

Draft of Protest Letter to be sent by Unions

To

Shri KC Sharma
Additional Secretary
Ministry of Labour and
Chairman - Tripartite Working Group
on Building & Construction Industry
Shram Shakti Bhavan
Rafi Marg
NEW DELHI-110 001.

Dear Sir,

Sub: Protest against the Builders Association
of India's attempt to override the
Official Drafting Committee and against
the connivance of the officials of your
Ministry with BAI

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As you are aware that the Draft Report prepared by the
'Drafting Committee' of Tripartite Working Group on Building
and Construction Industry is under discussions.

As per the minutes circulated by the Under Secretary vide
his letter dated 3rd June 87, workers representatives were
given time upto 7th June 87 to submit their views to the
Director General (Labour Welfare). Instead of this, the
Builders Association of India has concocted a story that the
workers representatives after consulting among themselves
met the Employers representatives and both decided to have
a meeting at Bombay on 27th June 87. The meeting at Bombay
was attended by S/Shri RM Chokshi, RG Gandhi & ND Patel
of Builders Association of India and Sarva Shri KA Khan and
SL Sharma of HMS and INTUC respectively. Three other members
of the Drafting Committee Shri MK Shrivastava, Director
General (Labour Welfare), Prof. KN Vard and Sani TS Shankaran
were not present at this meeting.

Subsequently the Executive Secretary of the Builders
Association of India vide his letter dated 1st June 87
addressed to you has stated that "the enclosed draft

report shall substitute earlier one considered by the group on 21st May 1987.^u

The Builders Association of India has set aside all norms of decency in overriding the Official Drafting Committee in this manner.

More than that now one of the Deputy Secretary of your Ministry vide his letter dated 17th June 87 has accepted the so called bipartite report of the Builders Association of India as final report, totally discarding the official draft report.

This proves beyond doubt that some officials of your Ministry are in connivance with the Builders Association of India to sabotage the working of the Tripartite Working Group on Building & Construction Industry.

We have learnt that you were hospitalised because of ill-health. We wish for your early recovery. We wish to draw your attention towards these gross irregularities resorted by the officials of your Ministry in your absence from office.

We have also learnt that the draft report prepared by the 'Drafting Committee' has neglected the reports of the three sub-groups constituted by it and has largely depended on the submission of the Builders Association of India. Therefore the Draft Committee has wrongly concluded that the Tripartite Working Group could not bring out the reasons for the non implementation of the current statutory provisions and that no workable solution was brought out.

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We are fully aware that/the discussions held at the sub groups of the Tripartite Working Group it was successfully identified that the fundamental difficulty in the implementation of the existing social security regulations is the absence of a constant employer - employee relationship which is the most contrasting peculiarity of the building and construction industry.

Therefore it could be recommended that the only method by which social security measures suitable to the building and construction industry can be worked out would be substituting this absence of constant employer ^{- employee} relationship by a Tripartite Board for the construction industry.

Last year the Ministry of Labour had assured in a meeting of this industry that the Ministry is awaiting the report of this Tripartite Working Group for implementation. A similar assurance was given by the Government - in Parliament. Therefore we all are keenly interested in the Report of this Committee headed by you. We request you to take special care in the above mentioned circumstances for finalising a workable and fruitful report.

Sincerely yours,

cc: NCC - CL Office
c/o. Shri R.Venkataramani
Advocate, Supreme Court
14A/13, W.F.A.
NEW DELHI-110 005.