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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**

**Labour Department**  
**Labour Welfare Branch**  
**Writers Buildings, Kolkata - 700 001**

**NOTIFICATION**

No.238-LW/1A-01/2009.- dated 23.03.2011.- In exercise of the power conferred by section 35 of the Contract Labour (Regulation and Abolition) Act, 1970(37 of 1970) (hereinafter referred to as the said Act), the Governor is pleased hereby to make after previous publication, as required by sub-section (1) of section 35 of the said Act, the following amendments in the West Bengal Contract Labour (Regulation and Abolition) Rules, 1972. as subsequently amended (hereinafter referred to as the said rules):-

**Amendments**

In the said rules, -

(1) for sub-rule (2) of rule 18, substitute the following sub-rule :-

“(2) : Every certificate of registration granted under sub-section (2) of section 7 shall contain the following particulars, namely:-

- (a) the name and address of the establishment;
- (b) the type of business, trade, industry, manufacture or occupation which is carried on in the establishment;
- (c) the maximum number of workmen employed directly on any day in the establishment;
- (d) number of workmen employed as permanent or regular workmen;
- (e) number of workmen employed as temporary or casual workmen;
- (f) the maximum number of workmen employed or likely to be employed as Contract Labour in the establishment;

- (g) Whether the workmen employed or intended to be employed by the contractor perform the same or similar kind of work as the workmen employed directly by the principal employer. If yes, details of such activities;
- (h) the names and addresses of the Trade Unions operating in the establishment;
- (i) Settlement or Award or Judgment or minimum wages, if any, applicable in the establishment;
- (j) such other particulars as may be relevant to the employment of Contract Labour in the establishment.”
- (2) after sub-rule (1) of rule 21, insert the following sub-rule:—
- “(1A) Every application in Form No. IV shall contain a declaration on matters of nomenclature of contract labour, details of likely wage rates to be paid to such contract labour, other conditions of service like leave, holidays, hours of work etc. of the contract labour.”
- (3) after sub-rule (1) of rule 29, insert the following sub-rule:—
- “(1A) Every contractor shall also furnish in Form No. VII mentioned in sub rule (2) (i) a declaration in respect of the contract labour on the rates of wages paid, hours of work maintained, holidays and leave allowed, special benefits provided, if any, and (ii) a declaration as to the contributions made towards any fund under the Employees’ State Insurance Act, 1948 and the Employees’ Provident Fund and Miscellaneous Provisions Act, 1952.”
- (4) for Form No. I, substitute the following Form :—

“FORM NO. – I  
[See rule 17(1) and 18(2)]  
**Application for Registration of Establishments  
Employing Contract Labour**

1. Name and location of the Establishment. :
2. Postal address of the Establishment. :
3. Full name and address of the Principal Employer. :
4. Full name and address of the manager or person responsible for the supervision and control of the establishment. :
5. Nature of work carried on in the establishment :
- (a) Maximum number of workmen employed directly on any day in the establishment. :
- (b) Number of workmen engaged as permanent / regular workmen. :
- (c) Number of workmen engaged as temporary / casual workmen. :
- (d) Whether the workmen employed / intended to be employed by the contractor perform the same or similar kind of work as the workmen employed directly by the principal employer. (If yes, please give here information as detailed below):
  - (i) a complete job description of the contract labour. :
  - (ii) wage rates and other cash benefits paid/to be paid. :
  - (iii) category / designation / nomenclature of the job. :

- (e) The names and addresses of the Trade Unions :  
operating in the establishment.
- (f) Settlement or Award or Judgment or minimum :  
wages, if any, applicable in the establishment.
6. Particulars of contractors and contract labour :-
- (a) Names and addresses of contractors. :
- (b) Nature of work in which contract labour is employed :  
or is to be employed.
- (c) Maximum number of Contract Labour to be employed :  
on any day through each contractor.
- (d) Estimated date of employment of contract labour :  
under each contractor.
7. Particulars of treasury receipt enclosed. :  
(Name of the Treasury, Amount 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

Date of receipt of application :

Office of the Registering Office

(5) for Form No. IV, substitute the following Form :—

“FORM NO. – IV  
[See rule 21(1)]  
**Application for Licence**

1. Name and address of the contractor :  
(including his father's name in case of individuals)
2. Date of birth and age :  
( in case of individuals)
3. Particulars of establishment where :  
Contract Labour is 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

4. Particulars of contract labour :
  - (a) Nature of work in which contract labour is employed or is to be employed in the establishment. :
  - (b) Duration of the proposed contract work (given particulars of proposed date of commencing and ending). :
  - (c) Name and address of the Agent or Manager of Contractor at the worksite. :
  - (d) Maximum No. of contract labour proposed to be employed in the establishment on any day. :
  - (e) (i) category/designation/nomenclature of the contract labour, namely, fitter, welder, carpenter, mazdoor etc. :
  - (ii) Rates of wages, D.A. and other cash benefits paid / to be paid to each category [i.e. (a)unskilled, (b)semi-skilled, (c) skilled and (d) highly skilled etc.] of contract labour. :
  - (iii) hours of work, overtime and overtime wages : :
  - (iv) Other conditions of service like leave (annual leave, casual leave, sick leave, maternity leave etc.), holidays, hours of work etc. of the contract labour. :
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 or forfeiting security deposits 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 treasury Challan and date. :
10. Amount of security deposit - Treasury Receipt No. and date. :

**Declaration .** — I hereby declare that the details given above are correct to the best of my knowledge and belief

Date :  
Place :

(Signature of the applicant)  
(Contractor)

