

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

UNSTARRED QUESTION NO:670
ANSWERED ON:26.11.2012
CRITERIA FOR OUTSOURCING OF WORKS
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Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the criteria/norms followed for outsourcing of some perennial nature of departmental works in the country;
- (b) whether the Government has issued notifications prohibiting employment of contract labours in Central Government, Public Sector Undertakings particularly in BSNL, etc.;
- (c) if so, the details of such notifications issued so far; and
- (d) if not, the reasons therefor?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT (SHRI KODIKUNNIL SURESH)

(a): Any establishment can outsource any work or can employ contract worker in any job or process unless that job/or process in that establishment is prohibited by the appropriate Government through a notification under Section 10 of the Contract Labour (Regulation & Abolition) Act, 1970.

As per Rule 180 of General Financial Rules (GFRs) (a compendium of general provisions to be followed by all offices of Government of India while dealing with matters of a financial nature.) the ministry/department going for outsourcing should prepare a tender enquiry containing, inter alia :

- (i) The details of the work or service to be performed by the contractor;
- (ii) The facilities and the inputs which will be provided to the contractor by the Ministry or Department;
- (iii) Eligibility and qualification criteria to be met by the contractor for performing the required work / service; and
- (iv) The statutory and contractual obligations to be complied with by the contractor.

(b) to (d): The Central Government has prohibited employment of contract labour through 84 Notifications issued from time to time under the Contract Labour (Regulation & Abolition) Act, 1970 in various jobs in various establishment. However, as per available information, no prohibitory notification has been issued in respect of BSNL. The notification to prohibit any job or process in any establishment is issued only on receipt of the request or petition from the workers or the trade unions or direction from any court after examination of the issue in terms of section 10(2) of the Contract Labour (Regulation & Abolition) Act, 1970 and mandatory consultation with the Central Advisory Contract Labour Board.