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The Building and other Construction Act 1996 has fairly long history all the circumstances leading it one can say were started infact actually way back in 1964 when the industrial committee wanted a consolidated law for no action was taken and in 1985 in November there was fairly long meeting of Construction workers from different part of the country both men and women there were all field worker ground workers all assembled in Gandhi Peace Foundation, New Delhi. We were all there, Swami Agnivesh came, Mr. Venkataramani was there, Mr. Subhash Bhatnagar was there , R. Geetha was there whole lot of people are there. And we had a fairly sincere discussion for two and three days, splitting ourselves in group working with these individuals men and women from the construction Industry tried to find out what exactly the kind of law that these workers regined. It was recognized the construction is like is quite different from most of other industry where as an other industries for e.g. Manufacturing of motor car, motor car manufacturer, motor car moves out of the factory but the factory as well as the workers contractors, and the engineers and the owners who made the motor cars they put unlike in the construction industry where if the Building has to be constructed work over the building stays, the protect of labour stays but labour itself moves out to some other locations. Moves out merely itself but also the contractor move out therefore in this circumstances where the employment relation is temporarily, short term duration there worker work for four day with are contractor and then that work is over they goes to some other contractor. Contractor gives to another set up to workmen, therefore employment relatuions keep an changing and therefore we felt ordinary type of law of the factory act, of the mines Act, of the plantation labour act will not worth wide for this because its so happened how to you in the situation like that provide social security how will pay pension when nobody is employed by employer more than five - ten days the employer has changes the workers changes. Therefore we felt workers themselves felt that now this according. Then we racked our mind we looked at the Dock Labour Board, Dock Workers employment regulation act where by the dock workers were the same situation what happens ship comes it has 8000 thousand formes of we are loading and there are 40, 000 workers waiting to work on that the mukadams comes and pick some 800 fellows and then takes them in gives them work and next day another set of workers will come and third day of third set of workers will come with the result what happens is all these workers may not get employment the mukadams May changing the same person day after day therefore there is no equitable distribution of work therefore it was necessary to have rotation as and that could be done if the, is nobody which will register all these workers category wise and match the employers and workers so that certain amount of regularity in employment can be ensure that is broadly the scheme of the Dock Workers Act. We thought whether system like that could be worth while and the construction workers also felt that the very good way of doing it if there is the Board on which they also representative so it came to pass that we set up at National level at the state level may be at district level, at the tehsil level and further below depending on the intensity of work and the availability of workers and employer. Compulsory registered employer, compulsory registered workers and their board and its officer which are tripartite at very stage will be able to regulate employment and not merely regulate employment. Once Board is incharge of this the wage will be paid by the Board, the

bonus has to be calculated and the paid by the Board provident fund deduction will be paid by the board, any other benefit, salary etc, will be run by the Board that will assured workers they are not being cheated even if they goes one employer to employer to another. This was the system we felt that was necessary even the very nature of this industry and that is how this caught on and you will see the system that is followed even is Maharashtra the Marathi Labour board system which is working very well in respect of loading and loading work in mandis, factories and shops and other places thus we had this law and we workout the draft law on that we work out draft scheme on that and to unable this idea of ours will have to be caught on by the people and by the Govt we thought there is the necessary to have a campaign. This formed the National Campaign Committee for central law for the Construction Workers during 1986 and we were able to particularly because Justice Krishna Iyer was the Chairman of this National Campaign Committee for the Central Law for Construction Workers. All the Central various organisation join the National Campaign Committee consisted representatives from CITU, AITUC, HMS, INTUC and NMPS all are there. We have used to have regular meetings to the extend that whenever Justice Krishna Iyer came to Delhi which three days very frequent. We tried to have a meeting we checkout plan of action and we were able to through the influence of trade union leadership as well as Justice Krishna Iyer prestige we get a large members of Parliamentarian and others to support are got letters into the chief minister of status and think it is correct to assume this campaign was very slowly gathering movement and may be the powers of those day were not very happy with this arrangement . Therefore is hurry the Govt. of that day brought bills in the Parliament on the Building and Other Construction Workers that was somewhere in 1988 that bill was wholly inadequate for the purpose for which we are fighting. The Bill bill that provide for some safety and some sort of benefit. But here we wanted this tripartite arrangement by which the worker will have the voice I the administration of the law and the Scheme and will not merely beneficiary but active participants of the whole process that way they will fill more empower and they will also became as powerful as dock workers are today . Dock Workers situation before the 50 years back before the law came that tha construction workers but because of that law they got organised ,they got strengthen , they became powerful likewise Construction Industry also with this kind of Tripartite arrangement will quite sure that the people will organised themselves, not merely organised themselves and get better terms and condition of service but will be ensure better training ,better skill forming, better skill upgradation, no discrimination for women ,no shortage of payment, no heraperi, all sort of things of go on through Contractor regime because watch dog will be the workers themselves.

The Bil was introduce by the Govt through Parliament was so inadequate so we have formed by that time a campaign, we had large signature campaign and then we had critique of the Govt. Bill and we presented a Petition to Parliament to say that we want a law which incorporated all ideas which we have in the draft law and Scheme.

Petition Committee of Parliament opportunity gave us all hearing we all appeared before the Petition Committee, Justice Krishna Iyer was there, I was there, Geetha was there, Subhash Bhatnagar was there, all of us was there, gave evidence pointed out how the Govt bill is inadequate even the nature of the industry, nature of the activity and how our bill provides all those things we were able persuade the petition committee the justice of our request. And in its report of Petition Committee said the Govt should withdrawn their

bill and try to begin the Bill in the Parliament which will accommodate two points contain aging National Campaign Committee Bill.

Therefore that we were one stage of success but even so the Govt. was not agreeable to this kind change because they thought one that is done the tripartite board will be the master in and the Govt is being the biggest builders in this country 17% Building in this country done by the Govt. central and state public undertakings, Local Bodies, etc. Therefore they were not wanting a system in which this will completely out of their hand and therefore over a period of time they passed ordinance, trice ordinance got passed, trice bill to replace those ordinance in the parliament. Ultimately the bill was around to be introduce in the Parliament where change were made in our instance is one or two matter. But even so the basic requirement of the tripartite Board, regulation of employment still not place in a bill. Therefore NATIOANL Campaign Committee struggle for sort of Bill we want is still on. We continued to fight but even though the central law of 1996 has been passed and has been statutory for almost 10 years. It's very sad that most of state govt has not implemented that anything. They avoiding to frame their rules, Cess not have been collected which might have if it have been collected throughout of the country must be thousand hundred corer have been collected to that extent the workers have been deprived of whatever benefit they going to have. Therefore campaign committee struggle going still on it is precisely on the basic of this kind of experience even in respect of all other workers. We have started National Campaign Committee for Unorganised Workers, where also the attempt to segregate social security and condition of service. We are fighting and that fight in still on. Its long war but I think we can fill certain amount of satisfaction that construction workers have been things and they have been pioneer of the stage this kind of structure for unorganised sector workers.

The Tripartite Board arrangement may not have all ingredients that we want for Construction Workers draft of our kind. It still being accepted as an important steps and it is very gratifying not only the Second labour Commission recommended that kind of structure even the National Commission of Enterprises in the Unorganised Sector even they in their bill for social security thought in terms of state level Tripartite Board. Which departure from what National Advisory Council has recommended. NAC has recommended only Facilitation Agency but the National Commission obviously saying the logic of our experienced has thought it to fit recommend Tripartite Board at state level. Though down below they are taking considering tripartite structure But Basic point is unless we have tripartite structure these workers will not be sure that whatever is written for them will got done. More important all these days everybody says labour laws are not being implemented , the inspectors are corrupt , the inspector raj must be remove We in our scheme, itself done way with inspector raj because we ourselves are implementer. The employer , and the Govt of the various level through Tripartite Boards is implementing and therefore inspectorc raj automatically vanished, cost of administration comes down , we will fill empowere will come down ,non implementation by the employers also will be comes down. And therefore we think this is the system particularly in country like our where 93% of workers are Unorganised Sector Workers. This is the system by which we to give them justice as well as dignity to the workers.