

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:3349
ANSWERED ON:16.03.2011
CASUAL LABOURERS IN BSNL
Roy Shri Mahendra Kumar

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the Bharat Sanchar Nigam Limited is implementing the rules enacted by the Government for wages, social security and welfare measures and regularisation of casual labourers;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the action taken by the Government on all the above aspects?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI GURUDAS KAMAT)

(a) to (c) BSNL is implementing the laws/rules enacted by the Government of India for wages and social security and welfare measures.

However, casual labourers are not being regularized in view of the Constitution Bench Judgement of the Hon'ble Supreme Court dated 10.04.2006 in the matter of Secretary, State of Karnataka and others v/s Uma Devi and others. In this judgement, the Hon'ble Court has, inter-alia, laid down the ratio of law that regularization of casual labourers, dehors the provisions of the Recruitment Rules, is unconstitutional and illegal. This situation has been further substantiated by the Hon'ble Supreme Court in a Judgement dated 16.01.2009 in SLP (C) No. 7803 of 2006 in the case of BSNL Vs. Teja Singh.