



इंडियन रेलवे केटरिंग एवं टूरिज़्म कॉरपोरेशन लिमिटेड
(भारत सरकार का उद्यम-मिनी रत्न)
INDIAN RAILWAY CATERING AND TOURISM CORPORATION LTD.
(A Govt. of India Enterprise - Mini Ratna)

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No.2024/IRCTC/CO/Tendering/Vig Matter

Dated 13.12.2024

GGMs
IRCTC Zones/Corporate office.

Sub: Issue of applicability or otherwise of Railway Board's instructions for mandatory up-dation of data on Railways 'Shramik Kalyan Portal' on Licensees of IRCTC for providing catering services.

Ref: Ministry of Railways Letter No. 2018/CE-I/CT/4 dated 26.11.2018

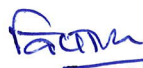
Ministry of Railways vide letter under reference above, has instructed all Zonal Railways & Production Units for implementing a 'Special Condition of Contract' for mandatory up-dation of data pertaining to contract labor engagement, their wage payment details, PF/ESI details etc. on 'Railways' Shramik Kalyan' portal on monthly basis.

The issue of applicability or otherwise of these Special Conditions of Contract for mandatory up-dation of Labour data on Railways' 'Shramik Kalyan portal' on Licensees of IRCTC for providing catering services was legally examined and reviewed by the Legal department at IRCTC/CO after taking legal opinion from IRCTC panel advocate M/s Laware Associates and Sh. Chetan Sharma, Additional Solicitor General of India. In pursuance to the legal opinion received, following is submitted for compliance in all catering contracts issued by IRCTC.

"The Railway Board letter no. 2018/CE-I/CT/4 dated 17.10.2018 & 26.11.2018 aims to maintain transparency in payment of wages to contract labour engaged by Railway Contractors-meaning thereto the Shramik Kalyan Portal is exclusively for labour engaged through contract, wherein the Railway/IRCTC engaged a contractor providing it requisite labour and Railway is the principal employer of such contract labour.

Hence, it doesn't apply to the situations wherein the organizations (e.g. Licensee of Indian Railways/IRCTC for providing catering services) is not providing contractual workers to Indian Railways, rather has engaged its own labour for the purposes of the agreement (e.g. License Agreement) with the Railways/IRCTC- and is employer of such labour, not the Railways."

This issue with the approval of Competent Authority.


13/12/2024
(Vinay Kumar Pathak)
GGM (P&T)

Copy to: 1. PS to DCS- For kind information please.
2. AGM/IT- For uploading on IRCTC portal.