

GOVERNMENT OF TRIPURA
LABOUR DEPARTMENT
SHRAMA BHAWAN, OFFICE LANE, AGARTALA

Dated, Agartala, the 7th Nov, 2025.

To

All Head of Departments,

.....
Govt. of Tripura.

Sub:- Standard Operating Procedure (SOP) for Outsourcing of Manpower / Agency/ Security Guard.

Sir,

I am directed to inform you that the State Government has introduced Standard Operating Procedure (SOP) for Outsourcing of manpower / agency / Security Guard while engaging contractors/agencies through tendering process for all sorts of manpower supply as several complaints have been received by this office from different stakeholders.

In this regard, all concerned Head of Departments of the State Government are requested to follow the Standard Operating Procedure (SOP) while engaging contractors/agencies through tender for all sorts of manpower supply.

This is issued as per approval of the competent authority.

Yours faithfully,

Enclo:- 1) SoP

2) Process flow.

Signed by Biswajit Paul

Date: 07-11-2025 14:13:08

Addl. Secretary to the
Govt. of Tripura

Copy to:-

1. OSD to the Hon'ble Minister, Labour Department, Govt. of Tripura for kind information of the Hon'ble Minister.
2. The PPS to the Chief Secretary, Govt. of Tripura for kind information of the Chief Secretary.
3. The PS to the Principal Secretary/Secretary/Spl. Secretary, Govt. of Tripura.....for kind information of the Principal Secretary/Secretary/Spl. Secretary.

Standard Operating Procedure (SOP) for Outsourcing of Manpower / Agency / Security Guard

Objective: To ensure that all Departments of the State Government strictly comply with the provisions of the Contract Labour Act, 1970 (Section 12), Minimum Wages Act, 1948 (Sections 12 & 25), including periodic VDA revisions, the Employees Provident Fund Act, the Employees State Insurance Act, and the Payment of Bonus Act, 1965, while engaging contractors/agencies through tender for all sort of manpower supply.

Scope: This SOP is applicable to all State Government Departments, Boards, Corporations, and Autonomous Bodies while floating tenders for outsourcing of manpower.

Responsibilities: **Head of Department** (Principal Employer) shall ensure that tender documents and contracts comply with this SOP.

Procedure: While preparing tender documents, the following mandatory clauses must be included-

1) Contract Labour Act, 1970 Compliance:

i) Definition of Principal Employer: As defined in Section 2(1)(g) of the Contract Labour (Regulation and Abolition) Act, 1970 a principal employer includes-

- a) **Government/Local Authorities:** The head of any government or local authority office or department.
- b) **Factories:** The owner, occupier, or manager of a factory.
- c) **Mines:** The owner, agent, or manager of a mine.
- d) **Other Establishments:** Any person responsible for the supervision and control of the establishment.

ii) Role & Responsibilities of a Principal Employer and the Agency/Contractor: The Contract Labour (R&A) Act, 1970 places significant responsibilities on the contractor as well as principal employer to ensure the welfare of contract labour-

- a) **Registration of the Establishment:** As per section 7(1) of the Contract Labour (R&A) Act, 1970 all principal employer must register their establishment with the appropriate registering officer i.e. Labour Officer of the concern district through swaagat portal before engaging contract labour. The process flow for registration of Principal Employer in swaagat Portal is enclosed herewith.

- b) **Contract Labour Licence:** A contractor must obtain a license through Swaagat portal from the Licensing Officer i.e. Labour Officer of the Concern District if employing 5(five) or more contract workers which is required under Section 12 of the Contract Labour Act (R&A) 1970. The principal employer is responsible for ensuring that the contractor has a valid license and is complying with the provisions of the Act. The process flow for applying licence by contractor in Swaagat portal is enclosed herewith.
- c) **Welfare & Amenities:** Contractor must provide following facilities to contract workers at the workplace: Canteen (if 100 or more workers), rest rooms or suitable alternative (if work requires night stay), drinking water, latrines, urinals, washing facilities, first aid facilities. If contractor fails, the principal employer must provide and recover cost from contractor.
- d) **Employment Records & Registers:** As per rule 67 of the Tripura Contract Labour (R&A) Rule, 1978 a contractor shall maintain muster roll, wage register, overtime register of contract workers. Issue employment cards and service certificates to workers as per rule 65 and 66 respectively.
- e) **Wages & Payment:** Contractor is primarily responsible for payment of wages to contract labour. Payment must be before the expiry of 7th/10th day of wage period depending on number of workers. Must ensure equal wages for equal work (as per Equal Remuneration Act). As per sec. 21(4) of the Contract Labour (R&A) Act, 1970, if contractor fails to pay, then principal employer shall be liable to make payment wages in full or the unpaid balance due, as the case may be, to the contract labour employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.
- f) **Health & Safety:** Ensure safe working conditions and compliance with safety provisions as and when required. Provide personal protective equipment (PPE) where necessary.
- g) **Prohibition & Restrictions:** A contractor cannot employ contract workers below 18 years of age.
- h) **Half Yearly Return:** Every contractor shall submit the half yearly return in the prescribed form to the licencing officer concerned not later than 30 days from the close of the half year (commencing from 1st January to 1st July).

- i) **Workers List with Wages:** Every Contractor shall submit the quarterly report to the Department (Principal Employer) regarding workers' list along with their details wages paid.

2) Minimum Wages Act, 1948 Compliance:

- (i) Minimum wages mean basic wages plus variable dearness allowance(VDA).As per Section 12 of the Minimum Wages Act, 1948, no employer shall pay to any employee wages less than the minimum rate of wages notified by the Labour Department Government of Tripura for the 20 (twenty) scheduled employment, including Variable Dearness Allowance, which is revised twice every year i.e. 1st April and 1st October. The agency must pay revised VDA immediately as per notification published by the Labour Department which will be reimbursed by the Department (Principal Employer).
- (ii) **Prohibition of Contracting Out:** As per Section 25 of the Minimum Wages Act, 1948, any contract or agreement whether made before or after the commencement of this Act, whereby an employee either relinquishes or reduces his right to a minimum rate of wages or any privilege or concession accruing to him under this Act shall be null and void in so far as it purports to reduce the minimum rate of wages fixed under this Act.

3) Employees Provident Fund (EPF) Act, 1952:

- i) Applicability (no. of employees required): Establishment with 20 or more employees.
- ii) Wage limit (for coverage): Employees drawing wages up to Rs.15,000/- per month are mandatorily to be covered. If wages more than Rs.15000/- per month, EPF contribution are not mandatory, but employee can choose to join the EPF scheme voluntarily with the consent of employers.
- iii) Contribution: Employee: 12% of basic wages + DA and Employer: 13% of basic wages + DA.
- iv) Minimum days of work: Eligible from the day of joining.

4) Employees' State Insurance (ESI) Act, 1948:

- i) Applicability (no. of employees required): Establishment with 10 or more employees.
- ii) Wage limit (for coverage): Employees earning upto Rs.21,000/- per month (Rs.25,000/- per month for employees with disability).
- iii) Contribution: Employee 0.75% of wages, Employer 3.25% of wages.

5) Payment of Bonus Act, 1965:

- i) Applicability (No. of employees required): Establishment with 10 or more employees.
- ii) Wage limit (for eligibility): Employees drawing wages up to Rs.21,000/- per month are eligible.
- iii) Minimum working days: Every employee shall be entitled to be paid by his employer in an accounting year, bonus, in accordance with provisions of Payment of Bonus Act, 1965, provided he has worked in the establishment for not less than thirty working days in that year.
- iv) Bonus entitlement: Minimum bonus 8.33% of annual wages (even if company makes no profit) and Maximum bonus 20% of annual wages.

6) Financial Bid Restriction: No bidder shall be entertained if it quotes wages below the prescribed Minimum Wages (including VDA), mandatory contributions towards EPF & ESI, and payment of statutory bonus. Any such bid shall be summarily rejected. Service Charge to agency should be quoted separately (not clubbed with wages). **As per the office memorandum No. F.6/1/2023-PPD Dated 6th January, 2023 of the Ministry of Finance, Govt of India-**

- a) The minimum service charges in the procurement of Manpower Outsourcing Service may be fixed as 3.85 (3% profit plus transaction charges, which are 0.85% at present) as proposed by GeM.
- b) The procuring entities can also fix the service charge above 3.85% with proper justification on file, wherever required. However, such charges should not exceed 7% (including transaction charges) in any case.

If GST is applicable this shall be clearly mentioned in percentage/ amount and included in the service charge.

The agency must pay revised VDA immediately as per notification published by the Labour Department which will be reimbursed by the Department (Principal Employer).

7) Payment and Verification: The agency shall pay wages and bonus only through bank transfer/online mode and submit wage registers, bank transfer statements, EPF/ESI challans, and bonus payment records every year to the Department (Principal Employer) for verification.

- 8) **Tender Scrutiny:** Financial bids should be evaluated only after confirming that the bidder has quoted equal or above the statutory minimum wages + VDA + EPF+ESI + bonus liability + GST as applicable + their reasonable profit.
- 9) **Monitoring During Contract Period by the Principal Employer:** Monthly inspection of wage registers, payment proofs, EPF and ESI deposits. Annual verification of bonus disbursement records. In this regard a salary statement along with all reports have to be submitted quarterly by the Principal Employer to the Labour Directorate.
- 10) **Example Calculation for Quotation:** Illustration for Private Security Guard (skilled workers) (Departments i.e. principal employer must use prevailing notified rates of wages issued from Labour Department time to time as mentioned in point no 2 of SOP)
- i) Suppose the Basic Wage (as per Minimum Wages Notification):Rs.11,797/-
 - ii) VDA (as notified): Rs.1,351/- (previous VDA + present VDA)
 - iii) Gross Wages: Rs.13,148/-
 - iv) **Statutory Contributions:**
 - a) EPF (Employer share 12%) i.e. Rs. 1,578/-
 - b) ESI (Employer share 3.25%): i.e. Rs. 427/-
 - c) Bonus (minimum 8.33% annually, considered monthly): Rs.1,095/-
 - d) Total Statutory Burden on Employer (a + b + c) =Rs.3,100/-
 - v) Total cost per Employee = Gross Wages + Employer Contributions=Rs.13,148/- + Rs.3,100/-= Rs.16,248/-
 - vi) Add Agency Service Charge (say 5% of wages) i.e. Rs. 812/-= Rs.16,248/- + Rs.812/-= Rs.17,060/-
 - vii)Add GST if applicable @ 18% i.e. Rs. 3071/-
 - viii) Total Minimum Quotation Rate per Security Guard per Month(including GST) = Rs.20,131/- (Rs. 17060/- + Rs. 3071/-)
 - ix) Any bidder quoting less thanRs.20,131/- (including GST) shall be disqualified.
- 11) **Penalties for Non-Compliance:** Department (Principal Employer) may terminate the contract, forfeiture of security money, Blacklisting of agency from future government tenders. Legal action for any violation of the provision of the Minimum Wages Act, EPF Act, ESI Act, and Payment of Bonus Act, will be taken by the Labour Department/EPFO/ESIC.
- 12) **Record-Keeping:** Departments (Principal Employers) shall maintain records regarding notice inviting tender (NIT) published with above

clauses, wages and bonus payment verification records and monthly compliance reports received from the agency.

13) Penal Provisions Under Various Labour Laws Against Agency: The agency must comply with all applicable Acts. Non-compliance will invite penalties/prosecution as per law. Such penal provisions are:

- i) **Minimum Wages Act, 1948:** Fine up to Rs.500/- or imprisonment may extend to 6(six) months or with both.
- ii) **Payment of Bonus Act, 1965:** Imprisonment up to 6 months or fine up to Rs.1,000/- or both.
- iii) **Contract Labour (Regulation & Abolition) Act, 1970:** Fine up to Rs.1,000/- or imprisonment up to 3 months or both for first offence. Higher penalties for repeated violations.
- iv) **EPF Act, 1952:** Fine up to Rs.25000/- for noncompliance. Prosecution with imprisonment up to 5 years.
- v) **ESI Act, 1948:** Fine up to Rs.5,000/- for non-compliance. Imprisonment up to 2 years for serious violations.

Signed by Biswajit Paul
Date: 07-11-2025 19:45:50

Addl. Secretary,
Labour Department,
Govt. of Tripura

The process flow for Registration of Principal Employer in SWAAGAT portal.

➤ Registration under the Inter- State Migrant Workmen (RE&CS) Act, 1979

Process

- i). Applicant is to submit the application Form (form – I) along with required documents, proof of fee
- ii). Verification of the document & Spot Inspection if required.
- iii). After having satisfaction, application with its enclosures will be forwarded to the Registering Authority
- iv) Any dissatisfaction with application to be communicated to the applicant.
- v). Received corrected application submitted to Registering Authority.
- vi). Registration issued.

Required Documents

- i) Proof of fee deposit.
- ii) PAN Card copy
- iii). In case of partner- partnership deed
- iv) In case of Government Department – Government order

Timeline- 30 days

➤ Registration under the Contract Labour (Regulation and Abolition) Act, 1970

Process

- i) Applicant is to submit the application Form (form– I) along with required documents and proof of fee deposited
- ii). Verification of the document & Spot Inspection if require.
- iii). After having satisfaction, application with its enclosures will be forwarded to the Registering Authority
- iv) Any dissatisfaction with application to be communicated to the applicant.
- v). Received corrected application submitted to Registering Authority.
- vii). Registration issued.

Required Documents

- i). Proof of fee deposited.
- ii) PAN Card copy
- iii). In case of partner- partnership deed
- iv) In case of Government Department – Government order

Timeline- 30 days

The process flow for applying for Licence by Contractor in SWAAGAT portal.

➤ License /renewal of License under the Contract Labour (Regulation and Abolition) Act, 1970

Process

- i). Applicant is to submit the application Form (form – IV) along with required documents, proof of fee deposited and Security Money.
- ii). verification of the document & Spot Inspection if require.
- iii) After having satisfaction, application with its enclosures will be forwarded to the Licensing Authority
- iv). Any dissatisfaction with application to be communicated to the applicant.
- v). Received corrected application submitted to licensing Authority.
- vi). License issued.

Required Documents

- i). Principal Employer Certificate in Form –V or Work order or Agreement with Principal Employer or Enlistment copy of Govt. Department (Government of Tripura)
- ii). License fee & Security deposited.
- iv) PAN Card copy
- v). In case of partner- partnership deed
- vi). In case of individual: - Proof of date of birth

Timeline- 30 days

➤ License /renewal of License under the Inter- State Migrant Workmen (RE&CS) Act, 1979.

Process

- i). Applicant is to submit the application Form (form – V) along with required documents, proof of fee deposited and Security Money.
- ii). verification of the document & Spot Inspection if require.
- iii) After having satisfaction, application with its enclosures will be forwarded to the Licensing Authority
- iv). Any dissatisfaction with application to be communicated to the applicant.
- v). Received corrected application submitted to licensing Authority.
- vii). License issued.

Required Documents

- i). Principal Employer Certificate in Form –VI or Work order or Agreement with Principal Employer or Enlistment copy of Govt. Department (Government of Tripura)
- ii). Proof of License fee & Security deposited
- iv) PAN Card copy

- v). In case of partner- partnership deed
- vi). In case of individual: - Proof of date of birth

Timeline- 30 days