

HARYANA PUBLIC WORKS DEPARTMENT CONTRACTOR'S LABOUR REGULATIONS

1. **Short Title** - The regulations may be called Haryana Public Works Department Contractor's Labour Regulations.
2. **Defination** - In the regulation, unless otherwise expressed or indicated, the following words and expression shall have the meaning here by assigned to them respectively that is to say-
 - (1) "Labour" means workers employed by Haryana Public Works Department contractor directly, or indirectly through a sub-contractor or other person, or by an agent on his behalf.
 - (2) "Fare Wages" means wages whether for time or piece work notified from time to time for the area and where such wages have not been so notified, the wages prescribed by the Haryana Public Works Department for the District in which the work is done.
 - (3) "Contractor" shall include every person whether a sub-contractor or headman or agent, employing labour on the work taken on contract.
 - (4) "Wages" shall have the same meaning as defined in the payment of Wages Act, 1936 and include time and piece rate wages.
3. **Display of notices, regarding wages, etc.** :- The contractor shall before he commences his work on contract, display and correctly maintain and continue to display and correctly maintain, in a clean and legible condition in conspicuous place on the work notices in English and in the local Indian language spoken by the majority on the workers giving the fair wages notified or prescribed by the Haryana Public Works Department and the hours of work which such wages are earned.
4. **Payment of wages** -
 - (i) Wages due to every worker shall be paid to him direct.
 - (ii) All wages shall be paid in current coin or currency or in both.
5. **Fixation of wages** -
 - (1) The contractor shall fix wage period in respect of which the wages shall be payable.
 - (2) No wage period shall exceed one month.
 - (3) Wages of every workman employed on the contract shall be paid before expiry of ten days after the last day of the wage period in respect of which the wages are payable.
 - (4) When the employment of any worker is terminated by or on behalf of the contractor the wages earned by him shall be paid before the expiry of the day succeeding the one on which employment is terminated.
 - (5) All payment of wages shall be made on a working day.
6. **Wage Book and Wages Slips etc.** :- (1) The contractor shall maintain a Wage Book of each worker in such form as may be convenient, but the same shall include the following particulars :-
 - (a) Rate of daily or monthly wages.
 - (b) Name of work on which employed.
 - (c) Total number of days worked during each wage period.
 - (d) Total amount payable for the work during each wage period.

- (e) All deductions made from the wages with an indication in each case of the ground for which the deductions is made.
 - (2) The contractor shall also maintain a Wage Slip for each worker employed on the work.
 - (3) The authority competent to accept the contract may grant an exemption from the maintenance of Wage Book and Wage Slip to a contractor who, in his opinion, may not directly or indirectly employ more than 100 persons on the work.
- 7. Fines and deduction which may be made from wages :-** (1)The wages of a worker shall be paid to him without any deduction of any kind except the following :-
- (a) Fines.
 - (b) Deduction for absence from duty i.e. from the place or places where by the terms of his employment he is required to work. The amount of deductions shall be proportion are to the period for which he was absent.
 - (c) Deduction for damage to or loss of goods expressly entrusted to the employed person for custody or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default.
 - (d) Any other deductions which the P.W.D. may from time to time allow.
- (2) No fine shall be imposed on a worker and no deduction for damage or loss shall be made from his wages until the worker has been given an opportunity of showing cause against such fine or deduction.
 - (3) The total amount of fines which may be imposed in any one wage period on a worker shall not exceed an amount equal to three paise in a rupee of the wage payable to him in respect of that wage period.
 - (4) No fine imposed on any worker shall be recovered from him by installments, or after the expiry of 60 days from the date on which it was imposed.
- 8. Register of fines etc.-**
- (1) The contractor shall maintain a register of fines and of all deductions for damage or loss. Such register shall mention the reason for which fines was imposed or deduction for damage or loss was made.
 - (2) The contractor shall maintain a list in English and in the local Indian Language, clearly defining acts and omissions for which penalty of fine can be imposed. He shall display such list and maintain it in a clean and legible condition in conspicuous place on the work.
- 9. Preservation of Books:** - The wages book, the wages slip and the register of fine deduction required to be maintained under these regulations shall be preserved for 12 months after the date of last entry made in them.
- 10. Powers of Labour Welfare Officers to make investigations or enquiry :-** The Labour Welfare Officer or any other person authorised by the Haryana Government on their behalf shall have power to make enquiries with a view to ascertaining and enforcing due and proper observance of the wage clause and provision of these regulations. He shall investigate into any complaint regarding the default made by the contractor or sub-contractor in regard to such provision.
- 11. Report of Labour Welfare Officer :-** The Labour Welfare Officer or any other person authorised aforesaid shall submit a report of the result of his investigation or enquiry to the Executive Engineer concerned indicating the extent, if any, to which the default has been

committed and the amount of fine recoverable in respect of the acts of commission and omission of the labourer with a note that necessary deduction from the contractor's bill be made and the wages and other dues paid to the labourers concerned.

12. Appeal against the decision of Labour Welfare Officers :- Any person aggrieved by the decision and recommendation of the Labour Welfare Officer or other person so authorised may appeal against such decision to the Labour Commissioner, but subject to such appeal the decision of the officer shall be final and binding upon the contractor.

12-A.No party shall be allowed to be represented by a lawyer during any investigation, enquiry, appeal or any other proceedings under these regulations.

13. Inspecting of register :- The contractor shall allow inspection of the Wage Book, Wage Slip to any of his workers or to his agent at a convenient time and place after due notice is received or to the Labour Welfare Officer or any other person authorised by the Haryana Government in his behalf.

14. Submission of returns :- The contractor shall submit periodical returns, as may be specified from time to time.

15. Amendment: - The Haryana Government may, from time to time, add or amend these regulations and on any question as to the applications, interpretation, or effect of these regulations, the decision of the Labour Commissioner, Haryana Government, or any other person authorised by the Haryana Government in that behalf shall be final.