

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

STARRED QUESTION NO:337

ANSWERED ON:17.12.2012

CONTRACT TEMPORARY WORKERS

Tandon Annu;Yadav Shri Ranjan Prasad

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

- (a) whether companies/firms in the country are increasingly adopting flexible staffing procedure particularly with regard to casual/temporary workers;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether wage differential between permanent and temporary employees has given rise to several outbreaks of labour strife including violent clashes in different parts of the country and if so, the details thereof during the last three years and the current year;
- (d) whether the Government has a proposal for tenure security for people employed in contractual capacity and if so, the details thereof; and
- (e) the steps taken by the Government to safeguard the interest of contract workers with regard to the wages and social security or social welfare net for such workers?

Answer

MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 337 FOR 17.12.2012 RAISED BY PROF. (DR.) RANJAN PRASAD YADAV AND SHRIMATI ANNU TANDON: REGARDING CONTRACT/TEMPORARY WORKERS.

(a) & (b): The number of casual/temporary workers and period of job depends on the type of job, quantum and schedule of the project/work. Any establishment can employ contract workers in any job or process unless it is prohibited under section 10 of the Contract Labour (Regulation & Abolition) Act, 1970. However, the establishments engaging contract workers have to follow the statutory provisions contained in labour laws.

(c): No, Madam. As per the Contract Labour (Regulation & Abolition) Central Rules, 1971, the wages of the contract labour shall not be less than the rates prescribed under Minimum Wages Act, 1948 and in cases where the contract worker perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service shall be the same as applicable to the workmen directly employed by the principal employer doing the same or similar kind of work. In the central sphere, the complaints are received in the field offices of Chief Labour Commissioner (Central) under the Contract Labour (Regulation & Abolition) Act, 1970, Minimum Wages Act, 1948 and by other laws applicable to contract labour, which are investigated and action is taken.

(d): No, Madam. The period of contract labour depends on the term and conditions of the contract or work/job between the Principal Employer and the contractor/worker.

(e): The interest of contract labour in terms of wages and other service conditions are safeguarded under the Contract Labour (Regulation & Abolition) Act, 1970. The social security aspects of contract workers under Employees Provident Fund and Miscellaneous Provisions Act, 1952 and Employees State Insurance Act, 1948 are enforced by the Employees Provident Fund Organization and Employees State Insurance Corporation respectively provided the workers working in the outsourced establishments are covered under the said Acts.