

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:3725

ANSWERED ON:19.04.2010

REGULARISATION OF CONTRACT LABOURERS WORKERS

Acharia Shri Basudeb;Kashyap Shri Virender;Roy Shri Mahendra Kumar;Saha Shri Anup Kumar;Thakur Shri Anurag Singh

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the number of non-musterroll, contract and casual workers appointed in the Central Government, Public Sector Undertakings and private sector during each of the last three years and the current year, separately, State-wise and sectorwise;
- (b) the percentage of such workers out of the total workforce at present in the country;
- (c) whether the Government has formulated any policy for regularization of the above workers;
- (d) if so, the details thereof and if not, the reasons therefor;
- (e) the number of contractors approved as per Contract Labour (Regulation & Abolition) Act, 1970 by the Competent Authority in the country, State-wise; and
- (f) the number of workers/labourers registered/working under such registered contractors in the country, State-wise?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT)

- (a): The Central Government is the appropriate authority only for the establishments falling under Central Sphere Under the Contract Labour (Regulation & Abolition) Act, 1970. The information in respect of these establishments is as per Annexure.
- (b): The percentage of contract work force in the Central Sphere as given in Annexure was 51.2% during 2006-07, 49.9% during 2007-2008, 50.7% during 2008-09 and 41.5% (provisional) for the year 2009-10.
- (c) & (d): The Contract Labour (Regulation & Abolition) Act, 1970 does not have specific provisions for regularization of contract labour. However, as per the decision of apex Court, when contract labour is prohibited and the contracts are sham, ruse or camouflage, the contract labourer are entitled to regularization. The question whether a contract is sham, ruse or camouflage is to be decided by the Industrial Adjudicator i.e. Labour Court, Tribunals. Whenever any request is received for prohibition of contract labour, Central Advisory Contract Labour Board investigates and takes appropriate action.
- (e): During 2008-2009, 10389 licenses were issued to contractors in the Central Sphere.
- (f): Same as per Annexure.