

Interview of Ms R. Geetha

(South Regional of Co-ordinator of NCC-CL and General Secretary of NMPS)

The Construction movement in Tamil Nadu started in Chennai from February 1979. When there was severe scarcity of cement and large scale adulteration leading to big scale unemployment of the construction workers, so the spontaneous struggle of the construction workers from the chawls, from the market where they assembled for the work and there were even suicides because of the unemployment situation which prompted the worker to get organised and to take out Morcha to the secretariat demanding that there should be a legislation to protect the workers during unemployment. And also that cement should be sold at the fair prices and without any adulteration. So this twin demands formulated once a Trade Union was formed of the Construction Worker in 1979. A formulation that there should be a separate protective legislation for construction workers and there was a demand for ESI to be implemented for construction workers and there should be social security and there should be crèche for women labour so all these demands were finalised in the large meeting of the construction workers in formation meeting of the union.

Which there was given memorandum to state the Govt and waiting for 8 months. Since there was no response from the state Govt and we decided to go into Satyagrah. So that was one which brought a lot of things for the construction workers in Chennai. The main friend of construction workers was construction workers of other parts of states. Because earlier there was history of struggle of Masons and Carpenters in the state of Tamil Nadu. So they responded immediately when we were in jail. They came and saw us and extending solidarity and then that prompted us to spread the whole union to the Tamil Nadu states. So this was a real cementing factor. I should say of the unity of the construction workers in Chennai with other districts. So this along with the fact in 1980 because demands were sent to central Govt as well as to the State Govt and central labour minister in fact responded more positively. That time it was Mr. Ravindra Verma who said that ESI could be extended to the construction workers and that was also brought out as notification. But only thing the ESI has itself deficient in the sense no employers would be willing to collect contribution. And who would be employer because there is no stable employee-employer relationship in this particular sector. This is the situation so then our agitation went to next steps of getting organised at district level, Taluka levels and then we went to state wide agitation in 1981. And first day we picked up Chief Minister residence, and second day picked up Governor residence, Rajbhawan to deny to bring the attention of Central Government to the issues of the social security of Construction Workers and third day we had picked up the Taluka offices in the Tamil Nadu state. So with the result thousands of Construction Workers were arrested and third day agitation people are released, there were also lathicharge at Tanjore and other places. It was really awakening of the Construction Workers throughout the state of Tamil Nadu, demanding for law and that led to very interesting development in the state of Tamil Nadu that led to enactment of the Tamil Nadu Manual Workers Act. The Tamil Nadu manual workers act provides for setting up of Tripartite Board for various categories of employment including construction worker. So the struggle of the

construction workers actually helps to enactment of the law which would cover various sectors of the unorganised sector workers.

So that is the positive thing obviously, it was done in order to capture the majority of workers. So nevertheless it's the big victory and the implementation also needed very very long struggle from 1982 to 1994. It needed twelve years long struggle for the formulation of a scheme and notification of same in the state of Tamil Nadu for construction workers. But in the meantime the Central Govt. meanwhile what happened at national level, I would like to come to that part of struggle of Tamilnadu workers that in 1979 when we raised whole things of ESI, in 1980 there was a promise of ESI being extend the construction workers and notification was issued but there it was very very clear majority that construction would be benefit because they not working under the any single employers. They are working under changing employer situation. So in that kind of situation we are demanding separate law for construction workers both from Central Govt and State Govt. So then in 1981 when Justice Krishna Iyer were retired from the Supreme Court, we were invited him to participated in a seminar in Chennai. In which would kind of simple draft was prepared for Central legislation of construction workers which was given to the Prime Minister, Indira Gandhi. We went to Delhi in delegation of about 85 workers from Tamil Nadu and it was given to Prime Minister Miss Gandhi and also it was filed as private member bill by comrade George Fernandes in Lok Sabha and by Com M Kalyan Sundaram in Rajyasabha. And infact it is you know this private member bill discussed in the Parliament in Rajyasabha and I think good happened was, two things at central level the Central Govt constituted tripartite working group to evolve scheme for social security for construction workers in 1985. And in 1985 once this was constituted. I was also made has member by the Central Govt. I think it was because we went to report this, so the Tamilnadu Union got representation. That was the good thing we would at least get our voice heard and other good thing that happened was we decided we cant just by state level raising voice make impact Central Govt. We realize the Central enactment is very important. If ESI is secure for Construction Workers, all along from that time from 1979 till now we have felt, ESI is paramount demand for Construction Workers because intensity accident. Even now we find in Welfare Board we have accident relief. It is very poorly administer by this insurance Company because may be for death they will give but for disability, temporary injury, nothing even for Permanent disability. Now they have said only for above 40 years of age they will give, initially they were giving for lower level. From the begging till now accident relief is the best and seconds the immediate medical relief that is best and at least it can cover the big cities, at least it can cover the district, towns and all Talukas are covered. Even ESI send to mobile medical spot to villages to cover the rural areas. There is nothing like ESI coverage. So we felt immediately. We were very happy that in 1984 Mr. Vidraramanna make announcement of Tripartite Group in the Construction Industry.

This was all things you know, the follow up was there and in 1985 we felt now is time, lets us try to go to Delhi to get various organisations who are involved with Construction Workers together. S if we can constitute some kind of committee coordination to coordinate these efforts at Delhi level and at National Level. Then may be Central Govt wills response better and we would get ESI. Its like some fruit some where very far and

we must secure that, that was the main thing which we all felt. Then we contacted again, I mean through Ratnam Mr. Venkataramani was contacted. He was the one who took lots of interest. I can compare justice Krishna Iyer response in 1985, he says yes! Lets us evolve a bill a law which is really suitable to the Construction Workers and lets gets construction workers themselves to sit to evolve legal contain of the Bill. That is how the in 1985 the seminar was organised.

Mrs. Parvati Krishnan was their, she was so happy. She said (immediately pulled out all address from our address book) takes all address, communicate with all our people. Already our Kerala are get in to it so must contact them but contact everybody else also. So many people were came, our Punjab comrade Menahga Ram, so active in that seminar. Then another very important constituent was Swami Agnivesh from Bandhua Mukti Morcha. He was so happy because he was facing seveior problem in trying to implement the Bonded Labour Act in Bricklin and quarrying Industry and he said let us to get construction labour and definition of Construction Workers must include quarrying and Bricklin. That was the very strong input from him and his workers participated, men and women were just release from Bricklin of Haryana. They also participated. It was such a fantastic exercise, 1985 was something we never expected. We had all reach there with the expectation, something we should able to do and we had came in 120 of us had came from Tamilnadu to Delhi. But we were not sure how the other people will response. But it was terrific exercise and the language of the whole seminar we converted from, left English and every thing was converted in regional language, in Hindi to Tamil to Kannada .And that was the time when N.P.Samy had in looking at our agitation from Karnataka. They looked at and they heard our Dharna, our agitation, our arrest. So that was the time they formed union because there was very major accident Bangalore in which more than 60 people were killed, all were Tamil Labour working in Bangalore. So that prompter them to get in to organised the Construction Workers. They also came to Delhi. So we had representation form Kerala, representation from Tamilnadu, representation form Andhrapardesh. Apart from Tamilnadu we had excellent representation form Haryana, Punjab also Bihar and from Ranchi ,Com Pandit was their and then top it all Mr. T. s Sankaran he played most important dynamic role he was so excited with the idea that worker are getting together and try to evolve a bill. I would say Ramani was really the brain behind that thing.

Venkataramani and Sankaran gave final shape to it. So it was like that apart from translation form Hindi to English and English to Tamil which only he could do and other thing was we trying to do, we had all group discussion, people came up with the what should be the Social Security, how can collect Cess, how can we regulation of employment, how can regulate the wages, what should be norm for membership on the Board. Up course comrade Thankappan was their. So he put the idea in this whole thing the Dock Workers Labour Welfare Board. And how Dock Labour Board model should be the model we should take. He came from Maharashtra he gave in that idea of tripartite board in Mathadi Workers Act. In Tamilnadu we had Tamilnadu Manual Workers Act which is similar to Mathadi Labour Act. So that we could kind of suggest so like that various suggestions came from participants, also women workers were their in some number they went on went saying child should not left out, Maternity Benefit should not

left out, equal wages and training for labour in mesentery, all these things were put together through equality of men and women should in a whole process.

Another thing happened in 1985 November it was around the same time there was the private member bill filed by Mr. Kalyan Sundaram came for discussion, it was long debate in Rajyasabha put two hours at the end of which the Central Govt. promised to bring a law for construction workers and that probably the reason for 1988 law.

Then finally National Campaign Committee was formed under the chairmanship of Justice Krishna Iyer and then in the end of the third day National Campaign also decided, two other decisions were made that draft would be prepared on the basis of all the various recommendations of the seminar and legal draft by Justice Poti who had come, Justice Venkataramani and T.S.Sankaran. They would work on the draft Bill and then also that Petition would be prepared and lack of Signature would be collected.

How the Idea of Petition to Parliament came

One thing was very clear that on the experience of bonded labour and all that this whole process of getting legislation will be very tough. It is not that drafting a bill by which something is going to be achieved but this should be starting point of campaign and secondly we should be able to utilize parliamentary procedure and committee in order to put pressure on the Govt. All possible things should be done. We gave Bill for private member bill to MPs, also for to the Petition Committee and then also to Government pressure can be created so that how it decides. So then they because nobody hopes the Govt. will respond to such a difference that is also there but same time we not hopeless we felt that Petition Committee should be utilized. I think it came again from Ramani because Venkataramani was most great professor in this whole exercise. That time Legal Aid, Priya was there in Seminar they were also excited, this is hazardous industry still they were continuously working on occupational health and safety and they felt that this is the most important sector. Which must have occupational health and safety aspect the drafting of bill was very important exercise and this whole seminar was funded actually by Legal Aid Centre Cell and Priya had made contributions. That was the very positive thing so that was the spirit which was very high those days and then petition making again left to T.S.Sankaran and Ramani. They drafted the petition it was modified translated given to various state signatures were collected and then we plan for rally in 1986. On 6th December 1986 we had rally and so that time.

Kerala, Karnataka was being very active in fact the Kerala Union I would go every other year for agitation. They were never felt that they are different. It was much closed alliance. That was the good thing.