

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

UNSTARRED QUESTION NO:3405

ANSWERED ON:18.03.2013

CONTRACT LABOUR

Mohan Shri P. C.;Patil Shri A.T. Nana;Rai Shri Prem Das

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

- (a) whether various organizations of private/public sectors are engaging contract labourers instead of employing them on regular basis;
- (b) if so, the details thereof including the number of labourers engaged on regular or contract basis in various departments and Ministries, Public Sector Enterprises, institutions and Government aided bodies along with the reasons therefor;
- (c) whether such contract labourers can approach any tribunal or Labour Court in case of exploitation;
- (d) if so, the details thereof and if not, the reasons therefor;
- (e) whether various companies are not paying such contractual labourers fixed pay scales/ wages;
- (f) if so, the action taken by the Government in this regard; and (g) the various steps taken by the Government to provide social security benefits such as gratuity, provident fund, health insurance etc. to such labourers/workers in country?

**Answer**

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

- (a): Employment of contract labour is per se not prohibited and contract labour can be engaged by an establishment in any kind of job, process or work unless that job, process or work is prohibited by the Government through a Notification in that particular establishment.
  - (b): No centralized data in this regard is maintained about the number of regular or contract labour in various Ministries, Departments, Public Sector Enterprises etc. However, the estimated number of contract labour engaged by licenced contractors in Central Sphere is 18.44 lakhs.
  - (c) to (g): To protect the interests of the contract labour, the Government has enacted the Contract Labour (Regulation & Abolition) Act, 1970. The Employees Provident Fund and Miscellaneous Provision Act, 1952, the Employees State Insurance Act, 1948 and the Payment of Gratuity Act, 1972 are also applicable to contract labour provided the establishments in which contract workers work are covered under the said Acts. Contract Labour can approach the authorities specified under these Acts in case of exploitation.
- Wages of the contract labour are regulated as per the Contract Labour (Regulation and Abolition) Act, 1970 and the Minimum Wages Act, 1948. The liability to ensure payment of wages and other benefits is primarily that of the contractor and, in case of default, that of the principal employer. Details of action taken by the Government for compliance of the provisions of aforementioned Acts are enclosed as per Annexure-I.