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Telegrams : 'BILDASIND'

BUILDERS' ASSOCIATION OF INDIA

(all-india association of engineering construction contractors)

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19th December, 1987

Miss. Indira Jaising
Editor
The Lawyers Collective,
at 818, Stock Exchange Towers,
Dalal Street,
BOMBAY - 400 023

Dear Madam,

We have careful read a write up on "Sabotage Attempt By Builders" appearing in 'Letters' Column of the October 1987 issue of your magazine. The contents of Shri S. Bhatnagar's letter do not reflect what in effect happened and the letter has been written not only to mislead your distinguished readers but to malign the profession of Builders & Construction Contractors, to whom this Association represents.

We request you to kindly publish our accompanying rejoinder in the November 1987 issue of your esteemed publication for the benefit of your readers.

Thanking you,

Yours faithfully,

(N.A. SAMANT)
EXECUTIVE SECRETARY

Rejoinder of BAIAttempt to Malign Builders ?

The Builders' Association of India has noticed, with regret, the letter of one Shri S. Bhatnagar, Co-Ordinator, National Campaign Committee on Central Legislation for Construction Workers, published in the "Lawyers October 1987" and has to state that the contents thereof are nothing but a distortion of facts aimed at tarnishing the image and the good intentions of the Builders towards the workers in the Buildings and Construction Industry.

To put the records straight, the BAI has to point out in this behalf that in the Meeting of the Tripartite Working Group, which was held at New Delhi, on 21.5.1987, for consideration of the Draft Report of the Drafting Committee, it was noticed that the said Report while it contained the views of the Employers did not give the views of the Trade Unions in the matter. This was so presumably because the Trade Union Representatives on the Tripartite Working Group could not meet earlier to formulate their agreed views on the subject. The Trade Union Representatives on the Committee, therefore, expressed a desire to mutually meet together and settle their say in the matter, before conveying the same to the Tripartite Working Group. As such, the Chairman of the Tripartite Working Group adjourned the Meeting of the Tripartite Working Group of 21.5.1987, in order to provide an opportunity to the Trade Union Representatives to meet and to come to some agreed conclusions. Accordingly, the Trade Union Representatives of the Tripartite Working Group met in the Meeting Hall of the Tripartite Working Group itself at New Delhi and deliberated over the matter, for quite some time. Thereafter, it appears they wanted to meet and discuss the matters further with the BAI representatives, whose representatives were at New Delhi,

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on 21.5.1987. Accordingly, the Trade Union Representatives of the Tripartite Working Group called on the BAI representatives in their Hotel at New Delhi, when it was decided that the Representatives of the Trade Unions on the Tripartite Working Group and the Builders' Association of India should meet at Bombay, on 27th May, 1987, for thrashing out the issues involved and coming to some agreed solutions in the matter, if possible. All the Trade Union Representatives on the Tripartite Working Group were, therefore, personally as well as by Telegrams invited to attend the Bipartite Meeting at Bombay, on 27.5.1987, by the Executive Secretary of the Builders' Association of India. However, only the representatives of the INTUC (Shri S.L. Sharma) and the HMS (Shri K.A. Khan) attended the aforesaid Bipartite Meeting at Bombay. In this Meeting, which continued on 28th and 29th May, 1987, as well, all the issues involved were discussed thread-bare by the representatives present and a concensus eventually reached between them in regard to the same. On the basis of the said concensus an agreed draft Report was prepared by the said Representatives, signed by all of them, and the same was then forwarded by the Executive Secretary of the Builders' Association of India, under cover of his letter, dated 1.6.1987, to the Member - Secretary, for consideration at the next Meeting of the Tripartite Working Group, which was eventually held on 8.10.1987. The BAI has to particularly clarify here that the above-said draft Report of the Bipartite Committee has never been claimed by the BAI to be the "final Report" of the Tripartite Working Group. The BAI has always held and still holds the said Report to be a 'draft for consideration' and the same is still under consideration. The Tripartite Working Group, which met at New Delhi, on 8.10.1987, could not fully consider the above-said Report, as the Trade Union Representatives again wanted some more time to mutually come to some agreed terms in the matter, which was allowed by the Chairman. The Report is, therefore, now expected to come up, for

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consideration, in the forthcoming Meeting of the Tripartite Working Group, which is scheduled for 29.12.1987, at New Delhi.

It would be noticed from the foregoing that the Builders' Association of India has done nothing whatever to sabotage the work of the Tripartite Working Group. On the contrary, it would be seen that the BAI has gone out of the way in inviting the Trade Union Representatives of the Tripartite Working Group at Bombay and discussing with them, at length, the issues involved and coming to some agreed solutions with them in respect of the terms of reference of the Tripartite Working Group, which have been set out in the draft Report of the Bipartite Committee and forwarded to the Member - Secretary of the Tripartite Working Group, on 1.6.1987. It may also be worthwhile mentioning here that it was the BAI, which was mainly instrumental in the appointment of the Tripartite Working Group, for finding out ways and means of providing some social security measures to the workers employed in the Buildings & Construction Industry. As this question had been exercising the mind of the BAI since long, it was the BAI, which had taken up this matter with the Ministry of Labour, Government of India, way back in the year 1981, as a result of which the Tripartite Working Group was eventually constituted, in February, 1985. In conclusion, therefore, it is plain that the letter of Shri Bhatnagar in the 'Lawyers October 1987' is nothing but an unwaranted, nay mischievous, propaganda against the BAI.

N.A. SAMANT
EXECUTIVE SECRETARY
BUILDERS' ASSOCIATION OF INDIA
BOMBAY.