

GOVT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF SOCIAL WELFARE
GLNS COMPLEX, DELHI GATE
(CARETAKING BRANCH) NEW DELHI-110002

F.71(48)/DSW/CTB/Tender/Sanitation worker /GeM/2020-21/23285-23345 Dated

26 MAR 2021

ORDER

Reference to the order issued from Secy. Cum Director (DSW) on dated 22 March 2021, vide which it has been directed that while clearing the bills of the contractors, documents/proof of payment of Minimum Wages, Bonus and remittance of ESI and EPF contribution should be sought from the contractor and after verifying that the same has been paid to the workers/remitted to the concerned Authority as the case may be.

As per statutory provisions, the wages for previous month are required to be paid latest by (i) seventh day of next month if the establishment has engaged less than 1000 persons/workers and (ii) by tenth day of next month if the establishment has engaged more than 1000 workers.

Hence, on the subject cited above which interalia relates to the timely payment to contractual/outsourced employees and remittance of ESI & EPF contribution to the concerned Authority.

This issued with the prior approval of Competent Authority.


Section Officer (CTB)

F.71(48)/DSW/CTB/Tender/Sanitation worker /GeM/2020-21/23285-23345 Dated

26 MAR 2021

Copy to:

1. PS to CS, GOvt of NCT of Delhi, 5th level, A-wing, Delhi Secretariate, New Delhi-110002
2. PS to ACS, Govt of NCT of Delhi, 5th level, A-wing, Delhi Secretariate, New Delhi-110002
3. PS to Secretary (SW), Delhi Gate, Delhi
4. PA to Director (SW)- Delhi Gate, Delhi
5. PA to Spl Director (SW)- Delhi Gate, Delhi
6. Deputy Controller of Accounts- SW, Delhi Gate, Delhi
7. All incharge District offices/Homes/institutions - **are requested to submit the verified attendance of outsourced persons (Security guard/Sanitation workers) latest by 1st and 2nd day of every completed month either in physical mode or through e-mail (ddctb2018@gmail.com) to caretaking branch (HQ) , so that the attendance may provide to the manpower agency for making payment to outsourced persons as per order as above, submission of attendance on time is the sole responsibility of the incharge concerned.**
8. M/s International Institute of Sulabh Systems , Add:- 206, Jaya Garden Appartment Block -C Azad Path, Saristabad, Patna, Bihar- 800001
9. The M/s Bombay Intelligence Security (India) Ltd. B-295, First Floor, Chitraranjan Park Nehru Place New Delhi -110014
10. M/s Any Time Security Services, TA-91 (Basement) Main Okhla Road. Tughlakabad, Extn. New Delhi-19
11. Computer Cell- with a request to upload the order on department website.


Section Officer (CTB)

698/CC
26/03/21

OFFICE OF THE DIRECTOR
Govt. of NCT of Delhi
Department of Women & Child Development/
Department of Social Welfare

F.No.PS/Dir(WCD)/Misc./2020-21/ 21687-96

Date:

22 MAR 2021

ORDER

Sub:- Timely payment to contractual/Outsourced employees and remittance of ESI & EPF contribution to the concerned Authority reg:

Instruction as communicated by Chief Secretary, GNCTD, vide U.O. No. CS/2021/4596 dated 17.03.2021 (copy enclosed) on the subject cited above which interalia relates to the timely payment to contractual/Outsourced employees and remittance of ESI & EPF contribution to the concerned Authority.

Officers of the Departments shall ensure the compliance of the said order and ensure that no leaves in this period will be permitted & all concerned must be asked to give extra time in morning & evening to finish work if so required.



R Singh
(Dr. Rashmi Singh)
Secy. Cum Director (DSW) &
Director (WCD)

To,

1. Spl. Director (DSW), GNCTD
2. Joint Director (WCD), GNCTD
3. All Deputy Directors (WCD/DSW), GNCTD
4. All District Officers (WCD/DSW), GNCTD
5. Controller of Accounts & IFA, WCD, GNCTD
6. IFA, DSW, GNCTD
7. DCA, DWCD
8. DCA, Department of SW.

Copy for information to:-

1. OSD to Secretary, WCD

2. ps to Secy (SW).

WCD

OFFICE OF THE CHIEF SECRETARY
GOVERNMENT OF NCT OF DELHI

Subject-Timely Payment to contractual/outsourced employees and remittance of ESI & EPF contribution to the concerned Authority.

1. Please refer to UO No.CS/2019/29838 dated 23/12/2019(copy enclosed) vide which it was directed that it is the personal responsibility of each HoD/Secretary to ensure due payment to all contractual/outsourced employees, whether employed directly by GNCTD or working through contractor. All HoDs were further directed to scrupulously follow the instructions as issued vide Labour department circular No. PA/JLC(HQ)/CLA/Lab/15/213 dated 02.5.2016(copy enclosed) and send certificate on or before 20th day of each month.
2. Further, a circular dated 09.3.2021(copy enclosed) had also been issued to pay wages on time and ensure remittance of EPF and ESI contribution to the concerned Authority.
3. It has been observed that some departments are not ensuring the timeline as mentioned in cabinet decision 2323 dated 22.3.2016.
4. You are, therefore, once again directed to personally look into the matter and ensure timely payment to contractual/outsourced employees and send the requisite certificate on or before 20th of each month. You are also directed to ensure that statutory deductions like ESI & EPF should be deducted by the contractor/outsourced agencies and the same be deposited well in time with the concerned Authority.

Encl: As above

nmf
15/3
Director (WCD)
sp. secy.

(Vijay Kumar Dev)
17/3/21
DD(Admin)
Chief Secretary

Addl. Chief Secretaries/Pr. Secretaries/Secretaries/HODs of all Departments/Organisation/Autonomous Bodies and Public Sector Undertakings of Govt of NCT of Delhi.

U.O.No. CS/2021/4596

Dated: 17/3/2021

Office of the Secretary
Dept. of Women and Child Development
Govt. of NCT of Delhi
18 MAR 2021
Dy. No. 23/7

Subject: Payment to contractual / outsourced employees

1. In pursuance of Cabinet Decision No.2523 dated 27.01.2016 regarding payment of wages to contractual / outsourced workers, Labour Department had issued Circular No. FA/JLC(HQ)/CLA/L&E/15/243 dated 02.05.2016 for ensuring timely payment of wages and submission of requisite certificate (copy enclosed). As per the Cabinet decision/standing instructions, each HoD/Secretary is required to send a certificate by 20th of the month that all employees have been paid due wages pertaining to previous month.

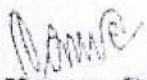
2. As per statutory provisions, the wages for previous month are required to be paid latest by (i) seventh day of next month if the establishment has engaged less than 1000 persons/workers and (ii) by tenth day of next month if the establishment has engaged more than 1000 workers.

3. It has been observed that some Departments/Organisations under GNCTD are defaulting in implementing these directions. Sometimes, delay is caused for want of requisite concurrence from Finance Department etc. Such cases necessitate **proactive action** on the part of the Departments / agencies to get their proposals cleared.

4. It is once again reiterated that it is the **personal responsibility of each HoD/Secretary** to ensure due payment to all contractual / outsourced employees, whether employed directly by GNCTD or working through a Contractor. All concerned HoDs are directed to scrupulously follow the instructions in letter and spirit and send certificate on or before 20th day of each month. Any lapse in this regard shall be viewed seriously and appropriate action shall be taken against the defaulting officers in a time bound manner.

5. Copy of the instructions issued by the undersigned on 03.01.2016 in this regard is enclosed.

Encl.: As above


(Vijay Kumar Devi)
Chief Secretary

Addl Chief Secretaries / Principal Secretaries / Secretaries / HoDs of all the Departments, Public Sector Undertakings and Autonomous Bodies under GNCT of Delhi.

U.O.No.: CS/2019/29813

Dated: 23.12.19

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.

Sr.

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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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)
(K.R. Meena)

Secretary-cum- Commissioner (Labour)

- 1. Along with enclosure forwarded for information to -
- 2. Chief Secretary, Govt. of NCT of Delhi.
- 3. Secretary to Hon'ble Lt. Governor, Govt. of NCT of Delhi.
- 4. Secretary to Hon'ble Chief Minister, Govt. of NCT of Delhi.
- 5. Secretary to Hon'ble Dy. Chief Minister, Govt. of NCT of Delhi.
- 6. Secretary to Hon'ble Minister, Finance, Govt. of NCT of Delhi.
- 7. Secretary to Hon'ble Minister, Health, Govt. of NCT of Delhi.
- 8. Secretary to Hon'ble Minister, Women and Child, Govt. of NCT of Delhi.
- 9. Secretary to Hon'ble Minister, Tourism, Govt. of NCT of Delhi.
- 10. System Analyst, Labour Department, Govt. of NCT of Delhi to upload this circular on the website of the Labour Department.

Circular

A large number of contractors are providing services and labourers/employees in various departments, local bodies, autonomous bodies and public sector undertakings of the Government of National Capital Territory of Delhi. Complaints are being received that many contractors are depriving their contract labourers/employees of their legal entitlements like Minimum Wages, Bonus etc. They are also not remitting ESI and PF contribution to the authorities concerned.

It is the statutory responsibility of the Principal Employers to ensure payment of Minimum Wages to the contract workers under section 21 of Contract Labour Act, 1970. Further, the Principal Employer is also mandated to ensure payment of ESI and EPF contributions under section 40 and 41 of ESI Act, 1948 and section 8A of EPF Act, 1952. In view of the above statutory provisions, the Principal Employer shall ensure that the contract workers/employees should receive all the legal entitlements from the contractors.

In this context, it is advised that while clearing the bills of the contractors, documents/proof of payment of Minimum Wages, Bonus and remittance of ESI and EPF contribution should be sought from the contractor and after verifying that the same has been paid to the workers/remitted to the concerned Authority as the case may be.

The Nodal officer of the Principal Employer may also coordinate with the ESI and EPF officers for this purpose.

R. Alice Vaz
6/10/2021

Secretary-cum-Commissioner(Labour)

10.

All Pr. Secretaries/Secretaries/HoDs of all departments/
Heads of all Local Bodies,
Autonomous bodies and public sector
undertakings of the Govt. of NCT of Delhi.

Copy to:

1. Secretary to Hon'ble Deputy Chief Minister/ Hon'ble Minister of Labour, GNCTD.
2. Staff officer to Chief Secretary, Govt. of NCT of Delhi.

9/12/21
Additional Labour Commissioner