HARYANA INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) RULES, 1981

Notification No. GSR-83/CA-30/79/S-35/81, dated the 17th July, 1981

In exercise of the powers conferred by section 35 of the Inter State Migrant workmen (regulation of employment and conditions of service) act, 1979 (Central Act 30 of 1979) the Governor of Haryana, hereby makes the following rules, namely:—

CHAPTERI

PRELIMINARY

1 . Short title and commencement.—(1) These rules may be called the Haryana Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1981.

2 . Definitions.—In these rules unless the context otherwise requires.—

(a) **"Act"** means the Inter State Migrant Workmen (Regulation of Employ-ment and Conditions of Service) Act, 1979;

(b) **"Appellate Officer"** means an appellate officer nominated by the Government under Section 11;

(c) "**Deputy Labour Commissioner**" means an officer as such appointed by the Government;

(d) "**Form**" means a form appended to these rules;

(e) "**Government**" means the Government in the Administrative Depart-ment;

(f) "**Inspector**" means an Inspector appointed by the Government under Section 20;

(g) "**Licensing Officer**" means the licensing officer appointed by the Government under Section 7;

(h) "**Migrant Workman**" means an Inter State migrant workmen as defined in Section 2;

(i) "**Registering Officer**" means the registering officer appointed by the Government under Section 3;

(j) "**Section**" means a section of the Act;

(k) "**Specified Authority**" means the authority specified by the Govern-ment for the purposes of Sections 12 and 16; and

(l) all other words and expressions used in these rules but not defined therein shall have the meanings respectively assigned to them in the Act.

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CHAPTERII

3 . Manner of making application for registration of establishments. *Sections 4, 35(2)(a).*—(l) The application for registration of an establishment shall be made in triplicate in Form I to the registering officer of the area in which the establishment sought to be registered is located.

(2) The application shall be accompanied by a crossed demand draft showing pay-ment of the fees for the registration of the establishment.

(3) The application shall be either personally delivered to the registering officer or sent to him by registered post.

(4) On receipt of the application, the registering officer shall, after noting thereon the date of receipt by him on the application, give an acknowledgement to the ap-plicant.

4 . Issue of certificate of registration. *Section 35(2)(a).*—(l) Where the registering of-ficer registers the establishment, he shall issue to the principal employer a certificate of registration in

Form III showing the par-ticulars 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 thirty days from the date when such change takes place, the particulars of, and the reasons for, such change.

5 . Circumstances in which application for registration may be rejected. *Section 35(2)(a).*—(l) 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 . Additional fee and amendment of certificate of registration. *Section 35(2)(a).*—(l) Where, on receipt of the intimation under sub-rule (3) of Rule 4, the registering officer

is satisfied that an amount higher than the amount, which has been paid by the principal employer as fees for the registration of the establishment is payable, he shall require such principal employer to deposit a sum which, together with the amount al-ready paid by such principal employer, would be equal to such higher amount of fees payable for the registration of the establishment and to produce receipt showing such deposit.

(2) Where, on receipt of intimation referred to in sub-rule (4) of Rule 4, the registering officer is satisfied that there has occurred a change .in the particulars of the establishment, as entered in the register in

Form III, he shall amend the said register and record therein the change thus occurred:

Provided that no such amendment shall effect any thing 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

7 . Application for a licence. *Sections 9, 35(2)(b).*—(l) 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 juris-diction in relation to the area wherein 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 in respect of the recruitment or employment of the migrant workmen, in respect of which the contractor is making the application.

(ii) Every such application shall be either personally delivered to the licensing of-ficer 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 concerned shall, after noting thereon the date of receipt of the ap-plication, grant an acknowledgement to the applicant.

(5) Every application referred to in sub-rule (1) shall also be accompanied by the receipt obtained as required by Rule 20.

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 the competent court; or (iii) is an undischarged insolvent, or

(iv) has been convicted at any time during the period of five years immedi-ately preceding the date of application of an offence which,

(b) Whether any order has been made in respect of the applicant under sub-sec-tion (1) of Section 10, and if so, whether a period of three years has elapsed from the date of that order.

(c) Whether the fees 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 rates specified in sub-rule (1) of Rule 10.

9 . Refusal to issue licence. *Section 9(2).*—(1) On receipt of the application from the contractors, 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) Where the licensing officer is of the opinion that the licence should not be is-sued, he shall, after affording reasonable opportunity to the applicant to be heard, make an order rejecting the application.

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

10. Security. *Sections 8(2), 35(2)(d).*—(l) 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 es-timated by him.

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

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

11. **Forum, terms and conditions of licence.** *Sections 9(1)(b), 35(2)(d).*—(l) Every licence issued under sub-section (1) of Section 8 shall be in **Form VIII**.

(2) Every licence granted under sub-rub (1) or renewed under Rule 15 shall be subject to the following conditions, namely:—

(i) the licence shall be non-transferable;

(ii) the terms and conditions of the agreement or arrangement or the arrangement under which the migrant workman is recruited or employed;

(iii) the number of migrant workmen recruited or employed;

(iv) the number of workmen recruited or employed as migrant workmen in the establishment shall not, on any day, exceed the maximum number specified in condition (iii);

(v) 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 and where the rates have been fixed by agree-ment, settlement or award, not less than the rates so fixed;

(vi) save as provided in these rules the fees paid for the issue, or as the case may be, for renewal of licence shall be non- refundable.

(vii)(a) in cases where the migrant workmen recruited or 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 migrant 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 or work:

Provided that in the case of any dis-agreement with regard to the type of work, the same shall be decided by the Deputy Labour Commissioner, whose decision thereon shall be final.

(b) in other cases, the wage rates, holidays, hours of work and conditions of service of the migrant workmen recruited or employed by the contractor shall be such as prescribed in these rules.

(viii)every migrant workman shall be entitled to allowances, benefits, facilities, etc. as prescribed in the Act and in these rules.

(ix) No female migrant workman shall be employed by any contractor 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 midwives and nurses in hospitals and dispensaries;

(x) the contractor shall notify any change in the number of migrant workmen or the conditions of work to the licensing officer;

(xi) the contractor shall comply with all the provisions of the Act and the rules.

(xii) a copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed; and

(xiii) the period for which the licence shall be valid.

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12. Fees. *Sections 4(1), 9(3), 35(2)(a)(d).*—(l) 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 employed in the establishment on any day:—

Rs. Ps.

(a) is 5 but does not exceed 20 30.00

(b) exceeds 20 but does not exceed 50 75.00

(b) exceeds 50 but does not exceed 100 150.00

(b) exceeds 100 but does not exceed 200 300.00

(b) exceeds 200 but does not exceed 400 600.00

(b) exceeds 400 750.00

(2) The fees to be paid for the grant of licence under Section 7 shall be as specified below:—

If the number of migrant workmen recruited or employed by the contractor on any day:—

		Rs.Ps.
(a)	is 5 but does not exceed 20	10.00
(b)	exceeds 20 but does not exceed 50	20.00
(b)	exceeds 50 but does not exceed 100	40.00
(b)	exceeds 100 but does not exceed 200	80.00
(b)	exceeds 200 but does not exceed 400	160.00
(b)	exceeds 400	200.00

13. Amendment of the licence. *Sections 10(2), 35(2)(e).*—(l) A licence issued under Rule 11 or renewed under Rule 15 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 therefor.

(3)(i) If the licensing officer allows the application, he shall require the applicant to furnish a crossed demand draft for the amount, if any, by which the fees that would have been payable if the licence had been originally issued in the amended

form ex-ceeds the fee originally paid for the licence.

(ii) On the applicant furnishing the requisite receipt, the licence shall be amended according to the orders of the licensing officer.

(4) Where the application for amendment is refused, the licensing officer shall record the reasons for such refusal and communicate the same to the applicant.

14. Renewal of licence. *Sections 9(3), 35(2)(d)*—(l) Every contractor may apply to the licensing officer for renewal of the licence.

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 until such date when the renewal licence is issued.

(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 fee ordinarily payable for the licence shall be payable for such renewal:*

Provided further that *in case where the licensing officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the contractor, he may reduce or remit as he deems fit, the payment of such excess fee.*

15. Period of renewal of the licence. *Section 9(3).*—Every licence which may be renewed shall remain in force for a further period of twelve months from the date of the order of renewal.

16. Issue of duplicate certificate of registration or licence. *Sections 35(2)(d) and (e)*—Where a certificate of registration or licence granted or renewed under the preceding rules has been lost, defaced or accidently destroyed, a duplicate thereof may be granted on payment of fees of Rs. 10.

17. *Refund of security.* *Sections 8, 10, 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 to licence in terms of sub-rule (2) of Rule 10, make an application to the licensing officer for the refund of security, if any, deposited by him under Rule 10.

(2) If the licensing officer is satisfied that there is no breach of the conditions of licence or there is no order under Section 10 for the forfeiture of security or any por-tion thereof, he shall direct the refund of the security to the applicant.

(3) 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.

(4) 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. *Section 35(2)(f).*—(1) Every appeal under Section 11 shall be preferred in the form of a memorandum signed by the appellant or his authorized agent and presented to the appellate officer in person or sent to him by registered post.

(2) The memorandum shall be accompanied by a certified copy of the order and a crossed demand draft for Rs. 25.

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

(4) Where the memorandum of appeal does not comply with the provisions of sub-rule (3) 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.

(5) Where the appellate officer rejects the memorandum of appeal under sub-rule (4), he shall record the reasons for such rejection and communicate the same to the appellant.

(6) 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.

(7) 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.

(8) On receipt of the record, the appellate officer shall send a notice to the appel-lant to appear before him on such date and time as may be specified in the notice for the hearing of the appeal.

(9) 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.

(10) Where an appeal has been dismissed under sub-rule (9) 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.

(11) An application under sub-rule (10) shall unless the appellate officer extends the time for sufficient reason, be made within thirty days of dismissal.

(12) If the appellant is present when the appeal is called on for hearing, the appel-late officer shall proceed to hear the appellant or his authorized 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.

(13) The judgment of the appellate officer shall state the points for determination, decisions thereon and the reasons for the decisions.

(14) 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) (b).*—A copy of the order of the registering officer, licensing officer or appellate officer may be obtained on payment of fees of Rs. 2 per copy of each order on application specifying the date and other par-ticulars of the order, made to the officer concerned.

20. **Payment of fees and security deposits.** *Section 35(2)(a), (d) and (f).*—

(l) The payment of the various fees relating to registration, licencing and security deposits shall be made through a crossed demand draft drawn in favour of the concerned departmental officer and payable at the station at which he is stationed.

(2) The heads of accounts under which the receipts relating to the fees for registra-tion, licensing the appeals, etc., shall be credited will be "287 Labour and Employment-Receipt under the Haryana Inter State Migrant Workmen (Regulation and Conditions of Service) Rules, 1981." The Security Deposits are to be booked under the Head "843 Civil Deposits-Deposits under various Central and State Acts-Deposits under the Haryana Inter State Migrant Workmen (Regulation and Conditions of Service) Rules, 1981."

CHAPTERIII

DUTIES OF THE CONTRACTOR

21. **Particulars of migrant Workmen.** *Section 12(1)(a).*—(l) Every contractor shall furnish to the specified authorities the particulars regarding recruitment and employ-ment 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 prac-titioner;

(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 con-ditions of his employment by the contractor.

2 3 Pass Book. *Sections 12(1)(b), b(ii), 16(g).*—(l) In the pass book referred to in clause (b) of sub-section (1) of Section 12, the following further additional particulars shall be indicated, namely:—

(a) the date of recruitment;

(b) the date of employment;

(c) wage period, total attendance/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 duly authorized

representative with date; and 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 kin of 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 or both the States and also the next of the kin of the migrant workman intimating death or the na-ture 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 the kin of the migrant workman under mentioned particulars, by registered post within 24 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 require-ments of sub-rule (2) as early as possible but in any case not later than 48 hours of the time of occurrence of the accident.

24. Return and report. *Section 35(2)(e).*—Every contractor shall furnish a return regarding migrant workman 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 the migrant workman ceases to be employed.

CHAPTER IV

WAGES

25. Rate of Wages. *Sections 13(1)(b), 35(2)(g).*—The rate of wages of 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 min-imum rates of wages notified by the State Government under the Minimum Wages Act, 1948, or the same or similar type of work performed by workmen in any scheduled employment in the area in which the establishment is located, or the rates of wages payable to the workmen for performing the 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 the applicability of wage 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 whose decision shall be final.*

26. Wage period. *Sections 17(1), 35(2)(h).*—The contractor shall fix wage periods in respect of which wage shall be payable.

2 7 Maximum Wages Period. *Sections 17(1), 35(2)(h).*—No wage period shall exceed one month.

28. Payment of Wages. *Sections 17(1), 35(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 on terminations. *Section 15(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 day 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 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 final payments shall be made within forty eight hours of the last working day.

31. Person to whom wages to be paid. *Section 15(2) (g).*—Wages due to every migrant workman shall be paid to him direct or to any other person duly authorized 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 copy 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 authorized representative at the place and time of disbursement of wages by the contractor to the migrant workman and it shall be the duty of the contractor to ensure the disbursement of wages in the presence of such authorized representative.

35. Signing of certificate. ***Sections*** *17(2), 15(2)(h).*—The authorized representative of the principal employer shall record under his signatures 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

MEDICALAND OTHER FACILITIES TO BE PROVIDED TO MIGRANTWORKMEN

36. Holidays, hours of work and other conditions of service. *Sections 13(1), 35(2)(g).*—(1) Holidays, hours of work including extra wages for overtime work done and other conditions of service of migrant workman shall not be less favourable than those ob-taining in that establishment or in similar employments 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 including extra wages for overtime work done and other condi-tions of service to a migrant workman under clause (a) of sub-section (1) of Section 13, the same shall be decided by the Labour Commissioner whose decision shall be final.

37. Medical facilities. *Section 16*(e).—(l) The contractor shall ensure provision of suitable and adequate medical facilities for outdoor treatment to the migrant workman free of cost for treatment of any ailment from which the migrant workman or any mem-ber of his family may suffer during his employment in the establishment or to meet any preventive measures against epidemic or any virus infection. Wherever 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 medicine 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 hospitalization during his employment in the establishment, the contractor shall promptly arrange for the hospitalization of the migrant workman or the concerned member of his family. The contractor shall bear entire expenses on treatment, hospital charges (including diet), if any, and travel expenses for the patient from the place of his/her 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) 6 small sterilized dressings;
(ii) 3 medium sized sterilized dressings;
(iii) 3 large sized sterilized dressings;
(iv) 3 large sterilized burn dressings;
(v) 1 (30 ml.) bottle containing a two per cent alcoholic solution of iodine;
(vi) 1 (50 ml.) bottle containing salvolatile having the dose and mode of ad-ministration indicated on the lable;
(vii) 1 snake bite lancet;
(viii) 1 (30 gms.) bottle of potassium permanganate crystals;
(ix) 1 pair of scissors;
(x) 1 copy of the first-aid leaf let issued by the Director General Factory Advice Service and Labour Institutes, Government of India; (xi) A bottle containing 100 tables (each of 5 grains) of aspirin;
(xii) Ointment for burns; and
(xiii) A bottle of suitable surgical antiseptic solution.

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

(i) 12 small sterilized dressings;

(ii) 6 medium sized sterilized dressings;

(iii) 6 large sized sterilized dressings;

(iv) 6 large sized sterilized burn dressings;

(v) 6 (15 gms.) packets sterilized cotton wool;

(vi) 1 (60 ml.) bottle containing a two per cent alcoholic solution of iodine;

(vii) 1 (60 ml.) bottle containing salvolatile having the dose and mode of administration indicated on the lable;

(viii) 1 roll of adhesive plaster;

(ix) a snake bite lancet;

(x) 1 (30 gms.) bottle of potassium permanganate crystals;

(xi) 1 pair scissors;

(xii) 1 copy of the first-aid leaflet issued by the Director General, FactorvAdvisorv Service and Labour institutes, Government of India:

(xiv) Ointment for burns; and

(xv) A bottle of a suitable surgical antiseptic solution;

(5) Adequate arrangements 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 incharge 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.

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38. Protective clothing. *Section 16(6).*—(1) The contractor shall provide to every migrant workman where the temperature falls below 20 degree centigrade, protective clothing consisting of one woolen coat and one woollen trousers once in two years:

Provided that *where the temperature falls below 5 degree centigrade a woollen over-coat 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 on set 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(i), 35(2) (n).*—

(1) The contractor shall provide sufficient quantity of wholesome drinking water, sufficient number of sanitary latrines and urinals, washing facilities for the migrant workmen at the establishment in the case of existing establishments within seven days of the commencement of these rules, and in case of new establishment 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 clays of the expiry of the period specified in sub-rule (1).

40. **Rest Rooms.** *Sections 16(c) and (d), 35(2)(n).*—(l) In every place where migrant workmen are required to halt at night in connection with the working of the establishment and 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

the 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 on 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 dis-tance from the establishment and shall have adequate supply of wholesome drinking water.

41. **Canteens.** *Sections 16(c), 35(2)(n).*—(l) 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 the rules in the case of the existing establishments and within sixty days of the commencement of the employ-ment of migrant workmen in the case of new establishments.

(2) If the contractor fails to provide canteen within the time laid down, 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 dinning 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 ac-cess 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 conditions.

(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 dinning-hall shall accommodate at a time at least 30 per cent of the migrant workmen working at a time.

(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 dinning hall and service counter shall be partitioned off and reserved for women migrant workmen in proportion to their number.

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

(10) Sufficient tables, stools, chairs or benches shall be 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 clean and hygenic condition.

(12) (i)Suitable clean clothes for the employees serving in the canteen shall also 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 utensils and equipment.

(13) The food stuffs 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 food-stuffs, beverages and any other items 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 food-stuffs 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 building;

(b) The depreciation and maintenance charges for the building and equip-

(c) ment provided for in the canteen;

(d) The cost of purchase, repairs and replacement of equipments including

(e) furniture, crockery, cutlery and utensils;

The water charges and other charges incurred for lighting and ventilation; and

the interest of the amounts spent on the provisions and maintenance of furniture and equipment provided in the canteen.

(16) The books of accounts and register and other documents used in connection with running of the canteen shall be produced on demand to an Inspector.

(17) The accounts pertaining to the canteen shall be audited once every twelve months by registered Accountant and Auditors;

Provided that *the Deputy 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 Ac-countant and Auditor in view of the site or the location of the canteen.

42. Latrines and urinals. *Sections 16(c), 35(2)(n).*—(l) 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

(b) every 25 females;

Where males are employed, there shall be at least one latrine for every 25 males:

Provided that *where the number of males or females exceed 100, it shall be sufficient if there is one latrine for 25 males or females, as the case may be, up to the first 100, 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 atleast one urinal for male workers upto fifty and one for female 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 up to the first 500 and one for every 100 or part thereof thereafter.*

(5) The latrines and urinals shall be conveniently situated for 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 the means of tap or otherwise so as to be con-veniently accessible in or near the latrine and urinals.

43. Washing facilities. *Sections 16(c), 35(2)(n).*—(1) In every 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 hygenic condition.

44. Creche. *Section 35(2)(n).*—(1) In every establishment where 20 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 dimension for the use of their children under the age of six years, within fifteen days of the coming into force of the rules. In case of existing establishment, and within fifteen days of the commencement of

the employment of not less than twenty workmen as migrant workmen in new establishments.

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

(3) If the contractor fails to provide the creche within the time laid down, 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 ade-quate 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 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. *Section 35(2)(n).*—(l) The contractor shall provide to every migrant workman—

(i) in a 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 10 square meters, a verandah and adequate additional covered space for cooking food as well as one common sanitary latrine, one common bathroom for every three such quarters; and

(ii) in case he is unaccompanied by any other member of his family a suitable bar-rack so as to accommodate not more than ten such migrant workmen having at least a floor area of not less than 6.5 square meters for each such migrant workman making use of the barrack, a verandah and adequate additional 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 the rules in the case of existing estab-lishments, and within fifteen days of the commencement of the employment of migrant workmen in new establishments.

(2) Every quarter and the barrack shall be so constructed as to afford adequate ventilation, protection against heat, wind, rain and shall have smooth, hard and imper-vious 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 quarters and/or the barracks are located as well as the latrines and the bathrooms provided therein shall be kept in a clean and sanitary condi-tion at all times.

(5) If the 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 laid down 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 Deputy Labour Commissioner whose decision shall be final.

46. Liability of the principal employer in certain cases. *Sections 18(1), 32(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 the rules except where otherwise provided for in the relevant rules:

Provided that in case of ailment requiring urgent medical attention or hospitalization, 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(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 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

REGISTERSAND RECORDS—COLLECTION OFSTATISTICS

4 8 Register of Contractors. *Sections 23, 35(2)(k).*—Every principal employer shall maintain in respect of each registered establishment a register of contractor in Form XII.

49. Register of persons employed. *Sections 23, 35(2)(k).*—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. *Sections 23, 35(2)(k).*—On termination of employment for any reason whatsoever the contractor shall issue to the migrant workman whose service has been terminated, service certificate in

Form XIV.

Haryana Inter-State Migrant Workmen
(Regulation of Employment and Conditions of Service) Rules, 1981

51. Displacement cum-outward journey allowances sheet and return journey allowan-ces register. *Sections 23, 35(2)(k).*—(l) 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 authorized representative.

52. Muster roll, wages register, deduction register and overtime register. *Sections 23, 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 the rules made thereunder, or 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 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; and
(f) register of advances.

(2) In respect of establishment 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 **Form XVII and Form XVIII** respectively.

(b) Signature or thumb impression of every migrant workman on the register of wages shall be obtained and entries therein shall be authenticated by the sig-nature of the contractor or his authorized representative, and duly certified by authorized representative of the principal employer as required by Rule 35.

(c) Register of deductions for damage or 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 over time in **Form XXII**.

(3) Notwithstanding anything contained in those 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 laws or regulations or in case 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 preservation of registers. *Sections 23, 35(2) (k) and (n).*—(l) All registers and other records required to be maintained under the Act and rules, shall be maintained complete and up-to-date and, unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the work place or at a place, if any, specified by the Inspector on the specific request made by the con-tractor in this behalf.

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

(3) All the registers and others 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 rules shall be produced on demand before the Inspector or Deputy Labour Commissioner

or any other authority under the Act or any person authorized in that behalf by the Government

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

54. Display of an abstract of the Act and the Rules. *Section 35(2)(n).*— Every contrac-tor shall display an abstract of the Act and the rules in English and Hindi and in the language spoken by a majority of migrant workmen in such form as may be approved by the Deputy Labour Commissioner.

55. Notices. *Sections 23, 35(2)(n).*—(l) (i) Notices showing the rates of wages, hours of work wage periods, dates and payment of wages, names and addresses of the Inspec-tors, having jurisdiction, and date of payment of unpaid wages, shall be displayed in English and in Hindi and in the local language understood by the majority of the workers in conspicuous places at the establishment and the work site by the principal employer or the contractor, as the case may be.

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

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

56. **Periodical returns.** *Section 35(2)(l).*—(l) 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 com-mencing from 1st January and in 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 call for information, etc.** *Section 35(2)(n).*—(l) The Deputy 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 con-tractor or principal employer at any time by an order in writing.

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

CHAPTERVII

58. **Legal Aid.** *Section 35(3)(m).*—On receipt of a written application from 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 under Section 15 of the Payment of Wages Act, 1936, or under Section 20 of the Minimum Wages Act, 1948 or appropriate Labour Court under sub-section (2) of Section 33C of the Industrial Disputes Act, 1947, or Commissioners for Workman's Compensation under the Workman's Compen-sation Act, 1923, in which the migrant workman or his legal heir is a party, the specified authority concerned, if he is satisfied, may with the prior approval of the Labour Com-missioner 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.

FORMI

[See Rule 3(1)]

Application for registration of establishments employing migrants 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 individual)
4. Names and addresses of the directors/ particulars 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 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; and
   (e) estimated date of termination or employment of migrant workman 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.

Haryana Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1981

FORMII

[See Rule 4(1)]

Certificate of Registration.

Date .....

GOVERNMENTOFHARYANA
OFFICEOFTHEREGISTERINGOFFICER

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 address 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.
   (i)
   (ii)

Signature of Registering
Office with seal.

FORM III

[See Rule 4(2)]

Register of establishment

Sr. No.	Registration No. and Date	Name and address of the establish-ment registered	Name of the Principle and his address	Type of business, trade Industry manufacture of occupation, which is carried on by the establishment	Maximum of migrant workmen directly or
1	2	3	4	5	6

Particualrs of contractor and interstate migrant workmen

Name and address of Contractor	Nature of work for which migrant workmen are be recruited or are employed	Maximum No. of migrant workmen employed on any day through a contractor	Probable duration of employment of migrant workmen	R
7	8	9	10	1

1	2	3	4	5	6	7	8
Rate of wages		Amount of fine imposed	Date on which fine realised			Remarks	
9		10	11			12	

Haryana Inter-State Migrant Workmen
(Regulation of Employment and Conditions of Service) Rules, 1981

FORMIV

[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 workman.—
   - (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 workman proposed to be employed in the establishment on any date; : .....
   - (e) names and addresses of the directors/partners (in case of companies and firms); and : .....
   - (f) name(s) and address(s) 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 of forfeiting security deposits in respect of *an* earlier contract. If so, the date of such order. : .....
7. Whether the contractor has worked in any other establishment within the past five years. If so, give details of the principal employer, establishment, and nature of work. : .....
8. Whether a certificate by the Principal employer in : .....

Form V is enclosed.

9. Amount of licence fee paid-No. 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.

(Signature of the Applicant)

Place .....

Contractor

Date .....

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 the licensing officer.

Haryana Inter-State Migrant Workmen
(Regulation of Employment and Conditions of Service) Rules, 1981

FORM V

[See Rule 7(2)]

Application for licence for employment

1. Name and address of the contractor (including his : .....
2. father's/husband's name in case of individuals).
3. Date of birth and age (in case of individuals). : .....
4. Particulars of establishment where migrant :
5. 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. : .....

   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); and
   (f) name(s) and address(s) 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.

   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 of forfeiting security deposits in respect of an earlier contract. If so, the date of such order.
7. Whether the contractor has worked in any : ..... other establishment within the past five years. If so, give details of the principal
8. employer, establishment, and nature of work. : .....
   Whether a certificate by the Principal
9. Amount of licence fee paid. No. 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 ..... Signature of the Applicant.
Date ..... (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 VI 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 the licensing officer.

FORMVI

[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 Haryana Inter-State Migrant Workmen (Regulation of Employment and Con-ditions of Service) Rules, 1981, in so far as the provisions are applicable to me in respect of the employment of migrant workman by the applicant in my establishment.

Place .....

Date .....

Signature of Principalemployer Name and address of Establishment

FORM VIII

[See Rule 10(2)]

Application for adjustment of security deposit

Name and address of the contractor	No, and date of application for fresh-licence	Date of expiry of previous licence	Whether the previous licence of the contractor was suspended or revoked	No. and date of the demand draft of security deposit in respect of the previous licence	A se
1	2	3	4	5	

Amount of security deposit for the fresh licence	No. and date of crossed demand draft of the balance security deposit deposited with the fresh application	No. and date of the certificate of registration of the establishment in relation to which the fresh licence is applied for	Name and address of the principal employer	Particulars fresh applicatio
7	8	9	10	11

Place .....

Date .....

Signat

FORMVIII *[See Rule 11(1)]* **Government of Haryana Office of Licensing Officer**

Licence No. ..... Dated ..... Fee Paid Rs.....

LICENCE

1. Licence is hereby granted to ..... under Sec-tion 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. The licence is for doing the work of (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 will remain in force till ..... (date to be indicated).

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.

Signature and seal of licensing officer.

RENEWAL

[See Rule 14]

Date of renewal	Fee paid for renewal 11	Date of expiry

Date: ..... Signature and seal of the

Place: ..... licensing officer.

Haryana Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1981

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, set-tlement or award, not less than the rates so fixed.

5. (a) in cases where the migrant 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 condi-tions of service of the migrant workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the estab-lishment 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 Deputy Labour Commissioner whose decision shall be final;*

(b) in other cases the wage rates, holidays, hours of work and conditions of service of the migrant workmen of the contractor shall be such as prescribed in these rules.

(c) every migrant workmen shall be entitled to allowances, benefits, facilities etc., as prescribed in the Act and in these rules.

7. No female migrant workmen shall be employed by any contractor 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 as midwives and nurses in hospi-tal 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.

FORMIX

[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 crosseddemand draft No. and date.

Signature of the licensing Officer

FORM X

[See Rule 14(2)]

Particulars of recruitment and employment of migrant workmen.

Form in which the particulars in respect of recruitment and employment of migrant workmen as prescribed under sub rule (1) of rule 21, to the authorise specified under the Explanation below sub section (2) of sections 12 of the Inter-State-Migrant Workmen (Regulations of Employment and Conditions of Services) Act, 1979, to be furnished.

1. Name and address of the contractor.
2. ..... Name and Address
3. contractor through whom recruitment has been made. ..... Number and add
4. establishment. ..... Name and
5. the principal employer ..... Na
6. State in which the place of work is located. .....

Sr. No.	Name of migrant workman	Father;s/ husband's name	Sex	Age	Permanent home address	Name and address of the next of the kin of migrant workman	Place and address of residence in the home state	Amount cement a paid
1	2	3	4	5	6	7	8	9

Form X Contd.....

Amount of outward journey allowance paid	Amount of wages for outward journey period paid	Nature of job required to be performed	Date of recruitment	Date of employment	Details of rates of wages and other allowance payable	Period of contract of employment	Details of other service condition
10	11	12	13	14	15	16	17

Dated ..... Signature of contactor or his authorised repr

Submitted to

(1) (Specified authority in the State in which migrant workman/workmen is/are employed).
(2) (Specified authority in the State from which workman/workwomen has/have been recruited).

Copy forwarded to:
..... (The Principal employer)

Signature of contactor or his authorised repre

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

FORM XI

[See Rule 24]

(Return to be sent by the contractor to the authorities specified under Explanation below sub-section (2) of section 12 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

1. Name and address of the contractor
2. Number and address of the sub-contractor 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 the recruitment was made

Sr. No.	Name migrant workman	Father;s/ husband's name	Sex	Designation	Age	Permanent home address indicating the state	Place and address of residence in home State	Date of employment	Date on which ceased to be employed
1	2	3	4	5	6	7	8	9	10

Contd. ..... next page.

Form XI Contd.....

Details of rates of wages & other allowances paid	Amount of displacement allowances paid	Amount of return journey allowance and wages for outward journey paid	Amount of return journey allowances and wages for return journey paid	Total wages paid	Details of compen-sation and other allowances	Amount of dedu-ctions. if any	Amount of advance if any recovered	Amount of advance. if any
12	13	14	15	16	17	18	19	20

Declaration

I/We hereby declare that all wages, other dues including, displacement allowance, outward return journey allowances and wages for

journeys period payable to migrant workman/workmen named above and employed by me/us have been paid by me/us to him/them.

Signature of contactor or the authorised representative.

Place .....

Dated ..... Signature of contactor or his authorised representative.

Submitted to

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

Copy forwarded to:

..... (The Principal employer)

Date ..... Signature of contactor or his authorised representative.

Note. : -In case where migrant workmen concerned have been recruited from more than one States, separate returns shall be submitted

in respect of each such state.

Haryana Inter-State Migrant Workmen
(Regulation of Employment and Conditions of Service) Rules, 1981

FORM XII

[See Rule 48]

REGISTER OF CONTRACTORS

Name and address of the contractor. .....

Name and address of the establishment .....

Name and address of contractor	Nature of work on contract	Location of contract work	Period of contract		Maximum of migrant workmen employed by contractor
			From	To	
1	2	3	4	5	6

FORM XIII

[See Rule 49]

REGISTER OF WORKMEN EMPLOYED BY COONTRACTOR

Name and address of the contractor

Number and date of the establishment

Name and address of establishment in/under which migrant workmen are employed .....

Name and address of principal employer

Sr. No.	Name and surname of migrant workman	Age and Sex	Father's/ Husband's name	Nature of employment/ designation	Permanent home address of migrant workmen (village and 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 contractor or his authorised representative

FORM XIV *[See Rule 50]*

SERVICECERTIFICATE

Name and address of contractor

Name and address of the establishment in /under which migrant workmen are employed_____

Nature and location of work

Name and address of the migrant workman

Name and address of principal employer

Age or date of birth

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 piece work)	Remarks
	From	To			
1	2	3	4	5	6

Signature of contractor or
his authorised representative.

FORM XV [See Rule 51(1)]

DISPLACEMENTAND OUTWARD JOURNEYALLOWANCE S SHEET

Name and address of contractor
Name and address of the establishment
Name and Address of the Principal employer
Month and year_____

Sr. No.	Name of the migrant workman.	Father's/ Husband's Name	Permanent Place and home address Indicating the	address of residence in the Home State	Designation	Rate of Wages	Place of payable	recruitm
1	2	3	4	5	6	7	8	9

Place of work with address including the state	Place of station /Bus Stand nearest to the place of residence	Railway Station Bus Stand nearest to the place of work	Date and time commencement of journey from the place of residence	Expected date and Time of arrival at the place of work	Details of modes of journeys from the place of residence in the home state to the palce of work	Amount bus fare and/or second clas train fare and/or other journey expenses seperatel as per the modes journey indicated in column 15
10	11	12	13	14	15	16

Form XV Contd.....

Total of amounts indicated in column No. 16	Amount of Displacement allowance Rs.	Ps.	Amount of outward journey allowance	Wages for outward journey period	Total amount paid	Date on which paid	Signatur impressi migrant
17	18		19	20	21	22	23

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 No. 25	Signature or thumb impression of the migrant workman	Remarks
24	25	26	27	28

*Indicate separately different modes of journey.

Note:—Entries are to be made against each individual migrant workman.

Date .....

Signature of contactor or his authorised representative.

FORM XVI

[See Rule 51 (1)]

RETURN JOURNEY ALLOWANCE REGISTER

Name and address of contractor .....

Name and address of the establishment

.....

..... Name and Address of the Principal employer

.....

..... Month and year

.....

.....

Sr. No.	Nameof the 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
1	2	3	4	5	6	7	8

RailwayStation /Bus Stand nearest to the place of work	RailwayStation /Bus Stand nearest to the place of residence in the Home State	Date and time commencemen of journey from the place work	Expecteddate and Time of arrival at the residence in home state	*Expected modes of journeys from the place of work to place of residence of the home state	Amount of bus fare and/or second class train fare and/or other journey expenses seperatel as per expected modes of j

9	10	11	12	13	indicated in column No. 13 14

Contd..... Next page

Form XVI Contd.....

Total of amounts indicated in column No. 14	Amount of return journey allowance	Wages for journey period	Total amount paid	Date on which paid
15	16	17	18	19

*Indicate separately different modes of journey.

Note:—Entries are to be made against each individual migrant workman.

Date .....

Signature or thumb impression of the migrant workman | Remarks

20 21

Signature of contactor or

his authorised representative.

Haryana Inter-State Migrant Workmen
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FORMXVII

[See Rule 52(2)(a)]

MUSTER ROLL

Name and address of contractor .....

Name and address of the establishment

in/under which migrant workmen are employed .....

Nature and location of work .....

Name and Address of the Principal employer.....

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

FORM XVIII

[See Rule 52(2)(a)]

REGISTER OF WAGES

Name and address of contractor .....

Name and address of the establishment in/under which Inter- State Migrant workmen are employed .....

Nature and location of work .....

Name and Address of the Principal employer .....

Wage period .....

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

Amount of wages earned				Deduction if any (indicate nature)	Net amount paid	Signature/ thumb impression of inter-State migrant workman	Initial of contractor or his authoris representat
Basic Wages	Dearness Allowances	Overtime	Other cash payment (nature of payment to be	Total			

indicated 11	13	15	16

FORM XIX

[See Rule 52(2)(c)]

REGISTER OF DEDUCTIONS FOR DAMAGES OR LOSS.

Name and address of contractor .....

Name and address of the establishment in/under which inter state migrant workmen are employed ..... Nature of location of work .....

Name and Address of the Principal employer .....

Sr. No.	Name of Inter-State migrant	Father's/ Husband's Name	Designation/ Nature of work employment	Particulars of damage or loss	Date of damage or loss	Whether Inter-State migrant workman showed causes against deduction
1	2	3	4	5	6	7

Name of person in whose presence employee's explanation was heard	Amount of deduction imposed	No. of instalments	Date of Recovery 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 the establishment in/under which inter state migrant workmen are employed ..... Nature of location of work .....

Name and Address of the Principal employer .....

Sr. No.	Name of Inter-State migrant workman	Father's/ Husband's Name	Designation/Nature of employment	Act/omission for which fine imposed	Date of offence
1	2	3	4	5	6

Whether Inter-State workmen showed cause against	Name ofperson in whose presence employee's explanation was heard	Wages periods and wages payable	Amount of fine imposed	Date on which fine realised	Remarks

FORM XXI

[See Rule 52(2)(c)]

Register of Advances

Name and address of contractor .....

Name and address of the establishment in/under which inter state migrant workmen are employed ..... Nature of location of work .....

Name and Address of the Principal employer .....

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

Purpose(s) for which advance made	No. of Instalments by which advance to be re-paid	Date and amount of each instalment	Date on which last instalment was re-paid	Remarks

FORM XXII

[See Rule 52(2)(d)]

Register of over time

Name and address of contractor .....

Name and address of the establishment in/under which inter state migrant workmen are employed ..... Nature of location of work .....

Name and Address of the Principal employer .....

Sr. No.	Name of Inter-State migrant workman	Father's/ Husband's Name	Sex	Designation Nature of employment	Date on which overtime work
1	2	3	4	5	6

Total overtime worked or 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

FORMXXIII

[See Rule 56(1)(d)]

RETURN TO BE SENT BY THE CONTRACTOR TO THE LICENSING OFFICER

Half-yearly ending .....

1. Name and address of the contractor .....
2. Name and address of the establishment. ..... Name
3. and address of the principal employer.....
4. Duration of contract: from ..... to .....
5. No. of days during the half year on which
6. (a) The establishment of the
7. principal employer had worked .....
   (b) The contractors establishment had worked .....
8. Maximum number of Inter-State migrant workmen
9. employed on any day during the half year . .....
   (i) Daily hours of work and spread over
   (ii) (a) Whether weekly holiday observed and on what day.....
   (b) If so, whether it was paid for .....
   (iii) No. of man-hours of overtime worked .....

Number of man-days worked by

Men	Women	Children	Total

Amount of wages paid

Men	Women	Children	Total

Note. —Wages shall not include wages for periods of outward and return journeys.

10. Amount of deduction from wages, if any

11. Men	Women	Children	Total

12. Amount of displacement allowance paid

13. Men	Women	Children	Total

Amount of outward journey allowance paid

Men	Women	Children	Total

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 journey 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/standards provided).

Place .....

Date.....

Signature of Contractor.

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(Regulation of Employment and Conditions of Service) Rules, 1981

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 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 contractor who worked in the establishment during the year (give details in Annexure).
5. Nature of work/operation on which migrant workman was employed.
6. Total No. of days during the year on which migrant workman was employed. 7. Total number of man days 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 man days 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.

ANNEXURE TO FORM

Name and address of the contractor	Period of contract From	To	Nature of work	Maximum No. of workers employed by each contractor	No. of days worked	No. of man days worked
1	2		3	4	5	6

Principal Employer

Place_____

Date_____

* * *