

Chapter-VII

WORKING OF THE TAMIL NADU STATE CONSTRUCTION WORKERS WELFARE BOARD

The State of Tamil Nadu has taken a leading role in ameliorating the working conditions of labour engaged in various industries like Beedi Industry, Coir Industry, Road Construction and Building operations etc:-. On carrying out much deliberations and as a result of staunch recommendation of the Working committee constituted for the purpose of bringing out suggestive measures for improving the working conditions of labour and also ways and means for extending the Social Security, the State of Tamil Nadu has come out with a separate legislation under the caption namely “ The Tamil Nadu Manual Workers (Regulation of Employment and conditions of Work) Act, 1982 (No: 33 of 1982). The legislation in its preamble visualizes the following areas of concern: An Act for regulating the employment of manual workers employed in certain employment in the state of Tamil Nadu and the conditions of their work and security of their employment and for certain other matters connected therein. The Act came into force with effect from 01.06.1982. The scheme started on 1 November 1994 in Chennai, Madurai and Coimbatore. With effect from 15 June 1997 the scheme was extended to the entire State.

This Act empowers the Government to frame schemes for regulating the employment of workers listed in the schedule to the Act, and also for their welfare. It also empowers the Government to constitute welfare

boards to administer these schemes. All these boards are tripartite in character consisting of representatives of employees, employers and government. So far 38 employment categories have been added to the schedule of the T.N. Construction workers welfare Scheme, 1994.¹⁸⁵ all of which are in the unorganized sector. Following this Act, the Government of Tamil Nadu constituted welfare boards and formulated welfare schemes for the workers in the following employments:

- Construction or maintenance of dams, bridges, roads or any building operations,
- Driving auto rickshaws and taxis,
- Work in laundries and washing clothes,
- Hair dressing and beauty parlour salons,
- Tree-climbing,
- Tailoring, and
- Making of handicrafts.

Apart from the above welfare boards, a separate welfare board for the remaining employments listed in the schedule was constituted and has been functioning since 1998. Thus in Tamil Nadu eight welfare boards have been constituted to cater to the welfare benefits of workers in the unorganized sector. All the welfare boards so far are in their initial stages of operation and their success in providing social security benefits to the various target groups needs to be objectively evaluated.

It needs to be specifically mentioned that the definition of Manual Worker as per Sec. 2 (10) of the Act¹⁸⁶ means a person who is engaged or to be engaged directly or through any agency in any schedule

employment. The state legislature has taken due care in avoiding the conflict of interest of Labour welfare and brought out the enactment by keeping away the members enjoying the Social Security and Welfare benefits under the Central Legislation. The members enjoying the Social Security and Welfare benefits under the Employees' State Insurance Act, 1948 (Central Act 34 of 1948) or under the Employees Provident Funds and Misc. Provisions Act, 1952 (Central Act of 19 of 1952) are stemmed out from the definition of manual workers. Caution taken note of by the state legislature has helped in reducing the financial burden and also in avoiding the multiplicity of benefits to the same work force.

The provisions of Sec 3 of the Act¹⁸⁷ spells about the scheme for ensuring regular employment of manual workers with emphasis of registration of employers and manual workers in any Scheduled employment and also the terms and conditions of work of manual workers, general welfare in such employment..

The provisions strengthen the following points

- a) For regulating the recruitment and entry into the scheme of manual worker and the registration of such workers and employers including the maintenance of registers, removal either temporarily or permanently, of names from the Registers, and provisions for appeal against such removal to the prescribed authority, and the imposition of fees for registration;
- b) for regulating the employment of manual workers the terms and conditions of such employment, including rate of wages, hours of work,

maternity benefit, overtime payment, leave with wages, provisions for gratuity and conditions as to weekly and other holidays and pay in respect thereof;

c) for securing that, in respect of period during which employment or full employment is not available to manual workers though they are available for work, such manual workers will, subject to the conditions of the scheme receive a minimum wage;

d) for prohibiting, restricting or otherwise controlling employment of manual worker to whom the scheme does not apply and the employment of manual workers by employers to whom scheme does not apply;

e) for the welfare of manual workers covered by the scheme in so far as satisfactory provision therefore, does not exist, apart from the scheme;

f) for health and safety measures in places where the manual workers are engaged, in so far a satisfactory provision therefore, is required, but does not exist, apart from the scheme;

Further the provisions of Sec 8 A of the Act ¹⁸⁸ provides for contribution to fund for benefit of manual workers in the employment in construction or maintenance of dams, bridges etc

a) every person who makes an application for building permit for any building work to a local authority shall be liable to pay to the local authority concerned, in addition to the fees for the building permit ; and

b) every person who undertakes or is in charge of, any construction {work other than the building work referred to in clause (a)} shall be

liable to pay, a sum of such percent **not exceeding one percent** of the total estimated cost of the building or construction work proposed to be constructed, as may be fixed by the Government by notification, as contribution to the fund constituted for the benefit of manual worker in the employment in construction or maintenance of dams, bridges, roads, or in any building operations, under a scheme framed under section 3.

The provision takes care to ensure that the Building owner or the Contractor or a Developer as the case may be is made liable to remit the cess to the Welfare Fund.

The provisions of Sec 4 of the Act ¹⁸⁹ pave ways to the Government to come out with various Welfare Schemes for any particular class of employment.

The amount of cess being collected for extending the social security under the State legislature is less when compared to the quantum of cess being collected by various state Governments under the Central Legislation.

Further the construction worker is required to renew his membership for every two years as per sec 6 of T.N. Construction Workers Welfare Scheme, 1994.

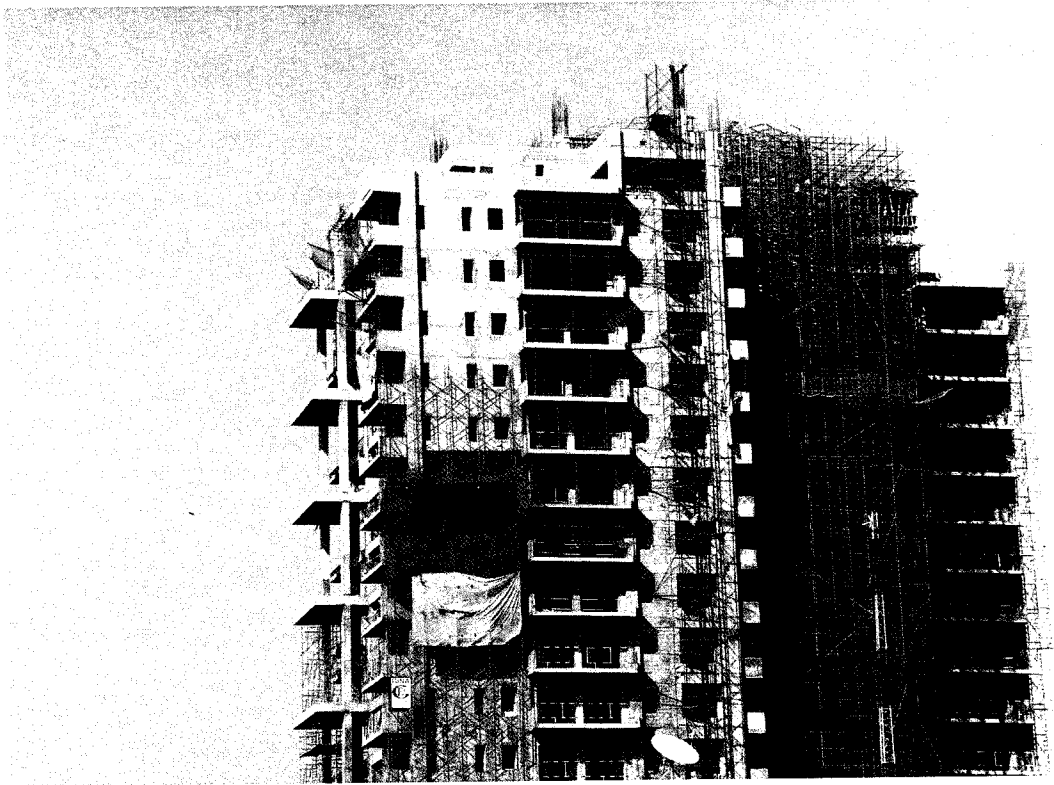
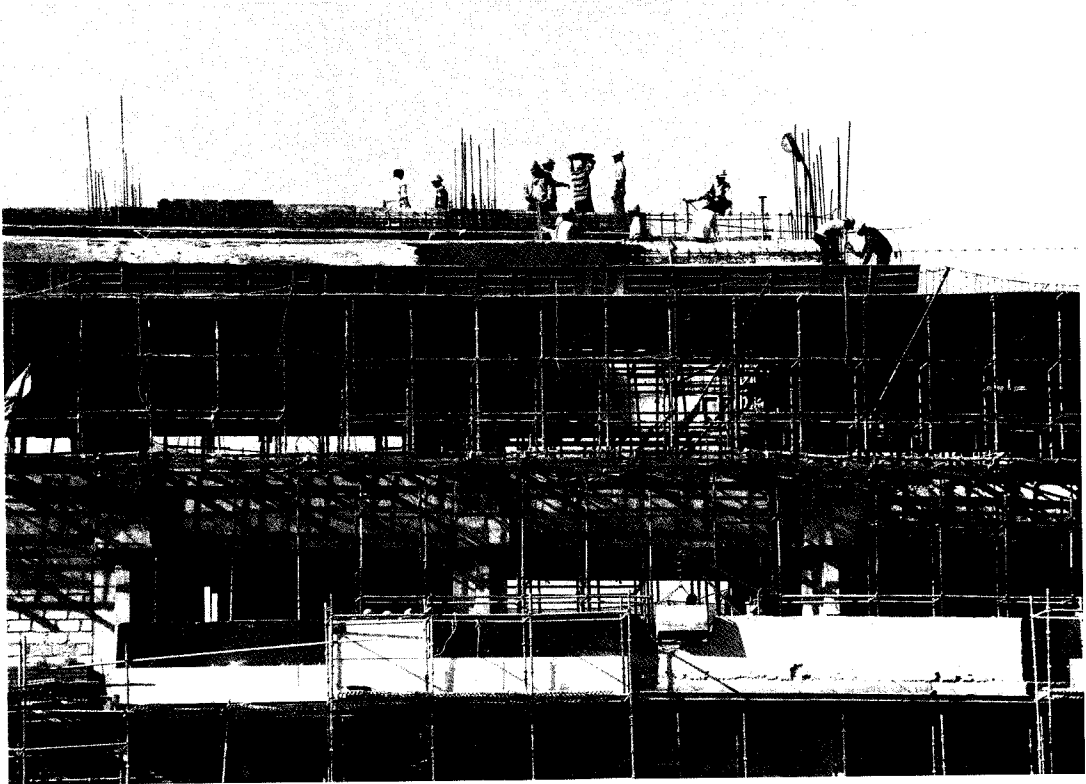
Renewal of Registration. Every manual worker whose name has been registered under clause (5) shall renew his/her initial registration or the subsequent renewal of his/her registration before the expiry of the period as specified in the Table ¹⁹⁰. If the registration is not renewed within the period stipulated in column (2) of the Table, the Secretary or any other

officer authorized in this behalf by the Board, shall take action as is specified in column (4) and column (5) corresponding to the period specified in columns (1) and (2) of the table.

On looking into the legal frame work of the state Legislation it needs to be emphasized that the Government of Tamil Nadu in exercise of powers conferred by Sec 4 of the Act has come out with a Welfare Scheme in particular for construction workers under the nomenclature "The Tamil Nadu Manual workers (Construction workers) Welfare Scheme, 1994. The said welfare scheme under section 3 has spelt out the objects as under.

The object of the scheme is to provide for the following welfare schemes for the manual workers engaged in the construction or maintenance of dams, bridges, roads or in any building operations, namely;-

- 1) Crèches
- 2) Group Personal Accident Insurance Scheme
- 3) Provident Fund and Employees' State Insurance scheme
- 4) Pension Scheme
- 5) To meet the funeral expenses of a registered manual worker
- 6) Assistance on the natural death of a registered manual worker
- 7) Assistance for the education/marriage of the son or daughter
- 8) Assistance for the delivery of a child or the miscarriage of pregnancy or the termination of pregnancy, by a registered women manual worker.





As per Sec 5 of the Welfare Scheme any manual worker may register his name with the Board on submission of application together with a Certificate of Employment issued by any of the persons or authorities specified below:-

- a) Employer engage in construction industry for purpose of trade or business
- b) Registered Contractor
- c) Government organizations or agencies engaged in building industry;
- d) Registered Trade Union.

The state legislation has considered the aspect of continuity in employment of a construction worker by invoking the provisions of Renewal of Registration. As per Sec 6 of the Scheme, the construction worker is required to make renewal of the Registration of membership after two years so as to retain the membership. This provision is significant and it is directed to ensure that construction workers retain the membership so long as they continue to work in the Construction industry and be able to reap the Social Security benefits as and when it falls due to the beneficiaries of the Welfare Fund.

Further the construction workers are extended with various kind of benefits as reflected in the object of the Welfare Scheme. The State legislation/welfare Scheme emphasises to define the term manual worker through encompassing certain other categories of work/skill related to the construction industry and hence by defining the term manual worker

in its broad sense attempts to bring maximum workforce under the umbrella of the schedule with little ambiguity so as to extend social security benefits to substantial beneficiaries in furtherance of the welfare scheme.

After having understood the outline of State legislation/Welfare Scheme, 1994, efforts were made to review the literature relevant to issues in implementation of welfare scheme(s) to Construction workers situated in the state of Tamil Nadu. The working paper about the functioning of Tamil Nadu State Construction workers welfare Board is placed herein.¹⁹¹

Some states have given greater priority to social security through the establishment of non-contributory social assistance schemes, and the national government has in recent years tried to reinforce these efforts through the National Social Assistance Programme. Some states such as Tamil Nadu and Kerala have also given priority to providing social security to unorganized workers through the development of welfare funds based on occupational groups. This study examines the Tamil Nadu experience in this respect with some comparative reference to Kerala. State legislation enacted in 1982 provided the basis for welfare schemes to be set up in Tamil Nadu for specified categories of workers and eight welfare boards have been established with worker, employer and government representatives. The study focuses on the Welfare Fund for Construction Workers (the Welfare Fund), which commenced in November 1994 and provides a range of welfare measures such as benefits for fatal and non-fatal accidents as well as

grants for education, marriage and funerals. Manual workers over the age of 15 can register with the Board and pay Rs. 25/- as an insurance premium to cover accidental death or disability. In addition a renewal premium of Rs.25/- per registered construction worker is paid to the company annually by the Board to finance a lumpsum payment in the case of accidental death or disability. Only compensation for fatal and non-fatal accidents is paid by the insurance company. In practice, however, workers are registered through their trade unions but the level of registration is low-18 per cent of two million workers in the sector. Of the 90,000 members identified in a survey conducted under the study, only 200 had received any monetary benefit from their membership. Employers pay 0.3 per cent (wef July,1997) of each construction contract to the Welfare Fund but compliance is a problem and the benefits are too small to make a difference to living conditions.

The study evaluated the working of the Welfare Fund based on a micro-level survey conducted in Chennai City. The approximate number of construction workers in Tamil Nadu is 2,075,000 of which Chennai City accounts for slightly less than 10 per cent. It is interesting to note that only 19 per cent of construction workers in Tamil Nadu are registered, but in Chennai City 74 per cent of workers have registered with the welfare fund. The pilot study covered 355 construction labour households of the following different categories of construction workers as indicated below:

- Registered beneficiaries,

- Registered non-beneficiaries, classified into two groups,
 - (a) Registered but not applied for any benefits, and
 - (b) Registered and applied for benefits but rejected, and
- Unregistered workers.

The Board consists of members representing employers and manual workers in equal numbers-nine each. The Government is represented by six members and it is stipulated in the Act that they should not exceed one-third of the total number. The Commissioner for Labour who is one of the members representing the Government is the Chairman of the Board.

The main functions performed by the welfare board:

- Registration of construction workers belonging to four districts,
- Issuance of identity cards,
- Renewal of registration, and
- Issuance of duplicate cards.
- Processing of all claims under the various schemes and payments of assistance to beneficiaries

The staff of the Board is financed from its own revenues and not from state funds. The administrative costs incurred by the Board for the year 2000-2001 amount to approximately Rs.12,939,000. This constitutes nearly 12 per cent of the total revenue received by the Board as employer contributions, which at present is the only source of income for the Board.

Registration of manual workers

A manual worker who is over 15 but under the age of 60 years is eligible to register his/her name with the Welfare Board. The worker is not required to come in to the Board office at the time of registration-usually representatives of the registered trade unions bring in the application.(Unlike in Kerala, the construction workers in Tamil Nadu are mostly illiterate and unorganized and cannot undertake the formalities involved in obtaining registration). The field survey revealed that the workers generally preferred to rely on trade unions for obtaining various benefits accorded by the Welfare Board. Benefits approved for registered workers (educational, marriage, and maternity assistance, etc.) are met from the levy collected from every local authority, and government departments, undertakings and institutions.

Any manual worker engaged in any of the 36 categories of trade may register his/her name with the board in order to obtain future entitlement to benefit.

Though nearly 83,578 workers have been registered with the Board in Chennai City (up to February 2001) benefits have been approved to only 210 workers (at the time of the survey). An effort was made to cover all the registered workers in the survey, but only 189 could be contacted, mainly due to the migratory nature of this particular labour force. The survey in Chennai City covered 355 labour households. The major findings of the survey are grouped according to the social and demographic characteristics of the construction workers, their economic

status, employment and income characteristics, the expenditure patterns of labour households and the benefits extended by the Welfare Board.

The important demographic information collected through the survey related to the distribution of persons in the construction labour households (category wise) by age group and sex. There is a widely held belief that workers in the unorganized sector are educationally backward, and this actually prevents them from acquiring better skills to improve their income levels. The primary data collected through the survey of construction labour households does not confirm this view since the literacy rate worked out from the survey results was 76 per cent (both males and females combined), whereas the 2001 census data showed the literacy rate for Tamil Nadu as 73 per cent. Therefore, the literacy rate for the construction worker households is slightly better than the State average.

The survey provided the following information on the housing and living standards of construction workers and their families:

- One-third of construction labour households live in Kutcha houses (mud walls, mud floor and thatched roof),
- Nearly 55 per cent live in their own homes,
- all households have access to safe drinking water (public water supply or wells),
- The economic status of construction labour households is analysed basically by three main factors, for which data was collected through the survey, namely:
 - (i) activity status,

(ii) source of income, and

(iii) Consumption expenditure by broad groups.

- The information shows that out of 1,480 persons covered by the survey in 355 households, 632 are gainfully occupied. Of these, 90 per cent are engaged in non-agricultural pursuits (self-employed, helpers or casual labourers). The remaining 10 per cent are in regular (salary/wage) employment. Of the total work force in the surveyed labour households, 11 per cent are unemployed. The main source of income of labour households is non-agriculture either as self-employed or as casual-wage labourers and more than 80 per cent of their total income is from this source.
- The average monthly income of all the earning members in the 355 labour households surveyed amounts to Rs. 1,525/-. This income level is relatively high when compared to other employments in the unorganized sector of Tamil Nadu because they tend to find regular daily work and their rate of earning is generally higher than in other occupations.

The primary function envisaged by the Board is to encourage construction workers to register. In practice however, the majority of registrations are sponsored by trade unions who send to the Board the completed applications for registration. It is not compulsory for a worker to be present in the Board office at the time of registration but this non-presence may lead to malpractices, which could affect workers adversely.

Nevertheless the survey revealed that most households contracted (213 out of 251) realized that registration was **voluntary** and there was a high degree of awareness among construction workers regarding the benefits to be provided after registration.

Distribution of registered beneficiaries according to source of information for registration (Chennai City, 2001)

Category	Source of information	No. of families reporting
Registered beneficiary	Contractor	13
	Trade unions	168
	Others	1
	Source not reported	7
	Total	189
Registered non-beneficiary	Trade unions	36
Registered but welfare	Contractor	2
Benefits rejected	Trade unions	24
	Total	26

The survey also revealed the excess cost incurred by the construction workers in registration fees, as well as renewal fees collected by trade unions. The fee charged by the Welfare Board for registration of their workers is Rs.25/-. A fee of Rs. 10/- has also to be paid at the time of renewal of registration after the expiry of two years.

Distribution of registered beneficiaries according to reason for registration (Chennai City, 2001)

Household reporting reasons				
Category	Compulsion	Voluntary	Reason not reported	Total
Registered beneficiary	27	155	7	189
Registered non-beneficiary	0	36	0	36
Registered but application For welfare benefits rejected	4	22	0	26
Total	31	213	7	251

Distribution of registered beneficiaries - renewal fee paid (Chennai City, 2001)

Renewal fee paid	Category of registered workers					
	Registered beneficiary		Registered non-Beneficiary		Register but application for Benefits rejected	
	No.	Amount	No.	Amount	No.	Amount
Rs. 10 or less	70	700	-	-	17	170
Rs. 10 to 50	3	1750	5	165	7	169
Above Rs. 50	6	4346	1	2811	2	159
Total	189	6796	6	2976	6	498

Of the 251 registered workers only 35 per cent paid the prescribed fee of Rs. 10/- for registration. The majority of workers had to pay a renewal fee ranging from Rs.35/- to Rs. 80/-. This would have been avoided if the Welfare Board had established an effective liaison with construction workers. The survey covered a small sample of unregistered workers working in both large and small constructions. The details presented in the previous sections show that unregistered workers are in no way less privileged in the matter of housing conditions, education,

wages and per capita consumption than their registered counterparts. In other words the registered beneficiaries are so insignificant in number and the amount of benefit obtained so small that it does not produce any visible impact on their standard of living.

The main challenges faced by the Welfare Fund:-

- A very low level of registration among construction workers,
- Weaknesses in financial management, and
- Failure to collect employers' contribution fully and on time.

A micro-level survey conducted in Chennai City revealed that very few are aware of its functioning, and out of 250 registered workers covered by the survey more than 95 per cent opted for registration through the sponsorship of trade unions. In addition, workers pay a higher amount as a registration fee (often more than Rs.50/-), since the trade unions charge their operational expenses as well. The survey also reveals that the lack of awareness regarding the welfare benefits offered by the Welfare Board is a contributing factor, which inhibits registration.

Distribution of unregistered labour households by reason for not registering with the Welfare Fund Board

Category	Reasons for not registering				Total
	Lack of Awareness	Difficulty in paying Registration fee	Unsatisfied with welfare benefits provided	Others	
Unregistered Workers in large Constructions	45	2	0	5	52
Unregistered Workers in small constructions	40	1	1	10	52
Total	85	3	1	15	104

This again points to the urgent need for the Welfare Board to undertake an effective publicity campaign regarding its operation and the benefits it provides. A programme of extension to cover the entire construction labour force within a specified period, should be formulated and implemented as soon as possible. There is no distinction between workers employed in the government sector and those in the private sector and data is not available to prove that all workers engaged in Tamil Nadu government construction projects are registered as members of the Labour Welfare Fund.

Unregistered workers: Conditions of work and welfare benefits obtained from the contractor/employer (Chennai City, 2001)

Category obtained	Conditions of work		Welfare benefits	
	Satisfactory	Not satisfactory	Yes	No
Unregistered workers In large constructions	48	4	21	31
Unregistered workers In small constructions	38	14	0	52
Total	86	18	21	83

In this context, the method adopted by the Kerala Construction Workers' Welfare Fund Board is more sensible and beneficial. In Kerala the entire registration fee is kept with the Board and there is no renewal fee charged. Instead every registered worker has to pay a monthly subscription of Rs.20/-. Payments made by the worker each month are recorded in a passbook issued by the Board. The registered

worker can obtain benefits approved by the Welfare Board only if the monthly contribution is paid promptly. Defaulters may not receive benefits from the Board. Thus, all the remittance made by the registered worker, either as registration fee or as monthly subscription are deposited in the accounts of the Welfare Fund, and all the benefits paid to the registered workers are from these deposits. There is no life insurance for the workers in Kerala but compensation for fatal and non-fatal accidents is paid directly by the Welfare Board. This arrangement is more beneficial

Effective mobilization of employer contributions

Up to November 2001, Rs.383.54 million has been received as employer contributions and most comes from corporations, municipalities and panchayats. In Tamil Nadu, the levy collected as employer contributions is at present only 0.3 per cent of the total estimated cost of construction, while in Kerala it is 1 per cent. Here too considerable difficulty is experienced in collecting dues from employers and only a portion of the actual potential of this source is being realized. A comparative statement of employer contributions obtained by the Kerala and Tamil Nadu Welfare Boards is presented below.

Contributions collected from employers (Rs. Million)

Year	Tamil Nadu Board	Kerala Welfare Board
1997-1998	28.30	87.90
1998-1999	62.18	87.17
1999-2000	89.10	120.73
2000-2001	108.02	119.89

It can be gathered from the above data that considering the magnitude of construction activities undertaken in Tamil Nadu only a very small portion of the actual potential from this source is now being realized by the Welfare Board. The possibility of increasing the employer contributions to 1 per cent of the cost of construction (as in Kerala) may also be explored. The Central Act, which came into effect from March 1996 permits collection of 1 per cent as employer contributions and there is no valid reason to forego the additional revenue. The present surplus is inadequate. When the membership of the Welfare Fund increases, unless the rate of contribution is increased as well, it will not be possible to provide adequate welfare benefits to the members. Moreover, the impact of raising the rate of contribution is borne by the contractors/construction agencies that can afford this increase. Annual employer contributions and welfare benefits offered by the Board are presented in the table below.

. Employer contributions and welfare benefits (in Rs. Million)

Year	Employer contributions Received	Welfare benefits approved
1.11.1994 to 31.3.1997	9.02	-
1997-98	28.30	0.01
1998-99	62.18	0.06
1999-2000	89.10	0.49
2000-2001	108.01	6.78
2001-2002 (up to November)	86.92	5.39
Total	383.53	12.727

The above data shows that the Welfare Board is unnecessarily keeping a huge amount of employer contributions, which represent their statutory obligations for labour welfare. The benefits approved were only Rs. 12.73 million, approximately 2.5 per cent of the total amount of employer contributions.

The surplus revenue in the fund is invested in fixed deposits in banks yielding a reasonable return, which is added to the accumulated revenues of the fund. In the Indian situation there are very few investment options. Mutual funds and stocks, which are the usual investment avenues in developed countries, are generally not considered safe or dependable in India, especially when the welfare funds include contributions from poor workers. The surplus revenue available with the fund is invested in bank deposits and the returns obtained are added to the revenues of the fund. Interest accrued on investments made by the Board up to 30 November 2001 amounts to Rs, 42.95 millions.

Welfare funds in future will have to operate on a more uniform basis. The funds should offer benefits in return for specific contributions from workers. In restructuring the benefits, it will be important to find out the priority social security needs of workers. Contributions from workers reflect their participation and attract a higher degree of accountability on the part of managers of the fund since members would have a right to demand benefits and services. When the objective is to make coverage universal and target an organized labour force with shifting jobs, it may be better to try out schemes on an area-based approach rather than on a model based on occupation or employment.

(1) The main limitation of the welfare fund is its very low coverage of members. Though the Board started functioning from 1994, its total registered membership as of April 2001 was only 380,000 out of a total of two million construction workers in the State. It may be noted in this context that the Kerala Welfare Board, which began in 1991, had covered 65 per cent of its total work force by early 2001.

(2) Less than 2 per cent of the registered workers received a benefit (6,761 out of 380,000) up to November 2001. In comparison, out of 980,000 workers registered with the Kerala Board, nearly 8 per cent have received some benefit during its ten years of operation.

(3) The administrative expenses of the Tamil Nadu Board in implementing its various schemes have been moderate (less than 12 per cent of income) while the administrative expenditure incurred by the fund in Kerala is even lower, at only 8 per cent.

(4) Applications for registration are presented by trade unions on behalf of workers and it is possible that this might result in the registration of ineligible workers. This might be against the interests of eligible members. In this context, it is recommended that proper care should be taken to screen members for registration, as in Kerala, to avoid possible malpractices. In Kerala, the worker has to appear in person to obtain registration. If the authority concerned is satisfied that the applicant has complied with the provisions of the scheme, the worker is registered and at which time has to make a monthly contribution of Rs. 20/- to the Welfare Board.

feedback from the functionaries of the Welfare Board. During the course of discussion with the Administrative Officer and other staff members who were pleased to share their experience and to elucidate some of the issues which are reflected herein.

1. It is expressed that construction workers approach the welfare board for obtaining the information and about the method and means of registration. The workers show interest in knowing about the various kinds benefits extended by the Board. The Board has taken steps for giving wide publicity and to reach construction workers by opening district Offices in the State.

Further procedure of collecting Registration Fee/Membership fees from the construction workers has been dispensed with from the year 1995. Consequent on of decentralization of the administration of Welfare Board, the number of registration of the beneficiaries is increasing gradually. The amount of Cess is getting accrued substantially so as to meet the expenses on disbursement of the benefits to the beneficiaries.

2. Efforts are being made to establish direct contact with the construction workers for catering better services to the beneficiaries, yet the impact of the Trade Union bodies in attending to the workers grievances and also their interaction with them is getting thicker besides resulting in certain impediments as the construction worker need to incur some expense/make payment to Trade Unions for getting the benefits realized. On one hand the services rendered by the Trade Union(s) are significant and on the other the Trade Union

leaders strive to increase the membership strength. This trend by and large is moving in the direction of unionizing the unorganized construction workers prevalent in the construction and housing sector.

As regards obtaining the employment certificate from the concerned employer by the construction workers, there appears little difficulty in completing the formalities provided the guiding spirit of employer is existent in extending the benefits to the workers employed in the construction industry. It is stated that the employment certificate issued by the Trade Union(s) at time results in creating doubt in the minds of the authorities about the genuineness and also about the tenure of employment. However in the interest of the construction workers and to see that such litigations should hardly be stressed, the concerned authorities carrying the registration process by relying on other available documents so that few stray cases in the midst of the large number of construction workers should not negatively affect the smooth administration of the Welfare Board.

3. The primary area of concern is with regard to the furnishing of proof of permanent residence by the inter-state migrant workers employed in the Construction sector. There exist certain hindrances due to the reasons that certain Trade Union(s) and employers insisted the construction worker for production of ration cards. Since the workers hailing from other states are not in a position to comply with the directions and this aspect is resulting as a bottleneck to these

workers for obtaining registration as beneficiaries with the Welfare Board.

4. Since construction sector/housing sector comprises workers falling under three types namely skilled, semi-skilled and un-killed, the role of each type of worker is defined and linked to definite period. On completion of particular job work, the workers hailing from other state as well as other workers move out in search of other work place. It is because his short tenure in a work place, the worker are putting their efforts in search of jobs/livelihood and has no time to think of these procedures about the registration as beneficiaries with the Welfare Board.

5. It was stressed that workers who come from different states work in particular large Establishment for a definite period and move to their native place/state. These types of workers also find it difficult to think of the kind of benefits extended by the Welfare Board and seldom come forward for getting registered as beneficiaries with the Welfare Board. The involvement of Trade Union in rendering help to said category of workers is scarcely seen due to the reasons that the relationship between the big employer(s) and the Trade Union are strained and it has become difficult in practice to enroll the said category of construction workers.

6. The involvement of contractor in supply of labour for carrying out the particular piece of work and his command over the construction workers to some extent come in the way for less number of registrations with the Welfare Board.

7. Since the law mandates for only voluntary registration, the Employers show scant response to look to the aspect as to whether the workers working him have got registered as beneficiary with the Welfare Board. The employer on payment of cess concentrates to complete his endeavor and spends no time for looking into these kinds of Labour Welfare measures.

8. Due to frequent change in employment and shift in their place of work, there erupts a sense of laxity in the minds of the construction worker for approaching the Welfare Board in getting the registration and also in retaining the membership by making the renewal periodically. The construction worker hardly have any thrust of visiting the Welfare Board voluntarily in the midst of day to day struggle and exertion of physical labour.

9. Further for availing certain benefits under the welfare scheme, 1994, the construction worker is basically required to get registered with the Welfare Board and also time period of one year must have been lapsed from the date of Registration. This direction is not explicit whether mere lapse of time will suffice without stressing the aspect whether the construction worker was in employment for that period will only encourage in submission of false claim for getting the monetary benefit.