

CONTRACT LABOUR (REGULATION AND ABOLITION)
KARNATAKA RULES, 1974

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CONTRACT LABOUR (REGULATION AND ABOLITION) KARNATAKA RULES, 1974¹

GSR 334: - In exercise of the power conferred by Section 35 of Contract Labour (Regulation and Abolition) Act, 1970 (Central Act 37 of 1970), the Government of Karnataka hereby makes the following Rules the draft of the said rules having been published as required by sub-section (1) of Section 35 of the said Act in GSR No. 228, dated the 19th July, 1971 in Karnataka Gazette, dated 29th July, 1971, namely: - Chapter I

1. Title and commencement.

- (1) These rules may be called the **Contract Labour (Regulation and Abolition) Karnataka Rules, 1974.**

2. Definitions

In these rules, unless the subject or context otherwise requires:

- (a) "Act" [Same as Central Rule 2(a)];
- (b) "Appellate Officer" [Same as Central Rule 2(b)];
- (c) "Board" means the State Advisory Contract Labour Board constituted under Section 4;
- (d) "Chairman" [Same as Central Rule 2(d)];
- (e) "Committee" means a committee constituted by the State Board under subsection (1) of Section 5;
- (f) "Form" [Same as Central Rule 2(f)];
- (g) "Government" means the State Government;
- (h) "Section" [Same as Central Rule 2(g)].

Chapter II

State Board

3. Nomination of members of the Board by the Government

- (1) The Government shall nominate eleven members to represent the Government, the industry, the contractors and the workmen.
- (2) The number of persons to be appointed as members from each of the categories specified in sub-rule (1) shall be as indicated below:
 - (a) one person representing the Government to be appointed by the Government from among its officers;

- (b) five persons one representing the employers in the public sector undertakings run by the Government, one representing the Karnataka State Electricity Board, one representing employers in the private sector undertakings and two representing; contractors to whom the Act applies to be appointed by Government after; consultation with such organisations, if any, of the employers and the contractors, as may be recognised by the Government;
- (c) five persons one representing employees in the public sector undertakings run by 3 the Government, one representing the employees of the Karnataka State Electricity Board, one representing employees in the private sector undertaking and two representing employees of contractors to whom the Act applies, to be appointed by the Government in consultation with such organisations, if any, (employees representing the respective interests, as may be recognised by the Government.

4. Term of office of Chairman and Members

- (1) The Chairman shall hold office as such for a period of three years from the date on which his appointment is notified in the Official Gazette.
- (2) The person representing the Government referred to in clause (a) of sub-rule (2) of Rule 3 the person representing employers in the public sector undertakings run by the Government referred to in clause (b) of sub-rule (2) of Rule 3 and the person representing the employees in the public sector undertakings referred to in clause (c) of sub-rule (1) of Rule 3 shall hold office as members during the pleasure of the Government.
- (3) The members referred to in clauses (b) and (c) of sub-rule (2) of Rule 3 other than those referred to in the previous sub-rule shall hold office as members for a period of three years commencing from the date on which their appointment is notified in the Official Gazette:

Provided that where a successor to any such member has not been notified in the Official Gazette on or before the expiry of the said period of three years, such member shall, notwithstanding the expiry of his term of office, continue to hold such office until the appointment of his successor has been notified in the Official Gazette.

- (4) [Same as sub-rule (4) of Rule 4 of Delhi Rules.]

5. Resignation

[Same as Rule 5 of A.P. Rules.]

6. Cessation of membership

²[Same as Central Rule 6.]

7. Disqualification for membership

³[Same as Central Rule 7.]

8. Removal from membership⁴[Same as Central Rule 8.]**9. Vacancy**⁵[Same as Central Rule 9.]**10. Staff**⁶[Same as Central Rule 10.]**11. Allowances of members**⁷[Same as Central Rule 11.]**12. Disposal of business**

[Same as Central Rule 12.]

13. Meetings

[Same as Central Rule 13.]

14. Notice of meetings and list of business

[Same as Central Rule 14.]

15. Quorum

[Same as Central Rule 15 except that the following proviso shall be added:]

Provided further that atleast one representative each of the employers and employees should be present to form the quorum.

16. Committees of the Board

[Same as Rule 16 of A.P. Rules.]

Chapter III**Registration and Licensing****17. Manner of making application for registration of Establishments**

[Same as Central Rule 17.]

18. Grant of Certificate of Registration

[Same as Central Rule 18.]

19. Circumstances in which application for registration may be rejected

[Same as Central Rule 19.]

20. Amendment of Certificate of Registration

[Same as Central Rule 20,]

21. Application for a licence

[Same as Central Rule 21.]

22. Matter to be taken into account in granting or refusing a Licence

[Same as Central Rule 22 of Delhi Rules except that for the words "Lt. Governor" read "Central Government or State Government".]

23. Refusal to grant licence

[Same as Central Rule 23.]

24. Security

[Sub-sections (1) and (1-A) same as sub-sections (1) and (1-A) of Central Rule 24.]

(2) The amount of security deposit or the balance of amount required to be deposited under sub-rule (1) or (1-A), as the case may be, shall be paid in local treasury under the Head of Account: "843 Civil Deposits Section T—Deposits and Advances—Part II Deposits not bearing interest—(c) Deposits under Contract Labour (Regulation and Abolition) Act, 1970 (State)".

25. Forms and Terms and Conditions of Licence

⁸[Same as Central Rule 25.]

26. Fees

(1) Fees to be paid for the grant of a certificate of registration under Section 7 shall be as specified below namely:

If number of workmen proposed to be employed on contract on any day:—

- | | |
|---|-------------|
| (a) is 20 | .. Rs 150 |
| (b) exceeds 20 but does not exceed 50 | .. Rs 375 |
| (c) exceeds 50 but does not exceed 100 | .. Rs 750 |
| (d) exceeds 100 but does not exceed 200 | .. Rs 1,500 |
| (e) exceeds 200 but does not exceed 400 | .. Rs 3,000 |
| (f) exceeds 400 | .. Rs 3,750 |

(2) The fees to be paid for the grant of licence under Section 12 shall be as specified below: If the No. of workmen employed by the contractor on any day—

- | | |
|---|-------------|
| (a) is 20 | .. Rs 100 |
| (b) exceeds 20 but does not exceed 50 | .. Rs 150 |
| (c) exceeds 50 but does not exceed 100 | .. Rs 300 |
| (d) exceeds 100 but does not exceed 200 | .. Rs 500 |
| (e) exceeds 200 but does not exceed 400 | .. Rs 1,000 |
| (f) exceeds 400 | .. Rs 1,250 |

- (3) The fee for the amendment of registration certificate shall be Rs 25 per change plus the amount (if any) by which the fee that would have been payable if the registration certificate had originally been issued in the amended form exceeds the fee originally paid for the registration certificate.
- (4) (a) The holder of a registration certificate may at any time before the expiry of the registration certificate, apply for permission to transfer his registration certificate to another person.
 (b) Such application shall be made to the Registering Officer who shall, if he approves of the transfer, make under his signature an endorsement on the registration certificate to the effect that the registration certificate has been transferred to the person named.
 (c) The fee on each application for transfer shall be Rs 25.
- (5) Where a registration certificate granted under the rule is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of Rupees Twenty-Five.

27. Validity of the licence

[Same as Central Rule 27.]

28. Amendment of the licence

[Same as Central Rule 28.]

29. Renewal of licence

[Same as Central Rule 29.]

30. Issue of duplicate certificate of Registration or Licence

[Same as Central Rule 30.]

31. Refund of Security

[Same as Central Rule 31]

32. Grant of Temporary Certificate of Registration and Licence

[Same as Rule 32 of A.P. Rules].

Chapter IV

Appeals and Procedure

33. Form of Appeal

[Same as Central Rule 33].

34. Procedure to be followed on receipt of appeal

[Same as Central Rule 34.]

35. Appeal to be dismissed for default of appearance by Appellant

[Same as Central Rule 35.]

36. Re-admission of appeal dismissed

[Same as Central Rule 36.]

37. Hearing of Appeal Re-admitted

[Same as Central Rule 37.]

38. Payment of fees

Unless otherwise provided in these rules all fees to be paid under these rules shall be paid in the local treasury under the head of account.

"087 Labour and Employment-5. Other Receipts-V Fees under Contract Labour (Regulation and Abolition) Karnataka Rules, 1974."

39. Copies

[Same as Central Rule 39].

Chapter V

Welfare and Health of Contract Labour

40. Provision of Facilities

[Sub-rules (1) and (2) same as Central Rule 40].

(3) Any arrangement made by the contractor with the principal employer, the canteen or canteens required to be maintained by the principal employer under the Factories Act, 1948 ' for the workers directly employed by him are made available to the workmen employed by L toe contractor shall be deemed as due compliance to sub-rule (1).

41. Rest rooms

[Same as Central Rule 41].

42. Canteens

[Same as Central Rule 42],

43. Standard of accommodation in a canteen

[Same as Central Rule 43].

44. Provision relating to dining hall

[Same as Central Rule 44],

45. Provision of canteen equipment

[Same as Central Rule 45],

46. Nature of foodstuffs to be served

- [Same as **Central Rule 46**].
- 47. Fixation of charges for foodstuffs and display of the same**
[Same as Central Rule 47].
- 48. Manner of computation of prices of foodstuffs served in the canteen**
[Same as Central Rule 48].
- 49. Production of books of accounts and registers of the Canteen**
[Same as Central Rule 49].
- 50. Audit of accounts of the canteen**
[Same as Central Rule 50].
- 51. Latrines and Urinals**
[Same as Central Rule 51].
- 52. Latrines to be constructed so as to secure privacy**
[Same as Central Rule 52].
- 53. Display of appropriate notices outside latrines and urinals**
[Same as Central Rule 53].
- 54. Provision of urinals**
[Same as Central Rule 54].
- 55. Construction and maintenance of latrines and urinals**
[Same as Central Rule 55].
- 56. Water to be provided near the latrines and urinals**
[Same as Central Rule 56].
- 57. Washing facilities**
[Same as Central Rule 57].
- 58. First-Aid facilities**
[Same as Central Rule 58].
- 59. Contents of the First-Aid Box**
[Same as Central Rule 59].
- 60. Other than prescribed contents not to be kept in First-Aid Box**
[Same as Central Rule 60].
- 61. Receipt of First-Aid Box**
[Same as Central Rule 61].

62. Trained person to be in-charge of First-Aid Box

[Same as Central Rule 62].

Chapter VI**Wages****63. Fixation of wage periods**

[Same as Central Rule 63].

64. Wage period

[Same as Central Rule 64].

65. Time of payment of wages

[Same as Central Rule 65].

66. Payment of wages on termination of employment

[Same as Central Rule 66].

67. Place, time and date of payment of wages

[Same as Central Rule 67].

68. Wages to be paid direct to workmen or other person authorised

[Same as Central Rule 68].

69. Wages to be paid in current coin or currency notes

[Same as Central Rule 69].

70. Reductions which may be made from wages

[Same as Central Rule 70].

71. Display of notice regarding payment of wages

[Same as Central Rule 71].

72. Responsibility of principal employer and contractor regarding payment wages

[Same as Central Rule 72].

73. Recording of Certificate regarding payment of wages

[Same as Central Rule 73].

Chapter VII

Registers and Records and Collection of Statistics

74. Register of contractors

[Same as Central Rule 74].

75. Register of persons employed

[Same as Central Rule 75].

76. Employment Card

[Same as Central Rule 76].

77. Service Certificate

[Same as Central Rule 77].

78. Muster-roll, wages registers, deductions register and over time register

"[Same as Central Rule 78].

79. Display of abstract of Act and Rules

[Same as Central Rule 79].

80. Maintenance and keeping of register and other records

[Same as Central Rule 80]

81. Principal employer or contractor to display notice regarding rates of wages, hours of work, etc., in English and Kannada

[Same as Central Rule 81].

82. Principal employer and contractor to send returns

[Same as sub-rules (1) and (2) of Central Rule 82]:

Provided that no annual return shall be submitted by an employer, if he submits a common annual return in Form 20 of the Karnataka Factories Rules, 1969.]

(3) Every principal employer shall, within fifteen days of the commencement or completion of each contract work under each contractor, submit a return to the Inspector, appointed under Section 28 of the Act, intimating the actual dates of the commencement or, as the case may be, completion of such contract work, in Form XXVI.

83. Power to call for information

[Same as Central Rule 83].

¹ Published in Kamataka Gazette, Extraordinary, No. 3644, dated 9-12-1974.

² In these rules for "Central Government" read "Government".

³ In these rules for "Central Government" read "Government".

⁴ In these rules for "Central Government" read "Government".

⁵ In these rules for "Central Government" read "Government".

⁶ In these rules for "Central Government" read "Government".

⁷ In these rules for "Central Government" read "Government".

⁸ In this rule for the words "Chief Labour Commissioner (Central)" read "Commissioner of Labour".