

**GOVERNMENT OF INDIA
MINISTRY OF COAL
LOK SABHA
UNSTARRED QUESTION No. 2811
TO BE ANSWERED ON 03.08.2022**

Workers engaged by Contractors

**2811. DR. AMOL RAMSING KOLHE;
DR. PON GAUTHAM SIGAMANI;
SHRI GAJANAN KIRTIKAR;
DR. SUBHASH RAMRAO BHAMRE;
SHRI C.N. ANNADURAI;
SHRI DHANUSH M. KUMAR;
SHRIMATI MANJULATA MANDAL;
SHRI KULDEEP RAI SHARMA;
DR DNV SENTHIL KUMAR. S;
SHRI SUNIL DATTATRAY TATKARE;
SHRIMATI SUPRIYA SULE;
SHRI SELVAM G;**

Will the Minister of **Coal** be pleased to state:

- (a) the total number of workers engaged by the contractors in each of the ancillary coal mine of the Coal India Limited (CIL);
- (b) whether any agreement is signed between the contractor and the management regarding the working condition and wages of such workers;
- (c) if so, the total remuneration fixed for payment to various categories of workers engaged by the contractors;
- (d) whether the workers are being paid as per the agreement; and
- (e) if not, the steps being taken by the management in this regard?

Answer

**MINISTER OF PARLIAMENTARY AFFAIRS, COAL AND MINES
(SHRI PRALHAD JOSHI)**

- (a) Coal India Limited (CIL) and its subsidiaries do not employ contract workers directly. However, some of the works are outsourced through agencies/contractors and those agencies employ their workmen for the said work. Total number of workers engaged by the contractors in each subsidiary of CIL is given below:

Sl. No.	Company	No. of Contractors' workers presently deployed in CIL & It's Subsidiaries (as on 01.07.2022)
1	ECL	7,045
2	BCCL	6,110
3	CCL	6,461
4	WCL	11,107
5	SECL	14,912
6	MCL	21,590
7	NCL	20,265
8	CMPDIL	908
9	NEC	369
10	CIL(HQ)	312
TOTAL:		89,079

(b) & (c): Contract is awarded as per the NIT (Notice Inviting Tender) containing all the provisions of the statutory provisions of the applicable acts. The contractor has to follow the statutory provisions as per the relevant Acts/ Rules. Other than contract agreement, no other agreement is signed between the contractor and the management.

Agreements signed for Mining Contracts contain provisions related to Employment of Labour, payment of wages and Provident Fund deduction provided in Clause 12 (xi) of General Terms and Condition of the Contract Management Manual (attached as **Annexure-A**). At present, HPC wages are 42% to 122% higher than the Central Government prescribed minimum wages for Highly skilled to unskilled labour respectively. Copy of the minimum rate of wages w.e.f. 1.04.2022 is attached herewith (**Annexure-B**).

(d) & (e): The contractors have to pay wages as per agreement/ applicable laws. All payments made through bank transfer. Management takes all possible steps as Principal Employer to ensure payment of wages to the contractors' workers as per the agreement / applicable laws.



COAL INDIA LIMITED - CONTRACT MANAGEMENT MANUAL - 2022

CHAPTER 6 - HIRING OF EQUIPMENT FOR REMOVAL OF OVERBURDEN & EXTRACTION OF COAL

SECTION-6 (CONDITIONS OF CONTRACT GENERAL TERMS AND CONDITIONS)

Clause 12. Provision related to Employment of Labour, payment of wages and Provident Fund deduction:

The execution of work shall be done by deploying machines / equipment through only regular employees of the Contractor. The Contractor shall also comply with statutory requirements under CL(R&A) Act and also obtain labour license.

The Contractor shall not engage any person of less than 18-year age or females during night hours as required by relevant law.

The Contractor/Contractors shall not pay less than the wages fixed (notified and prevalent during submission of the bid for mining activities as per policy decision of the Company/CIL valid from time to time) in respect of his employees of different categories.

Note:

However, if the basic rate of wages of labour as fixed by CIL is revised during the contract period then the incremental difference shall be reimbursed on actual basis through a suitable mechanism as decided by CIL/Subsidiary.

The payment of wages to the workers should be made through Bank.

The Contractor/ Contractors shall make necessary payment of the Provident Fund for the workmen employed by him for the work as per the laws prevailing under provisions of CMPF and Allied Schemes and Miscellaneous Provisions Act 1948 or Employees Provident Fund and Miscellaneous Provisions Act 1952 as the case may be. The Contractor shall regularly deposit the contribution in accordance with such scheme. The Company shall have no liability whatsoever in this regard.

The Contractor shall arrange treatment facilities to Contractor workers. However, treatment facilities, as available at Company hospital and dispensary shall be provided to Contractors' workers, in case Contractor wants to avail it. The treatment facility at Company's Hospitals / Dispensary shall be free of cost, but to the extent of available medicines, pathological examination and other surgical treatment. Such facilities shall not be applicable to worker's spouse or dependent.

The Contractor should issue Identity Card to the workmen deployed by them with photograph duly attested by him which the employee shall always carry with him while on work and produce for Inspection whenever required.



COAL INDIA LIMITED - CONTRACT MANAGEMENT MANUAL - 2022

CHAPTER 6 - HIRING OF EQUIPMENT FOR REMOVAL OF OVERBURDEN & EXTRACTION OF COAL

SECTION-6 (CONDITIONS OF CONTRACT GENERAL TERMS AND CONDITIONS)

The Contractor shall familiarize himself and fully comply with the provisions of all the Acts/Rules/Regulations/Bye-laws and orders of the Local authority / Municipality /State Govt./ Central Govt. applicable to the worker. Mines Act, Payment of Wages Act, Motor Vehicle Act, Workermen's Compensation Act, Labour Laws, Insurance etc. and shall be fully responsible and liable for the due observance of the same. The Company shall have no responsibility / liability whatsoever on these accounts. The Contractor shall fully indemnify the Company against any claim/dispute/reference Award, etc. arising out of the same.

The Contractor shall make timely payment of all salary /wages/ dues to his employees and shall also provide all benefits to his employees as per various Acts/ Rules, Regulation, Orders applicable to the work e.g bonus under Coal Mines Bonus Scheme and Payment of Bonus Act, Sunday Wages, Overtime, Holiday Wages, Leave Wages, Sick Leave etc.

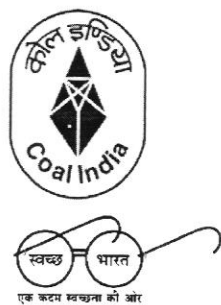
The Contractor shall prepare the wages sheet for his employees in duplicate, a copy of which shall be regularly submitted to the Engineer-in- charge of the project.

The responsibility of the Contractor in respect of all payments to his employees will be complete and absolute. The Company shall have no liability whatsoever in this regard and shall be fully indemnified by the Contractor against any claim arising out of any non-payment / short payment/ dispute/ award.

In case any accident occurs or any injury is caused to any employee of the Company by the vehicles/equipment of the Contractors or by any act of omission/ commission on the part of the Contractor's representative/ employees, the compensation for the same, as provided in law or as assessed by the Company shall be recovered from the Contractor along with the costs and expenses incurred by the Company on the same.

- xi. The Contractor will have to make necessary security arrangement to prevent theft of coal from the project premises, during transportation and also at coal dumps.
- xii. All accounts shall be maintained in English and the Company shall have the right of access and inspection of all such books of accounts etc. relating to payment of labourer considered necessary and the Company may arrange for witnessing the payment to the labourer by its representatives.
- xiii. **Insurance** - The Contractor shall take full responsibility to take all precautions to prevent loss or damage to the works or part thereof for any reasons whatsoever (except for reasons which are beyond control of the Contractor or act of God, e.g. flood, riots, war, earthquake, etc.) and shall at his own cost repair and make good the loss/damage to the work so that on completion, the work shall be in good order and condition and in conformity with the requirements of the contract and instructions of the Engineer-In-Charge, if any:

कोल इंडिया लिमिटेड
(महारत्न कंपनी)
(भारत सरकार का उपक्रम)
"कोल भवन"
प्रेमाइज़ नं० 04,
एमएआर प्लॉट नं० ए एफ-III
एक्शन एरिया-1ए, न्यू टाउन, राजारहट
कोलकाता-700 156 (पश्चिम बंगाल)
दूरभाष सं: 033 2324 6536
फैक्स सं : 033 2324 6527
वेबसाइट: www.coalindia.in



Coal India Limited

(A MAHARATNA COMPANY)

A Govt. of India Enterprise

"Coal Bhawan"

Premises No. 04, MAR Plot No. AF-III

Action Area-1A, New Town, Rajarhat

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Phone: 033 2324 6536

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Website- www.coalindia.in

(An ISO 9001:2015, ISO 14001:2015 and ISO 50001:2011 Certified Company)

क्रमांक: CIL/C-5B/JBCCI/JC/VDA/ 267

दिनांक: 06.05.2022

कार्यालय आदेश

सेवा मे,

The Chairman-cum-Managing Director,	ECL,	Sactoria
The Chairman-cum-Managing Director,	BCCL,	Dhanbad
The Chairman-cum-Managing Director,	CCL,	Ranchi
The Chairman-cum-Managing Director,	WCL,	Nagpur
The Chairman-cum-Managing Director,	SECL,	Bilaspur
The Chairman-cum-Managing Director,	NCL,	Singrauli
The Chairman-cum-Managing Director,	MCL,	Sambalpur
The Chairman-cum-Managing Director,	CMPDIL,	Ranchi

विषय: Revised Rate of VDA for the Contractors' Workers as per the Recommendations of the Joint Committee w.e.f. 01.04.2022

The Chief Labour Commissioner (C), Ministry of Labour & Employment, Govt. of India vide Order F. No.: 1/4(2)/2022-LS-II dated 31.03.2022 intimated the rate of Variable Dearness Allowance on the basis of average Consumer Price Index number for the preceding period of six months ending on 31.12.2021 reaching 124.18 from 119.86 (2016=100) for Industrial Workers.

Accordingly, in terms of clause (3) of Recommendations of the Joint Committee, the rates of Variable Dearness Allowance payable per day w.e.f. 01.04.2022 (i.e. from 01.04.2022 to 30.09.2022) would be as under: -

Categories of employees	Rounded Off VDA (Rs.)
Unskilled	198.00
Semi-Skilled/ Unskilled Supervisory	205.00
Skilled	213.00
Highly Skilled	220.00

Therefore, the Rate of Wages showing the Basic Rates and Variable Dearness Allowance payable w.e.f. 01.04.2022 (i.e. from 01.04.2022 to 30.09.2022) will be as under: -

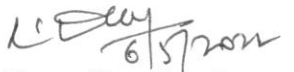
Categories of employees	Basic Rate of Wages (Rs.) Per Day	VDA (Rs.) Per Day	Rate of Wage including VDA (Rs.) Per Day w.e.f. 01.04.2022
Unskilled	787.00	198.00	985.00
Semi-Skilled/Unskilled Supervisory	817.00	205.00	1022.00
Skilled	847.00	213.00	1060.00
Highly Skilled	877.00	220.00	1097.00

Handwritten signature and date: 6/5/22

Other terms and conditions mentioned in the Office Order Ref. No.: CIL/C-5B/JBCCI/JC Wages/995 dated 09/10/2018 and Recommendations dated 04.09.2018 of the Joint Committee shall remain the same.

It is requested to take necessary action to implement the same.

This is being issued with the approval of the Competent Authority.


(Ajay Kumar Choudhary)
General Manager (MP & IR)

वितरण (ईमेल द्वारा) :-

1. Director (Finance)/ Director (Personnel & IR)/Director (Technical)/Director (Marketing), CIL, Kolkata
2. Director (Personnel) - ECL/BCCL/CCL/WCL/SECL/NCL/MCL
3. Director(Finance)- ECL/BCCL/CCL/WCL/SECL/NCL/MCL
4. Director (T/CRD), CMPDIL, Ranchi.
5. Chief Vigilance Officer, CIL, Kolkata.
6. ED (Coordination)/TS to Chairman, CIL, Kolkata
7. General Manager, NEC, Assam
8. General Manager (CMC), CIL, Kolkata
9. General Manager (Fin./IC), CIL, Kolkata
10. General Manager (Admin.), CIL, Kolkata
11. General Manager (Civil), CIL, Kolkata
12. General Manager (System), CIL with a request to upload the O/O on Website of CIL