

Chapter- VI

The Welfare fund model of Kerala

Kerala has been unique in having numerous social welfare schemes from those which are operative at the national level, in as much as the benefits which accrue are much larger than what the labour force obtain at the national level. The welfare fund model of social security, for informal sector workers in Kerala is now more than 30 years old. It started with the formation of a Welfare Fund, for the toddy tappers in 1969. Its approach reflects what the workers in the informal sector, can achieve in countries like India, given the contemporary political context. But it required sustained collective action on the part of the workers. The collective care arrangement in the form of welfare funds were constituted with the active participation of the state. Considering that outside Kerala, in other parts of India, the informal sector workers have practically no welfare support, the Kerala experience has a lot to offer for the rest of India.

In fact, the State played and continues to play the leading role in the initiation and management of the welfare funds. The begin with, the establishment of collective care arrangements in the form of Welfare Funds was not high on the agenda of either the workers' unions or the political parties to which they are affiliated. A nuance reading of the politics of labour suggests that welfare arrangements were quite low on their agenda. It was the limitations of radical political mobilization of labour in the context of a pluralist and electoral democratic polity that

forced the political unions to search for solutions for employment and livelihood vulnerabilities.

Trade unions emerged as a powerful labour institution in Kerala over a long period of time. Historical factors played an important role in this development. These were the early proletarianisation of a large segment of the traditional labour force, the social reform movements for attaining social dignity for the poor and those considered socially backward, nationalist politics accompanied by a radical political movement which explicitly incorporated all sections of the labouring poor and organized them in trade unions. This development was indeed a watershed in the evolution of labour markets, as it exists today in Kerala. Within a short span of time it was instrumental in the erosion of traditional labour relations as embodied in patron-client relationships and the inter-linkage between land, labour and credit markets. Labour relations increasingly became formal, impersonal and contractual. Yet they retained the basic characteristic of stratification and segmentation embedded in the traditional social order. The former relates to the hierarchy of occupations depending on the nature of the job, earnings and security and the latter would refer to the boundaries existing within a given stratum of the labour market. However the objective situation in Kerala was such that only a small segment of the economy could approximate to capitalist enterprises and therefore to a classical type of capital-labour relations. Given the strong anti-capitalist ideology and the strategy of peasant worker alliance, all situations characterized by relations of labour exploitation were considered appropriate for unionization. This

logic was further reinforced in the context of competitive populism when, in the 1960s and 1970s, political parties in Kerala had to fiercely contest elections for gaining political power. What was once initiated by the Congress Socialists and later the Communists became the 'model' for all political parties, most of them off-shoots of either the Congress Party or the Communist Party. Thus an overwhelming number of workers in the informal/ unorganized sector came to be organized into unions.

However, trade unions found it difficult to approximate the situation in the unorganized sector to that of the modern industrial sector. Yet the historical experience of organization of workers was that of the industrial model. While the political ideology was to fight capitalism (in non-agricultural employment) and was stressing the ideology of socialism, the operational part of trade union functioning was to improve the conditions of work, earnings and the economic security of workers. A close reading of trade union functioning in Kerala suggests that the model before them was that of modern industrial employment characterized by higher wage rates, stable employment, better working conditions, non-wage benefits and long term economic security. In brief, the objective was to improve the 'labour status' and income. In pursuing this model, almost relentlessly, the unions have succeeded to a remarkable extent in breaking down the conventional differences between the organized and unorganized or formal and informal sectors, and in its place given rise to another labour market phenomenon of 'insiders' vs. 'outsiders'. Here the notion of insider primarily denotes

union membership with or without stable employment. In the process, a number of labour institutions, borrowed from the 'industrial relations model' but introduced for the informal sector workers were the labour co-operatives and collective care arrangements in the form of Welfare Funds. However, the relative failure of the labour co-operatives in terms of economic viability to take care of employment and social security requirements of the workers led to the setting up of Welfare Funds.

In situations of stable employment, the above strategy of improving conditions of work and wages would generate real increases in earnings and other benefits. The unions were faced with the most difficult of situations with regard to retaining, let alone expanding, employment for existing workers. This 'forced' the unions to resort to two options considered feasible in the prevailing circumstances. One was the demand, directed at the state, for setting up labour co-operatives, and the other was to adopt a closed shop strategy with regard to labour market entry.

The major labour co-operatives in Kerala are those of toddy tappers, beedi workers, handloom weavers, coir processing workers and cane and bamboo workers, and a few groups of casual labourers in loading and unloading work. These were set up in response to the demand by the unions and they did not have managerial and even organizational capabilities so crucially needed to sustain co-operatives within the prevailing competitive market framework. This was because setting up the co-operatives was thought of as a defensive strategy in times of

crisis, mainly responding to threats to the employment of existing workers.

The closed shop strategy of unions was to protect the employment of its members. However, it created a situation of exclusion of those workers who were unable to get into the unions and thus to the labour market. This was because unions controlled entry into many labour markets in Kerala. Examples are that of head-load work, cashew factory work, toddy tapping, public works, and coconut tree climbing. As a result, union membership became the primary criterion for occupational identity for purposes of eligibility in social security arrangements such as receiving a state pension and/ or membership in a Welfare Fund.

It is in this background that we need to understand the emergence of Welfare Funds as a specific form of collective care arrangement for the workers in the informal sector. The best solution in the context of radical political mobilization was, of course, a revolution in favour of the working class. That was the initial motivation for the mobilization of labour by Congress Socialists and later by Communist Party workers. With the attainment of independence by the country and the establishment of a parliamentary democracy, this initial objective gave way to protecting and enhancing workers' rights and their share of earnings. Hence the second-best solution was in terms of organizing workers for higher wages, non-wage benefits and improved working conditions.

By the mid-1970s, the limitations of political unionism began to clash with the developmental imperatives of a low-income agrarian economy.

Given the highly articulate nature of workers, thanks to the earlier four decades of political mobilization, the political parties realized the need for some form of institutionalized welfare arrangements lest they lose the support of the labouring poor. The chronology of the establishment of Welfare Funds lends credence to this argument. Only one Welfare Fund was established in the 1960s and that too in 1969 under special circumstances. This was for the toddy tappers who were among the early radicalized sections of the rural workers. The establishment of the Welfare Fund was a consequence of the limitations of wage bargaining at the end of which the employers chose to leave the business. A take-over of the production and distribution of toddy by a workers' co-operative did not quite succeed. It was in this background the Toddy Tappers Welfare Fund was set up with the active intervention of the government. There was no intention to extend this form of collective care to other sections of workers in the informal sector for almost a decade. However, in 1977, another Welfare Fund known as the Kerala Labour Welfare Fund was set up for workers in small scale factories, plantations, shops and co-operative institutions. The political perception changed drastically by the early 1980s. The 1970s witnessed fierce attempts at unionizing the hitherto non-unionizing workers in the informal sector as a result of the split in the trade union- the All India Trade Union Congress

(AITUC)-led by the undivided Communist Party of India. This led to the proliferation of unions along party lines led by not only the three main parties, viz. the Communist Party of India, the breakaway

Communist Party of India (Marxist) and the Indian National Congress (I), which was also witnessed a split in 1969- but also many regional parties. Thus during the 1980s, nine Welfare Funds were set up covering workers in such diverse occupations as loading and unloading (known as head-load workers), motor transport, clerks working with legal advocates, artisans, fish workers and handloom workers. To this should also be added women-dominated groups such as cashew and coir processing workers. Given the wide political acceptance of this form of collective care arrangement under the initiative of the state, the process continued in the 1990s with the setting up of seven more Welfare Funds.

At the core of this form of collective care arrangement was the spirit of mutualism, i.e. taking care of individual risks through collective contributions and providing some social security at the end of the working life. Unlike the historical experience of workers in the advanced industrial societies of today, this arrangement did not stop with the mutualism among workers. Given the political nature of workers' mobilization and the existence of a democratic state, the arrangement was an institutional innovation as it entailed the participation and contribution of employers, howsoever defined, and the organisational support (sometimes financial contributions) of the government. Thus these Welfare Funds offer some form of social security at the end of one's working life, viz. social insurance in the event of sickness, accident and/ or death and a measure of welfare arrangements in the form of assistance for housing, children's education and daughter's marriage.

The Welfare Fund arrangement is modeled after the social security and insurance cover arrangements available to the workers in the formal sector. Within their limited financial capacities, these funds have also conceived some measure of welfare provisioning. The underlying model has the following characteristics.

- (i) Providing a measure of social security, insurance and welfare assistance to the workers;
- (ii) Creation of a tripartite body consisting of the representatives of the workers, employers and the government with veto powers for the government on policy issues;
- (iii) A bureaucratic Organisational mode with the chief executive appointed by the government and staff drawn from the government departments;
- (iv) Mandatory financial contribution from the workers and employers with the exception of a few 'voluntary' funds; and
- (v) Minimal financial contribution by the government except in cases where the workers are directly under the government activities or where the paying capacity of the workers is deemed very low.

The initiative for setting up a welfare fund usually comes through a political process where in the political parties and their unions make a public demand for it. Since labour relations have come to occupy a central stage in the politics of the state and consequently in public

policy, there exists a remarkable degree of political consensus on the setting up of Welfare Funds as in the case of collective bargaining. Given the emergence of party affiliated trade unions in almost all occupations, all political parties, big and small, have come to see the Welfare Funds as an opportunity to extend their political patronage and concern for the workers. The political consensus has often taken the shape of competitive populism given the enthusiasm with which political parties belonging to the two major coalitions have gone about setting up Welfare Funds for workers. The existence of such a political consensus has made it easy for a government to introduce legislation on the creation of a particular Welfare Fund. Once the legislature comes out with an enactment, the executive wing of the government would set up a tripartite body consisting of the representatives of the workers, employers and the government. Workers' representation is usually in the form of nomination of the leaders of the main unions' active in a particular occupational group. Given the political consensus and the alternation of one or the other political coalition in government, representation is usually ensured to the main unions irrespective of their political affiliation. This is a remarkable feature of institutionalization of labour politics in Kerala where no particular party can have a dominating presence either in government or in trade unions. Over time this system of nomination has taken the character of open political patronage to trade union leaders by their political bosses. Most of them are 'professional union leaders' who may or may not have a background of work in the concerned occupation. Employers' representation is also through

nomination either of the employers' organizations or prominent employers in a given occupation. Since employers as a group have accepted the institution of collective bargaining and care arrangements through Welfare Funds, their participation is more out of necessity than out of a conscious policy. They also ensure that such participation is used to articulate their views and grievances. Nomination of government representatives is often done bureaucratically with little concern for assessing the nominee's expertise and interest. The concerned officials of the Labour Department and Finance Department are the usual nominees. Others may belong to departments that look after the industry or occupation.

The Chief Executive is usually a senior government official on deputation from a department. The administrative support system is the organizational form of the Welfare Fund and employees are drawn from government departments.

During the legislative process, one of the most debated aspects of the Welfare Funds is the definition of a 'worker' who will be covered by the arrangement. This is not only due to the multiple natures of the jobs often performed by workers but also by the overlapping nature of some Welfare Funds. Through systematic union intervention, the labour market for the informal sector in Kerala gives very little scope for a worker to practice multiple jobs once he or she becomes a union member. In fact this is one of the strategies of the unions to create a **closed shop model** and a strict occupational identity. However, often workers in one occupation may be found eligible for more than one

Welfare Fund. For example, masons and carpenters come under the definition of construction workers but they are allowed to register under the Artisans and Skilled Workers Welfare Fund. Such anomalies are gradually getting eliminated as unions keep a watchful eye on the definition of the worker and the eligibility for registration in a particular Welfare Fund

An important aspect of the Welfare Fund formation is in fixing the contributions of the workers, employers and in some cases of the government itself. Suffice it here to say that contributions vary widely as between occupations and groups of workers. This is not only for the workers but also for the employers and that of the government. Out of the 19 Welfare Funds set up so far, the government contributes directly to 15 of them. While in some cases, the contributions are regularly collected, in some others the employers are unwilling to pay the contribution and have questioned it in the court of law. Economic factors are a key to understanding differential behaviour. Wherever the product market allows the employer to shift the burden to the consumer, there has been less resistance in paying their contributions. On the other hand, in product markets where the employers are price takers such as in the marine export market, rice market, etc. the unwillingness has been open and the policy or necessity challenged legally.

Since administration of the Funds is with the government, they are like the departments of the government in terms of their style of functioning. The considerable innovative skills evident in the designing and coverage of the Funds are, however, not deployed in the

administrative set-up. Therefore the administrative form hardly gives any flexibility or room for innovation according to the requirements of each Fund. Members to the Boards of Directors are nominated by the government and the representation is more or less equal from all the three sides, i.e. the unions, employers and government. Although the Boards of Directors are the ultimate bodies for deciding the policies and functioning of the Funds, the concerned government department wields considerable power of veto through a system of 'sanctions'. For example, the annual reports and accounts have to be sent to the government for approval. Further, prior permission is required for revision of rates of contributions and benefits to the workers. Given that the Chief Executive Officer is a government employee, the day-to-day effective control also rests with the government.

The establishment expenses are borne out of the income of the respective Funds. Here again the Boards of Directors do not seem to have any effective control. The fees and allowances payable to board members, salaries and other benefits to the administrative staff, routine administrative expenses including equipment, travel, etc. and contribution to provident funds of the staff, are all borne by the income of the Fund. Thus, ironically a part of the contributions of the informal sector workers go towards meeting the cost of maintaining the secure jobs of the government employees.

An important yardstick of the effectiveness of the Welfare Funds would be their coverage. The estimates given in the census reports can be a reliable source but this applies to only a few categories of workers

such as agricultural labourers, fish workers, and construction workers, who are in the informal sector and have been given separate occupational classification.

The coverage of occupations in the informal sector has been quite wide though coverage in terms of workers has a significant gap, given the nature of employment in the informal sector and its geographical spread, the coverage of workers should be reckoned as impressive. The fact that on the whole, about one-half of the workers in the informal sector of the state had been brought under one or the other Welfare Fund till 1995 shows that a significant number of workers are now enrolled in the Welfare Funds.

The total number of workers enrolled in the Welfare Funds comes to around 26 lakhs in Kerala. This is quite impressive. As per the 1991 Census, Kerala's Worker Participation Rate (WPR) is 28.5 per cent and this worked out to a total number of 120 lakh workers. Around 10 lakhs are in the organized sector and this gives a figure of around 110 lakhs in the informal sector. If we leave out the category of farmers (who are landed and classified as 'cultivators' in the census), the workers in the informal sector work out to around 90 lakhs. Given coverage of 26 lakhs, this works out to a coverage ratio of around 29 per cent. The lower coverage ratio in some Welfare Funds is due to their non-statutory status and as such, membership is on a voluntary basis mobilisation of funds and its Management

Most Funds have also accumulated significant amounts in investments. The highest is the Toddy Tappers Welfare Fund which has been in existence

since 1969 followed by the Funds for the liquor shop workers, construction workers, motor transport workers and head-load workers.

It is also to be noted that those Welfare Funds, which have successfully ensured the contribution or financial co-operation of the employers, are the ones which ensured economic viability. Instances of this can be found in the Construction Workers Welfare Fund which ensured economic contribution from the employers by stipulating that the plan for any construction activity would be sanctioned only if the employer or contractor paid 1 per cent of the total construction cost to the Welfare Fund in advance.

Reducing unemployment and enhancing the social security cover to the majority of the people are two crucial issues that a liberalized economy will have to face. The Welfare Fund model of Kerala provides some useful pointers to alleviating the problem of insecurity among the workers in the informal sector.¹⁷⁹

It needs to be seen that emergence of welfare fund is attributed to policies of political parties, yet there needs a re-look on this aspect relating to differential status of labour force in the informal sector.

The large gap between rich and poor, unorganized and organized workers, and developed and developing countries has led to various attempts at providing social and economic security to the unorganized sectors, in order to narrow the gap. The search of alternative institutions

down public sector, downsizing and framing new labour laws for ensuring labour market flexibility to please Capital.

Jean Dreze and Amartya Sen have said: “The chief enemy that the majority of humanity faces is the almost total absence of security in their fragile and precarious existence.... The lives of billions people are not merely brutish and short, they are full of uncertain horrors. An epidemic can decimate a nation. Unemployment can plunge masses in to extreme deprivation. It is this general fragility on top of chronic and unpredictable deprivations that makes the need for social security so strong and palpable” [“Public Action for Social Security: Foundations and Strategy”.]

The 90th Conference of the ILO held in June 3-2. 2002 registered its protest and condemned the emerging global economic order which is creating “inequality, deeper poverty, and, social exclusion”. The International Institute of Labour Studies (IILS) in 2000 had focused on Social Policy, Social Justice and Decent Work. It drew attention to three critical shortfalls emerging from globalisation.

Padmanabha Gopinath, Director of I.I.LS in his Preface to the ILO Social Policy Lecture “Social Justice in the Global Economy” delivered by Pranab Bardhan at the University of Western Cape, South Africa during September 6-9, 2000 said: “Globalisation has generated new economic opportunities and prosperity... At the same time it has seen an increase in inequalities. Unemployment and underemployment are growing in magnitude, polarizing societies and disrupting the lives of individuals and families.

The data shows that 107 of the total 127 unregistered workers did not register because of lack of knowledge/information. This again demonstrates the need for the welfare board to initiate an effective publicity campaign regarding its operation and also the benefits it provided by it.

There is a consensus among different groups of experts that no change is needed in the rates regarding the workers' and employers' contributions. But there is a confirmed view among all groups that the collection of the employers' contribution is not all effective and that the potential in this regard is not fully tapped. Some even suggested amendment of the rules if necessary to give more powers to the welfare board to collect this important source of revenue.

In the present system of registration of workers there is no safeguard to prevent bogus membership. During the filed survey concerns were raised as to whether all members of the fund were actually construction workers. It was reported that some trade unions enroll non-construction workers as members of the fund because of the opportunities for obtaining various benefits from the board. Closer investigation revealed that these bogus members may actually be agricultural labourers who work in construction on a seasonal basis. Since they are not involved in construction work through out the year they are referred to as bogus workers. However, the by-law of the welfare fund states that a person engaged in construction work for not less than ninety days in the preceding year shall be eligible for registration as a construction worker. According to this definition, seasonal migrant workers from

agriculture have every right to membership to the fund. But to avoid any doubts, experts suggested that there should be some system of verification of the applicant's activity at field level before sanctioning the registration.

After having perused the available literary sources on the plight and working of the construction workers in Kerala, the researcher has visited the Kerala State Construction Workers Welfare Board, Trivandrum during January 18-1.2009 to 23.1.2009 with an intent to obtain the feedback from the functionaries of the Welfare Board. During the visit it was opportune to meet the Secretary and other Labour Officers and who were pleased to share their experience and view points about the administration of the Welfare Board. Some of the points referred to by these functionaries are placed herein.

1. Primarily every construction worker after having registered as beneficiary with the Welfare Board is required to remit Rs.20/- per month as subscription continuously till he retains membership. It is noticed that the Construction worker remits their contributions suiting their convenience by making quarterly/half yearly payments to the Welfare Board or at the District Cooperative Banks situated in the State.
2. That construction workers are required to submit their application for registration as beneficiaries with the Welfare Board by producing the Certificate of employment, age proof and also address proof etc.
3. Most of construction workers submit their application by getting the application attested through a Recognized Trade Union(s) reflecting the period of employment and also about their domicile of the construction

workers. The reasons for same have been stressed as the active participation of the Trade Union(s) and also about the involvement of Construction workers besides remaining in employment.

4. There are occasion where certain Trade Union representatives raise disputes and the decision of the District Labour Officer in rejecting the claim/application of few construction workers. The District Labour Officers has expressed that the rejection of claims/application of few construction workers is due non fulfillment of the eligibility criteria and also lack of proper information about the age, residence proof etc. The Trade Union(s) express their concern and try to remove the objections and help the construction worker in getting registration as beneficiary with the Welfare Board.

5. Almost all the construction workers who got registered with the Welfare Board are provided with Identity cards and Pass Book enabling them to make regular contributions of subscriptions and to have record. The identity card is issued to make a reference of the construction worker for further correspondence while claiming the benefits before the Welfare Board.

6. Consequent on implementation of Central legislation with effect from 14.08.1998 there has been an amendment in the state rules and regulations for change in the mode of administration of Welfare Board and to transfer the Funds to the present governing body.¹⁸³ The present day to day working of the Welfare Board is as per the rules and regulations of the Central legislation.

7. There has been gradual increase in financial strength of the Welfare Board in over a period of time so also the number of beneficiaries and the quantum of benefits extended to them. The Welfare Board has taken steps to give publicity and bring make aware of the Construction workers by distribution of handbills, News paper publications, etc.

8. It is revealed that there are certain Inter-state migrant workers engaged by the employers who undertake big construction work and they were unable to register them with the Welfare Board due to the reasons that these construction workers are not in a position to produce the Residence Address Proof or copies of the Ration Card. This has become a bottleneck in extending the welfare benefits to the construction workers as they change their job frequently and furnishing of required documents is a daunting task.

8. Though the Central Act provides for transfer of contributions to Other Welfare Boards functioning in different states, in reality there exists certain conflicts in the state rules and also the working mode due to which registration of certain inter-state migrant workers with the Welfare Board and also keeping continuity and retention of membership has been a ardent task to the stake holders. This legal hurdle is resulting in break in service and non availing of benefits by the stake holders.

The data as regards number of registered Trade Unions and the workers as on 31.3.2002 ¹⁸⁴

Table-45 Labour Statistics at a Glance, 2002

Sl.No:	Year	Number of Unions at the end of the year	Number of members		
			Male	Female	Total
01	1996	10218	298534	129322	427856
02	1997	10504	282017	196781	478798
03	1998	10795	206416	94599	301015
04	1999	11018	377719	159249	536968
05	2000	11156	260981	124152	385133
06	2001	11456	263801	166450	430251
07	2002	11667	425720	236864	662584

Number and Memberships of Trade Unions (Workers) according to major divisions of industries

Table-46

Sl. No:	Name of Cause	1998	1999	2000	2001	2002
		MEMBERSHIP				
01	Agriculture, hunting, Forestry and fishing	79710	1126671	59415	104763	116152
02	Mining & Quarrying	869	6943	1549	435	14666
03	Manufacturing	32352	59883	47601	102407	78398
04	Electricity, Gas, Water	13730	15783	18748	24797	27304
05	Construction	66684	122108	131711	98303	302072
06	Wholesale & Retails	15402	53981	29710	22484	15854
07	Transport	57038	113840	23771	6543	5482
8.	Community services	28741	4398	3558	7911	13356
9.	Total	301015	536968	385133	430251	662584

This figures makes us to understand that the Trade union participation has been on the raise over a period of time and in particular the Trade Union movement is getting concentrated towards Construction industry. The number of Trade Unions registered and also the membership out weigh when compared to other Trade Union and members spread in other spheres of activity. These statistics makes us to understand that the Trade Union participation and membership in the construction industry are growing faster and this aspect has a direct bearing in the Administration of Welfare Board. Due to the increase in issue of employment certificate by the Trade Unions, the numbers of beneficiaries are increasing day by day so also the benefits to the construction workers.

An autonomous non-profit organization under the nomenclature “ Kerala Statistical Institute “, Thriuvanthapuram undertakes research studies in social, economic and other scientific fields. The researcher has visited the Institute during January, 2009 to obtain the Labour Statistics about the construction labour. During the discussion with the Director and other members of the Institute who shared some the view points about the plight of the construction workers employed in the state and the research paper reflecting the impact of migration in kerala.

The view points expressed by the Officers of the Labour Department are summarized as under:

- The employer apprehends that employment certificate issued to the construction worker results in future reference and leads to further claim under Industrial Disputes Act, 1947 or Gratuity Act, 1972. Due to this the employer attempts to avoid in issuing the employment certificate and this aspect is taken as advantage by the Trade Union and hence the certificates issued by the Trade Union are increasing.
- In Kerala claims are collected and transferred to District wise suiting the convenience and also remittance in District cooperative banks.
- Employee produces a certificate from Village Accountant/Government Authorities that he has not taken any other benefit (this helps in avoiding duplication of claims)
- The process of assessment and adjudication is becoming a length drawn process. The employers undervalue the spending to avoid cess.
- The wages for construction worker of a locality is higher when compared to wages paid to the migrant labour. This aspect has given room for engaging more and more inter-state migrants as a mode of cheap labour force and in turn encourage migration process

The view of the Resource Person Dr. R. P. Nair is capitulated as under.

- The Trade union gives the employment certificate because it has become a economic resource.
- The local trade union are not interested in solving the problems of migrant workers due to the reasons that the membership may not serve as for political purposes as most of the trade unions are affiliated to one or more political parties.

➤ Labour turnover is high for migrant labour and coordination of records needs examination.

The views of M.K.Balachandra Nair, Additional Labour Commissioner, (Industrial Relations), Govt of Kerala is as under:-

- The welfare Board finds its difficult in extending benefits to construction workers haling from different states due to the reasons of non-submission of basic documents such as address proof/age proof etc.
- Lack of identity and documentary support
- The Trade Union recognition from the board is required for issuing certificates to employees
- Most of the welfare boards are independently managed expect few where the state intervention is prevalent
- The Toddy workers welfare board is financial sound with corpus of Rs.1000 crores functioning smoothly from the year 1969.
- In case of head load work force **Govt/Welfare Board** is the employer and performs the functions of collection of cess and distributes wages/benefits.A similar procedure needs to followed for construction workers also so as to regulate the employment
- Like head load workers if government intervenes then the number of contractors can be reduced and also the piece rate of workers who are being ignored can also be identified by the committee and provide benefits to them.

Due to the strict process of registration of only local construction workers, the migrant construction workers are exploited by the employer and are being deprived from the aviling benefits.

Kerala sends back migrant labourers from Chitradurga

Staff Reporter

KOZHIKODE: The 46 persons who were on Thursday found being transported in the dark confines of an airless van from Chitradurga in Karnataka to this city left for Mysore at 4 p.m. by Kerala State Road Transport Corporation buses. These persons and more than 40 other labourers belong to Sabari Constructions, Mohammed Sageer, Revenue Divisional Officer, Kozhikode, said.

He said they would be received by the company representatives in Mysore and then taken to Chitradurga.

Earlier, almost all of them reached the premises of the Kozhikode railway station by 7 p.m. apparently as directed by those who had brought them in the first instance, possibly to await a train. But it soon became clear that no direct train to Bangalore would be available on Friday night. Mr. Sageer, who had reached the station, initially

said the group could be provided shelter for the night and that a decision about their plans made the next morning. But the authorities then seemed to be looking at the option of putting the group on Friday night itself in a train that would take them at least to an intermediate destination. The RDO said the government would bear the return travel expenses.

None of them having prepared any complaint regarding their situation, the authorities had appeared to be at a loose end earlier on Friday, with regard to what could be done in the wake of popular anger and a media furor that has followed what was being seen as an instance



SAD FLIGHT: Migrant labourers who were brought to Kozhikode in inhuman conditions in a lorry, at Kozhikode railway station on Friday.

— PHOTO: S. RAMESH KURUP

of inhuman and risky long-distance transportation of human beings.

Earlier in the day, the city police had arrested Sathyavelu (43), of Bangalore and Chandrappa of Chitradurga for transporting the labourers in a van meant to be used to carry goods. They were produced before the Judicial First Class Magistrate Court-IV here. The vehicle was seized. The police said Sathyavelu was driving the van bearing registration number KA08 412 and Chandrappa (27) of Hosadurga village in Chitradurga had mobilised the labourers.

City Police Commissioner Anup Kuruvilla John told *The Hindu* that the 46 labourers

who were in the van had told the police that they did not have any complaint regarding the treatment meted out to them.

District Labour Officer (Enforcement) V. Gireesh Kumar said that the Department had sent notices to the ABB constructions office in Kozhikode and to the executive engineer of the city scheme of Accelerated Power Development and Reforms Programme (APDRP) of KSEB, Kozhikode under the Inter State Migrant Workers Act asking them not to employ employees from other States without proper documentation and registration, recruitment licence and employment licence. ABB con-

structions had taken the total contact of the cable laying works here.

Local people had blocked the van carrying 46 persons, including 21 women and 19 children, who were being transported from Chitradurga. The local people alleged that the people in the van had complained that they were not given food for two days. The labourers were being brought in by contractors for cable laying work for the Kerala State Electricity Board (KSEB). The husbands of some of the women in the van were working already in Kozhikode and they were being brought to join and help their husbands in their works.