

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

UNSTARRED QUESTION NO:6102

ANSWERED ON:14.05.2012

PROVISION OF BONUS FOR UNORGANISED SECTOR WORKERS

Nagorao Shri Dudhgaonkar Ganeshrao

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

- (a) whether there is any provision to give bonus to the contract workers engaged in the Government, private and unorganized sector including those in the construction sector;
- (b) if so, the number of contract workers given bonus during each of the last three years and the current year, sectorwise and State-wise;
- (c) whether certain construction companies are not providing bonus to their contract workers; and
- (d) if so, the number of such companies identified during the said period, State-wise and sector-wise alongwith the action taken thereon?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE)

(a): The Payment of Bonus Act, 1965 provides for the payment of bonus to persons employed in certain establishments, employing 20 or more persons, on the basis of profits or on the basis of production or productivity and matters connected therewith.

The Payment of Bonus Act, 1965 has been amended vide the Notification dated 13.12.2007 wherein the employees employed through contractors on building operations have also been made eligible for payment of bonus by omitting clause (vi) of Section 32 of the principal Act.

As per the Contract Labour (Regulation) Central Rules, 1971 in cases where the workmen employed by the contractor perform the same or similar work works as being performed by the regular workers of the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen directly employed by the principle employer of the establishment on the same or similar kind of work. Therefore, if any regular workers are getting the bonus the contract workers performing same or similar work are also eligible for the same.

(b): The information is not readily available and being collected from the field offices.

(c) & (d): No such complaint has been received in the CLC(C) organization which enforces the provisions of Payment of Bonus Act in the establishments falling under the Central sphere. The information pertaining to State sphere is not maintained in the Ministry.