

Ref 1620/F/89

17 Feb 89

Shri K C Sharma

Additional Secretary to Govt of India  
Ministry of Labour and Commerce  
Tripartite Working Group on  
Building & Construction Sector  
Shriam Shikha Bhawan  
Rajni Marg  
New Delhi - 110001

Dear Sir,

A copy of letter dated 27th December, 1988, addressed to you by Miss Geetha of Tamil Manila Kattida Thozhi Ialar Sangam, was sent to our Shri R.M. Chokshi, Member of the Tripartite Working Group on Building and Construction Sector, only last week for his information. The same was seen by me only to-day.

I have, with the permission of Chair, attended all the meetings of the Tripartite Working Group held so far in my capacity as the Executive Secretary of Builders' Association of India and I wish to make the following observations only because Miss Geetha has chosen to write unkindly about the Builders' Association of India. It is one thing to write what one feels. But this liberty ends when such a writing tends to spit venom as is the case with letter under reference.

We take very strong objection to the observations of Miss Geetha when she says in second para of her letter that "after the sudden demise of Shri R.G. Gandhi, there is no one in the leadership of BAI, who can bring them together to any understanding with other members of the Tripartite Working Group". No doubt, late Shri R.G. Gandhi was a Senior Member of our Association and its Past President with over four decades of experience in the construction field that too in one of the premier construction companies and most of the time at very high positions. But as in any democratic set up, as of ours, Shri Gandhi being the nominee of Builders' Association of India on the Tripartite Working Group, was, like two other nominees, guided by the Managing Committee of our Association as regards views to be presented, on

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behalf of the employers, to the Tripartite Working Group. Views of Miss Geetha are not only mischievous but are equally intended to denigrate other senior members of this Association. This attitude and approach deserve severe condemnation. Without these observations, Miss Geetha could have given her note of dissent with much grace.

In para 3 of the said letter, Miss Geetha has completely twisted the facts knowingly. Here she says "after the meeting of the Tripartite Working Group, on 21st May, 1987, the representatives of BAI privately called a meeting in Bombay, which was also attended by Shri K.A. Khan of H.M.S. and Shri S.L. Sharma of INTUC". Here Miss Geetha aims to kill two birds in one stone. While making serious allegations that the representatives of BAI held a private meeting, the same was attended by Shri Khan and Shri Sharma. What a serious allegation it is ? Of course BAI's representatives are free to meet as frequently as they want and I do not think they need seek anyone's permission for that. But Miss Geetha has made serious charge against her two esteemed colleagues who are known to have spent their entire career of long years in the Trade Union Movement as they having participated in such a private meeting and prepared a Memorandum of Understanding.

The background of the Bipartite Meeting held at Bombay, between 27th and 29th May, 1987, was as under :-

The meeting of the Tripartite Working Group held under your chairmanship at Jaisalmer House, on 21st May, 1987, was the first meeting attended by Shri S.L. Sharma of INTUC, who came in place of late Shri Bhardwaj. In the forenoon session of the meeting, the draft report of the Working Group was gone through word by word and corrected as all agreed. However, immediately after lunch, Shri S.L. Sharma suggested to Shri Chokshi (both had gone as the Members/Indian delegates on 11th session of building public works and civil engineering committee held in first week of April, 1987) that in accordance with the International Labour Organisation (ILO) practice, this report of the Tripartite body should also be unanimous and to achieve this he suggested informal discussions, first among themselves - the representatives of the Trade Unions and then between the Trade Unions' representatives and those of BAI. You will kindly recall that you immediately gave your consent and adjourned the meeting to facilitate such informal discussions. We on the employers' side not only welcomed the suggestion but also offered our on the spot

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willing co-operation (although this meeting was not attended by Shri R.G. Gandhi) and assured our friends on the other side that we would not lack behind in achieving the unanimity in approach provided genuine difficulties are understood in good spirit and appreciated. With this, we left Jaisalmer House to our respective Hotels leaving Trade Unions' Representatives to sort out their view points.

At around 4.30 p.m., on the same day, with the exception of Shri Sankaran, all others, namely, Shri K.A. Khan, Shri S.L. Sharma, Shri M.M. Deshkar, Shri Pyarelal Beri and Miss Geetha came to our Hotel Rooms and suggested that a Bipartite meeting be convened in Bombay to thrash out the unanimous solutions. I was alone in the room as Shri Chokshi and Shri Patel, our two representatives on the Tripartite Working Group had gone out for some other engagements. They all suggested 27th May, 1987, as the date for the meeting. I welcomed the suggestion, but said I will have to consult my President at Madras, though I saw no hitch in getting his consent for the same. They insisted that I should immediately talk to my President in their presence. I assured them I will do so in the night and confirm the date of the meeting on telephone or by express telegram to each one of them. I did so soon after i.e. the very next day. But nobody except Shri Khan and Shri Sharma attended the same for reasons not known. Of course some of them sent the reply of their inability to attend.

Our efforts at Bombay were conveyed to you through my letter No.294/J/87 dated 1st June, 1987. This letter, unexpectedly and to our surprise, became the target of criticism at the subsequent meeting of the Tripartite Working Group. Is it fair and just ?

Now same Miss Geetha, who had shown scant respect for bipartite attempt, says in her letter that Union representative had 5 meetings in Delhi with prior intimation to BAI to attend these meetings. This is an utter lie to say the least. BAI has never shown reluctance for such a dialogue. We were not informed about these meetings. It is only on 29th November, 1988, we received a communication from Centre of Trade Union, New Delhi. Among other things it said :-

"We feel that to discuss the matter threadbare, it is necessary that we should hold a meeting. We would like to know your mind in this respect. In case you agree for such a meeting, we can fix up a date which can be mutually agreed".

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We agree our response was not enthusiastic to this request as we were apprehensive of the outcome in the background of the hostile attitude of a section of the Trade Union Representatives. And that does not prove that we were not responsive.

I have stated the facts for the knowledge of all the members. I feel that government has to create a climate for bipartite/tripartite spirit in the interest of the construction sector.

Thanking you,

Yours faithfully,

*N.A. Samant*

(N.A. SAMANT)  
EXECUTIVE SECRETARY

Copy forwarded to: President, BAI.

Members of Tripartite  
Working Group.

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