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भारत संचार निगम लिमिटेड  
(भारत सरकार का उद्यम)  
**Bharat Sanchar Nigam Limited**  
(A Govt. of India Enterprise)

No. 14-1/2015-WS&I

Dt. 01.03.2016

To  
All Chief General Managers Telecom  
Bharat Sanchar Nigam Ltd.

**Subject:-Compliance of Labour laws and Social Security measures like EPF & ESI**

Sir,

Reports relating to the above in response to this office letters of even no. dated 15.10.15 followed by reminder dated 21.10.2015 received from different Circles have been examined. While reviewing a case Director (HR) has expressed her displeasure over the persisting non-compliances of the mandatory provision inspite of the clear guidelines issued on the subject. The undersigned has been directed to reiterate the guidelines issued earlier as there is still scope for improvement in the working conditions of contract labour and implementation of labour laws. Important points are reiterated for compliance as follows:

1. **Licenses:** It is necessary to check before the commencement of the work that the contractor has obtained a valid licence. It is also to be checked from time to time that contractor keeps it valid till completion of the work and takes timely action for renewal. License of the contractor is job specific and is non-transferable for any other work.
2. **Facilities to contract labours:** The Contract Labour (Regulation & Abolition) Act, 1970 has laid down certain amenities to be provided by the contractor to the contract labour like arrangements for sufficient supply of wholesome drinking water, latrines and urinals, washing facilities and first aid facilities. In case of failure on the part of the contractor to provide these amenities, the principal employer is liable to provide the same.
3. **Payment of wages:** The contractor is required to pay wages. In case of failure on the part of the contractor to pay wages either in part or in full, the principal employer is liable to pay the same. Therefore to avoid any litigation or undue liability on BSNL, following points should be ensured:
  - a) Timely disbursement of wages
  - b) Wages not less than the Minimum notified Rates
  - c) Disbursement in the presence of the representative of P.E.

- d) Payment by Cheque or Online
- e) Maintenance of records/registers to show the payment of wages etc. in prescribed formats. These should be preserved and made available whenever asked for during the inspection of BSNL or Labour enforcement Officers or when required to be produced before any tribunal/court.

**4. Display of notice:** Notices are also to be exhibited within the premises regarding rates of wages, hours of work, nature of duty, wage period, dates of payment, names and addresses of the inspector and any other information as prescribed under the Rules.

**5. Security measures (EPF and ESI):** Further social security measures like EPF and ESI are also to be ensured and provisions with regard to issue of cards, deposit of contributions, maintenance of records etc. should be strictly adhered to.

The provisions under various Acts require both the principal employer and the contractor to implement their respective statutory obligations.

It has to be noted by all concerned that if the contractor fails to fulfil its duties/obligations under the Act, the principal employer shall be under an obligation to provide all amenities and benefits prescribed under the law to contract labour deployed for principal employer. It is necessary for the representative of principal employer to collect and maintain all the necessary records for establishing, as and when required, that the statutory benefits were extended to the contract labours. It is reiterated that though registers /records etc., are largely to be prepared by the contractor, principal employer is also required to keep copies of such records to safeguard the interest of BSNL.

It is enjoined on all the Circle Heads that a strict watch shall be kept over the disposal of the complaints referred by Corporate Office to the Circles and action taken report should be submitted to Corporate Office promptly.

Any laxity in this regard shall be viewed seriously.

This is issued with the approval of Director (HR).



(Sudhira Sabharwal)  
DGM (WS&I)