

Copy of the letter No.REF.2257/J/88, dated the 13th
January, 1988 of Builders' Association of India, Bombay.

Shri K.C. Sharma,
Additional Secretary to the
Government of India &
Chairman of the Tripartite
Working Group for the Building &
Construction Industry, Ministry of Labour,
NEW DELHI.

Dear Sir,

Sub:- Agreed Views of Trade Unions.

I am directed to invite your attention to the letter dated 20th November, 1987 and particularly its enclosures, addressed to you by Shri P.K. Ganguly of the CITU, who is one of the labour representatives on the Tripartite Working Group for the Building and Construction Industry, on the above subject, and to state as under:-

- (1) That the BAI is TOTALLY OPPOSED to the present proposal of the labour representatives on the Tripartite Working Group about 'regulating employment' through Construction Labour Boards, for the purposes of providing social security measures to the workers employed in the Building and Construction Industry, because of obvious practical reasons, which have, time and again, been brought to the notice of the Tripartite Working Group - both orally as well as in writing, Besides, the labour representatives, while making the instant proposal have neither rebutted nor refuted the BAI'S submissions. The labour representatives have not been able to show how the proposed Construction Labour Boards could be a workable arrangement for regulating employment in the Building and Construction Industry. The BAI'S proposals could be a workable arrangement for regulating employment in the Building and Construction Industry.

(ii) However, we fully support the idea of making available some social benefits to the workers in the Industry through the Construction Labour Boards, 'without the regulation of employment in the industry by the Boards' as spelt out in the Draft Report of the Bipartite Committee of the Working Group Members, which was submitted to you vide our letter dated 1st June, 1987. However, if compulsory regulation of employment of workers in the industry through the Construction Labour Board is insisted upon by the labour representatives, then BAI would insist upon simultaneous regulation of work to the Contractors in the industry and (2) the proposed comprehensive legislation for the workers in the Building and Construction Industry should contain provisions on the lines indicated in the draft report of the Bipartite Committee which has been submitted to you through our letter of 1st June, 1987 and not on the lines suggested in the last para of the enclosure to Shri P.K. Ganguly's letter of 20th November, 1987, to you.

(iii) The BAI is also TOTALLY OPPOSED to the proposal contained in the aforesaid para concerning the collection of 'levy' before the construction activity is commenced. Construction is always an 'on going' activity and if the same can only be collected after the commencement of the construction activity, the levy will be the

(iv) Further, the BAI is also opposed to 'collection of wages, etc.' from the principal employer by the Construction Labour Boards, and then making payment of the same to the workers in the Industry by the Boards. According to the BAI, the Boards should be responsible for the collection of periodical levies and contribution from the principal employers, Contractors, sub-contractors etc. and disbursement of social security benefits to the workers in the industry, only as indicated in the Draft Report of the Bipartite Committee.

I am also directed to request you to place this letter, for consideration at the forthcoming meeting of the Tripartite Working Group, which is scheduled to be held at New Delhi, on 2nd February, 1988.

Thanking you,

Yours faithfully,

Sd/-

(R.M. Chokshi)

MEMBER, TRIPARTITE WORKING GROUP
BUILDING & CONSTRUCTION INDUSTRY

Copy forwarded to:-

Shri A.K. Srivastava,
Director General (Labour Welfare)
Member of the Tripartite Working Group