

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

**UNSTARRED QUESTION NO. 1357
TO BE ANSWERED ON 25.07.2016**

MINIMUM WAGES FOR CONTRACT/CASUAL WORKERS

1357. DR. KULAMANI SAMAL:

SHRI PANKAJ CHAUDHARY:

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

- (a) the number of contract and casual workers working in the Central Government, Public Sector Undertakings during each of the last three years and the current year, separately, State/UT-wise;**
- (b) whether such contractual and casual workers are being paid the minimum wages at the rates fixed according to the nature of work as provided under the Minimum Wages Act, 1948;**
- (c) the steps taken by the Government to provide "equal pay for equal work" to such contract and casual workers on the pattern of regular ones;**
- (d) the mechanism put in place to ensure payment of minimum wages to the contract and casual workers; and**
- (e) whether the Government proposes to regularise the services of the contract/casual workers and also proposes to amend the Minimum Wages Act, 1948 and the Contract Labour (Regulation and Abolition) Act and if so, the details thereof?**

ANSWER

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

(a): The State-wise number of contract workers working in the Central Government, Public Sector Undertakings in the Central Sphere for the last three years is enclosed as Annexure-A. The data in regard to contract workers engaged in the States other than those in the Central Sphere is not centrally maintained.

The data in respect of casual workers is not centrally maintained.

Contd..2/-

(b): Yes, the contractual and casual workers are being paid the minimum wages covered under Scheduled Employment at the rate fixed according to the nature of work as provided under the Minimum Wages Act, 1948. If minimum wages are not paid to the workers claim applications are filed within the provisions of the Minimum Wages Act before the authority under Minimum Wages Act, 1948.

(c): Contract and Casual workers engaged in Central Government Offices have the protection of minimum wages fixed under the Minimum Wages Act, 1948. For “equal pay for equal work”, the provision exists under Rule 25(2)(v)(a) of Contract Labour (Regulation & Abolition) Act, 1970. It stipulates that the contract workers performing the same or similar kind of work as the regular employee of the establishment the wage rates, holidays, hours of work and other conditions of service of the contract workers will be the same as applicable to the regular employee of the establishment performing the same or similar kind of work. In case of any disagreement with regard to the type of work, Deputy Chief Labour Commissioner (Central) is an authority under Rule (2)(v)(a) to decide the matter.

As regards the casual workers, in places where the nature of work entrusted to the casual workers and regular employees is the same, the casual workers is to be paid at the rate of 1/30th of the pay at the minimum of the relevant pay scale plus dearness allowance for work of 8 hours a day. In cases where the work done by a casual worker is different from the work done by a regular employee, the casual worker is to be paid only the minimum wages notified by the Central Government or the State Government/Union Territory Administration, whichever is higher, as per the Minimum Wages Act, 1948. However, if a Department was already paying daily wages at a higher rate as on 7th June, 1988, the practice could be continued with the approval of its Financial Advisor.

(d): A well-established Central Industrial Relations Machinery (CIRM) is in place to enforce various labour laws including the Minimum Wages Act, 1948. The country-wide CIRM network of Dy. Chief Labour Commissioners and Regional Labour Commissioners under the control of Chief Labour Commissioner (Central) is mandated to settle the complaints/claims arising out of non-payment or payment of lower wages. Besides, a grievance redressal mechanism exists in the States/UTs in respect of the grievances pertaining to establishment coming under the State Sphere.

(e): There is no provision of regularization of the services of contract workers under The Contract Labour (Regulation & Abolition) Act, 1970. Contract appointment/outsource of services are governed by the detailed instructions and procedures for this purpose as per basic guidelines contained in Rule 178 to 185 of the General Financial Rules(GFRs), 2005.

Making improvements by way of amendments in the provisions of the Minimum Wages Act, 1948 and the Contract Labour (Regulation and Abolition) Act, 1970 is a continuous process.

*

**State-wise statement showing number of Contract workers
engaged in Central Sphere**

S.No	State	2013-14	2014-15	2015-16
1	Andhra Pradesh	88059	71820	58438
2	Assam	168670	93034	19839
3	Arunachal Pradesh			
4	Manipur			
5	Tripura			
6	Sikkim			
7	Meghalaya			
8	Nagaland			
9	Bihar			
10	Chattisgarh	112755	127130	31748
11	Gujarat	114093	192682	185190
12	Jarkhand	38710	24263	44505
13	karnataka	105874	138892	352700
14	Kerela	76530	135798	36626
15	Madhya Pradesh	134098	144884	144884
16	Maharashtra	251628	207554	260792
17	Delhi	55190	39145	78824
18	Orissa	123345	166308	23340
19	Rajsthan	62689	90216	92612
20	Tamil Nadu	126932	23507	35254
21	Uttranchal	14742	17536	32089
22	Uttar Predesh	99775	100584	112960
23	West Bengal	94397	80376	232896
24	Himachal Pardesh	56584	68440	93639
25	J and K			
26	Punjab			
27	Haryana			
	All India (Total)	1750145	1747985	1845872

**Note: Bold indicated (combined data received from the regions
i.e. Guwahati and Chandigarh)**
