SWRK4020: Social Work Practice in Industrial Setting

THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT,1970

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OBJECT OF THE ACT

To prevent exploitation of contract labour and also to introduce better conditions of work.

Chapter / Section 1 : Short title, extent, commencement and application

- 1. This Act may be called the Contract Labour Act, 1970.
- 2. It extends to the whole of India
- 4. It applies:-

- a) To every **establishment** in which 20 or more workmen are employed or were employed for the twelve months as contract labour.
- b) To every **contractor** who employees 20 or more workmen for the twelve months.

5. Act does not apply to:-

a) Intermittent nature (Irregular Interval)

b) Work not perform for more than 120 days

c) Seasonal nature

Chapter 1: Section 2 : Definitions

Sec 2 (c) CONTRACTOR

"Appropriate Government": Central or State

"Contractor", in relation to an establishment, means a person who undertakes to produce a given result for the establishment, other than a mere supply of goods or articles of manufacture to such establishment, through contract labour or who supplies contract labour for any work of the establishment and includes a sub-contractor.

Sec 2 (i) WORKMEN

"workman" means any person employed in or in connection with the work of any establishment to do any skilled, semi-skilled or un-skilled manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be express or implied, but does not include any such person.

Principal Employer:

- Head of Department or office
- Occupier/Owner
- Owner or agent of Owner
- Any person responsible for supervision

"Wages" As per section 2 of the Payment of Wages Act, 1936

Chapter 2: ADVISORY BOARDS

Central Advisory Contract Labor Board

- Chairman (appointed by the Central govt.)
- Chief Labor commissioner
- Members 11-17

State Advisory Contract Labor Board

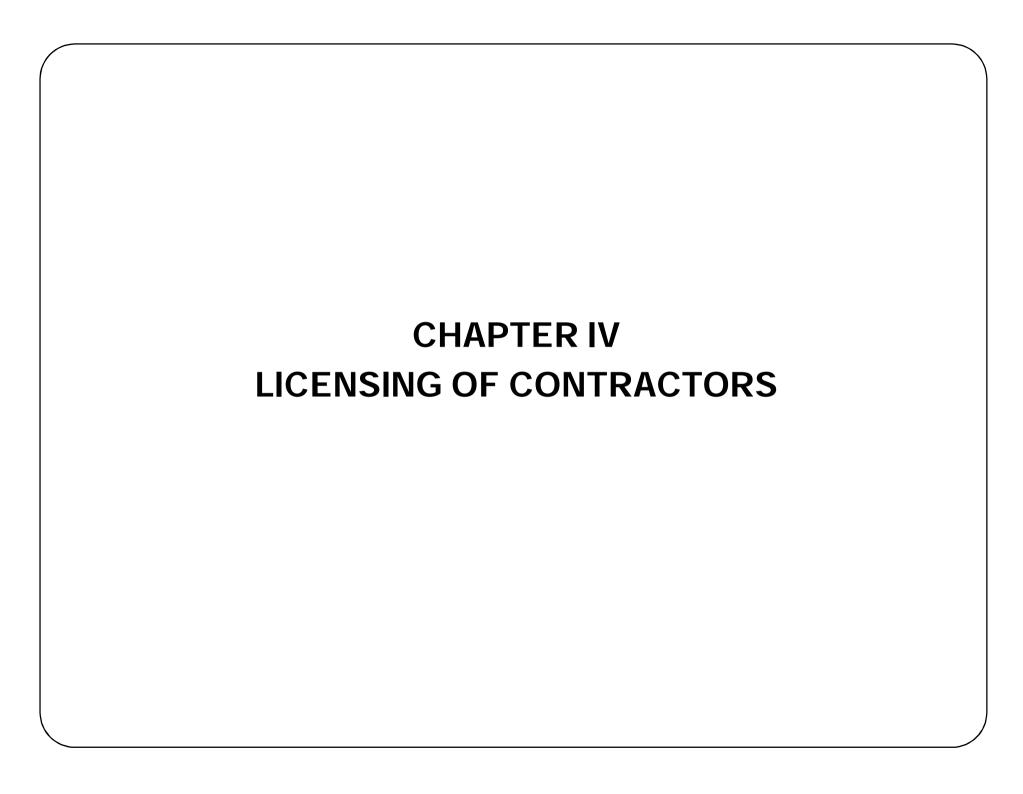
- Chairman
- Labor commissioner (or any other person by Govt.)
- □ Members 9-11

Chapter 3

REGISTRATION OF ESTABLISHMENTS EMPLOYING CONTRACT LABOUR

Appointment of Registering Officers:

- Registration of certain Establishments.
- Revocation of Registration: Registering Officer can do misrepresentation or suppression of any material fact by establishment



 Appointment of licensing officers: appropriate Government, Gazetted Officers

- Licensing of contractors: related to Contractor
- Grant of licences- Special Consideration (location of the establishment, the nature of process)
- Revocation, suspension and amendment of licences
- Appeal

Licensing of contractors

- With effect from such date as the **appropriate government** shall undertake or execute any work through contract labour except under and in accordance with a **licence issued on that behalf by the licensing officer**.
- 2. Provisions of this act may contain such conditions including,
- Hours of work
- Fixation of wages
- Other essential amenities

Section 13: Grant of licences

- 1. Every application for the grant of a license shall be made in the prescribed form and shall contain the particulars
- 2. The licensing officer may make investigation
- A license granted shall be valid for the period specified therein and may be renewed from time to time

Section 14: Revocation, suspension and amendment of license

If the licensing officer is satisfied, either on a reference made to him in this behalf or otherwise, that-

- a) Obtained by misrepresentation or suppression of any material fact
- b) Failed to comply with the conditions subject to which the licence has been granted

Process of registration and License

- Apply in form I for registration in triplicate copy along with prescribed fees (Rs.500/-).
- Apply in form IV for license in triplicate copy along with license & security fees (Rs.370/per worker Generally in all cases-Refundable)
- For license form V is given by Principal employer to contractor.

Provisions for temporary registration & license

 For work of immediate nature Principal employer/ Contractor can apply for temporary registration/ license which is valid up to 15 days only.

CHAPTER V WELFARE AND HEALTH OF CONTRACT LABOUR

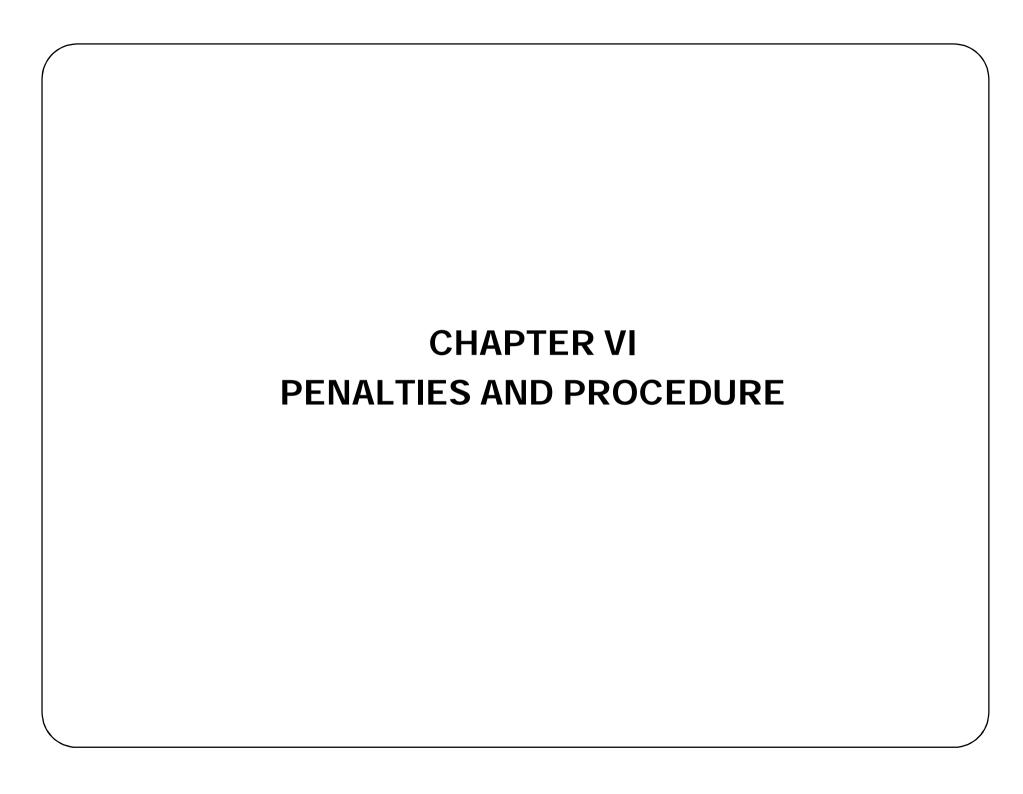
- Canteens: No of canteen, foodstuff
- Rest Room; Light and Ventilation
- Drinking water and Washroom facilities
- First-aid facilities
- Liability of principal employer in certain cases: (If any amenity required to be provided for the benefit of the contract labour employed in an establishment)
- Responsibility for payment of wages.-

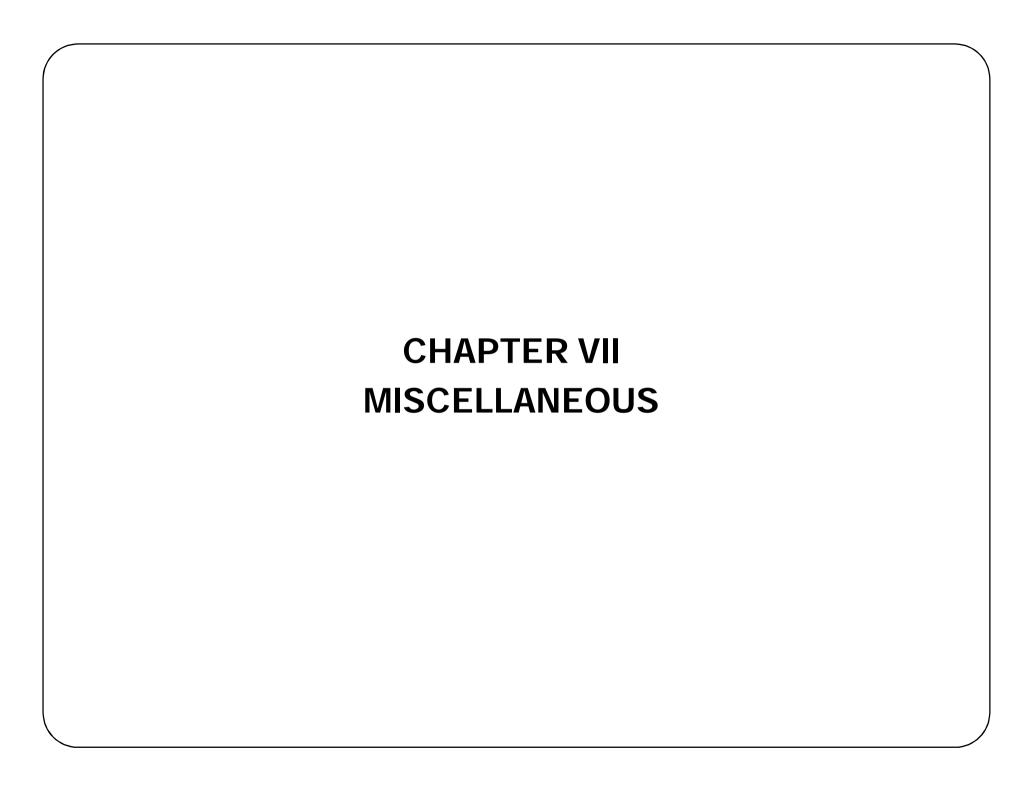
Responsibility for payment of wages

1. A contractor shall be responsible for

 Payment of wages to each worker employed by him

Shall be paid before the expiry of such period as may be prescribed.





References:

- Bhatia S.K. (1980). Personnel Management and Industrial Relations. New Delhi: Deep and Deep Publications.
- Sarma, A.M. (2005). Aspects of Labour Welfare and Social Security. New Delhi: Himalaya Publishing House.

Thank you