

Bharat Sanchar Nigam Limited
(A Government of India Enterprise)
Corporate Office
Bharat Sanchar Bhawan, Janpath
New Delhi 110 001.

No.BSNL/Admn.I/29-5/2007(Pt.)

Dated the 5th November, 2008

To

All Heads of Telecom Circles
All Heads of Districts/Maintenance Region
All Heads of Project Circles and other Administrative Units.

Subject:- Compliance of Labour Laws.

As all concerned be aware of that there are a number of Central as well as State legislations relating to the workers e.g. Employees' Provident Fund & Miscellaneous Provisions Act, 1952; Employees' State Insurance Act, 1948; Contract Labour (Regulation & Abolition), Act, 1970; Payment of Wages Act, 1936; Minimum Wages Act, 1948 etc. The obligation cast on the employers by such statutes aim to protect the interest and welfare of the workforce in organized as well as unorganized sectors.

2. It may be recalled that the Legal Cell of the Corporate Office has issued circulars/instructions from time to time for ensuring proper and timely compliance of the provisions contained in various Labour legislation. However, in spite of that it has come to the notice that some of the provisions of related statutes/rules/regulations are not being strictly followed by various Contractors/Agencies from whom execution of work was outsourced by BSNL or work is done by the said outside Agency. Therefore, the undersigned is directed to request to impress upon, all concerned, the need to ensure by the field units that whenever any activity is outsourced or the execution of work is done by any outside Agency/Contractor, utmost care is required to be taken by the field units to see that the outside Agency/Contractor does not violate any such labour welfare legislation.

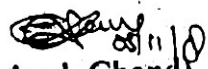
3. The field units must also ensure themselves that the provisions of such statutes are complied with by way of (i) maintenance of prescribed records and registers; (ii) preparation and filling of required returns; (iii) Contractor/Agency possess registration/license from the appropriate labour authority; and are furnishing particulars of their employees/workers engaged by them to execute the outsourced activities; (iv) such Contractor/Agency is making payment to its workers at the rates not less than the rates prescribed under the Minimum Wages Act, 1948, for such employment wherever applicable and where the rates have been fixed by an agreement, not less than the rates so fixed; (v) the Contractor/Agency has obtained registration with PF/ESI authorities;

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-2-

(vi) monitoring that the contractors ensure timely deposit of PF and ESI dues of the employees with the appropriate authorities and contractor be asked to submit the documents in this regard to BSNL; (vii) the payment to workers may be made in the presence of authorized representative of BSNL who must certify at the end of entries of Wage Register; (viii) such Contractor is making payment to workers by cheque or by crediting the wages in their bank account after obtaining written authorization of the workmen' and (ix) the employees of the Agency/Contractor deployed for the outsourced activity must be carrying their identity Cards duly certified/issued by the Agency/Contractor as their employer and so on.

4. These instructions issued with the approval of competent authority and may be brought to the notice of all concerned for strict compliance.


(Shubash Chand)
AGM (Admn.I)