



प्रधान मुख्य आयकर आयुक्त कार्यालय, केरल
OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF INCOME TAX, KERALA
केन्द्रीय राजस्व भवन, आई एस प्रेस रोड, कोच्ची - 682 018
Central Revenue Building, I.S.Press Road, Kochi-682 018

फा.सं./F.No.CC-CHN/Outsourcing/2014-15

दि./Dated: 01/12/2014

सेवा में/To

The Chief Commissioner of Income Tax, Thiruvananthapuram.
The Director General of Income Tax(Inv.), Kochi.
All the Commissioners of Income Tax, Kerala Region.

Sir,

Sub. : Deployment of Daily Wage Workers - reg.

- Ref : 1. Letter of Integrated Finance Unit, New Delhi in F.No.15/6/2008-IFU.III dated 15.09.2011(copy enclosed).
2. This office Letter in F. No.CC-CHN/ITEF/2011-12 dated 19-03-2012(copy enclosed).
3. Letter of the Chief Labour Commissioner, New Delhi in File No. 14(113) Misc. RLC(Coord.)/2012 dt. 23.01.2013(copy closed)

With reference to the above, I am directed to request you to strictly comply with the instructions contained in the enclosed circulars/Office Memorandum issued by the competent authority while outsourcing services of casual and intermittent nature in the respective offices.

Yours faithfully,

(E. Sankaran)

Commissioner of Income Tax(Admn.)&(CO)
For the Principal Chief Commissioner of IncomeTax,Kerala.Kochi.

Encl : As above

Copy To: 1. The General Secretary, ITEF, Kerala Circle.



सत्यमेव जयते

GOVERNMENT OF INDIA
INCOME TAX DEPARTMENT
OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX
CENTRAL REVENUE BUILDING, I S PRESS ROAD, KOCHI- 682 018
Phone: 0484-2391072/Fax: 0484-2395583



F.No.CC-CHN/ITEF/2011-12

Dated: 19/03/2012

To

All Heads of Departments, Kerala Region.

Sir/Madam,

Sub: Redeployment of Daily Wage Workers – verification of service - reg.

Ref: Sl.No.7 of the Annexure to the Board's O.M. in
F.No.15/6/2008-IFU-III(EC) dated 15/09/2011.

With reference to the above, it has been brought to the notice of the CCIT(CCA), Kochi that daily wage workers (taken through Manpower Agencies) are allowed to perform the duties of Regular Income Tax Employees at some places.

2. In this connection I am directed to inform that this should not have been allowed, considering the confidentiality and security of Assesment records and departmental working.

Yours faithfully,

Kuruvilla M. George

KURUVILLA M. GEORGE
Joint Commissioner of Income Tax(HQ.)(Admn.)
For the Chief Commissioner of Income Tax (CCA), Kochi

Copy to:

1. The DGIT(Inv.), Kochi } { for kind information & necessary action}
2. The CCIT, Trivandrum }

Kind attn. In. A. 15/6/2008-IFU.III
 2- 81- 21- 10- 2011

F No. 15/6/2008-IFU.III
 Ministry of Finance
 Department of Revenue
 Integrated Finance Unit

New Delhi, dated 15th September, 2011

OFFICE MEMORANDUM

Subject: Delegation of Financial Powers to Heads of Departments of Department of Revenue, CBDT and CBEC.- Reg

The delegation of financial powers to Heads of Departments (HoDs) of CBDT and CBEC has been reviewed by the Integrated Finance Unit (IFU) of Department of Revenue. Based on, *inter-alia*, proposals received from CBDT & CBEC, the revised delegation, duly approved by the competent authority under Rule-13 of the Delegation of Financial Power Rules, 1978, has been compiled as per Annexure.

2. For exercising the delegated financial powers, as mentioned in the enclosed Annexure, there is no necessity to refer the proposals to the Department/IFU except where proposals are not in consonance with the existing instructions. The provisions of GFRs and ~~other~~ instructions issued by the Department of Expenditure and other competent authorities i.e. CVC and DGS&D etc. shall be followed. The expenditure against these delegations is subject to availability of the Funds with the HoDs.

3. The revised delegation, which is applicable with immediate effect, may be circulated to all HoDs.

(H. Pradeep Rao)

Joint Secretary & Financial Adviser (Finance)


To:

- (1) Chairman, CBDT
- (2) Chairman, CBEC
- (3) Joint Secretary (Revenue)
- (4) Joint Secretary (Admn.), CBDT
- (5) Joint Secretary (Admn.), CBEC

Copy to:

- (1) Pr. CCA, CBDT
- (2) Pr. CCA, CBEC
- (3) CCA (Finance), D/o Revenue

Sr.No.	Item of Expenditure	Rules applicable and delegation of financial powers to HoDs of CBDT, CBEC and D/O Revenue
		<p>iii. Delegation to HoDs: All other HoDs of CBEC/CBBDT are delegated powers upto Rs.1 lakh per annum, subject to the condition that the expenditure will be incurred by following the relevant instructions and guidelines on the subject.</p>
6.	Incurring expenditure on implementation of court orders	Heads of Departments (HoDs) are delegated financial powers upto Rs.20,000/- in each case (Non-recurring) on implementation of judicial orders.
7.	Outsourcing of services.	<p>Rs.30 lakh per annum to the HoDs. Provisions of GFRs, 2005 in this regard shall apply. It is to be ensured that there is no liability on Govt towards permanent employment to the personnel engaged by the service providers. No outsourcing should be resorted:</p> <p>(i) to augment manpower against the abolished posts;</p> <p>(ii) meet the services like security and cleaning while the sanctioned strength in these cadres are already on roll and drawing regular salaries and allowances.</p> <p>(iii) to augment posts at Gr.'C' and above level.</p>
8.	AMC payment of X-ray baggage inspection systems in CBEC	Once the rates and terms and conditions are approved by Department, release of advance and balance payments may be made by Commissioner (Logistics) CBEC subject to the observance of terms and conditions.


 (Praveen M. Khanooja)
 Director (Finance)
 Department of Revenue
 15.09.2011

20.02.2013

(67)

File No. 14(113) Misc. RLC (Coord.)/2012
Government of India
Ministry of Labour and Employment
Office of the Chief Labour Commissioner

Shram Shakti Bhavan,
New Delhi-110001
Dated:- January 23, 2013

OFFICE MEMORANDUM

Subject: Engagement of workers through Contractors by the Ministries and Departments of Central Government.

It has been noticed in the recent past that a large number of workers are being engaged on contract by various central Government Ministries and Departments. Parliament Questions have been received in this regard apart from various complaints relating to non-compliance of various provisions of law. These include wages and social security benefits flowing out of various legislations.

Asst. Secy

Copy to Cn (E) Cn (D) 6/2/13

on law J.S.K.

DIR (A) (B)

Similarly in cases where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work.

You may be aware that Government has enacted the Contract Labour (Regulation and Abolition) Act, 1970 and central rules made

thereunder which provide regulation of contract labour in the establishments. The Act also provides for prohibition of employment of contract labour where a notification is issued under Section 10. So far 82 Notifications have been issued. This Act casts obligation on employing departments to register their establishments under the Act before the authority notified by the Central Government, the contractors have also to obtain licence before engagement of contract labour in the establishments. The Act & Rules provide for certain facilities to be provided to the contract workers engaged in the establishments and also to maintain registers and records, to issue wages slips and employment cards to the contract workers by the employing department and contractor.

The Act also provides for penal action against the defaulters. The relevant Sections are as under:-

Section 23. Contravention of provisions regarding employment of contract labour.—Whoever contravenes any provision of this Act or of any rules made thereunder prohibiting, restricting or regulating the employment of contract labour, or contravenes any condition of a licence granted under this Act, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, and in the case of continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention. provide penalty for Contravention of provisions regarding employment of contract labour shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both and in the case of a continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

(51)

Section 24 Other offences.—If any person contravenes any of the provisions of this Act or any rules made thereunder for which no other penalty is elsewhere provided, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both. .provide penalty for contravention of Other offences shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

It is also noticed that some establishments are engaging contract workers in the employments which have been prohibited under section 10 of the Contract Labour (Regulation and Abolition) Act, 1970. Some principal employers and contractors are violating the provisions of Act & Rules.

In view of above, the employing departments are hereby notified to ensure the compliance of the provisions of the Act & Rules in all establishments including PSU'S under them.


(B.K. Sanwariya)

Chief Labour Commissioner©

To

Department of Revenue,
(Kind Attn: Shri Sumit Bose, Finance Secretary),
Ministry of Finance,
North Block,
New Delhi.