

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

UNSTARRED QUESTION NO:1944
ANSWERED ON:19.08.2013
FACILITIES FOR OUTSOURCED STAFF
Bali Ram Dr. ;Kurup Shri N.Peethambara

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

- (a) whether employees in various categories have been hired on contract basis in the various Government offices within the country including Delhi;
- (b) if so, the details thereof and the norms adopted for these appointments;
- (c) the details of salary/allowances/medical facility/PF facility and other benefits being provided to such employees; and
- (d) the steps taken/proposed to be taken by the Government to provide such benefits on time to these employees?

Answer

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

(a) & (b): 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.

No centralized data in this regard is maintained. The period and norms of contract labour depends on the term and conditions of the contract or work/job between the Principal Employer and the contractor/worker.

(c) & (d): As per Rule 25(2) of 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 workers 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. The liability to ensure payment of wages and other benefits is primarily that of the contractor and, in case of defaults, that of the principal employer.

In case of complaints, field offices of Chief Labour Commissioner (Central) Organization investigate and take action. Social security aspects of contract workers under Employees Provident Fund and Miscellaneous Provision Act, 1952 and Employees State Insurance Act 1948 are enforced by the Employees Provident Fund organization and Employees State Insurance Corporation respectively provided the establishments in which outsourced workers are working are covered under the said Acts.