

**The Andhra Pradesh Gazette
Part I Extraordinary
Published By Authority**

Hyderabad, Friday, August 22, 2003

**NOTIFICATIONS BY GOVERNMENT
LABOUR, EMPLOYMENT TRAINING AND FACTORIES DEPARTMENT
(Lab-I)**

BRINGING INTO FORCE THE CONTRACT LABOUR (REGULATION AND ABOLITION ACT) (ANDHRA PRADESH AMENDMENT) ACT 2003, (ANDHRA PRADESH ACT NO. 10 OF 2003)

[G.O.Ms.No.48, Labour Employment Training And Factories (Lab-I), 18th August 2003]

In exercise of the power conferred by sub-section (3) of section section1 of the Contract Labour (Regulation and Abolition act) (Andhra Pradesh Amendment) Act 2003, (Andhra Pradesh Act No. 10 of 2003), the government of Andhra Pradesh hereby appoints the 22nd August, 2003, as the date on which the provisions of the said Act shall come into force.

PRIYADARSHINI DASH
Principal Secretary to Government

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ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS Etc.

The following Act pf the Andhra Pradesh Legislative Assembly which was reserved by the Governor on the 11th April, 2003 for the consideration and assent of the President received the assent of the President on the 11th

June, 2003 and the said assent is hereby published on the 19th June, 2003 in the Andhra Pradesh Gazette for general information:-

Act. No.10 of 2003

AN ACT FURTHER TO AMEND THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970 IN ITS APPLICATION TO THE STATE OF ANDHRA PRADESH

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-Fourth year of the Republic of India as follows:

Short Title extent And Commencement:

- (1) This Act may be called The Contract Labour (Regulation and Abolition) (Andhra Pradesh Amendment) Act. 2003.
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette, appoint.

Amendment of section 2 of Central Act, 37 of 1970.

2. In the Contract Labour (Regulation and Abolition) Act, 1970 (herein after referred to as the principal Act) as in force in the State of Andhra Pradesh, in section 2 in sub-section (1) after clause (d), the following clause shall be inserted, namely:

“(dd)” Core Activity of an establishment” means any activity for which the establishment is set up and includes any activity which is essential or necessary to the core activity, but does not include

- (1) Sanitation works, including Sweeping, Cleaning, Dusting, and Collection and disposal of all kinds of waste.
- (2) Watch and ward services including security service.
- (3) Canteen and catering services.

- (4) Loading and Un-loading Operations.
- (5) Running of Hospitals, Educational and Training institutions, Guest Houses, clubs And the like where they are in the nature of support services of an establishment.
- (6) Courier services which are in nature of support services of an Establishment.
- (7) Civil and other constructional works including maintenance.
- (8) Gardening and maintenance of lawns etc.
- (9) Housekeeping and laundry services etc, where they are in nature support services of en Establishment.
- (10) Transport Services including Ambulance Services.
- (11) Any activity of intermittent in nature even if that constitutes a core-activity of an Establishment.
- (12) Any other activity of intermittent in nature even if that constitutes a core-activity. Provided that the above activities by themselves are not the “Core Activities” of such Establishment.

Omission of Section 3 to 5:

3. In the Principal Act, Chapter II, relating to the Advisory Boards dealing with sections 3 to 5 shall be omitted.

Substitution of Section 10:

4. In the Principal Act, Section 10 of the following section shall be substituted namely:

Prohibition of employment of Contract Labour:

10. (1) Notwithstanding anything contained in this Act, Employment of Contract Labour in Core Activities of any establishment is prohibited.

Provided that the Principal employer may engage Contract Labour or a Contractor to any core activity, if

- (a) The normal functioning of the establishments is such that the activity is ordinarily done through contractors, or

- (b) The activities are such that they do not require full time workers for the major portion of the working hours in a day or for longer periods as the case may be
- (c) Any sudden increase of volume of work in the core-activity which needs to be accomplished in a specified time.

10. (2) Designated authority:

- (a) The 'Appropriate Government' may by notification in the official gazette appoint a designated authority to advise them on the question whether any activity of a given establishment is a core activity or otherwise.
- (b) If a question arises as to whether any activity of an establishment is core activity or otherwise the aggrieved party may make an application in such a form and manner as may be prescribed, to the appropriate Government for decision.
- (c) The appropriate Government may refer any question by itself or such application made to them by any aggrieved party as prescribed in clause (b) as the case may be, to the designated authority, which on the basis of relevant material in its possession, or after making such an enquiry as deemed fit shall forward the report to the appropriate Government, within a prescribed period and thereafter the appropriate Government shall decide the question within the prescribed period.

Substitution of Section 31:

5. In the principal Act for the "Subsection 31 the following shall be submitted, namely:-

The power to exempt in special cases

- (1) The appropriate Government may, in public interest, direct, by notification in the Official Gazette, that subject to such conditions and restrictions, if any, and for such period or periods, as may be specified in the notification, all Or any of the provisions of this Act or the rules made thereunder shall not

apply to any establishment or class of establishment or any class of contractor, as the case may be:

- (2) Where the operation of any provisions of this Act, under sections 31(1) has been excluded, such exclusion may at any time be revoked by the appropriate Government by subsequent notification in the Official Gazette.

Amendment of Section 35:

6. In the principal Act, in section 35 in sub-section (2) clauses (a) & (b) shall be omitted. K.G. Shankar, Secretary to Government, Legislative Affairs & Justice (FAC) Law, Department.