

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
LABOUR DEPARTMENT
5, SHAM NATH MARG, DELHI-110054

F.No.PA/JLC (HQ)/CLA/Lab/15/213

Dated: 02/05/2016

To

All Pr. Secretaries/ Secretaries/HoDs of all Departments, Public Sector Undertakings and Autonomous Bodies.

Sub: Cabinet Decision No. 2323 dated 22.03.2016 on Payment to Contractual/Outsourced Workers in different Departments/Organizations under GNCTD.

Sir,

In compliance with Para 9 (a) of Cabinet Decision no. 2323 dated 22.03.2016 following directions are hereby communicated for strict compliance by all concerned:-

- 1) It shall be the personal responsibility of each HOD/Secretary to ensure that all contract employees, whether employed directly by GNCTD or working with a contractor whose services have been hired by GNCTD are paid their wages for previous month latest by seventh day of next month if the establishment has engaged less than 1000 persons/workers and by tenth day of next month if the establishment engaged more than 1000 workers. The HOD/Secretary shall thereafter obtain details of payments of wages from all the branches/divisions/subordinates offices under the concerned HOD and satisfy himself that due wages have been paid to each and every worker and this exercise shall be completed by the HOD/Secretary by 15th of every month.
- 2) Each HOD/Secretary shall certify that all employees have been paid wages. The certificate should reach Chief Secretary by 5.PM on 20th day of each month.
- 3) The Chief Secretary shall submit a report by 11 AM on 22nd day of each month to the Chief Minister.
- 4) Those HODs/Secretaries, who fail to ensure that payment has been made to all employees for the previous month, shall make themselves liable for imposition of penalty equal to deduction of pay up to 10% of their basic salary for that month. An officer shall be heard before such penalty is imposed.
- 5) In order to ensure that all employees get their salaries in time, HODs/Secretaries should use all powers at their disposal to ensure the same. If contractor fails to comply repeated attempts, HOD/Secretary shall be at liberty to cancel the contract.
- 6) (a) If the contract is cancelled, immediate steps as warranted should be taken in that case to invite fresh tenders/bids and a new contractor/ firm finalized.

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(b) For work already rendered by a worker(s), the Department may make payment of the due amount of wages to the worker(s) directly and adjust it against bills that would otherwise be due to the contractor.

(c) In the interim and till a new contractor is selected, the Department shall take all the concerned willing workers into its fold as daily wage workers. This be done for a maximum period of 89 days in one go and only by way of interim measure.

- 7) If the contract is cancelled, the said firm/company and all those firms/companies in which the partners/Directors of the said firm/company are partners/Directors, shall be blacklisted from getting any work in GNCTD for a period of 3 years. Any amount due to them including security shall be forfeited.
- 8) To ensure that there is no delay in processing bills the departments do not need to send the periodic bills to Finance Department for approval. The bills should be settled at their end only.

It is, therefore, requested to sensitize the concerned Officers to adhere to the timeline prescribed by the Cabinet and ensure timely payment of wages and other legal entitlements to the workers employed, on contractual basis/ through outsourced agencies.

Yours faithfully


(K.R. Meena)

Secretary-cum- Commissioner (Labour)

Copy along with enclosure forwarded for information to:-

1. Chief Secretary, Govt. of NCT of Delhi,
2. Secretary to Hon'ble Lt. Governor, Govt. of NCT of Delhi.
3. Pr. Secretary to Hon'ble Chief Minister, Govt. of NCT of Delhi.
4. Secretary to Hon'ble Dy. Chief Minister, Govt. of NCT of Delhi.
5. Secretary to Hon'ble Minister, Transport, Govt. of NCT of Delhi.
6. Secretary to Hon'ble Minister, Health, Govt. of NCT of Delhi.
7. Secretary to Hon'ble Minister, Women and Child, Govt. of NCT of Delhi.
8. Secretary to Hon'ble Minister, Tourism, Govt. of NCT of Delhi.
9. System Analyst, Labour Department, Govt. of NCT of Delhi to upload this circular on the website of the Labour Department.