby notified to ensure the compliance of the provisions of the Act & Rules in all establishments including PSU'S under them.

To

*Sc DDG (AS) / GFA, JCR*  
*8/2*  
*Pl. circulate well*  
*JS(hr)*  
*ke*  
*7/2/11*  
*23/1*  
(B.K Sanwariya)  
Chief Labour Commissioner©

Department of Health Research,  
& Director General,  
( Kind Attn: Dr. V.M. Katoch, Secretary),  
Indian Council of Medial Research,  
Ramalingaswami Bhawan,  
Ansari Nagar, New Delhi – 110 029