

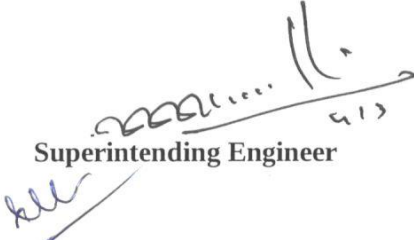
Special Conditions for Labour Contract

- 1) The contractor has to follow the Govt. Labour Acts, which are in force at present and introduced from time to time., such as Acts, enforced by Regional Provident Fund Commissioner. Directorate of E.S.I.C and Enforcement Officer of Contract Labour Act, and all necessary arrangement for labour security insurance will have to be made by the contractors at his own cost including minimum wages declared by competent authority from time to time.
- 2) He should make necessary arrangement for Welfare and Health of Contract workers at his own cost as per the provision of act.
- 3) The contractor shall fix wages period in respect of which wages shall be payable and no wage period shall exceed one month period.
- 4) Wages of every workers shall be paid within three days from the end of wage period.
- 5) Wages shall be paid on A/C payee cheque through any bank at Powai, Mumbai and necessary Bank Statement shall be produced to the Estate Office before submitting the next month bill.
- 6) The payment is to be released to the labourers as mentioned in the rate analysis of the institute. D.A. arrears will be paid separately when increment will take place.
- 7) Contractor should keep the necessary record and should file the return in the Office of the Labour Commissioner (Central) as enforced the contract labour Act. 1970 and their amendments introduced by office of the Labour Commissioner, Bombay from time to time and same will be verified/ checked by the representative of Estate Office, IIT Bombay.
- 8) Contractor should deposit the ESIC and Provident Fund contribution to the concerned office separately those workers have been engaged in the IIT Campus and said statement should submit along with bill to the Estate Office. He should get Sub Code No. for IIT Bombay and the Organization workers P. F. amount should not be deposited in contractor's common account.
- 9) Provident Fund contribution will be given as per circular of commissioner of Provident fund, Maharashtra.
- 10) Under item No. 1.2 category of skilled labourer, agency should supply Carpenter those who are doing all carpentry work as well as polishing work etc. Plumber, those are doing all type of plumbing, water supply and drainage work etc. Mason, those are doing Mason work and as per need basis the skilled labourers such as sign board writer, tractor driver, welder, fitter, electrician, telephone mechanic and Junior Engineer Civil and Electrical or as directed by Engineer Incharge and Estate Office.
- 11) Contractor should quote his rate on the basis of circular of Labour Commissioner (R.W. & Competent authority under minimum wages Act Maharashtra) and circular of P.F., ESIC Commissioner.
- 12) The Security Deposit @10% will be deducted from the bill and refunded after completion of defects liability period of 12 months , 1.5% Income Tax and 2% work contract tax if applicable, and any additional charges/taxes as levied by the respective authority will be recovered from the bill.

- 13) 10% Security Deposit will be recovered from your bill and Security Deposit thus recovered will be refunded after completion of defect liability period of 12 months from the date of completion of work, after receipt of application from you to that effect. If the application will not received with in three years, the same will be credited to Institute account and thereafter no claim will be entertained.
- 14) Any increase / decrease in, Dearness allowance, PF and ESIC contribution will be paid to the contractor or by the contractor, it will be decided as per the circular of concern authority of State Govt. and the increase will be paid on production of proof of payment.
- 15) The contractor should submit the list of male and female labourers and their addresses with bank account number and a cheque against the payment of ESIC and PF in the ESTATE OFFICE IIT Bombay along with the name and address and other details of labourers and challan of respective office and that cheque amount should be exactly tallied to the percentage amount of PF and ESIC, alongwith R.A. bills. ESTATE Office will deposit the cheque in the State Bank of India and other details on behalf of the contract with proper verification of total wages and total amount of PF and ESIC as per the circular of respective office regularly PF account will be managed by the contractor and contractor will be held responsible of any liability of labour, PF office, ESIC Office and any accident and other claim of labourers and PF and ESIC amount must be paid separately.
- 16) The contractor should pay the minimum wages as per the circular of Labour Commissioner, Director of ESIC and Commissioner of PF. If the contractor paid less amount to the labourers, then the matter will be referred to the respective authority to take necessary action as per provision of law.
- 17) Contractor should keep the muster roll for each site and labourers should sign the muster roll of the contractor and the signature will be verified at the disbursement of salary.
- 18) The contractor should carry out work as per conditions of contract.
- 19) Any liability / Penalty from Labour Commissioner office / court or any other Govt., Semi-Govt. office said amount will be deducted from bill / S. D. / E.M.D. amount of contractor.
- 20) The rates of wages payable to the workman by the contractor shall not be less than the rates prescribed for the schedule of employment under Minimum Wages Act, 1948 where applicable and where the rates have been fixed by agreement, settlement or award, not less than the rates fixed.
- 21) In case where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the Principal Employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the Principal, Employer of the establishment on the same or similar kind of work provided that in the case of any disagreement with regard to the type of work the same shall be decided by the Chief Labour Commissioner (Central), whose decision shall be final.
- 22) In other cases the wage rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the Chief Labour Commissioner (Central).

- 23) In every establishment where 20 or more workmen are ordinarily, employed as contract labour there shall be provided two rooms of reasonable dimensions for the use of their children under the age of six years. One such room would be used as a play-room for the children and the other as bed-room for the children. For this purpose the contractor shall supply adequate number of toys and games in the play -room and sufficient number of cots and beddings in the sleeping-room. The standard of construction and maintenance of the crèches may be such as may be specified in this behalf by the Chief Labour Commissioner (Central).
- 24) The licensees shall notify any change in the number of workmen or the conditions of work to the Licensing Officer.
- 25) A copy of the licence shall displayed prominently at the premises where the contract work is being carried out.
- 26) Tools and Equipment's, uniform with I-card will be given if required to the labourer by the Contractor. Expenditure on tools and equipment's may be added in mandays as per special condition Sr.No. 6. Trade test will be conducted as and when required before engage of skilled laboures from contractor.
- 27) Service tax will be reimbursed to the contractor when the proof of payment made by the contractor to the respective department will be produced.
- 28) Disbursement of wages of labourers to be done in the form of Account payee cheque and in the presence of Estate Office Representative / or any other official of the Institute.
- 29) Cheques are required to be issued on 7th of every month or the next day if 7th is a holiday.
- 30) Copy of wage register is required to be submitted every month to the Estate Office along with the bill of the contractor. Then only payment will be released to the contractor by the Institute.
- 31) After receiving work order from the Institute, the contractor will submit report of tools issued to the labourers along with their signatures and then only his RA bills will be paid to the contractor.
- 32) Details of PF contribution and ESIC contribution paid by the contractor with respect to the labourers are required to be submitted before the release of second RA bills and if contractor fails to do so, recovery of the PF and ESIC contribution will be done from their RA bill amount and will be credited to the PF and ESIC accounts directly by the Institute.
- 33) The contractor will be required to issue necessary identity cards to their labourers and the labourers will carry the same to the workplace during working hours.
- 34) Temporary office will be required to be constructed by the contractor in the campus and at the time of final bill, the same will be removed by them.
- 35) Notice boards as per labour contract act is required to be displayed by the contractor.
- 36) Necessary labour licence is required to be obtained by the contractor within 15 days from the date of issue of work order. Otherwise no payment will be released to the contractor.
- 37) All rules and regulations under the Labour Contract Act 1970 and Minimum wages act are to be followed scrupulously while supplying labourers to the Institute.

- 38) IIT reserves its rights to entertain any complaints of labourers, to investigate the matter / facts and to disburse the payments as claimed by concern labourer and to deduct the payment from bill of contractor or security deposit.
- 39) IIT reserves its rights to reject any or all applications for issue of blank tender forms and acceptance / rejection of any to divide the work among different agencies or not to execute any items in the schedule of work or to call any agency for negotiation without assigning any reason and without any reference.


Superintending Engineer