

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

**UNSTARRED QUESTION NO. 5000  
TO BE ANSWERED ON 26.03.2018**

**EQUAL PAY FOR EQUAL WORK**

**†5000. SHRI RAJKUMAR SAINI:  
SHRI RAJESHBHAI CHUDASAMA:**

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

- (a) whether the Hon'ble Supreme Court, in one of its decision, has stated that principle of equal pay for equal work should be implemented and if so, the details thereof;**
- (b) whether Supreme Court has also ruled that in a welfare State there should be no disparity in payment for the same work carried out by a regular or a casual worker and if so, the details thereof;**
- (c) whether the Government is aware that employees hired by employers on contractual basis are deprived of equal pay for equal work by their employers and if so, the details thereof;**
- (d) whether the Government proposes to evolve any appropriate preventive mechanism in this regard and if so, the details thereof; and**
- (e) the extant provision for paying minimum wages to the employees employed for carrying out Central Government Schemes including the Anganwadi workers and helpers?**

**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI SANTOSH KUMAR GANGWAR)**

**(a) & (b): In civil appeal number 213 of 2013 the issue for consideration of the Hon'ble Supreme Court was as under:**

**“whether temporarily engaged employees (daily-wage employees, ad- appointees, employees appointed on casual basis, contractual employees and the like), are entitled to minimum of the regular pay-scale, alongwith dearness allowance (as revised from time to time) on account of their performing the same duties, which are discharged by those engaged on regular basis, against sanctioned posts.”**

**Contd..2/-**

**The Hon'ble Supreme Court held that:**

**“There can be no doubt, that the principle of ‘equal pay for equal work’ would be applicable to all the concerned temporary employees, so as to vest in them the right to claim wages, at par with the minimum of the pay-scale of regularly engaged Government employees, holding the same post.”**

**(c) & (d): In so far as the contract labour is concerned, the Contract Labour (Regulation & Abolition) Act, 1970 and the rules framed thereunder regulate the employment of contract labour. Rule 25(2)(v)(a) of the Contract Labour (Regulation & Abolition) Central Rules, 1971 provides for parity as mentioned below:**

**“in cases where the workmen employed by the contractor 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 of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work.”**

**A well-established Central Industrial Relations Machinery (CIRM) is in place to enforce the Contract Labour (Regulation & Abolition) Act, 1970. The country-wide network of Dy. Chief Labour Commissioners (Central) and Regional Labour Commissioners (Central) under the control of Chief Labour Commissioner (Central) is mandated to settle the complaints/claims of the contract workers in terms of the provisions of the said Act and the Rules framed thereunder.**

**(e): The Ministries/Departments/Agencies implementing the Central Government Schemes are mandated to comply with the provisions of various labour laws including the provisions of the Minimum Wages Act, 1948 as applicable while engaging employees/workers for the purpose.**

**Integrated Child Development Services (ICDS) Scheme envisages the Anganwadi Workers (AWWs) & Anganwadi Helpers (AWHs) as “honorary workers” from the local community who come forward to render their services, on part time basis, in the area of child care and development. Being honorary workers, they are paid monthly honoraria as decided by Government from time to time.**

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