

Chapter - 16

Unit - II

- Contract labour act was enacted to regulate employment of Contract labour in various establishments.

CASE LAW

- In Gammon India Ltd V. Union of India Supreme Court highlighted the purpose of act emphasizing that it was designed to prevent the exploitation of Contract labour and to introduce better working conditions.
- The Court noted that act aims to abolish Contract labour wherever possible and to regulate conditions of work for Contract labour where abolition is not feasible.

* Rest-rooms :- It shall be sufficiently lighted and ventilated & shall be maintained in a clean & comfortable condition.

These provisions are reasonable decided in case of Gammon India Ltd V. Union of India.

• Every Contractor shall provide and maintain:-

- (a) Sufficient supply of wholesome drinking water.
- (b) Sufficient number of latrines or urinals.
- (c) Washing facilities.

→ every Contractor to whom this Act apply shall provide.

* Meaning of Contract Labour :-

→ Workmen shall be deemed to be employed as Contract labour. in or in connection with the work of an establishment when he is hire or in connection with such work by or through Contractor. with or without knowledge of principle employee.

* Contractor :- Contractor in relation to an establishment means, A person who under takes to produce a given result for the establishment other than a mere supply of goods or articles of manufacturer to such establishment through Contract labour or who supplies Contract labour for any work of establishment and includes a Sub Contractor.

- Contractors engaged in construction of building are covered in this definition.

* Meaning of Principle Employer :-

- It means in relation to any office or department of govt. or Local Authority, head of that office or department.
- In relation to factory - Owner or occupier or manager.
- In Case of Mine - owner or his agent or manager.
- In any other establishment - any person responsible for Supervision and Control of establishment.

in Case of Continuing Contravention additional
fine will be imposed of ₹ 1k per day.