

1249 hours

THE MINISTER OF LABOUR (SHRI M. ARUNACHALAN): Sir, I am very thankful to all the hon. Members who have participated in the debate during consideration of the two Bills, namely, the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Bill, 1996 and the Building and Other Construction Workers Welfare Cell Bill, 1996 moved by me to replace the corresponding Ordinances issued on 28.6.1996.

1258 hours

(Shri P.M. Sayeed in the Chair)

(y/1258/pb/hng)

The large number of Members who have participated in the debate, reflects the widespread concern in the House for the plight of building and construction workers, whom these Bills are intended to benefit and protect. A large number of amendments have also been moved by the hon. Members.

Taking note of the sentiments expressed in the House, cutting across the party lines, an all-party meeting was convened in the hon. Speaker's Chamber at 10.00 A.M. on 24.7.1996, in order to find a common ground. The representatives of all major political parties and groups attended this meeting which was presided over by the hon. Speaker and under his guidance, an agreement was evolved to move certain official amendments to the Bills as agreed upon during the meeting, upon which all the political parties agreed to extend their full cooperation in passing of the two Bills by both the Houses expeditiously before adjourning for the intra-session recess. This is necessary in order to replace the corresponding Ordinances before they expire on the 21st of this month by virtue of Article 123(2)(a) of the Constitution.

As the House is aware, the official amendments agreed upon during the all-party meeting were duly moved by me after securing the approval of the Cabinet and after obtaining fresh recommendations of the President of India. As a result of incorporating these amendments, there is a quantum improvement in the benefits that are sought to be provided to the building and construction workers through the instrumentality of these Bills. Although I

would not like to dwell too much upon the amendments that are now sought to be incorporated by the Government as their significance is well understood by the House, I would like to underline that the spirit of federalism and decentralisation has been sought to be carried a step forward by providing that the cess collected will go directly to the Welfare Boards to be constituted by the State Governments instead of being first credited to the Consolidated Fund of India and thereafter being appropriated by the Parliament for each Welfare Board. As a result, the States would not only be free to collect the cess levied under the Act but would also be free to spend the amount collected for the welfare of the building and construction workers in the respective States through the Tripartite Welfare Boards to be set up by them instead of waiting for the appropriation being made by the Parliament in their favour for this purpose. This is being done for the first time because the scheme in the cess legislations enacted by the Parliament has been that the cess collected was first credited to the Consolidated Fund of India before its disbursement to the States through appropriation by Parliament. I have no doubt that the State Governments and the Welfare Boards would fully discharge their allotted functions with a sense of responsibility and discipline. At the same time, amendments introduced to reduce the limit of workers in an establishment from fifty to ten for applicability of this Act and for increasing the rate of cess from one per cent to two per cent have tremendous significance. Not only will the coverage increase manifold but, as a result, much more funds will flow to the Welfare Boards which would enable them to take up many more schemes for the welfare of the building and construction workers. The financial burden upon the employers, which includes both the Central and the State Governments as well as the public sector undertakings, will increase as a result. I am sanguine that the employers would not grudge shouldering this additional burden for the sake of welfare of their own workers whose sweat and labour provides for their own prosperity, but who themselves have been leading a very precarious existence so far. Similarly,

other official amendments moved by me seek to confer significant additional benefits on the workers.

(z/1255/rc-sb)

In short, with these changes the Bills have become an extremely beneficial social legislation from the point of view of the workers.

Sir, as the Government has already incorporated various changes as agreed upon in the all-party meeting convened under the Chairmanship of the hon. Speaker, I feel that I need not take the time of the House by going into the individual points made by the Members who participated in the debate because their view points already stand incorporated in the Bills as they stand now.

Sir, I would now strongly urge upon the House through you to pass the two Bills unanimously so that the process of implementation could start and its benefits flow to the building and construction workers at the earliest.

Sir, before I close, I would like to profusely thank once again the hon. Members who participated in the debate and the representatives who took part in the all-party meeting and helped to find an agreement acceptable to all the parties through a process of discussion and in a spirit of accommodation. Last but not least, I would like to express my profuse thanks to the hon. Speaker who lent his good offices to these efforts.

(erds)