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1.1 Statutory Requirements

Contractor shall ensure that all the Labour Laws applicable including the below listed laws, to be strictly followed and necessary records to be maintained at work Location.

- Contract Labour (Regulation & Abolition) Act , 1970
- Inter-State Migrant Workmen Act 1979
- Employees PF & Misc. Provision Act ,1952
- Factories Act ,1948 and Punjab Factory Rules, 1952
- Industrial Disputes Act ,1947
- Minimum Wages Act ,1948
- Payment of Bonus Act ,1965
- Payment of Gratuity Act ,1972
- Building & Other Construction Workers Act, 1996
- The Building and other Construction Workers' Welfare Cess Act, 1996 and welfare Cess Rules 1998
- Employee Compensation Act ,1923
- Maternity Benefits Act ,1961
- Payment of Wages Act ,1936
- Equal Remuneration Act, 1976
- The Punjab Labour Welfare Fund Act, 1965 and the Punjab Labour Welfare Fund Rules, 1966

All the wage payments to the workers deployed at site, will be disbursed through Bank Accounts only on or before 7th of subsequent month. If in case contractor fails to make the timely wage payment as per Payment of Wages Act, 1936 and Contract Labour Act 1970, the contractor is liable to pay a sum of Rs. 100/- per person per day for delay period as penalty. HMEL is authorized to deduct the same from the bills of contractor.

Contractors need to ensure following amenities / facilities before deployment of manpower at GGSR.

SN	Amenities / Facilities	Required Nos. to be provided.
1	Drinking water	Contractors to ensure sufficient supply of wholesome drinking water to the manpower deployed at site. Contractors to ensure supply of cool drinking water during 1 st May to 30 th Sept.
2	Latrine accommodation	One for 25 upto 100 & one for every 50 thereafter (Separately for male and female)
3	Urinal accommodation	1 urinal for every 50 workers upto the first 500 employed and one for every 100 thereafter.

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4	First aid appliances	One equipped first aid box per 50 persons
5	Rest room/shelter/lunch room	Contractors need to provide Rest Room / Shelter / Lunch Room for the Manpower deployed at site, with adequate sitting arrangement, drinking water, lighting, ventilation and proper housekeeping.
6	Canteen	In case of manpower deployment is more than 250 Nos. Contractors need to provide subsidized canteen arrangement for the manpower deployed at site.

If in case contractor fails to comply with any of the above mentioned requirement, HMEL HL Deptt. is authorized to impose heavy penalty and the same will be deducted from contractor's bill.

Each contractor is to sign "**HMEL Labour Laws Compliance Requirements from Contractors**" Checklist as given in **Appendix A**, along with signing the Contract and ensure that all the requirements given in the Checklist should be met during the entire period of Contract.

Each Contractor is to submit "**Monthly Statutory Compliances Checklist cum Self Declaration by Contractor**" duly signed by authorized signatory as given in **Appendix B** and obtain the clearance from HL department, on or before every 10th of consecutive month and submit with monthly bill to the concern HMEL In-charge for the job.

Each contractor to submit the complete information at the time of expiry of Contract in the format as given in **Appendix C**, Complete Details to be furnished from the inception of contract.

Each contractor to ensure that all the formalities as Listed in **Appendix D** to be completed before the Closure of labour License & submitting Final Bill for Processing.

1.2 Labour License

Contractor to obtain a Labour License from appropriate Labour Department and should ensure that at no point of time, its labour should increase the capacity of valid Labour License.

1.3 Employee Compensation Scheme

Each and every contractor's person deployed at GGSR (HMEL) should be covered under valid Employee Compensation Policy (Policy to be obtained in line with PO and nature of job). Contractor should ensure that the Employee Compensation Policy should be taken for GGSR Bathinda before actual deployment of labour at site and should be renewed as and when required.

1.4 Provident Fund

Each and every contractor should have an active PF Code in his name or company's name. Contractor has to deposit the PF dues of all the labour deployed at GGSR in his/company's PF Code. Site specific PF challan / ECR should be prepared and amount to be deposit accordingly.

1.5 Gate Pass Procedure for Contractual labour

Contractor has to follow the Gate Pass procedure as mentioned in Appendix E

1.6 Approval of Subcontractor, if agreed in Contract.

Requirement for approval of Subcontractor are given in Format as given in Appendix F

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APPENDIX A

HMEL Labour Laws Compliance Requirements from Contractors	
(To be signed by Power of Attorney of Contractor Company before Signing of Contract)	
Name of Contractor	
Nature / Name of Job Assigned	
Sl. No.	Compliance
I	Under Contract Labour (R&A) Act, 1970
1	Form V, Application duly forwarded through Concerned Department to be forwarded to HL along with details as given in Form V Checklist to apply for Labour License if Labour Deployment will be 20 or more than 20.
Following Registers / Documents to be Maintained at GGSR (HMEL) for all the Labour including Sub Contracted / Petty Contracted / Labour Supply	
2	Updated Register of Persons employed (Form -XIII) All the Workmen deployed at GGSR (HMEL) updated in register
3	Attendance Register / Muster Roll (Form XVI) All the Workmen working at GGSR (HMEL) site are covered
4	Wages Register (Form XVII) All the Workmen working at GGSR (HMEL) site are covered
5	Register of Deductions (Form XX) Record updated for GGSR (HMEL)
6	Register of Overtime (Form XXIII) Proper Register Maintained for all Workmen working at GGSR (HMEL)
7	Register of Advances (Form XXII) Proper Register Maintained for all Workmen working at GGSR (HMEL)
8	Register of Fines (Form XXI) Proper Register Maintained for all Workmen working at GGSR (HMEL)
9	Wage Register Witnessing by HMEL Representative during Wage Disbursement.
10	Wage Slip issued and record is maintained for all Workmen deployed at GGSR (HMEL) (Form XIX)
11	Half Yearly Return to be submitted at Labour Department (Form XXIV)
12	Service certificate being issued to all Workmen at the time of their leaving service
II	The Provident Fund & Misc. provisions Act, 1952
Following Registers / Documents are to be Maintained	
1	Active PF Code No. (Applied for is not Acceptable)
2	Nomination / Declaration Form of each employee should be available (Form 2)
3	Site specific PF challan / Copy of ECR for employees deployed at GGSR (HMEL) only.

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4	PF Inspection Book
5	Issuance of Annual PF Slip to each Employee
III	Building & Other Construction work (Reg. of Employee & Conditions of Service) Act, 1996 (If Applicable)
1	Certificate of BOCW Registration
2	All the Workmen to be registered under BOCW Act as Beneficiary
3	CESS payment under "The Building and other construction workers' Act, 1996 and welfare CESS rules 1998".
IV	Payment of Bonus Act,1965
1	Payment of Bonus to all the Contractual Labour as applicable
2	Maintenance of Register of Bonus A , B & C
V	Employee Compensation Act,1923
1	Valid Employee Compensation Policy for all the Workmen Employed at GGSR (HMEL)
VI	The Minimum Wages Act, 1948
1	Payment made to all the Workmen as per prevailing minimum rates of wages / Above.
VII	Following Welfare Measures to be taken for Workmen to be Deployed at GGSR (HMEL)
1	Canteen/Dinning area; where 100 or more contract Workmen employed at GGSR (HMEL).
2	Shelters / Rest-rooms; ventilated, lighted and in clean & comfortable conditions
3	First Aid Facility; 1 box for every 50 Nos.
4	Drinking Water; sufficient supply of drinking water at convenient places
5	Contractor has to provide Latrine & Urinals; 1 for 25 Nos. upto 100 & 1 for 50 Nos. above 100 (where both male & female are employed, separate accommodation with figures / to mention for men only & for women only
VIII	Factories Act , 1948 and Punjab Factory Rules , 1952
1	Leave with Wages Register (Form 15)
2	Following the Shift Timings of HMEL
3	Weekly off & Overtime as per Factory's Act
4	Compensatory Off
IX	Following Abstract of Acts / information to be displayed at Site Office
1	Name & Address of Contractor
2	Name & Contact No. of Site Incharge
3	Minimum Wages for different Category
4	Labour Authority - Name, Designation & Address
5	Important Telephone Nos.
6	All Required notices to be displayed at worksite

(Authorized Signatory)
Contractor Name



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APPENDIX B

Monthly Statutory Compliances Checklist cum Self Declaration (To be submitted by contractor along with each monthly bill)		
Name of Contractor		
Nature / Name of Job		
Month / Period of Bill		
1	PO/ Work order No.	
2	Under Contract Labour (R&A) Act, 1970	
	Labour License No.	
	No of Labour Covered under License	
	License expiry date	
	Maximum deployment of workmen on any day during the Month	
	Shift Timings	A: B: C: G:
	We have updated Register of Persons employed (Form -XIII) for all the labourers deployed in Specific Site (including labour deployed through Sub Contractor / Petty Contractor)	Yes / No Number of Persons Employed till Date
	Attendance Register / Muster Roll (Form XVI) has been updated for all the labourers working at Specific Site – Copy Attached	Yes / No Number of Persons In Register Total Man-days
	Wages Register (Form XVII) has been updated for all the labourers working at Specific Site and is duly witnessed by HMEL Representative – Copy Attached	Yes / No Number of Persons : Total Man-days : Total Wages : Date of Payment :
	Register of Overtime (Form XXIII) has been updated for all Workmen working at GGS (HMEL)	Yes / No Number of Persons Total Overtime Hours Total Overtime Wages



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1	We are also maintaining below documents : Register of Advances (Form XXII) Register of Fines (Form XXI) Register of Deductions (Form XX) Half Yearly and Annual returns Notice of Commencement Form VI A We are issuing : Wage Slip to each Workmen (Form XIX) Service certificate to Workmen at the time of their leaving service	Yes / No
3	The Provident Fund & Misc. provisions Act, 1952	
	PF Code No.	
	Number of Employees Covered under PF (Including Sub / Petty Contracted) deployed at GGSR (HMEL) only	
	Number of Exempted Employee deployed at GGSR (HMEL) site only	
	PF Amount Deposited for Employees deployed at GGSR (HMEL), Site specific copy PF Challan (Copy attached) and ECR.	
	We are also maintaining below documents: Nomination/ Declaration (Form 2) for each employee Annual PF Slip to each employee PF Inspection Book	Yes / No
4	Employee Compensation Act	
	Period of Employee Compensation Policy	From _____ to _____
	No of Labour Covered under Employee Compensation Policy	
5	The Minimum Wages Act, 1948	
	Payment made to all the labourers as per minimum wages Act / Above (as per latest Notification)	Yes / No
6	Payment of Bonus Act	
	Compliance of Statutory bonus	Yes / No
7	Factories Act 1948	
	We are giving Leave with Wages as per Factories Act	Yes / No
	We are following Shift Timing as approved from HMEL	Yes / No
	We are following Overtime & Weekly Off provisions	Yes / No
	We are also following provisions of Compensatory Off	Yes / No
	Monthly Data for Annual Return of GGSR submitted	Yes / No



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	Females are deployed only between 6:00am to 7:00pm	Yes / No
	The Punjab Labour Welfare Fund Act, 1965	
8	Labour Welfare Fund is deducted and deposited	Yes / No
	Welfare Measures	
9	Canteen facility if 100 or more contract labour is employed	Yes / No
	Shelters / Rest-rooms; ventilated, lighted and in clean & comfortable conditions	Yes / No No. of Rest Shelters
	First Aid Facility; 1 box for every 50 Nos.	Yes / No No. of First Aid Boxes
	Drinking Water ; sufficient supply of drinking water at convenient places	Yes / No No. of Water Points
	Latrine & Urinals; 1 for 25 Nos. upto 100 & 1 for 50 Nos. above 100 (where both male & female are employed, separate accommodation with figures / to mention for men only & for women only	Yes / No No. of Latrines & Urinals

This is to certify and undertake that above mentioned all information is correct.

(Signed & Stamped by Authorized Signatory of Company)

(Checked & Verified by HMEL HL)

Note: - This document is only for HMEL internal use.



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Appendix C

Details to be submitted by Contractor at Contract Expiry (since Inception of Contract)				
Name of Contractor				
Nature of Job				
Labour License No.				
Month	Month 1	Month 2	Month 3	Month 4
Average Manpower Deployed at Specific Site (Including Sub Contracted / petty Contracted)				
Highest Manpower on any day of the Month				
Total Man-days				
Amount of Total Wages Distributed				
Number of Persons in Attendance / Wage Register				
Number of Persons covered Under PF				
Number of PF Exempted Employees				
Amount of total PF Deposited for Workmen Deployed at Specific Site Only				

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Appendix D

Closing of Labour License & Final Bill Processing Checklist		
Sl. No.	Detail / Record	Availability
1	Clearance from Labour Department	Yes / No
2	Employee Compensation Commissioner Clearance and Details of Fatal Accidents / Other Disablement Cases	Yes / No
3	PF Inspection for entire period of Contract from Local PF Department & Clearance from RPFC of Concerned Area from where PF Code is issued.	Yes / No
4	Self-Declaration By Contractor on Compliances	Yes / No
5	Data of Annual Return of CL Act and Factories Act	Yes / No
6	Labour Record (Since Inception Till Last Date) - Attendance Register, Wage Record, Full and Final Records, PF Challans etc. & Declaration of Maintaining Records for three years	Yes / No
7	Completion Certificate from concerned HMEL Engineer Incharge	Yes / No
8	Information as per Appendix C	Yes / No
9	Clearance from Cess Collector on BOCW Cess , if applicable	Yes / No

All the relevant proofs and details are attached.

Authorized Signatory
(Contractor Name)

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Appendix - E

Gate Pass Procedure for Contractual Labour:

Following process to be followed for getting Gate Pass for contract labour at GGSR. In order to expedite the gate pass process, team members from Medical, Safety, HL & Security are available at Labour Welfare Centre.

Prior to arrival at site

After the contract is awarded the contractor & registration of Job with HL Deptt, contractor has to complete the following documentation prior to their manpower arriving at GGSR.

- Covering letter with the signature of HMEL Engineer in-charge.
- Signature of RSS / GM Operation will be required for working in ISBL Area.
- Joining Form/ Bio-Data (2 Copies) in GGSR Format.
- ID proof of all workers (Photocopy Attested by Contractor).
- Resident Proof of all workers (Photocopy Attested by Contractor).
- Employment Card issued to new joinee (Photocopy Attested by Contractor).
- PF-Form 2 (Properly Filled- Photocopy Duly Attested By Contractor) / Form 11
- Copy of police verification (original to be produced for verification).
- Eye test report for Drivers, Operators (Cranes, JCB) Technicians, electricians etc.

First day of arrival - Steps at Labour Welfare center.

Step 1- Medical

A Pre-employment Health check-up is done by GGSR Medical officer, if person is medically fit, then he can proceed for next step..

Step 2- Safety Induction

Safety induction sessions are carried out on daily basis:

Session 1:- In English For engineers, managers, Safety personnel, licensor, vendors. This is a one hour session and if these persons are applying for their permanent entry pass for the refinery then they will also have to attend the One & Half day Fire & Safety Training within the first two weeks of joining.

Session 2:- In Hindi for workers, Supervisors or persons who can't understand English. It will include a 15 minute HL briefing.

Step 3-HL Compliances

Parallel with Step 2 (Second session) Contractor representative will take clearance from HMEL HL department for statutory compliance with submission of prior Documents produced by contractor plus the following Documents

- Medical Fitness Certificate(Copy)
- Entry In employment Register (Original Register to be produced for verification)

Step 4- Gate Pass Issue

After HL & Safety Authorization contractor will submit the documents to the security department. Security will register all the workers in CLMS (taking of photo, scanning fingerprint & registering details) and process their Gate passes

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Procedure for Temporary Gate Pass:

- Temporary Gate Entry will be done only with approval from AGM HL / Manager HL / Factory Manager / Person authorized by COO.
- In-Out Access of Temporary Contract labour will be controlled by Security Team based on HL Approval. However the record of temporary gate passes issued is also to be maintained by Security Team.

Renewal of gate Pass

Extension of Gate Passes to be approved by Concerned HMEL In-charge & HL. Security Team will accordingly renew the gate pass. Medical & Safety induction is valid for six months; worker will undergo medical & safety induction (if it is not valid at the time of renewal of gate passes.)

Loss of gate Pass

In case of Loss of Gate Pass, a copy of FIR to be submitted to Security department for reissuance of gate pass.

Submission of Gate Passes

HMEL will maintain Contractor Wise record of Gate Passes Issued to Contractual labour and will not issue the Gate Passes beyond the Capacity of Labour license.

Contractor has to update the gate pass records, submit information regarding cancelled gate passes (copy of FIR, in case of absconding / lost cases) to be submitted to Security Team.

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Annexure F



Sub-Contractor - Approval Format of GGSR Bathinda

1. NAME OF MAIN CONTRACTOR:.....
2. NAME OF WORK, LOCATION:.....
3. NAME OF PROPOSED SUB CONTRACTOR:.....
4. SCOPE OF WORK PROPOSED FOR SUB CONTRACTOR:
.....
5. ESTIMATED VALUE OF THE PROPOSED WORK TO BE SUB- CONTRACTED (INR):
.....
6. ESTIMATED NUMBER OF MANPOWER TO BE DEPLOYED :
7. QUALIFYING CRITERIA FOR SUB – CONTRACTOR
 - i) Similar Work Experience:

(Executed at least One Contract of 60% of estimated value of proposed work to be sub-contracted)
 - ii) Annual Turnover :

(Not less than 125% of estimated value of proposed work to be sub – contractor)
 - iii) PF Number and Annual Returns :

(PF Inspection Report for Last 3-5 Years)
 - iv) Labour License taken for other Jobs Executed (Proposed Sub Contractor)

(Copy of Licenses to be enclosed and also the Records of Closure of License)
8. EXPERIENCE AND FINANCIAL DETAILS OF PROPOSED SUB – CONTRACTOR:

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- i) Contract Value of similar work Executed (as evidenced by work :Order & Completion Certificate) During the last 10 years
- ii) Maximum Annual Turnover during Last 3 (three) years (as evidenced By Balance sheets)
- iii) Status PF Inspection Reports and Annual Returns of Last 3-5 Years
- iv) Copy of Labour License taken for previous Jobs Executed

9. CRITERIA FOR QUALIFICATION OF SUB CONTRACTOR:

- i) SL. No. 8(i) > 7(i) : YES/No
- ii) SL. No. 8(ii) > 7(ii) : YES/No
- iii) PF Annual Returns / Inspection Reports Available YES/No
- iv) Copy of Previous Labour License Available YES/No

10. Based on above information, we M/s..... (Name of Main contractor) propose M/s (Name of proposed sub-contractor) as our sub-contractor for the above mentioned works. We understand that notwithstanding above approval, we shall remain fully responsible for the performance of the said sub-contractor and any failure of the sub-contractor shall not absolve/relieve us of our responsibility to complete the works as per the terms and conditions of the Contract.

Note: Contractor to fill all the details in the above Performa. Further Contractor shall also fill-in the details at SL. No.5 above based on the estimated value of the proposed work to be subcontracted.

(STAMP & SIGNATURE OF CONTRACTOR)

11. APPROVAL STATUS (TO BE APPROVED BY HMEL)

(H.O.D)

(HL)