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STANDARD OPERATING PROCEDURE (SOP)

Renewal of Contractor
under the Contract Labour
(Regulation and Abolition)
Act, 1970

Department of Labour and Employment

Government of J&K

Name of Service

Renewal of Contractor under the Contract Labour (Regulation and Abolition) Act, 1970.

Name of Department

Department of Labour and Employment, GoJK

Policy/Government Order

Contract Labour (Regulation and Abolition) Act, 1970

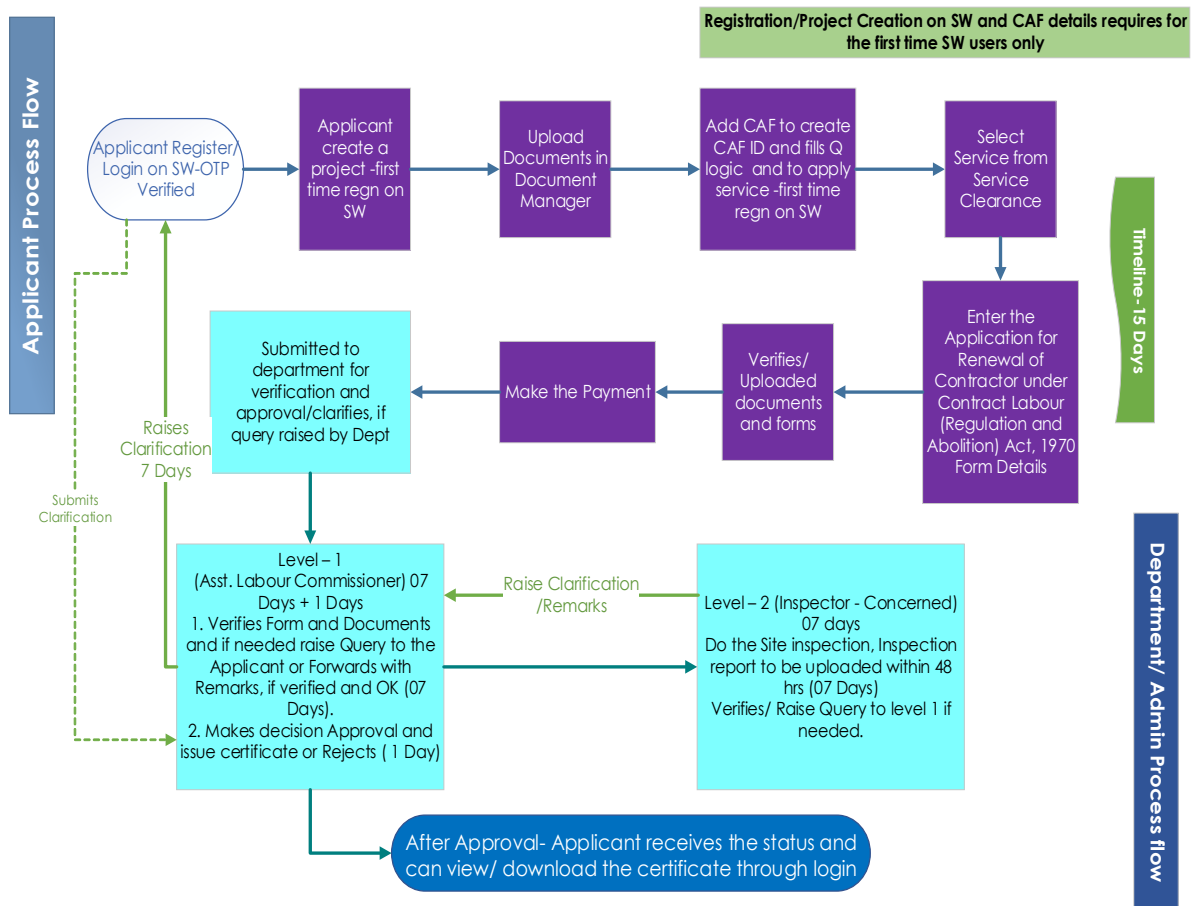
Documents Checklist

#	Document name	Type	Mandatory
1.	Certificate from the Principal Employer	PDF	Yes
2.	List of Workers/Employees	PDF	Yes
3.	Photograph of Contractor/Employer	PDF/JPEG/JPG	Yes
4.	Aadhaar Card / Election Card / Driving License of Contractor/Employer	PDF	Yes
5.	CDR/FDR @ Rs.90 per Worker/Employee pledged to Licensing Officer (Assistant Labour Commissioner concerned)	PDF	Yes
6.	Allotment order, if any	PDF	No
7.	Old Existing Registration / Approval Certificate File	PDF	Yes

Fees

#	Category	Fee per annum
1	Upto 20	Rs.15
2	21-50	Rs.37.50
3	51-100	Rs.75
4	101-200	Rs.150
5	201-400	Rs.300
6	More than 400	Rs.1000

Process Flow: Renewal of Contractor under the Contract Labour (Regulation and Abolition) Act, 1970



Step by Step Procedure for Renewal of Contractor under the Contract Labour (Regulation and Abolition) Act, 1970 from Applicant and Department Side along with timeline.

Applicant Side:

- I. Applicant registers himself/herself on single window system <http://www.singlewindow.jk.gov.in>. If, already registered on the portal then login with the registered user id and password
- II. Applicants get the registration information on registered email id and registered mobile number.
- III. Your first step is to create a Project (a Project can be your new or existing Business/Industry).
- IV. Once a Project is created, you can fill the Common Application Form for the Project where all the common details required for the project are filled.

- V. Once CAF Id is created, from all the available Forms, click on the Form/Registration you want to apply for.
- VI. Before filling the forms, you will be given instructions about the documents required to submit along with the form. You need to upload these documents before filling the form.
- VII. Now you can apply for Renewal of Contractor under Contract Labour (Regulation and Abolition) Act, 1970.
- VIII. Make payment of necessary application processing fees online using your debit card/ credit card/ net banking facility
- IX. Filled application form will be submitted to Assistant Labour Commissioner.

Department Side:

- X. After online receipt of application form for Renewal of Contractor under Contract Labour (Regulation and Abolition) Act, 1970 with all the necessary documents mentioned above, the Assistant Labour Commissioner shall scrutinize the application along with uploaded documents
- XI. In case of deficiency Assistant Labour Commissioner shall report the deficiency to the applicant within **07** working days. **(Timeline 7 working days)**
- XII. If there is no deficiency the Assistant Labour Commissioner shall recommend the application to Inspector-Concerned having jurisdiction of the area, who is turn will conduct the Physical inspection of the Site and submit the inspection report within **07** working days. **(Timeline 7 working days)**
- XIII. Assistant Labour Commissioner if satisfied shall issue or reject the same within **01** working day. **(Timeline 1 working day)**
- XIV. The certificate can be downloaded from the applicant login.

Form Fields:

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
1.	Renew Contractor Registration	Enter Old Existing Registration / Approval Certificate File	Upload Option	Yes
2.		Enter Old Existing Registration / Approval number	Alpha/numeric	Yes
3.		Online Filling Number	Upload Option	Yes
4.	Establishment Details	Name of the contractor	Alpha/numeric	Yes
5.		Father's / Husband's Name (in case of individual)	Alpha/numeric	Yes
6.		Address 1	Alpha/numeric	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
7.		Address 2	Alpha/numeric	Yes
8.		City	Alpha	Yes
9.		District	Alpha/Dropdown	Yes
10.		Pincode: *	Numeric	Yes
11.		E mail Id	Alpha/numeric	Yes
12.		Phone Number	Alpha/numeric	Yes
13.		Date of Birth (in case of individual)	Calendar	Yes
14.		Whether the contractor was convicted of any offence within the preceding five years. If so, give details (leave blank if not applicable)	Alpha/numeric	Yes
15.		Whether there was any order against the contractor revoking or suspending license or forfeiture security deposit in respect of an earlier contract. If so, give details of the order with date (leave blank if not applicable)	Alpha/numeric	Yes
16.		Whether the contractor has been in any other establishment within the past five years. If so, give the details of the principal employer (leave blank if not applicable)	Alpha/numeric	Yes
17.	Name and address of the establishment where the Contract Labour is to be employed	Name of establishment	Alpha/numeric	Yes
18.		Address 1	Alpha/numeric	Yes
19.		Address 2	Alpha/numeric	Yes
20.		City	Alpha/numeric	Yes
21.		District	Alpha/Dropdown	Yes
22.		Pincode	Numeric	Yes
23.		Email Id	Alpha/numeric	Yes
24.		Phone Number	Numeric	Yes
25.		Type of business, trade, industry, manufacturing or occupation, which is carried on this establishment	Alpha/numeric	Yes
26.		Name and address of the principal employer of establishment where the contract	Name of the principal employer	Alpha/numeric
27.	Designation		Alpha/numeric	Yes
28.	Address 1		Alpha/numeric	Yes
29.	Address 2		Alpha/numeric	Yes
30.	City		Alpha/numeric	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
31.	labour is to be employed	District	Alpha/Dropdown	Yes
32.		Pin code	Numeric	Yes
33.		Email Id	Alpha/numeric	Yes
34.		Contact Number	Numeric	Yes
35.	Particulars of Contract Labour	Nature of work in which migrant workmen are employed or are to be employed in the establishment	Alpha/numeric	Yes
36.		Proposed date of commencement of employment of contract labour under contractor*	Calendar	Yes
37.		Proposed date of termination of employment of contract labour under contractor	Calendar	Yes
38.		Maximum no. of contract Labour proposed to be employed in the establishment on any date	Numeric	Yes
39.	Name and address of agent or manager of the contractor at the work site	Name of agent or manager	Alpha/numeric	Yes
40.		Designation	Alpha/numeric	Yes
41.		Address 1	Alpha/numeric	Yes
42.		Address 2	Alpha/numeric	Yes
43.		City	Alpha/numeric	Yes
44.		District	Alpha/Dropdown	Yes
45.		Pin code	Numeric	Yes
46.		Email Id	Alpha/numeric	No
47.		Contact Number	Numeric	Yes
48.	Documents	Certificate from the Principal Employer	Upload Option	Yes
49.		List of Workers/Employees	Upload Option	Yes
50.		Photograph of Contractor/Employer	Upload Option	Yes
51.		Aadhaar Card / Election Card / Driving License of Contractor/Employer	Upload Option	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
52.		CDR/FDR @ Rs.90 per Worker/Employee pledged to Licensing Officer (Assistant Labour Commissioner concerned)	Upload Option	Yes
53.		Allotment order, if any	Upload Option	No
54.		Any other supporting document	Upload Option	No

Risk Categorization pertaining to Labour Department

i. J&K State Pollution Control Board

As defined by Government Order No 82-SPCB of 2018 dated 22-052018. Priorities of industries will be as follows:

Category	Inspection Schedule Based on Risk/pollution	
Red Category (High Risk)	<ul style="list-style-type: none"> 17 Categories of highly polluting industries as categorized by JKSPCB. Red Category of Industries other than those mentioned above 	Three months (Quarterly basis) Half Yearly
Orange Category	Orange Category of Industries	Once in a year
Green Category (Low Risk)	Green Category of Industries	Once in two years
	Exemption from inspection	To be inspected only in case of Public Complaints, Legal Cases and other mandatory requirements.

ii. Department of Labour and Employment

- a. As defined by Government Order No 56-L&E of 2018 dated 26-7-2018.
- b. For boilers, as defined by government from time to time.
- c. The risk based inspection of the Labour and Employment department is as follows:

Category	Name of the Category	Inspection schedule based on risk/pollution	
I	Highly Hazardous: All factories posing high risk to workers and general public i.e. having off-site and which would require outside help to combat serious accident.	Fertilizer, LPG (Bottling and Storage), Pesticides, Chemical and Pharmaceutical units and other red category units.	Once in six Months
II	Moderately Hazardous: All factories with medium hazard i.e. having on-site risk	Solvent Extraction Plants, Hydrogenating Plants, Paper Mills,	Once in six Months



	only and wherein the accidents could be controlled by the resources on the plant itself or with the help of neighboring units.	Chlorine, Distilleries, Breweries and Sugar Factories.	
III	Less Hazardous: All factories except (i) & (ii) with less hazardous potential i.e. where accidents can be controlled by unit by own resources.	Factories covered under S 85 of the Factories Act 1948.	Once in a year
A	Factories involving mechanical and health hazards.	Rule framed under 21(2) Factories Act 1948 including Paper Mills, Textile Mills, Ice Plants/ Cold Storages, Thermal Power stations and Primary Metallurgical producing units i.e. Zinc, Cadmium, Lead, Mercury Nickel, Aluminum, Copper and Steel.	Once in a year
B	Factories involving health hazards.	Tanneries, Paper Mills not using Chlorine, Board Mills and factories employing 20 or more workers excepting Brick Kiln, Electronic Goods, Printing Press and Saw Mills.	Once in a year
C	Factories which are less prone to accidents	Not included in categories A & B	Once in a year



iii. Food, Civil Supplies and Consumer Affairs Department

As defined under the Legal Meteorology (General Rules) 2011. However, following High Risk category establishments shall come under the preview of JKCIS:

- a. Non- Automatic weighing Instruments
- b. Dispensing Units
- c. Automatic Gravimetric Filling Instruments


Sd/-
(Manoj Kumar Dwevidi) IAS
Commissioner Secretary to the Government
Industries and Commerce Department

No: IND/DIC-102/2014-III

Dated: 28.01.2021

Copy to the:-

1. All Financial Commissioners.
2. Principal Secretary to the Lieutenant Governor.
3. Director General, J&K Institute of Management, Public Administration and Rural Development, Jammu.
4. Commissioner/ Secretaries to the Government, Labour & Employment Department.
5. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
6. Director, Information J&K.
7. Administrative Secretary, Food Civil Supplies and Consumer Affairs Department.
8. Director, Archives, Archaeology and Museums.
9. Member Secretary, Jammu & Kashmir State Pollution Control Board.
10. Private Secretary to Commissioner/ Secretary to the Government, Industries and Commerce Department.
- ✓ 11. In-charge website, I&C Department.
12. Notification file.


(Sartaj Hussain Madni)
Deputy Secretary to the Government

Do's and Don'ts

Do's

1. Ensure that relevant document as mentioned in the Standard Operating Procedure is uploaded at appropriate place.
2. Reply at the earliest or in 7 days to the clarification raised by the Department Officer for the Application.
3. Raise grievances on Single Window if Approval is not granted within specified timeline.
4. Download your Approval certificate/ License/Registration etc. from the portal only.

Don'ts

1. There is no need to visit the Dept. for approval or any clarification.
2. Don't submit any physical hard copy of document to the Dept.
3. Don't upload irrelevant documents in the Application which is not mentioned in the Document Checklist

References:

1. Contract Labour (Regulation and Abolition) Act, 1970 ([Publication1
\(wbcl.gov.in\)](http://wbcl.gov.in))
2. PSGA General Administration Department, Jammu & Kashmir.
([showpdf.aspx \(jkgad.nic.in\)](http://showpdf.aspx(jkgad.nic.in)))

Appendix

FORM IV

Application for Licence

[Rule 21(1)]

1. Name & address of the contractor (including his father's name in case of individuals)
2. Date of birth & age (in case of individuals):
3. Particulars of establishment where contract labour is to be employed:
 - (e) Name and address of the establishment:
 - (f) Type of business, trade, industry, manufacture or occupation carried on in the establishment.
 - (g) Number & date of Certificate of Registration of the establishment under the Act.
 - (h) Name and address of the Principal Employer:
4. Particulars of the Contract Labour:
 - (a) Nature of work in which contract labour is employed Or to be employed in the establishment:
 - (b) Duration of proposed contract work (give particulars of proposed date of commencing & ending)
 - (c) Name and address of the agent or manager of Contractor at the work site:
 - (d) Maximum number of contract labour proposed To be employed in the establishment on any date:
5. Whether the contractor was convicted of any offence within the preceding five years? If so, give details:
6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposits in respect of

an earlier contract? If so, the date of such order:

7. Whether the contractor has worked in any other establishment within the last five years? If so, give details of the Principal Employer, establishment and nature of work:
8. Whether a certificate by the Principal Employer in Form V is enclosed?:
9. Amount and particulars of Licence fee deposited:
10. Amount and particulars of security deposit, if any, or requested to be adjusted:
11. Amount and particulars of security or balance, if any, after adjustment of amount to be refunded under rule 31, if any:

Place :

Date:

Signature & Seal of
the Applicant-Contractor

FORM V

**FORM OF CERTIFICATE BY PRINCIPAL EMPLOYER
[under Contract Labour (regulation & Abolition) Act, 1970]**

[Rule 21(2)]

Certified that I have engaged the applicant _____
_____ as a contractor in my
establishment. I undertake to be bound by all the provisions of the Contract Labour
(Regulation and Abolition) Act, 1970, and the Punjab Contract Labour (Regulation
and Abolition) Rules, 1973, insofar as the provisions are applicable to me in respect
of the employment of contract labour by the applicant in my establishment.

Place :

Date:

Signature & Seal of
the Principal Employer