

MEMORANDUM SUBMITTED TO THE HON'BLE MINISTER FOR LABOUR BY THE  
NATIONAL CAMPAIGN COMMITTEE FOR CENTRAL LEGISLATION ON CONSTRU-  
CTION LABOUR AND INDUSTRY

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Hon'ble Minister,

Construction activity is the second largest economic activity in our country, next only to Agriculture and about 2 crore persons are engaged in construction activity. But there is no law governing this industrial activity; no law providing for regulation of employment of construction labour, no law regulating construction activity and providing for its obligations vis-a-vis the exploited labour force, who have no social security and no social welfare measures.

It is this miserable section of the work force of the country making all growth and development possible, which has been agitating for Government intervention, to make their life and livelihood more secure, if not meaningful. When a Private members Bill was sought to be moved in the Parliament in the year 1981, at the initiative of the Tamil Nadu State Construction Workers Union, the Government assured a legislation.

The Tamil Nadu construction Workers Union, however, intensified its struggles and as a result thereof, in the year 1984, the State Legislature introduced a bill, and the same is pending with the President for his assent. The bill is woefully inadequate and fails to comprehend the fundamental issues of mobile employer-employee relationship, absence of any agency to regulate the construction industry and to ensure realisation of social security and Welfare measures. The bill will not serve the purpose.

Having regard to the urgent need for Central Government initiative and action in the matter and in view of the constitution of the National Committee on Construction Industry, it was felt desirable to consolidate views and ideas on the subject, to be presented to the Government in the form of a draft bill, for its consideration and introduction in the parliament. There can be no two views on the duty and responsibility of the Government to act in all its haste in an area where misery is manifest, and wiping the tears from every subject eye will be a socialistic performance.

The Three day National Seminar on Construction Labour with a large contingent of participants from different parts of the country belonging to different organisations was a novel exercise. For the first time, the labour force themselves were actively involved in the process of deliberating on the contents and form of the law to be formulated, which will ensure a better lot for them. The exercise was meaningful and encouraging and sound proposals have emerged as the concretization of unanimous views.

To undertake the task of drafting the model legislation and to campaign for its introduction in the Parliament, a National Campaign Committee under the Chairmanship of Justice V.R. KRISHNA IYER has been set up. Besides representatives from Trade Unions and Organisations, the Committee comprises of Mr P.S. POTI (Retired) Chief Justice of Gujarat High Court, Mr. T.S. SANKARAN (Retired) Additional Labour Secretary, Government of India and others.

The proposals reached at the Seminar in a nutshell are as under:

- a) There should be a Central Legislation for regulating the employment of Construction labour and construction activity, minimum guaranteed wages and providing for social security and social welfare measures;
- b) The regulation of employment and ensuring of social security and social welfare measures should be entrusted with an autonomous Institution or agency which could be a tripartite body.
- c) The regulation of employment shall be realised by registration of workers as well as contractors and builders which will shut out any construction activity outside the purview of the Act.
- d) The said institution should be empowered to determine wage structure, management of security and welfare funds, and immediate resolution of disputes.

The National Campaign Committee is seized of the task of drafting the model bill. The Committee therefore, earnestly urges the Central Government to accept and consider the model bill once it is drafted and presented to the Government and to gather its manpower and to spare no efforts to have the law made. Every concerned action of the Government, will be a step in the execution of the preamble of the constitution which has resolved to secure to all its citizens, Justice, Social economic and political.

Encl:

1. Report on the National Seminar
2. Proposals arrived at the Seminar.

V.R. KRISHNA .IYER  
CHAIRMAN  
NATIONAL CAMPAIGN COMMITTEE