

**Inter-State Migrant Workmen (Regulation of Employment & Conditions of Services) Act, 1979 & Tamil Nadu Rules, 1983**  
**(PRINCIPAL EMPLOYER)**

**Particulars of the Establishment**

1	Name & location of the Establishment.	
2	Name & full address of the principal employer	
3	Nature of Work	
4	No. and Date of Certificate of registration	
5	Amount of Registration Fee paid	
6	(I) No. of workmen employed directly on the date of inspection:	Male – Female – Total –
	(II) Maximum No. of workmen employed through Contractors on any day in the preceding 12 months:	Male – Female – Total –
	(III) No. of Contractors through whom Employed	
7	Name & address of the Principal Employer's representative present during inspection	

### **PERTAINING TO REGISTRATION/ LICENCE**

1. Interstate Migrant workmen numbering 5 or more are employed/were employed during the proceeding 12th months without obtaining a valid certificate of Registration. [As per Section 6]
2. The following changes in respect of particulars specified in the Certificate of Registration have not been intimated at all/within the prescribed time limit to the Registering Officer, [As per Rule 4(4).]
  - (a)
  - (b)

### **PERTAINING TO NOTICES**

1. A Notice showing the wage period, place and time of disbursement of wages was not displayed at the place of work and its copy not sent by the contractor to the Principal Employer under acknowledgement. [As per Rule 33.]
2. Notices showing the rates of wages, hours of work, wage period, dates of payment of wages, name and addresses of Inspectors having jurisdiction and date of payment of unpaid wages were not displayed at a conspicuous place at the establishment/ work site in Tamil, English & language understood by majority of workers, [As per Rule 55(1)(a).]
3. A Copy of the license has not been displayed prominently at the premises where Migrant workmen are employed. [As per Rule 11(2) (xii)]

### **DISPLAY OF ABSTRACT OF ACT**

1. An abstract of the Rules was not displayed in Tamil, English & language spoken by the majority of the migrant workmen, [As per Rule 54]

### **PERTAINING TO RETURNS**

1. Annual Return (in duplicate) for the year ending was not submitted in Form XXIV within time limit i.e. before 15th Feb following the end of the year. [As per Rule 56(2).]

### **PERTAINING TO WAGES**

1. During Inspection of Contractor, Sri/ M/s -----at----- it is observed that Contractor failed to make payment of wages/paid less wages as per Annexure though the statutory time limit for payment of wages by the contractor to the migrant workmen has already lapsed. The PE also failed to make the payment to the migrant workmen [As per Section 17 (4).]
2. The Principal Employer failed to ensure the presence of his authorized representative at the place and time of disbursement of wages to workmen paid by the Contractor. [As per Section 17(2) read with rule 34.]
3. Authorized representative of the Principal Employer has not recorded a Certificate under his signature as required [As per Section 17(2) read with rule 35.]
4. PE failed to make the payment of the displacement allowance to the migrant workmen in the event of failure of the Contractor to make such payment as required under Section 14. [As per Section 18.]

5. PE failed to make the payment of the journey allowance to the migrant workmen in the event of failure of the Contractor to make such payment as required under Section 15[As per Section 18.]

### **PERTAINING TO REGISTER AND RECORDS**

1. Register of contractors in Form XII has not been maintained at all/ correctly.  
[As per Rule 48.]
2. Register of Migrant Workmen in Form XIII has not been maintained at all/ correctly.  
[As per Rule 49.]
3. The following registers and records required to be maintained under the Act or the Rules were not produced on demand, [As per Rule 53(4).]
  - (a)
  - (b)

### **PERTAINING TO WELFARE AND HEALTH**

1. The Principal Employer failed to provide at all/failed to provide within time limit following prescribed welfare amenities which the Contractor Shri/M/s \_\_\_\_\_ engaged in the work of \_\_\_\_\_ failed to provide originally.[As per Rule 46 read with section 18 of the Act.]
2. The Principal Employer failed to provide at all/failed to provide within time limit Displacement Allowance amounting to Rs. \_\_\_\_\_ which the Contractor Shri/M/s \_\_\_\_\_ Engaged in the work of \_\_\_\_\_ failed to provide originally [As per Rule 46 read with section 14 of the Act.]
3. The Principal Employer failed to provide at all/failed to provide within time limit Journey Allowance amounting to Rs. \_\_\_\_\_ Which the Contractor Shri/M/s \_\_\_\_\_ engaged in the work of \_\_\_\_\_ failed to provide originally [As per Rule 46 read with section 15 of the Act.]
4. The Principal Employer failed to provide at all/failed to provide within time limit the facility of rest room which the Contractor Shri/M/s \_\_\_\_\_ Engaged in the work of \_\_\_\_\_ failed to provide originally as per Rule 40(1). [As per Rule 40(2)]
5. The Principal Employer failed to provide at all/failed to provide within time limit the facility of residential accommodation which the Contractor Shri/M/s \_\_\_\_\_ Engaged in the work of \_\_\_\_\_ failed to provide originally as per the specifications given in Rule 45(1), (2), (3), (4). [As per Rule 45(5)]

**MEDICAL FACILITIES**

1. The Principal Employer failed to provide at all/failed to provide within time limit following prescribed health amenities which the Contractor Shri/M/S \_\_\_\_\_ Engaged in the work of \_\_\_\_\_ failed to provide originally as per section 16 of the Act. [As per Rule 37 read with section 18.]

**PERTAINING TO SAFETY ORGANISATION AND SAFETY**

1. Protective clothing not provided. [As per Rule 38 read with section 18.]

**PERTAINING TO WORKING CONDITION**

1. The particulars regarding recruitment and employment of Migrant workmen were not submitted in form X. [As per Rule 21 with section 12(1) (a).]
2. A pass -book affixed with a passport size photograph of the workmen and indicating the other particulars as required under Section 12(1)(b) read with Rule 23(1) was not issued to the migrant workmen.[ As per rule 23(1) read with Section 12(I)(b).]
3. Holidays, hours of work including extra wages for overtime work done and other conditions of service of migrant workman is in the following manner less favorable than those obtaining in the establishment or in similar employment in the area in which the establishment is located.[ As per Rule 36 ]

**SERVICE CERTIFICATE**

1. The following Migrant workmen were not issued service certificate in form XIV at though their service were terminated [As per Section 16 & Rule 50]

**Other irregularities**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979 & Tamil Nadu Rules, 1983**  
**(CONTRACTOR)**

**Particulars of the Contractor**

1	Name & Location of Contract work:-	
2	Name & Present address of the Contractor(S).	
3	Nature of work in which Contract Labour is Employed	
4	Permanent address of the Contractor:-	
5	Date of Commencement of the Contract n work:-	
6	Probable date of Completion of the contract Work	
7	No. of workers employed on the date of inspection	Male- Female- Total-
8	Max. No. of workman employed on any date in the preceding 12 months	Male- Female- Total-
9	No. & date of Licence	
10	Amount of Licence fee paid	
11	Amount paid as Security:	
12	Name & address of the P.E.	
13	No. & date of the Certificate of Regd. Of the Principal Employer.	
14	Name, Designation and address of the person responsible for supervision and control of the Contractor's estt.	As at Sl. No. 12
15	Name, Designation & address of the Contractor's Representative present during Inspection.	
16	Registers, Records and documents checked.	

### **PERTAINING TO REGISTRATION AND LICENCE**

1. Inter-State Migrant workmen numbering 5 or more were employed w.e.f. ....without obtaining a valid license as required under Section 8(1) (b).

### **PERTAINING TO NOTICES**

1. A Notice showing the wage period, place and time of disbursement of wages was not displayed at the place of work and its copy not sent by the contractor to the Principal Employer under acknowledgement .[As per Rule 33.]
2. Notices showing the rates of wages, hours of work, wage period, dates of payment of wages, name and addresses of Inspectors having jurisdiction and date of payment of unpaid wages were not displayed at a conspicuous place at the establishment/ work site in Hindi, English & language understood by majority of workers,[ As per Rule 55(1)(i).]
3. A Copy of the license has not been displayed prominently at the premises where Migrant workmen are employed. [As per Rule 11(2) (xii)]

### **DISPLAY OF ABSTRACT OF ACT**

1. An abstract of the Rules was not displayed in Tamil, English & language spoken by the majority of the migrant workmen, [As per Rule 54]

### **PERTAINING TO RETURNS**

1. The Contractor failed to send half yearly return for the period \_\_\_\_\_ in form XXIII not later than 30 days from the close of the half year. [As per Rule 56(1)]

**PERTAINING TO WAGES**

1. Contractor has not ensured the presence of the representative authorized by the Principal Employer at the time of the disbursement of wages. [As per section 17(3).]
2. Contractor has not ensured the payment of wages to the contract labour before the expiry of 7<sup>th</sup> 10<sup>th</sup> day after last day of the wage period in respect of which the wages are payable, i.e. ----- [As per Rule 28.]
3. Displacement allowance of a sum shown below against each workman was not Paid to the following migrant workmen. [As per Section. 14.]

Sl. No.	Name of the Migrant workmen and his address	Present address	Amount

4. Journey allowance of a sum shown below against each workman was not paid to the following migrant workmen. [As per Section. 15.]

Sl. No.	Name of the Migrant workmen and his address	Present address	Amount

5. Following migrant workmen were not given same wages as are being given to other workmen. [As per Section 13(1)]

Sl. No.	Name and address of workers	Category	Wages actually paid	Wages of the other workers	Difference

## **PERTAINING TO REGISTER AND RECORDS**

1. Register of Migrant Workmen in Form XIII has not been maintained at all/ correctly  
[As per Rule 49 and Section 23.]
2. Displacement-cum-Outward Journey Allowances Sheet has not been maintained in Form XV. [As per Rule 51(1) and section 23.]
3. Entries in the Displacement-cum-Outward Journey Allowances Sheet have not been authenticated by the Contractor. [Breach of Rule 51(2) and section 23.]
4. Return Journey Allowances Register in Form XVI has not been maintained. [As per Rule 51(1) and section 23.]
5. Entries in the Return Journey Allowances Register have not been authenticated by the Contractor. [As per Rule 51(2) and section 23.]
6. Following Registers have not been maintained at all.
  - i. Muster Roll in form XVII. [As per Rule 52(2) (a) and section 23.]
  - ii. Register of Wages in Form XVIII. [As per Rule 53(2) (a) and section 23.]
  - iii. Register of deductions Form XIX. [As per Rule, 52(2) and section 23.]
  - iv. Register of fine in form XX [As per Rule, 52(2) and section 23.]
  - v. Register of advance in form XXI [As per Rule, 52(2) and section 23.]
  - vi. Register Overtime in Form XXII. [As per Rule, 52(2) and section 23.]
7. (I) Contractor has not obtained the signature or thumb impression of the migrant workmen concerned against the entries relating to him on the Register of wages. [As per Rule 52(2) (b)]  
  
(ii) Contractor has not ensured the authentication of entries in Register of Wages by way of signature of the contractor or his authorized representative. [As per Rule 52(2) (b).]

## **PERTAINING TO WELFARE AND HEALTH**

1. The contractor failed to provide following facilities within seven days of the commencement of the employment in the establishment
  - (a) Wholesome Drinking water [As per Rule 39.]
  - (b) Sufficient no. of Latrine & Urinals [As per Rule 9/42.]
  - (c) Washing facilities [As per Rule 39.]
2. The contractor failed to provide Displacement Allowance to \_\_\_\_\_ migrant workmen amounting to Rs. \_\_\_\_\_. [As per Section 14.]

3. The contractor failed to provide Journey Allowance to \_\_\_\_\_  
Workmen amounting to Rs. \_\_\_\_\_. [As per Section 15] migrant
4. The contractor failed to provide crèche facility though 20 or more women are employed as migrant workmen in the establishment in which the work is likely to continue for three months or more within 15 days of the commencement of the employment. [As per Rule 44.]
5. The contractor failed to provide canteen facility though 100 or more migrant workmen are employed in the establishment in which the work is likely to continue for six months or more within 60 days of the commencement of the employment. [As per Rule 41.]
6. The contractor failed to provide rest-rooms for migrant workmen who are required to halt at night in connection with the working of the establishment and the employment of migrant workmen is likely to continue for three months or more within 15 days of the commencement of employment in the establishment. [As per Rule 40.]
7. The contractor failed to provide residential accommodation to migrant workmen as per the specification given in rule 45 within 15 days of the commencement of employment in the establishment. [As per Rule 45.]
8. The contractor failed to provide following protective clothing to migrant workmen. [As per Rule 38.]
  - i) One woolen coat and one woolen trouser once in two years where temperature falls below 20 degree centigrade.
  - ii) Additionally one woolen overcoat where temperature falls below 5 degree centigrade.

### **MEDICAL FACILITIES**

1. Medical/First Aid facilities have not been provided as per specification lay down under Rule 37 – [As per Section 16 read with Rule 37.]

### **PERTAINING TO SAFETY ORGANISATION & SAFETY**

Protective clothing not provided. [As per Rule 38.]

### **PERTAINING TO WORKING CONDITIONS**

1. The particulars regarding recruitment and employment of Migrant workmen were not submitted in form X. [As per Rule 21 with section 12(1) (a).]
2. A pass -book affixed with a passport size photograph of the workmen and indicating the other particulars as required under Section 12(1) (b) read with Rule 23(1) was not issued to the migrant workmen. [As per rule 23(1) read with Section 12(I) (b).]
3. Holidays, hours of work including extra wages for overtime work done and other conditions of service of migrant workman is in the following manner less favorable than those obtaining in the establishment or in similar employment in the area in which the establishment is located. [As per Rule 36]

**SERVICE CERTIFICATE**

1. The following Migrant workmen were not issued service certificate in form XIV at though their service were terminated [As per Section 16 & Rule 50]

**SIMILAIR WAGES FOR SAME AND SIMILAIR KIND OF WORK**

1. It is observed that the wage rates, holidays, hours of work and other conditions of service of the interstate migrant workmen working in the establishment are not the same as to other workmen in the establishment performing same or similar kind of work. [As per Section 13.]

		Migrant workmen	Other workmen
1	Wage rates		
2.	holidays		
3.	Hours of work		
4.	Other conditions of service		

**Other irregularities**

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