

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

STARRED QUESTION NO:406
ANSWERED ON:22.12.2014
ADVISORY BOARDS FOR CONTRACT LABOUR
Teacher Smt. P.K.Sreemathi

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

- (a) whether any mechanism exists to monitor and ascertain the number of workers engaged on contract by various Central Government Ministries/Departments/ Public Sector Undertakings/Government Aided Agencies and if so, the details thereof;
- (b) whether the Central Advisory Board and State Advisory Boards have been constituted under the Contract Labour (Regulation and Abolition) Act, 1970;
- (c) if so, the details of composition and main functions of the Advisory Boards and if not, the reasons therefor; and
- (d) the steps taken by the Government to constitute these Boards at the earliest?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

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

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (d) OF THE LOK SABHA STARRED QUESTION NO. 406 TO BE ANSWERED ON 22.12.2014 REGARDING ADVISORY BOARDS FOR CONTRACT LABOUR BY SHRIMATI P.K. SREEMATHI TEACHER.

(a) The fundamental principles applicable to all Ministries/Departments regarding engagement of consultants and outsourcing of services are provided in General Financial Rules 2005. The Ministries/Departments may hire external professionals, consultancy firms or consultants for a specific job which is well defined in terms of content and time frame for its completion or outsource certain services. A Ministry/Department may outsource certain services in the interest of economy and efficiency and it may describe detailed instructions for this purpose. As the respective Ministries/Departments are empowered to outsource certain services on their own, no centralized data is maintained. Engagement of contract labourers is regulated under the Contract Labour (Regulation & Abolition) Act. The Central Government is the appropriate Government in respect of the establishments falling in central sphere similarly the State Government is the appropriate Government in respect of establishment in the State Sphere. The interest of Contract Labours in terms of Wages and other service condition are safeguarded under this Act. Under Contract Labour Act, 1970 while issuing license to the contractor licensing authority mentions the maximum number of contract labour which can be employed by the contractor. Also CL(R&A) Rules, 1971 applicable to the establishment of Central Sphere provides for filing of Annual Return by the Principal employer and half yearly returns by the contractor thereby specifying number of contract labour engaged by the contractor in the establishment of principal employer. The information on the number of contract labour is enclosed as Annexure-A.

(b) to (d): The Central Advisory Board has been constituted under the Contract Labour (Regulation & Abolition) Act, 1970.

The details of composition and main functions of the Central Advisory Board are as under:

The Central Advisory Board consists of:

- (i) a Chairman to be appointed by the Central Government;
- (ii) the Chief Labour Commissioner (Central), ex-officio;
- (iii) such number of members, not exceeding seventeen but not less than eleven, as the Central Government may nominate to represent that Government, the Railways, the coal industry, the mining industry, the contractors, the workmen and any other interests which, in the opinion of the Central Government, ought to be represented on the Central Board.

The number of persons to be appointed as members from each of the categories specified above, the term of office and other conditions of service of, the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among, the members of the Central Advisory Board shall be such as may be prescribed.

Provided that the number of members nominated to represent the workmen shall not be less than the number of members nominated to represent the principal employers and the contractors.

The main functions of the Central Advisory Board is to advise the Central Government on such matters arising out of the administration of this Act as may be referred to it and to carry out other functions assigned to it under this Act.

The State Advisory Board has the following constitution:-

- (i) a Chairman to be appointed by the State Government;

(ii)the Labour Commissioner, ex officio, or in his absence any other officer nominated by the State Government in that behalf;
(iii)such number of members, not exceeding eleven but not less than nine, as the State Government may nominate to represent that Government, the industry, the contractors, the workmen and any other interests which, in the opinion of the State Government, ought to be represented on the State Board.

The number of persons to be appointed as members from each of the categories specified above, the term of office and other conditions of service of, the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among, the members of the State Board shall be such as may be prescribed.

Provided that the number of members nominated to represent the workmen shall not be less than the number of members nominated to represent the principal employers and the contractors.

The main functions of the State Advisory Board is to advise the State Government on such matters arising out of the administration of this Act as may be referred to it and to carry out other functions assigned to it under this Act.

The status of the constitution of the State Advisory Contract Labour Board is enclosed as Annexure-B.