


In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Government Notification, Industries, Energy & Labour Department No. CLA -10/2014/C.R.264/Lab.-10, dated 14/11/2014 is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra

  
(Balasaheb Kolase)  
Joint Secretary to Government

### NOTIFICATION

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT  
Mantralaya, Mumbai 400032, dated the 14/11/2014.

The Contract Labour (Regulation and Abolition) Act, 1970

No.CLA -10/2014/C.R.264/Lab.-10.- The following draft of rules further to amend the Maharashtra Contract Labour (Regulation and Abolition) Rules, 1971 which the Government of Maharashtra proposes to make in exercise of the powers conferred by section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970), and of all other powers enabling it in that behalf, is hereby published as required by sub-section (1) of section 35 of the said Act for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra on or after the expiry of the period of one month.

2. Any objections or suggestions, which may be received by the Commissioner of Labour, Maharashtra State, C-20, Kamgar Bhavan, Bandra Kurla Complex, Mumbai -400051 on or before the aforesaid date from any person with respect to the said draft, will be considered by the Government.

### DRAFT RULES

1. These rules may be called the Maharashtra Contract Labour (Regulation and Abolition) (First Amendment) Rules, 2014.
2. In rule 21 of the Maharashtra Contract Labour (Regulation and Abolition) Rules, 1971 (hereinafter referred to as "the principal Rules"), the following sub rule shall be added, namely :-

"(6) Every application shall be accompanied by an undertaking by the Contractor regarding the matters mentioned in clauses (a), (b) and (c) of rule 22".

3. In rule 23 of the principal Rules,-

(a) for sub rule (1), the following sub rules shall be substituted, namely :-

"(1) On receipt of application complete in all respect, the licensing officer shall issue licence within three working days, from the date of receipt of an application subject to the terms and conditions as may be specified in the licence. If the licence is not issued within the said three working days, it shall be deemed to have been granted and the copy of the receipt of application with copy of payment of fees shall be treated as licence or renewal certificate.

(1A) The Government shall, from the date as may be notified by the Government in the *Official Gazette*, make available online facility for application and issuance of licence so that computer generated licence can be issued online. Till then manual process of application and issuance of licence or renewal of licence shall continue as mentioned sub-rule (1). Online processing software shall be so designed to ensure that if order of rejecting the application is not communicated within the period stated in sub-rule (1), the receipt of online application attached with the copy of the payment of fees online shall be deemed to be the licence for the purpose of the said Act.

(b) for sub-rule (2), the following sub-rule shall be substituted, namely :-

“(2) After issuance of licence, if licensing officer is satisfied, either on a reference made to him in this behalf or otherwise that, -

(a) there is breach of any condition mentioned in the licence or in undertaking given as per sub-rule (6) of the rule 21, or

(b) licence granted has been obtained by misrepresentation or suppression of any material facts, or

(c) there is breach of sub-rule (2) of rule 26,

the licensing officer may, after giving the holder of licence an opportunity of showing cause, revoke or suspend or amend the licence as per the provision of the Act.”

4. In the rule 24 of principal Rules,-

(i) for the figures “100” the figures “500” shall be substituted;

(ii) in the proviso, for the figures “50” the figures “250” shall be substituted.

5. In rule 25 of principal Rules, in sub-rules (2) in clause (viii), after the words “completion of each contract work” the words “with list of contract workers” shall be added at the end.

6. For rule 26 of the principal Rules, the following rules shall be substituted, namely :-

“26.Fees.-(1) The fees to be paid for the grant of a certificate of registration under section 7 shall be Rs.5000.

(2) The fees to be paid for the grant or renewal of a licence under section 12 shall be Rs.5000per annum.”

7. For rule 27 of the principal Rules, the following rules shall be substituted, namely :- “27.Validity of Licence. - Every licence granted under rule 23 or renewed under rule 29 shall remain in force, -

(a) till it is not revoked or suspended or amended by the licensing officer, or

(b) till the contractor desires and pays the fees per annum as prescribed in sub-rule (2) of rule 26.”

8. In rule 29 of principal Rules, for sub-rule (1) the following sub-rules shall be substituted, namely :- “ (1) Every contractor shall apply to the licensing officer for renewal of the licence in form no. VII in triplicate not less than 60 days before the date on which the licence expires. On receipt of application complete in all respect, the licensing officer shall issue renewal of licence within three working days from the date of receipt of the application , subject to the terms and conditions as may be specified in the licence. If the licence is not renewed within the said three working days, the licence shall be deemed to have been renewed.”

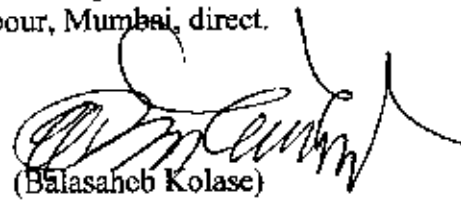
By order and in the name of the Governor of Maharashtra



(Balasaheb Kolase)

Joint Secretary to Government

To be published in the Maharashtra Government Gazette, Part I-L. Extra Ordinary, dated the 14/11/2014 and to be returned with 20 copies the print and 50 copies of the print may be sent to the Commissioner of Labour, Mumbai, direct.



(Balasaheb Kolase)

Joint Secretary to Government

Copy to :

1. The Commissioner of Labour, Bandra Kurla Complex, Bandra East, Mumbai – 51.
2. Select File (Lab-10)