

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

LOK SABHA

**UNSTARRED QUESTION NO. 2218
TO BE ANSWERED ON 02.12.2019**

VIOLATION OF LABOUR LAWS

†2218. SHRI ANIL FIROJIYA:

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

- (a) whether contract labourers are used for doing works of permanent nature in the industries whereas they are being paid salary of contract labourers which is a direct violation of labour laws;**
- (b) whether the Government has taken any concrete steps in this regard;**
- (c) if so, the details thereof;**
- (d) whether the management is also not following the five years agreement taking place between industries and labourers; and**
- (e) if so, the reasons therefor along with the details thereof?**

ANSWER

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

(a) to (c): 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, stipulates that:

“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

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workmen directly employed by the principal employer of the establishment on the same or similar kind of work.....”

The Centre and the States have separate machinery to enforce the labour laws including the Contract Labour (Regulation & Abolition) Act, 1970 and the Rules thereunder. The enforcement in the Central Sphere is done through the officers of the Central Industrial Relations Machinery (CIRM). The country-wide network of Deputy Chief Labour Commissioners (Central) under the Chief Labour Commissioner (Central) is mandated to settle the complaints/claims under rule 25(2)(v)(a)&(b). The status of such cases during the last two years (upto February, 2019) in the Central sphere is furnished below:

YEAR	No. Of cases received during last two years under Rule 25(2)(v)(a) & (b) including B/F.	Order Issued	Proceedings Pending before the Authority
2017-18	82	33	49
2018-19	62	13	49

(d) & (e): No information is available in this regard.
