

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Notification No. 65/VIII-1/23-740(labour)/2002, Dehradun dated March 24, 2023 for general information:

No. 65/VIII-1/23-740(Labour)/2002

Dated Dehradun, March 24, 2023

NOTIFICATION
Miscellaneous

Whereas, as required under sub-section(I) of section 35 of the Contract Labour (Regulation & Abolition) Act, 1970 vide Uttarakhand Government Notification No.526 / VIII - 1 / 22- 740(labour) / 2002 dated 11.11.2022 draft of certain rules further to amend the Uttarakhand Contract Labour (Regulation & Abolition) Rules, 2003, all concerned who may be affected by the proposed amendment were directed to compulsory provided the objection and suggestion on mentioned notification if any, within the period of seven days to Labour Commissioner, Uttarakhand, Shram Bhawan, Haldwani, Nainital, and labour Commissioner, Uttarakhand, was directed to collect all such suggestion /Objection and present before the State Government with his/her recommendation ;

And whereas, Labour Commissioner, Uttarakhand uploaded the copy of mentioned notification on portal www.ukpublicconsultation.in and Advertisement related to which was published in Uttarakhand edition of daily newspaper Amar Ujala ,Danik jagran dated 15.11.2022;

And whereas, no objection/suggestion received from the public in respect of the said drafts rules ;

Now, Therefore, in exercise of the powers conferred in sub- section(1) of section 35 of the Contract Labour (Regulation & Abolition) Act, 1970, the governor hereby makes the following rules further, to amend the Uttarakhand Contract Labour (Regulation and Abolition) Rules, 2003 namely:-

The Uttarakhand Contract Labour (Regulation & Abolition) (Amendment) Rules, 2023

Short title, extent and commencement 1. (1) These rules may be called the Uttarakhand Contract Labour (Regulation & Abolition) (Amendment) Rules, 2023
(2) It shall extends to the whole of Uttarakhand.
(3) It shall come into force with effect from the date of their publication in the Gazette.

Amendment of Rule-17 2. In the Uttarakhand Contract Labour (Regulation & Abolition) (Amendment) Rules, 2022 for the existing rule 17 set out in column-1 below the rule as set out in column-2 shall be substituted, namely:-

Column-1	Column-2
Existing Rules	Rules hereby substituted
Manner of making application for registration of establishments: Sections 7 (1) and 35 (2) (c) -	Manner of application for registration of establishments [Sections 7 (1) and 35 (2) (c)]

(1) The application referred to in sub - section (1) of section 7 shall be made in triplicate , in Form - I to the registering officer of the area in which the establishment sought to be registered is located ,

(2) The application referred to in sub - rule (1) shall be accompanied by a treasury receipt showing payment of the fees for the registration of the establishment .

(1) application referred in the sub-section(1) of section-7 shall be applied in Form-1 on the relevant online portal of the Department to the Registering officer of the area .

(2) Every Principal Employer shall apply online the authorized portal of Labour Department, Uttarakhand Government & upload with the proof of submission of prescribed fee and relevant documents as specified on the portal/rules.If the concerned authority does not decide the registration of application with in 20 days of making application, then the registration shall be deemed approved.

(3) Every application referred to in sub-rule (1) shall be either personally delivered to the registering officer or sent to him by registered post .

(4) On receipt of the application referred to in sub- rule (1), the registering officer shall, after noting there on the date of the receipt by him of the application, grant an acknowledgment to the applicant .

Amendment of Rule 21

3. In the Uttarakhand Contract Labour (Regulation & Abolition) (Amendment) Rules, 2022 for the existing rule 21 set out in column-1 below the rule as set out in column-2 shall be substituted, namely:-

Column-1 Existing Rule	Column-2 Rule hereby substituted
Application for a licence : Sections 13 (1) and 35 (2) (d)	Application for a licence : (Sections 13 (1) and 35 (2) (d)]
(1) Every application by a contractor for the grant of a license shall be made in triplicate in Form no . IV , to the Licensing Officer of the area in which the establishment, in relation to which he is the contractor , is located .	(1) Every application by a contractor under sub-section(1) for the grant of a licence shall be made in prescribed Form IV to the licensing officer of the area in which the establishment in relation to which he is the contractor, is located through relevant online portal of Labour Department.

Every application for the grant of licence by a contractor shall be uploaded on the online format on the relevant portal of Labour Department, Uttarakhand Government with the proof of submission of prescribed fee & relevant documents as specified on the portal/rules. If the concerned authority does not decide the licence/ application within 20 days of making the application for grant of license, the license shall be deemed approve.

(2) Every application for the grant of a license shall be accompanied by a certificate by the principle employer in Form V to the effect that the applicant has been employed by him as a contractor in relation to his establishment and that he under takes to be bound by all the provisions of the Act and the rules made there under in so far as the provisions are applicable to him as principle employer in respect of the employment of contract labour by the applicants .

(3) Every such application shall be either personally delivered to the Licensing Officer or sent to him by registered post .

(2) Every application for the grant of a license shall be accompanied by a certificate by the principle employer in Form V to the effect that the applicant has been employed by him as a contractor in relation to his establishment and that he under takes to be bound by all the provisions of the Act and the rules made there under in so far as the provisions are applicable to him as principle employer in respect of the employment of contract labour by the applicants .

(3) Every application referred to in sub - rule (1) shall also be accompanied by a treasury receipt showing :-
(i) the deposit of the security at the rates specified in rule - 24 ,
and

(ii) the payment of the fees at the rate specified in rule 26 .

(4) In receipt of the application referred to in sub - rule (1) , the Licensing Officer shall after nothing thereon the date of receipt of the application , grant an acknowledgement to the applicant .

(5) Every application referred to in sub-rule (1) shall also be accompanied by a treasury receipt showing

- (i) the deposit of the security at the rates specified in rule - 24 , and
- (ii) the payment of the fees at the rate specified in rule 26

R. MEENAKSHI SUNDRAM,
Secretary.