

No.F.16/3/2011-ACI *DS III / 741-749*
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE (ACCOUNTS) DEPARTMENT

'A' Wing, 4th Level,
Delhi Secretariat,
I.P. Estate, New Delhi.
Dated: *14.06.2011*

OFFICE MEMORANDUM

Office Memo

Regarding observance of provisions of Minimum Wages Act, Contract Labour (R&A) Act, ESI Act, PF Act, etc., while engaging persons on contract basis through private contractor on outsourced basis.

It has come to the notice of Government that, in some cases, the contractors are not complying with the provisions of labour laws, like Minimum Wages Act, Contract Labour (Regulation & Abolition) Act and the Rules made thereunder, while engaging persons on contract basis in various departments/autonomous bodies. Some contractors are reportedly not extending statutory benefits like coverage under ESI Act, PF Act, Payment of Bonus Act (wherever applicable) to workmen engaged by them under their contract.

Government of NCT of Delhi have, therefore, decided that henceforth financial bids in respect of outsourcing of services of personnel through private contractors should be invited in the following format so as to avoid the exploitation of workmen engaged by the contractors and to ensure strict compliance with provisions of relevant statutes.

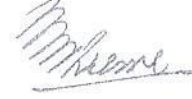
No	Designation of employee	Minimum Wages per person per month	ESI	EPF + EDLI	Bonus	Service Tax	Service Charge*	Total

Since the principal employer is not absolved of the responsibility with regard to payment of due wages to the workmen though employed through contractor, the administrative departments should ensure that :-

1. The rates quoted by the prospective bidder include all statutory obligations of the contractor under Minimum Wages Act, Contract Labour (R&A) Act, service charges, service tax etc.
2. The offers/bids, which are not in compliance of Minimum Wages Act and any other labour laws, should be treated as invalid.
3. The prospective bidder is registered with the authorities, concerned of Labour Department under Contract Labour (R&A) Act 1970 and Delhi Works Contract Act (wherever applicable).
4. The contractors extend the various statutory benefits like coverage under ESI Act, PF Act, Payment of Bonus Act (wherever applicable) to their workmen deployed by them under their contract.

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All the Heads of Departments should ensure compliance of the above instructions and provisions of Minimum Wages Act and the Contract Labour (Regulation & Abolition) Act while engaging personnel on contract basis through private contractors on outsourced basis.



(B.L. SHARMA),
Spl. Secretary (Fin.).

To

1. All Pr. Secretaries/Secretaries/ HODs of Departments of Government of NCT of Delhi.
2. All Deputy Secretaries/Under Secretaries/Desk Officers of Finance Department.
3. Controller of Accounts, Pr. Accounts Office, Vikas Bhawan, New Delhi.
4. Controller of accounts, Directorate of Audit, Delhi Sachivalaya, New Delhi.

Copy to:

1. P.S. to Pr. Secretary (Fin.), Government of NCT of Delhi.
2. Web site of Finance Department.
3. Superintendent-in-charge of maintenance of Guard File.