

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:3537
ANSWERED ON:18.03.2015
CASUAL CONTRACT WORKERS IN BSNL
Patel Smt. Anupriya Singh;S.R. Shri Vijay Kumar

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the total number of Contract and Casual Workers engaged in Bharat Sanchar Nigam Limited (BSNL);
- (b) whether these workers are covered by PF, ESI and Minimum Wages Act;
- (c) if so, the details thereof and if not, the reasons therefor;
- (d) whether Hon`ble High Court of Gujarat had ordered for reinstating the retrenched casual labourers who have rendered long services in the Himatnagar telecom district, Gujarat; and
- (e) if so, the details thereof and the action taken by the Government in this regard and also measures taken by the Government to regularise the services of casual/contract workers in other telecom districts?

Answer

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a)to(c) Bharat Sanchar Nigam Limited (BSNL) has reported that there are 3469 persons engaged as casual labourers. The casual labourers are being paid wages per day at the rate of 1/30th of the minimum of the lowest Central Dearness Allowance (CDA) pay-scale of the Government of India together with applicable dearness allowance which is more than the prescribed wages under the 'Minimum Wages Act'. Casual labourers engaged by BSNL are also covered under Employees' Provident Fund (EPF) and Employees' State Insurance (ESI) benefits as per applicable labour laws.

BSNL has further informed that as a policy it does not engage persons on contract basis. However, certain jobs are outsourced by BSNL through contractors depending on the need and nature of the job. Concerned contractors are required to pay minimum wages as per 'Minimum Wages Act' and make other social security payments such as EPF & ESI as prescribed under labour laws.

(d) BSNL has reported that there is no such case in Himatnagar Telecom District wherein High Court of Gujarat had ordered for reinstating retrenched casual labourers.

(e) BSNL has informed that as per the law laid down in the judgment dated 10.04.2006 by a Constitution Bench of the Supreme Court of India in Civil Appeal Nos.3595-3612 of 1999 in the matter of Secretary, State of Karnataka and Ors. Vs. Smt Uma Devi &Ors., the regularization of the existing casual labourers working in BSNL is not possible.