

**Checklist relating to Inspection under the ISMW(RE&CS) Act,1979 and rules made thereunder (For Contractor)**

Section & Or Rules	Subject
Sec 9 and Rule 6	To ensure that up to date Certificate of License is produced during inspection.
Sec 10(2) and Rule 12	To ensure production of Certificate of License along with amendment with the incorporation of all the latest information, if any.
Sec 9 and Rule 13	To ensure that up to date renewed Certificate of License is produced during inspection.
<b>Duties of Contractor</b>	
Sec 12(1a) and Rule 17	To ensure that the particulars regarding Recruitment and/or Employment of migrant workman is furnished in Form X to the authority specified in the State from which migrant workman is recruited and/or is employed, as the case may be, in such manner as specified in Rule 17.
Sec 12(1b) and Rule 19	To ensure that a pass book is maintained and issued to every migrant workman mentioning the following particulars;-i) Name and place of establishment wherein the migrant workman is employed ,ii) the period of employment ,iii) the proposed rates and mode of payment of wages,iv) the displacement allowance payable,v) the return fare payable on expiry of period of employment,vi) deduction made vii)date of recruitment ,viii) date of employment ix) wage period,total attendance /unit of work done(in respect of piece-rated work),total wages earned/deductions,if any made,net amount paid and signature of the contractor or his authorised representative with date and x) name and address of the next of kin of migrant workman.
Sec 12(1c) and Rule 20	To ensure that a return is furnished to the specified authority in Form XI furnishing information regarding a migrant workman who has ceased to be employed.
Rule 18	To ensure that a return fare from the place of employment to the place of residence is paid to the migrant workman on expiry of period of employment and also on a) termination of service before the expiry of employment for any reason whatsoever ,b) being incapacitated for further employment on account of injury or continued ill-health duly certified by registered medical practitioner, c) cessation of work in the establishment not due to any fault on the part of migrant workman, d) resignation from service on account of non-fulfilment of terms and conditions of employment by the contractor.
<b>Canteen</b>	
Sec 16 Rule 42(1) and Rule 42(3)	To ensure that adequate Canteen is provided wherein the work regarding employment of contract labour is likely to continue for six months and wherein contract labour numbering one hundred or more are ordinarily employed , 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 employment of contract labour in the case of new establishments.
Sec 16 and Rule 43(1)	To ensure that Canteen consists of at least a dining hall,kitchen,store room,pantry and washing places separately for workers and for utensils.
Sec 16 and Rule 43(2i)	To ensure that Canteen is sufficiently lighted at all times when any person has access to it.
Sec 16 and Rule 43(2ii)	To ensure that the floor and inside walls are made of smooth and impervious material and the inside walls are lime-washed or colour washed at least once in each year and the inside walls of the kitchen is lime-washed every four months.
Sec 16 and Rule 43(3i)	To ensure that the precincts of Canteen is maintained in clean and sanitary condition.
Sec 16 and Rule 43(3ii)	To ensure that waste water is carried away in suitable covered drains and is not allowed to accumulate so as to cause nuisance.
Sec 16 and Rule 43(3iii)	To ensure that suitable arrangement is made for collection and disposal of garbage.
Sec 16 and Rule 44(1)	To ensure that dining hall accommodated at least 30% of the contract labour working at a time
Sec 16 and Rule 44(2)	To ensure that the floor area of the dining hall ,excluding the area occupied by the service counter and any furniture , except tables and chairs is not less than one square metre per dinner to be accommodated as prescribed in Rule 44(1).
Sec 16 and Rule 44(3i)	To ensure that a portion of the dining hall and service counter is partitioned off and reserved for women workers,in proportion to their number
Sec 16 and Rule 44(3ii)	To ensure that washing places for women is separate and screened to secure privacy.
Sec 16 and Rule 44(4)	To ensure that sufficient tables,tools ,chairs or benches is made available for the number of dinners to be accommodated as per Rule 44(1)
Sec 16 and Rule 45(1i)	To ensure that sufficient utensils,crockery,cutlery ,furniture and any other equipment necessary for running of canteen is provided and maintained.
Sec 16 and Rule 45(1ii)	To ensure that suitable clean clothes for the employees serving in the canteen are provided and maintained.
Sec 16 and Rule 45(2i)	To ensure that furniture,utensils and other equipments are maintained in clean and hygienic condition.
Sec 16 and Rule 45(2ii)	To ensure that service counter ,if provided has top of smooth and impervious material.
Sec 16 and Rule 45(2iii)	To ensure that suitable facilities including and adequate supply of hot water is provided for cleaning of utensils and equipments.
Sec 16 and Rule 46	To ensure that charge per portion of foodstuff,beverages and any other item served in the canteen is displayed in the canteen.
Sec 16 and Rule 47	To ensure that foodstuff and other items served in the canteen are in conformity with the normal habits of the contract labour.
Sec 16 and Rule 49	To ensure that Books of accounts and registers and other documents used in connection with the running of the canteen are produced before the inspector during inspection.
Sec 16 and Rule 50	To ensure that the yearly audited statement of accounts audited by the registered accountants and auditors pertaining to the canteen is produced before the inspector during inspection. .
<b>Rest Room</b>	

Sec 17 and Rule 41(1)	To ensure that Rest Rooms or other suitable alternative accommodation is provided and maintained in every place ,wherein contract labour is required to halt in connection with working of the establishment to which this Act applies and wherein the employment of contract labour is likely to continue for 3 months or more , within one month of the date of coming into force of the Rules in the case of the existing establishments and within one month of the commencement of the employment of contract labour in the case of new establishments.
Sec 17 and Rule 41(3)	To ensure that separate Rest Rooms are provided for women employees
Sec 17 and Rule 41(4)	To ensure that effective and suitable provision for securing and maintaining ventilation by circulation of fresh air and sufficient and suitable natural or artificial lighting is made.
Sec 17 and Rule 41(5)	To ensure that Rooms or other suitable alternative accommodation are of such dimation so as to provide a space of one square metre for each person making use of the rest-room.
Sec 17 and Rule 41(6)	To ensure that Rooms or other suitable alternative accommodation are constructed so as to afford adequate protection against heat ,wind,rain and shall have smooth ,hard and impervious surface.
Sec 17 and Rule 41(6)	To ensure that Rooms or other suitable alternative accommodation are at a convenient distance from the establishment and provision for wholesome drinking water is made available.
<b>Latrines and Urinals</b>	
Sec 18 and Rule 40(1)	To ensure sufficient supply of drinking water for the contract labour at convenient places
Sec 18 and Rule(51a)	To ensure that, where the females are employed,the latrines are provided in every establishment in the scale of at least one latrine for every 20 female and where the no of females exceeds 100,the latrines are provided in the proportion to one latrine per 20 females up to first 100 and one for every 30 thereafter.
Sec 18 and Rule(51b)	To ensure that, where the males are employed,the latrines are provided in every establishment in the scale of at least one latrine for every 20 males and where the no of males exceeds 100,the latrines are provided in proportion to one latrine per 20 males up to first 100 and one for every 30 thereafter.
Sec 18 and Rule(52)	To ensure that every latrine is under cover and so partitioned off so as to secure privacy and has proper door and fastening.
Sec 18 and Rule(53i) and Rule(53ii)	To ensure that a notice in the language understood by the majority of the workers"For Men Only ' and 'For Women Only " with the figure of a man or a woman ,as the case may be,is displayed outside each block of latrine and urinal.
Sec 18 and Rule(54)	To ensure that urinals are provided in every establishment in the scale of at least one urinal for every 50 males and one latrine for every 50 female and where the no of male or females workers,as the case may be, exceeds 500,the urinals are provided for every male or female in proportion to one urinal per 50 males or 50 females up to first 500 and one for every 100 or part thereof thereafter.
Sec 18 and Rule(55(1))	To ensure that latrines and urinals are conveniently situated and accessible to workers at all times at the establishment.
Sec 18 and Rule(55(2i))	To ensure that latrines and urinals are adequately lighted and maintained in a clean and sanitised condition at all times .
Sec 18 and Rule(55(2ii))	To ensure that latrines and urinals other than those connected with flush sewage system comply with the requirement of the public health authorities.
Sec 18 and Rule(56)	To ensure that water is provided by means of tap or otherwise conveniently accessible in or near latrines and urinals.
Sec 18 and Rule(57(1))	To ensure that adequate and suitable facilities for washing is provided and maintained for the use of contract labour employed therein.
Sec 18 and Rule(57(2))	To ensure that separate and adequate screening facilities which are provided for use of male and female workers
Sec 18 and Rule(57(3))	To ensure that separate and adequate screening facilities provided for use of male and female workers are conveniently accessible and kept in clean and hygienic condition.
<b>Medical Facilities</b>	
Sec 16(e)and Rule 30(1) read wih Sec 18 and Rule 32	To ensure that suitable and adequate medical facilities is extended to the migrant workmen free of cost for treatment of any ailment from which the migrant workman or any member of his family suffer during his employment in the establishmebnt or preventive measure is taken against epidemic or any virus infection.
Sec 16(e) and Rule 30(1) read wih Sec 18 and Rule 32	To ensure that during the course of treatment the cost of medicine purchased by the migrant workman prescribed by the physician provided by the contractor or the principal employer is reimbursed by the contractor on presentation of such bill by the migrant workman.
Sec 16(e) and Rule 30(2) read wih Sec 18 and Rule 32	To ensure hospitalisation of migrant workman or any member of his family during his employment and bearing of expenses on treatment,hospital charges,and travel expenses for the patient from the place of residence to the hospital and back, by the contractor.
Sec 16(e) and Rule 30(3) read wih Sec 18 and Rule 32	To ensure that First-aid Boxes are provided and maintained so as to be readily accessible during all working hours at the rate not less than one box for 150 workmen or part thereof employed therein.
Sec 19 and Rule 30(4) read wih Sec 18 and Rule 32	To ensure that the each First-aid Box contains equipments as mentioned in Rule 30(4(a & b)).
Sec 19 and Rule 30(7) read wih Sec 18 and Rule 32	To ensure that First-aid Box is kept in charge of a responsible person who shall always be readily available during the working hours of the establishments.
Sec 19 and Rule 30(8) read wih Sec 18 and Rule 32	To ensure that a person in charge of First-aid Box is trained in First-Aid treatment where the number of migrant workmen is 150 or more.

<b>Protective Clothing</b>	
Sec 16(f) and Rule 31(1) read with Sec 18 and Rule 32	To ensure that protective clothing consisting of one wollen coat and one wollen trouser once in two years is provided to every migrant workman where the temperature falls below twenty degree centigrade.
Sec 16(f) and Rule 31(1) read with Sec 18 and Rule 32	To ensure that one wollen overcoat is provided to every migrant workman once in three years where the temperature falls below five degree centigrade.
Sec 16(f) and Rule 31(2) read with Sec 18 and Rule 32	To ensure that protective clothing is provided to every migrant workman before the onset of winter season in the area where the establishment is located or on the 30th Day of September whichever is earlier.
<b>Wages and other conditions of service</b>	
Sec 17(1) and Rule 22(2)	To ensure that wage period does not exceed one month.
Rule 23	To ensure that wages of every migrant workman, where less than one hundred such persons are employed, shall be paid by the contractor before the expiry of seventh day and in other cases before the expiry of tenth day of the following month.
Rule 24	To ensure that wages of migrant workman who is terminated by or on behalf of the contractor is paid before the expiry of the second working day from the day on which his employment is terminated.
Rule 25	To ensure that payment of wages is made on the working day at the work premises and during the working time and on the date notified in advance and in case the work is completed before the expiry of the wage period, final payment is made within 48 hours of the last working day.
Rule 26(1)	To ensure that wages due to every migrant worker is paid to him directly or to other person authorised by him in this behalf.
Rule 26(2)	To ensure that wages are paid without any deduction of any kind, except specified by the State Government by the General or Special Order in this behalf or permissible under the Payment of Wages Act 1936.
Rule 27	To ensure that a notice showing the wage period and the place and time of disbursement of wages is exhibited within the premises of the establishment where the migrant workmen are employed
Sec 17(3)	To ensure that the wages to the migrant workmen are disbursed in presence of the authorised representative of the Principal Employer.
Rule 28	To ensure that the authorised representative of Principal Employer records under his signature (indicating his name and designation in bracket) a certificate at the end of all the entries in the Register of Wages or the Wage-cum-Muster-Roll, as the case may be in the following form;-" Certified that the amount shown in column no.....has been paid to the workmen concerned in my presence."
Sec 14 read with Sec 18 and Rule 32	To ensure that every migrant workman is paid at the time of recruitment, a displacement allowance equal to fifty percent, of the monthly wages payable to him or seventy five rupees, whichever is higher, which shall not be refundable and will be in addition to the wages and other amounts payable to him.
Sec 15 read with Sec 18 and Rule 32	To ensure that a journey allowance of a sum not less than the fare from the place of residence of the migrant worker in his State to the place of work in the other State is paid by the contractor to the workman both for outward and return journeys and wages for the period of such journeys is also paid to such migrant workman by the contractor.
<b>Maintenance of Registers and Records</b>	
Sec 23(1) and Rule 34	To ensure maintenance and production of register in Form No XIII in respect of every establishment where migrant workmen are employed by him with up-to-date information at the time of inspection by the Inspector.
Sec 23(1) and Rule 35	To ensure that on termination of employment, Service Certificate in Form XIV is issued to the migrant workman whose services have been terminated for any reason whatsoever.
Sec 23(1) and Rule 36	To ensure maintenance and production of an up-to-date sheet in Form XV in respect of payment of Displacement-cum outward journey allowances required to be paid under Sec 14 and Sec 15 and an up-to-date register for return journey allowance in Form XVI with proper authentication by the contractor, at the time of inspection.
Sec 23(1) and Rule 37(1)	To ensure maintenance and production of a) Muster Roll, b) Register of Wages, c) Register of Deductions, d) Register of Overtime, e) Register of Fines, f) Register of Advances, at the time of inspection by the Inspector, maintainable as employer under the Payment of Wages Act, 1936 and the Minimum Wages Act 1948 and Rules made thereunder, provided the establishment is governed by those Acts and Rules mentioned above.
Sec 23(1) and Rule 37(2a)	To ensure maintenance and production of Muster Roll Register and Register of Wages in Form XVII and XVIII respectively, at the time of inspection by the Inspector. (In respect of Establishments not covered under Rule 78(1)).
Sec 23(1) and Rule 37(2c)	To ensure maintenance and production of Register of deduction for Damage or Loss, Register of Fines and Register of Advances in Form XIX, Form XX and Form XXI respectively at the time of inspection by the Inspector.
Sec 23(1) and Rule 37(2d)	To ensure maintenance and production of Register for Overtime in Form XXII at the time of inspection by the Inspector.
Sec 23(2) and Rule 40	To ensure display of notices in conspicuous places in clean and legible condition at the establishment in English and in Bengali and in the language understood by the majority of the workers showing the rates of wages, hours of work, wage periods, dates of payment of wages, name and address of the Inspector having jurisdiction and date of payment of unpaid wages.

Rule 39	To ensure display of an abstract of the Act and Rules in English and Bengali and in the language spoken by the majority of the workers.
Sec 23(1) and Rule 38(1)	To ensure that all Registers and Records required to be maintained under the Act and Rules, unless otherwise provided for, is 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 specific request made by the contractor in this behalf.
Sec 23(1) and Rule 38(2)	To ensure that all registers are maintained legibly in English or Bengali and in the language understood by the majority of the migrant workmen engaged in the work.
Sec 23(1) and Rule 38(4)	To ensure that all registers and other records maintained under the Act and Rules are produced on demand before the Inspector.
Sec 23(1) and Rule 38(5)	To ensure that a "Nil" is made across the body of the prescribed Registers of Deduction, Fines or Overtime at the end of each wage period in case no deduction or fine is imposed or no overtime has been worked during the wage period.
Sec 35(2) read with Rule 41(1)	To ensure that half-yearly return in Form XXIII (Single Integrated Return) reaches the specified authority in the State from which the migrant workman, who ceases to be employed, was recruited and in the State in which he was employed, not later than thirty days from the close of half-year.

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