

EAST COAST RAILWAY



Office of the General Manager

(VIGILANCE)

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No: ECoR/GM/V-1/A/PC/222/2021/176

Dated 19.01.2022

**Vigilance Advisory No. 2022/02**

To  
The Divisional Railway Manager,  
East Coast Railway , Khurda Road


Sub.: Detection of irregular contract condition in Contract Agreement No. EL(OP)/01 dt. 23.6.2021.

In course of vigilance check on contractor bills for the work " Maintenance of Running Room and crew lobby at Puri including provision of subsidized meals" awarded to M/s APCON INDIA, East Delhi-110092, it is detected that an irregular payment condition under Para 11(iii) of special conditions of Contract (Part-III) of contract Agreement No. EL(OP)/01 dt. 23.6.2021 has been provided. The said condition is read as " *if any labour does not want payment through bank, then after taking consent in written from the concerned labour, cash payment can be made* ".

Since the payment conditions to labours is clearly indicated in " The Payment of Wages(Amendment) Act-2017 " , (Gazette Notification No. 1 of 2017), which read as " --- *the employer of which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or by crediting the wages in his bank account.* "

So the Para No. 11(iii) of the said contract agreement clearly deviates from " The Payment of Wages (Amendment) Act-2017".The Para No. 11(iii) of the said contract also deviates from Para No. 6.1.4 of GCC for Services and Recommendations of SAG level committee on Works contracts which emphasize upon bank payment to contractual workers.

Hence, it is advised to strictly adhere to the payment conditions of the above mentioned act/ guidelines without any deviation. Also, payment to the contract labour shall be properly monitored as advised earlier vide this office letter no.GM/Vig/V-1/Pers/Compl/85-2020/1980 dt. 10.8.2021

  
(Sanjaya Mahapatra)  
Sr.Dy.General Manager

Copy to :

1. PCEE/BBS for kind information
2. DRMs – WAT & SBP for information and necessary action.