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H/O  
LHB

DGDE GUIDELINES II  
POLICY MATTER  
BY SPEED-POST/EMAIL  
No. 109/21/MISC/POLICY/VIG/DE  
Govt. of India, Ministry of Defence  
Directorate General Defence Estates  
Raksha Sampada Bhawan  
Ulaan Bataar Marg  
Delhi Cantt -110010

05 July, 2022

To,

The Principal Director,  
Defence Estates,  
Ministry of Defence,  
Central/Eastern/Northern/South Western/Western/Southern Command,  
Lucknow/Kolkata/Jammu/Jaipur/Chandigarh/Pune

**SUB:- SYSTEMIC IMPROVEMENTS IN WORKING OF CANTONMENT BOARD.**

In one complaint pertaining to a Cantonment, the Lokpal of India has taken a serious note that the contractual workers were not treated properly. The official's/rep of contracting agency were demanding bribe from the workers and threatening them that they would be sacked from their jobs. They were also threatened by the staff of Cantonment Boards by using abusive language, which is a serious offence.

2. These workers are generally illiterate and feel insecure to make complaint or express their view/grievances to the appropriate forum/authority. In order to improve conditions of contractual/outsourced workers, following measures should be adopted by all Cantonment Boards:-

(i) CEO at his/her level should interact with workers by convening meetings regularly preferably on quarterly intervals.

(ii) Workers can make complaints for their grievances in the dak or by mail and the secrecy of such complaints/grievances should be maintained. They should not be punished or warned for making complaint.

(iii) Formation of union or association of contractual workers at Cantonment Level should not be discouraged.

(iv) To adhere to the provisions contained under Minimum Wages Act about payment of minimum wages to the workers, it is to be ensured that the payments are released through Electronic Transfer (NEFT/RTGS/Net banking) and proof of payments made should be obtained for every worker on monthly basis along-with the monthly bills which should be checked and verified by the paying section or the user section.

(v) It is to be verified at the level of Pr. Employer that the workers are allotted UAN (Universal Account Number) and ESI Card.

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(vi) For adherence to EPF Act & ESI Act and rules made there-under and to ensure monthly deposit of EPF & ESI (subscription/deduction from worker and Contribution by Pr. Employer), ECR (Electronic Challan cum Return) should be verified on monthly basis.

(vii) There should be provision of Performance Security of adequate amount in the Contract Agreement and indemnity to the Pr. Employer in the form of FDR or Bank guarantee pledged in favour of the Principal Employer for a period of at least 06 months beyond the contract period. Such perform security should be taken before execution of agreement and kept in the safe custody and should be invoked in case of violation of T & C of the contract.

(viii) There should be a provision of timely payment of monthly wages by the outsourcing agency. There should not be any interruption or delay in release of wages even if the Principal Employer delays the payment of bills due to administrative exigencies for upto 03 months. The principal employer should ensure release of payment of bill withing 03 months of its presentation by the contractors.


(ix) The Principal Employer may also exercise the option to fix the minimum Service Charges ranging from 2% to 5% on GeM Portal while publishing bids for "Service Contracts to make the rates workable and for payment of minimum wages by the outsourcing agency without any illegal deduction from the payment of workers on the ground of deduction of TDS or any other charges.

(x) CEO should eensure all the provisions of contract agreement should be strictly followed. In case of any breach by the contractor to perform its duties, suitable action as per provisions of agreement shall be taken at earliest.

3. These guidelines are general in nature and in case any of these instrinctions are at variance from the contractual conditions in force, the CB shall report the matter to PD DE/DGDE and obtain suitable orders for amending the guidelines/contractual conditions, as the case may be. Further, the guidelines are advisory in nature and not exhaustive. PDs DE/CEOs are advised to enforce all statutory, executive & contractual conditions in force with the overall objectives to protect the genuine & legal rights of the contractual/outsourced workers.

4. It is requested that all CEOs under your jusisdiction may please be instructed to adopt the above mentioned measures and try to improve the working atmosphere of Cantonment Board for the contractual workers.

5. This issues with the approval of DG DE.

  
(Arvind Kumar Dwivedi)  
Dy Director General (Vig)  
For Director General  
Defence Estates