**Contract Labour Case Studies**

A large number of workers, predominantly Tribals had been employed as contract labour at a thermal power station of the Gujarat Electricity Board and was allegedly facing exploitation from their contractors. When the workers organized themselves in a union, the service of thousands of these workers was terminated. The respondent union filed a petition asking for their reinstatement and the implementation of various labour laws.

* Should they be considered regular employees of the Board? Why?

A large number of people were employed in stone quarries in Faridabad in Haryana as bonded labour and subjected to inhuman and intolerable conditions, under the informal structure of working under *Thekedars* and *Jamdars*

* What Avenues of legal protection are open for them?
* Can they be treated as “contract labour”?

In a SAIL plant located in Chattisgarh, the laborers alleged that they had been branded as contract laborers in order to deprive them of the benefits given to regular employees, even though the work they were carrying out was identical. They had been employed at the plant for 10-20 years, 20 years under different contractors. A clause in the contract between SAIL and every new contractor was that they would continue the employment of existing workmen.

* Can their services be regularized?

A workers union in Delhi, comprised around 2000 workers employed forlifting, transporting and dumping of debris, garbage, etc., at the various dumping grounds of the Corporations as contract labour, sought abolition of contract labour in solid waste management department of the Corporation and the absorption of the workmen into it

* Can the workers be absorbed?

XYZ had been employed as electricians at a thermal power plant operated by NTPC since 1989. They claimed that they were employed through a contractor prior to which they had also been employed through other contractors. Their work was supervised by employees of NTP and the material for their work was also supplied to them by the corporation. It was also perennial. It was alleged that the corporation had entered this arrangement so as to deny them the rights accrued to an employee. NTPC was now avoiding the absorption of these employees.

* Can the workers be treated as regular employees?
* Are they entitled to wages equal to that of regular employees?

**Cases Study on Minimum Wages**

The Maharashtra state housing board advertised tender for the construction of duplets under the Pune municipal corporation. The contractor (Sitaram) was granted the project which was to be completed in a fixed time, the project was not completed on time and the contractor asked for the extension which was granted to him on the condition that the contractor would not claim for the escalated cost of materials & labour charges except payment of extra amount paid to laborers by virtue of revised wages as per the minimum wages act, 1948. The amount was delayed by the Maharashtra state housing board and hence the contractor approached the court.

* Are the workers eligible for the entitlement of revised wages?

The employees of Municipal Council of Indore which was governed by Madhya Pradesh municipalities act, 1961 were working overtime and hence filed an application u/s 22 of minimum wages act, 1948 to avail the benefit under section 14. The municipal council contended thatit is already providing higher rate of wages than the minimum wages set under municipal act, 1961.

* Can the employees claim overtime benefit?

The govt. of Uttar Pradesh under section 27 of the minimum wages act, 1948 added employment in Private Coaching classes, schools including nursery schools and technical institution for purpose of fixing minimum rate of wages for the employees in the schedule through a notification.

* Do workers in Educational Institutions come under the purview of this act?

The ex- employees of the Army school, Dharamshala want to complaint under section 20(2) of the Minimum wages act, 1948 in respect of the non- payment of the minimum wages fixed by the state government from time to time.

* Are they eligible to get relief under this Act?