

CHAPTER-VIII

Karnataka State Construction Workers Welfare Board

Before going to details about the functioning of the Welfare Board there needs a mention about the prevailing strength of construction force in the state of Karnataka, state numeric is placed herein. ¹⁹²

Table-

ALL INDIA FIGURES AT A GLANCE

Population*	<u>Persons</u>	<u>Males</u>	<u>Females</u>
	Total 1028737436	532223090	496514346
	Rural 742617747	381668992	360948755
	Urban 286119689	150554098	135565591

KARNATAKA-INDIA COMPARISON OF 2001 POPULATION CENSUS

		Karnataka	India
Population		52850562	1028737436

MAIN AND MARGINAL WORKERS CLASSIFIED BY INDUSTRIAL CATEGORY

INDUSTRIAL CATEGORY	INDIA			KARNATAKA		
	Total	Rural	Urban	Total	Rural	Urban
MAIN WORKERS						
Main Workers	145,849,087	67,289,441	78,559,646	9,364,230	3,919,550	5,444,680
A-Agriculture, Hunting and Forestry; B-Fishing;	9,855,702	8,295,957	1,559,745	1,018,380	893,970	124,410
C- Mining and Quarrying	1,907,882	1,181,659	726,223	106,970	79,890	27,080
D- Manufacturing and Repairs-HHI	12,070,048	8,260,476	3,809,572	793,020	476,540	316,480
D-Manufacturing and Repairs-Non HHI	29,777,997	12,162,457	17,615,540	1,822,100	587,100	1,235,000
E-Electricity, Gas and Water Supply	1,546,458	627,337	919,121	80,100	27,820	52,280
F-Construction;	11,582,751	5,617,499	5,965,252	834,300	328,610	505,690
G-Wholesale and Retail Trade	26,973,450	10,004,026	16,969,424	1,611,150	501,750	1,109,400
H-Hotels and Restaurants	2,359,082	954,279	1,404,803	219,750	90,580	129,170
I-Transport, Storage and Communications;	12,535,026	5,151,870	7,383,156	809,680	276,560	533,120
J- Financial Intermediation;						
K- Real Estate, Renting and Business Activities and others.	6,109,404	1,448,638	4,660,766	388,050	56,810	331,240
	31,131,287	13,585,243	17,546,044	1,680,730	599,920	1,080,810
MARGINAL WORKERS						
Construction	2,582,293	1,481,435	1,100,858	112,700	46,210	66,490

Out of the population of 5,28,50,562 persons in the state of Karnataka, the statutory duty is cast upon the welfare board to provide the welfare benefits to the construction force of 8,34,300 (number is on the raise) scattered in state working at various places and under different employers. This is an arduous task which is shouldered by the welfare Board and in discharge of its functions undoubtedly there erupts some hindrances in implementation of the Construction Workers Act, 1996 besides facing day to day aberrations in extending the welfare benefits to the construction work force.

Some of the issues which needs a probe is formulated in the problem of the study and in search of possible suggestions attempts were made to contact all the stake holders for obtaining the essential data and feed back and details there of are placed as under.

In exercise of powers conferred under section 40 and Section 62 of the Building and other construction workers (Regulation of employment and conditions of service) Act, 1996 (Central Act No: 27 of 1996) the Government of Karnataka vide notification No: LD 168 LET 2004, Bangalore dated: 1.11.2006 has framed the Rules.

The Government of Karnataka unlike other state Governments has taken the responsibility of ensuring that the Establishments covered under the central legislation are making compliance by remitting Cess @ 1% on the cost of construction and also submit basic returns to the Welfare Board. The State Government in compliance with section 18 of the Central Act¹⁹³ and Rule 22 A of the state Rules has come out with the formation of Karnataka State Construction Workers Welfare Board

for the purpose of extending Social Security and Welfare Benefits to the construction workers. The compliance of the Central Act and extending the welfare benefits are carried out under the vigilance of Labour Officers appointed by the State Government.

After formulating the problem for the study the researcher has approached the Officers and officials of Welfare Board for collecting the basic data such as the number of Establishments registered with the Welfare Board, the kinds of benefits extended to the construction workers, amount of cess collected etc. The Welfare Board has been striving to bring more number of construction workers under its fold and in this direction constant efforts are being made by giving publicity through print media so as to bring awareness amongst the entities about the kinds of welfare benefits extended by the Welfare Board.

Appraisal of the welfare Board. (As on 31.5.2009)

(1) Number of Establishments covered under the
Construction workers Act,1996.

(a) Whole State	:	371 Establishments
(b) Bangalore City	:	60 Establishments

(2) No. of Construction workers got registered
With the welfare Board

(a) Whole state of Karnataka : 73,139 beneficiaries.

(b) In Bangalore City : 6,127 beneficiaries

Table -47

The Composition of Building and Other Construction Workers Welfare Board Members

	Labour Commissioner	
1		
2	Under Secretary (Labour)	
3	Secretary PWD	
4	Undersecretary (RD & PR)	
5	EMPLOYEES' REPRESENTATIVES	EMPLOYERS' REPRESENTATIVES
	Shri. Venugopal Verma President, Centre for unorganized Workers Trade Union, Bangalore	Shri. K.L. Mohan Rao President, Construction Industry Development Academy and Research Hanumanthanagar Bangalore.
6	Shri. H.K. Ramachandrappa Ex-Municipal President, Davangere.	Shri .Bhavani Prasad Construction Industry Development Council, Bangalore. Malleswaram,
7	Smt. Basamma No: 234, Mayuragara Andarahalli Main Road Peenya Bangalor	Shri. Syed Iliyaz Proprietor, Fair line Constructions Kormangala, Bangalore.
8	Shri. M.P. Swamy, Karnataka state Construction Workers Central Union No:19,6 th cross, Rangadasappa Lay out, Audugudi Pukkaraj Lay out ,Bangalore 560 0 30	Shri. Bhaskar Raju M/s. B & B Infrastructures Limited, Bangalore.

Efforts were made to meet the members of the Welfare Board for obtaining the feedback and the views about the administration of the Board and the problems faced by the counterparts i.e. employees and employers of the construction sector.

On understanding the inherent problems prevalent in the construction industry and also by making a reference to the area of concern reflected in the preceding chapter, the researcher has prepared the questionnaire for collecting the feedback from the respective entities. Care has been taken to ensure that the legal hiccups which surfaced while ensuring compliance and also while extending the social security benefits are noted and it is reflected in the questionnaire for soliciting the viewpoints from the concerned stakeholders in the construction industry.

On obtaining the list of employers registered with the Welfare Board, steps were taken to meet the employers/officers of the establishments at the construction sites. Out of the forty-eight registered establishments, it was possible to get the feedback from 12 registered establishments which works out to be 25% of the total registered establishments as on i.e. 01.04.2008. In order to collect the primary data from the employers and construction workers, the list of establishments registered with the Welfare Board has been obtained and the same is reflected as under.

Table- 48 List of Establishments - collection of feedback

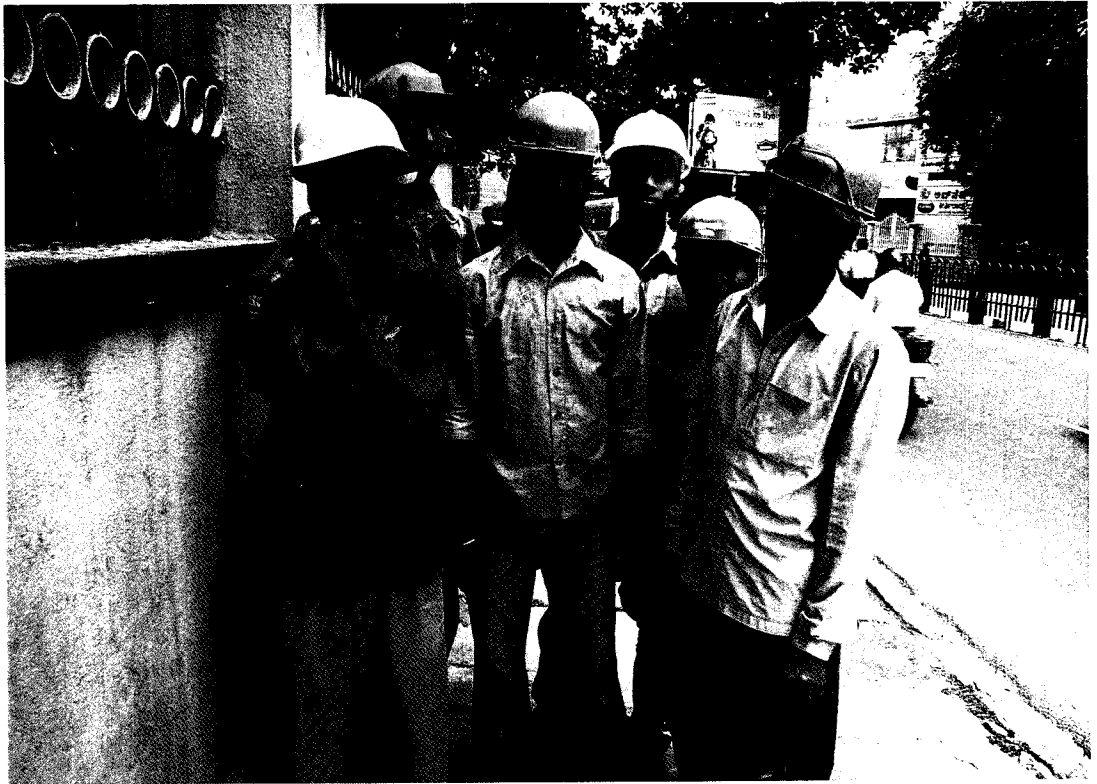
Sl.No	Name & Address of the Building Construction Establishment (Registered with Welfare Board)	Date of commencement of work	Number of samples collected from construction workers employed with the Establishment	
			Men	Women
1	M/s Larsen & Toubro Ltd, E.C.C. Dn. #19 D 1 st floor, Kumara Krupa Road, Bengaluru-560001	01.05.2007	50	-
2	G Stad Hotel Pvt. Ltd, # 24/1, Vitthal Malya Road, Bengaluru-560001	26.11.2005	47	04
3	M/S B .E. Bilalimoriya & Co.Ltd. Shivakripa, #56,1 st floor, 1 st cross, 4 th main, Domlur 2 nd stage, Indira nagar, Bengaluru-560071. (Manthri Greens)	01.04.2007	50	
4	B.L. Kashyap & Sons Ltd, Eden Hall, F-002, #245, Defence Colony, 80 feet road, Indiranagar, Bengaluru-560080	01.10.2008	49	-
5	Gina Engineering Company Pvt. Ltd., Jubilee Building, 45, Museum Road, Bengaluru-560025	01.03.2007	59	02
6	M/S. Devi Prasad Construction Pvt. Lt, #334/28, 14 th cross, 2 nd Block, Jayanagar, Bengaluru.	01.04.2007	67	-
7	M/S Consolidated Construction Consortium Ltd, #1018, 16 th main, 1 st Phase, 1 st Stage BTM Layout, Bangalore 560 029.	01.08.2008	46	
8	M/S Agri Gold Estates & Entertainment Pvt. Ltd, Arakere village, Bangalore	01.10.2008	40	14
9	M/S Rose Garden Housing Developers Pvt. Ltd, #53, K.H. Road, Bengaluru-560027	01.05.2008	19	18
10	M/S Sarvashree Constructions, # 10/1, Hotel Santhosh Complex, 1 st cross, 3 rd main Gandhinagar, Bangalore	01.10.2006	32	09
11	M/s I.T.C .Hotels, Raja Ram Mohan Roy Road , Bangalore 560 025	05.10.2005	49	-
12	M/S. I.V.R.C.L. Infrastructures & Projects Ltd, No. 438, 1 st floor, 6 th Block, 18 th main, Koramangala Bengaluru-560095	01.04.2008	22	1
		Total	530	48

employment certificate from the employer, or Trade Union that he has worked for more than ninety days in the preceding twelve months and submission of these documents to the welfare Board is a formidable task for the construction workers.

- Most of the construction workers coming from different states seeking employment in the construction sector which is a rapid growing industry are moving in large numbers in search of employment. On reaching the establishments with the help of contractors, relatives, friends, advertisement etc work for a limited period and are not aware about the requirements about the process of registration as beneficiary with the Welfare Board. They show scant response for making remittance of monthly contributions and also resist if the employer encourages for deduction of contributions from the wages.
- Most of the workers move from one establishment to the other without any stretch of imagination if they learn that some other establishments are paying wages more than the amount paid in the establishment was is employed. Due to this reason the employers are dormant in encouraging the construction workers for making deduction of contribution from wages. Further the construction workers remain the job so long he is controlled by the contractor who brings them to the work place. The construction workers are under the command of the contractors due to the receipt of advances payments and to fear any untoward circumstances/loosing of job etc.

- These construction workers are like passing birds and they are migratory.
- On receipt of one payment/ one month wages most the contract labour do not turn up for the work.
- They do not have any permanent dwelling house and they move from one place to another very fast.
- Construction workers do not have union to fight for their cause.
- Management incurs expenses for conducting training programs about the functions and welfare benefits provided by the Welfare Baords and the response from the construction workers is not impressive.
- Dispensaries have been established..
- Not a single worker has come forward to register in spite of appeal by management, contractors, Labour Enforcement Officers.
- The labour department has not yet been equipped with necessary man-power to take up the issues. At present Labour Officers are only involved in enforcing the Construction Workers Act, 1996.
- Trade Union is forthcoming to help these construction workers.
 - Mass campaign has to be done to bring awareness to the minds of the construction workers.
 - The renewal of Registration card has been very difficult as the workers migrate to other states.
 - There must be uniform policy in fixing the rate of Cess across the country.

- The literacy rates are very low and are unaware about the procedures and methods for registration.
- There should be single central legislation covering all issues like Provident Fund, Insurance, payment of Cess etc
- The Central Government agency is required to monitor the enforcement of Construction Workers Act, 1996 as the nature of work i.e. construction sector involves migrant labour.
- When ever an employer forward application of construction worker for registration to the welfare board and by the time confirmation or identity card is received, the worker is out of employment from the establishment.
- Construction workers find it difficult to furnish employment certificate due to lack of continuity of work and as such they are not getting any benefit from the Welfare Board.
- As minimum wages are paid to he construction workers, the employer is unable to deduct the contributions from the wages. The workers are also not willing to make any deductions owing to receipt of low wages.
- As construction industry is having different stages of work, those skilled and semi-skilled in field may not be continuing for long duration as soon as one phase is completed ,the whole team will migrate to another project and hence find it practically difficult to issue employment certificate.



- It is difficult to maintain records of labourers as they are illiterate and frequently change their work spots. Most of the construction workers hail from different states and as such verifying their identify is a cumbersome process which consumes which time and managerial resources.

The following points were kept in mind while framing questionnaire to the construction workers.

- frequent change in the employment by the construction worker
- Duration of employment
- Awareness about the kinds of benefits extended by the Welfare Board
- The mandatory requirements for getting registration as beneficiary with the Board
- Intervening period of unemployment.

By visiting the Establishments feed back from the construction workers are collected ranging from 550 to 600 samples which works about 20 % on the strength of workers employed at the construction sites. The samples so collected comprises of construction workers who got registered with the Welfare Board as well as un-registered workers.

(B) The view expressed by **most of the construction workers** in addition to the responses to the questionnaire are reflected herein.

- ❖ It is expressed by most of the construction workers that they are unaware about the importance of the provisions of the social security and welfare benefits .

- ❖ It is expressed by the construction workers that they are getting nearer to the Welfare Board with the help of the Trade Union leaders. The Trade Union leaders approach them by explaining the importance about the registration as beneficiary with the Welfare Board and to avail the benefits as envisaged under the Act. The trade union come forward for issuing the employment certificate and are more accessible when compared to the Contractor/Employer and collect a nominal amount of Rs 50 to Rs. 100/- from each worker.
- ❖ The difficulties arises as regards submission of Age proof and address proof along with the application for registration due to the reasons that they hail from other states and have any no knowledge about the these requirements. In the absence of these documents obtaining the Employment certificate and registration is difficult and in such a situation the construction worker is facilitated to some extent by the Trade Union(s)
- ❖ The Trade Union support is strongly shown for the local workers who have a rapport with the leaders and secure employment as well as membership as beneficiary with the Welfare Board .
- ❖ The workers coming from different states are controlled by the contractors and sardars who are interested only in getting their commission for supply of labour from the employers. These contractors ignore the construction workers and are reluctant to encourage them for getting registration as beneficiary with the Welfare Board.

Networking to grow

When the technological progress of man joins hands with a benevolent bent of mind, and help people to be proactive, indeed great things can be achieved to make life more meaningful. Perhaps it was this awareness that triggered the active members of MAYA (Movement for alternatives and youth awareness), an NGO based in Bangalore, to take a pointed interest in networking the labour workforce that has been flooding Bangalore consistently in the past few decades.

The growing city of Bangalore attracts masons, plumbers, electricians, carpenters and tile layers, among other labourers, from far and near. A random survey revealed that most members of the labour class did not have a social leg to stand on. When they met with accidents inadvertently or had to face some personal crisis, they found themselves lost in the madding crowd of the city. They could neither open a bank account for lack of address proof and other relevant papers nor utilise hospital facilities. These problems of workers were observed by the able volunteers of the organisation. They also noticed that even though there were many specialised labourers, residents of the city did not know where to go when they needed them the most and were also apprehensive about using the services of strangers.

MAYA decided to resolve the issue and the concept of Labour Net was born, just a year ago. Labourers from all walks of life can enroll themselves as members for a humble sum of Rs 100. This enrollment not only gives them a face but also an

address. Enrollment adds their names to the Labour Net database and they are given identity cards. Whenever labourers need work or an extra part time job, they have to inform the organisation which will network with potential customers and help them out. Similarly, whenever people need professional help, they are free to approach the organisation, which will send suitable labourers to the spot.

Rajesh Gerard Joseph, co-ordinator of Labour Net, who outlined the function



Members of Labour Net.

raised his self-esteem. He no longer feels the necessity to seek jobs randomly or swear by his credentials because he is backed by Labour Net.

Labour Net has also coordinated with KIMS and the Seventh-day Adventist Hospital which extend a "cashless facility" to their members in case of an emergency. As on date, there are about 4,700 members in the family of Labour Net.

Apart from the many facilities that have been extended to them, the fact that they have not been discriminated as locals and migrants has warmed the cockles of their heart.

The future plans of Labour Net include facilitating bank loans and helping labourers to network socially so that they do not lose themselves in the milling crowd. Mutually beneficial schemes have always been a success and Labour Net is one such too.

For details, contact: 26494520/21

of the organisation, made it clear that the freedom of none of the workers is curtailed; they are free to work and live where they want.

Labour Net neither fixes the wages of the labourer nor does it suggest a suitable amount. Recently, every member was assisted to open a savings bank account in a nationalised bank. Medical insurance and accident insurance schemes have also been introduced to the members up to an amount of Rs 50,000 on an annual premium of Rs

450 per year for a family of five. Bala Krishna, a carpenter, is happy that he has a bank account and plans to take up the insurance scheme in the near future. Interested workers like him are also trained by multinational companies like BOSCH in the use of latest tools and technologies. Masons are taught to maintain bill books, draft quotations and the finer aspects of accounting.

30-year-old Hari Sunder, a plumber, says his enrollment with Labour Net has

- ❖ Further trade union leaders show little affinity towards these interstate migrant workers in mitigating the problems as the Employers/ Builders are influential and manage to keep away the trade union interference and due this construction workers is remain segregated and are unable to avail the social security benefits.
- ❖ It is expressed by some construction workers that they work at construction sites due to compelling circumstances and the domestic needs for reducing the financial stress and move to their native place after completion of work. They return to the establishment/ new contraction sites at their convenience or when forces warrant for migration. The period of lapse in this process of return from the work and resumption is not definite and which result in cessation of membership.
- ❖ The responses received through the questionnaire is herein.
- ❖ Some of the construction workers expressed their view that financial assistance during the tenure of non-employment/ off seasonal period will help to meet their ends and this aspect needs to be considered by the Welfare Board.
- ❖ Similar to National Rural Employment guarantee scheme,2005 the Government should take the responsibility for providing employment in construction sector at least in the areas where the big constructions like Dams and Infrastructure projects such High ways etc are in progress ,so that the interference of contractor should be minimized and exploitation weaker section in supply of labour can be lessened.

❖ The initiative from the Central/State Government to identify the construction work force with the help of the Welfare Board and also provide the unemployment allowance to the needy and to save the workers from labour market fluctuations and exploitation.

(C) The view points expressed by the Trade Union leaders.

- ❖ It is expressed by some of the Trade Union representatives that membership of the trade union and also steps to encourage the construction workers for getting registered with the welfare board as beneficiaries of the Fund is a steady process and this is being carried out in case of local workers. Difficulties arise with regard to the migrant construction workers who remain aloof and show scant response to involve themselves in trade union activities. They hardly expose their difficulties and all the times work in atmosphere of threat and command of the employer/contractor. Their voices remain within the construction sites and hardly reach the ears of public/Trade Union leaders. The Trade Union leaders are not allowed to meet these construction workers and formation of Trade Union/Workers federation at the construction sites is rare phenomenon. In the absence of any trade union interference the employers/builders take the advantage and try to engage only migrant workers particularly in the construction sector.
- ❖ Lack of participation by the construction workers in trade union activities has added to its peril and due to which they are made to work for longer hours by making payment even less than minimum wages. These workers are made to stay at the construction sites under

pathetic conditions by erecting small hutments and live in un healthy atmosphere. These factors add to much risk and make their lives miserable in terms and health and monetary strength.

- ❖ It is noticed from the press communiqué that one the trade union federation has moved the Hon Supreme Court by filing the Public Interest litigation and pleading for a direction to all State Government for implementation of the Act in letter and spirit.
- ❖ The builders and developers should be compelled to engage only the workers who have registered themselves as beneficiaries with the Welfare Board
- The area of work allocation amongst the Labour Officers needs to segregated like registration of beneficiaries with welfare board, inspection for safety and health for smooth administration of the Fund and flow of benefits..
- There needs coordination of directions under the Construction Workers Act, 1996 and Inter-State Migrant Workers Act, 1979 so as help migrant workers in getting the welfare benefits.
- Provision of natural death benefit
- Provision for Dispute Resolution Council with the Board
- Pension benefit must be extended to the workers family
- Provision for collection of life time contribution.
- Benefits should be provided from the date of registration
- Registration of beneficiary must be made compulsory
- Enhancement of pension and accident relief

- Welfare Board and Trade Unions must have direct approach with the construction workers to avoid delay and misapprehension between the entities of the Welfare Board
- The Union representative be allowed visit the work place with an authority from the welfare board for interaction with the construction work force and encourage registration as beneficiary.

On obtaining the list of Trade Unions which are recognized by the Welfare Board, the researcher has approached the Trade Union Representatives for getting the feed back from them. The list of Trade Unions and their membership strength is placed as under.

Table- 49 The list of Trade Unions and their membership strength

Sl.No:	Name and address of the Trade Union/Federation	Membership Strength as on 31.3.2009.
01	Karnataka Building and other construction Workers Union (Regd). NO 323; 9 th cross, Shasti Nagar, T.R. Nagar., P.O. Bangalore 560 028.	4000
02	All India Trade Union Congress Karnataka State Committee, No 06, Sirur Park Road Seshadripuram, Bangalore- 560 020	15000
03	Bharat Mazoor Sangh, Subedarsatram Road, Bangalore	9100
04	Unorganized Sector Labour Union Bangalore 560 053	5000
05	Karnataka state Construction Workers Central Union No: 19,6 th cross, Rangadasappa Lay out, Audugudi Pukkaraj Lay out ,Bangalore - 30	60240
06	Karnataka State Building and other Construction workers federation, Bangalore District Committee, C/o CITU Office, No: 40/6 2 nd B main 16 th cross, S.R. Nagar, Bangalore 560 027.	15600
07	Building Construction Workers Union Near B.D.O. Office, Bangalore Road, Chintamani -563 125	2156
	Total	1,11,096

(D) RESPONSES RECEIVED FROM LABOUR OFFICERS/INSPECTORS.

It is learnt that the six Labour Officers supported with some Labour inspectors are entrusted with the job of ensuring compliance under the Construction Workers Act,1996. As a matter of administrative convenience the territorial limits of Bangalore city is classified into six divisions and each division is placed under the supervision and control of the Labour Officer. Steps are taken by the Labour Officers to ensure that registered establishments have remitted cess on the cost of construction and also the construction workers are enrolled as beneficiaries with the Welfare Board. Construction workers registered as beneficiaries with the Welfare Board for the year 2007-2008.

Labour Officer	July,07	Aug.07	Sept.07	Oct.07	Nov.07	Dec. 07	Jan.08	Feb.08	Mar.08
1 Blore.LO-1	161	83	89	88	Nil	19	47	23	27
2 Blore.LO-2	Nil	232	218	110	217	19	45	163	31
3 Blore.LO-3	603	25	75	100	70	59	688	530	1792
4 Blore.LO-4	370	140	Nil	125	76	Nil	Nil	Nil	10
5 Blore.LO-5	Nil	247	35	Nil	Nil	79	251	113	60
6 Blore.LO-6	41	41	76	Nil	Nil	150	102	nil	13
Total									1933

The researcher could collect responses from all the Six Labour Officers and six Labour Inspectors who were helpful in furnishing the feed back to the questionnaire. The views expressed by these officers in addition to responses to the questionnaire are given below.

The enforcement machinery needs to be strengthened proportionate to the increase in the work load.

- Use of print and electronic media for effective propaganda and to increase the collection of cess and enrolment of construction workers with the Welfare Board.
- Measures to identify the construction workers with the documentary support and to check the falsification of enrolment.
- Extending benefits to the beneficiaries, some legal binding is required for construction workers and there needs amendment to this effect.
- The definition of employer is to be amended so as to fix the responsibility for payment of cess. There should be a clear provision that the cess should be paid by the owner of the property himself where ever the work is entrusted to the contractor. Now this ambiguity is there because both the owner and the contractor are defined as Employers.
- There is lack of response by the construction workers and there should be amendment that the employers should utilise the services of the Construction workers who are enrolled as beneficiaries with the Board.
- Many a times the construction workers are not aware about the role of the Trade Union and have no access to approach them in soliciting the assistance. For this reason the employer is in better position to identify the construction worker and as such Certificates issued by the Trade Union needs some scrutiny so as to restrict false claims.

Staff crunch cripples labour dept

Nirmala M Nagara | TNM

Times of India 12/9/08

Bangalore: Even as violation of labour laws continues unchecked across sectors, a hapless labour department points at its own depleted workforce that's unable to ensure labourers' interests.

Lack of timely recruitment of employees by the government has severely affected functioning of the labour department. Some of the posts have not been filled for more than two decades. The last direct recruitment to the post of first divisional assistant (FDA) was made in 1964. At present, around 27 FDA posts are lying vacant. Second divisional assistants (SDAs) have not been recruited since 1989. In this category, there is a shortage of 18.

There is also a delay in recruitment of gazetted officers. The 18 labour officers and eight assistant labour commis-



IS GOVT LISTENING? Lack of timely recruitment of employees has hit functioning of the labour department. In some cases, posts haven't been filled for over two decades!

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sioners recruited in 2006 are from the 1986-89 batch of recruitments by the Karnataka Public Service Commission. The rest of the vacancy list reads: eight typists, 10 stenographers and 16 attenders. The shortage has led to extremely slow movement of files in the department (see below).

The most exploited are labourers in the unorganized sector, who are deprived of social security provisions like provident fund and ESI benefits. "Around 40 labour inspectors' posts are sanctioned and we have asked for an additional 30. It has become difficult for us to inspect the more than 1,000 construction sites in the city due to which the number of accidents at these sites has been increasing," K.S. Manjunath, former labour commissioner, said.

Generally the settlement of minimum wages, work-man compensation and non-fatal accident cases takes time. Many small establishments don't have proper working conditions. "Some of the gar-

ment industry workers still sat on foot-paths and they are also deprived of proper sanitation facilities. Regular inspection becomes necessary in these cases," added Manjunath.

Last year, 47 posts of labour inspectors were notified for recruitment. Nine FDAs are on temporary promotion as labour inspectors for the period of six months.

The state has around 164 labour inspectors and 63 senior labour inspectors, of which 26 are in charge of Bangalore district. Most of the taluks in the state don't have labour inspectors.

Several cases are pending with the department. Last year, 3,492 applications under the Gratuity Act were made, of which only 549 cases were settled. Under the Contract Labour Act, 2,745 cases are pending and under the Minimum Wages Act, around 5,276 claim applications were made, of which only 1,458 cases were settled.

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In furtherance of bringing awareness amongst the construction workers about Social Security and Welfare Benefits being extended by the Karnataka State Construction Welfare Board, the **Karnataka State Legal Services Authority** and other Departments of the Government of Karnataka has arranged for **Seminar on 9-8-2009 and 10-8-2009** at Banquet Hall, Vidhana Soudha, Bangalore on “The Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Act, 1996”. The Governor of Karnataka being the Chief Guest and the Chief Justice of India have inaugurated the Seminar while highlighting importance of the Central Legislation and about the plight of the construction work force. The Seminar was conducted by the Judges of High Court of Karnataka and many bureaucrats of the Government of Karnataka. The issues referred to by some of the participants and their views points are reflected herein.

- J. N. Kumar, High Court of Karnataka while addressing gathering has stressed that as history spreads so also the construction industry and economic support is a must for protection of the Rights of the construction workers.
- Due to unemployment in agriculture, there is a shift in rural labour to the new economic centres and as such migration of labour has become a part of life particularly for the construction work force.
- The construction activity in the State and in its instrumentalities are rapidly growing and by laying emphasis on infrastructure and developmental work, the State has become the biggest employer and there is a need to shown concern to these construction workers by State

/Public Sector Undertakings etc in adhering to the beneficial legislation.

- The State Legal Service Authority and Non Government Organization should come forward to file social justice litigation before the Courts on behalf of the construction work force so as to improve the living conditions and for the betterment of the construction labour.
- ❖ The Labour Secretary, Government of Karnataka has opined that the registration of the Construction workers with the Welfare Board needs to be made compulsory through the Builders and Contractors.
- ❖ To order to quantify the cess on the cost of the Building Construction, the engineers and chartered accountants are to be appointed and their services are utilized so to strengthen the assessment machinery.
- ❖ In case of default by the employers in remitting the cess with the Welfare Board, the formal mode of recovery such as arrear as Land Revenue needs to be reconsidered and amendments so that the Welfare Board is empowered with filing of prosecution cases before the economic offences court.
- ❖ The construction work force needs to be brought under the Rastriya Swastha Bima Yojana (RSBJ) and the expense on insurance premia is to be borne by the Welfare Board.
- ❖ Under the Rastriya Swastha Bima Yojana (RSBJ) only the member is given medical benefit where as in the case of members of the Employees Insurance Scheme, the member and their dependent are given all kinds of benefits as envisaged under the Employees' State Insurance Act,1948.

- ✓ The Chairman and Managing Director of M/s Adarsh developers on behalf of the employers' fraternity has suggested that the Government of Karnataka should assist in providing common place for establishment of Health Clinic to the construction work force.
- ✓ Collection of contributions of Rs. 25/- from the construction workers is dispensed with.
- Trade Union leader V.G.K. Nair has mooted the point that with the help of collection of cess, the Welfare Board may make arrangements for certain common dwelling places, Rest Rooms, and such other amenities to the Construction Work Force.
- Dispute resolution between the Employer and Employee must be with the Welfare Board.
- Registration cards must be given to the construction workers before the work begins and Scientific method is to be adopted for ascertaining the age of the construction worker in the absence of any documentary proof so as to avoid the frivolous documents/claims.
- Contractors get registered/ obtain licence under the Inter-State Migrant Workmen Act, 1979 from the respective state Governments. In cases of violations of provisions of the Act, the State Government is unable to take action against these contractors as the legal recourse/penal action needs to be take at the place/state where registration are made by the contractors. These legal hicupps are taken as undue advantage by employers/contractors and there by recruit large pool of migrants.
- Nagaraju, Hon Secretary of Council of Safety Professionals has stressed that duty is cast on the employer for maintaining safety, health and

friendly environment and it is team work. It is possible to carry out the work by abiding the law and all that is required is the right attitude.

- Dr. Vijay Kumar, Occupational Health Physician has opined that 60% diseases suffered by the Construction Work force are due to the occupational hazards and as such Government/ Welfare Board should take initiative for appointing the Construction Medical Officers/ Occupational Health Specialists and issue directions to visit the Construction Sites so that medical care is provided to the construction work force and risk is lessened.
- Financial assistance such displacement Allowance as provided under Inter-State Migrant Workmen Act,1979 is not paid to the migrant construction work force and the same needs to be linked with the Building and other Construction Workers Act,1996.
- The Chairman-cum- Managing Director of the Bangalore Metro Rail Corporation Limited has stated that approximately 15000 workers are engaged in the said Metro Rail Project and a sum of Rs. 80 Crores is deposited by the Corporation alone but the fact remains that the number registrations by the construction and other workers with the Welfare Board is hardly in two digit numbers and quantum of relief received by the affected victims due to mishaps/accidents etc is very negligible. The reasons for the same are due to poor response and lack of unawareness of the construction work force.
- All Assessment of orders where ever there is a dispute in payment of cess is concerned, such Assessment orders must be e-based and time

bound. Speedy Assessment helps in giving relief certificates to the contractors by the employers/Government departments.

- The Commissioner of Bhurut Bangalore Mahanagare Palike has expressed that power must be delegated to the other Government Officers for carrying out the inspections of the construction Sites and to make Assessment as the services of these local bodies/Government Departments are utilized only for collection of Cess from employers/builders/contractors etc.
- As regards the safety measures proper conditions needs to be reflected in the contract and liability be fixed on the concerned parties so as to forbid the parties from escaping the penal action.
- The Trade Union leader of Bharat Mazadoor Sangh has expressed that fulfillment ninety days condition of employment in preceeding twelve months is a difficult task especially for migrant labour and most of the certificate issued is nothing but a formality and is not based on any records. Further due to non fulfillment of the mandatory requirement the number of registrations with the welfare board is getting reduced.
- Further the migrant labour is not interested in getting the registration with the Welfare Board with the apprehension that on return to their home town, the are unable to get the contributions refunded or benefits are not provided by the Welfare Boards in the absence of any supporting documents etc.

Few safety measures at work sites make construction workers vulnerable to accidents. Efforts are on to build the welfare of this largely unorganized sector

Deepa Bhashti | TNN

Bangalore: Two deaths in a day. A fatal fall, a couple of months ago. Another death, a life-long debilitating fracture and more. Accidents and deaths among construction labourers are becoming frequent in Bangalore. The sheer number of these workers in the state, their largely unorganized employment structure and the lack of safety measures on most of the construction sites further expose them to the dangers of serious accidents and death, while at work.

The push to make the construction labourers' membership in welfare board mandatory is a positive step. While there are efforts to ensure that the victim and/or his family get financial assistance after accidental injury or death, the system doesn't offer much in terms of preventive measures.

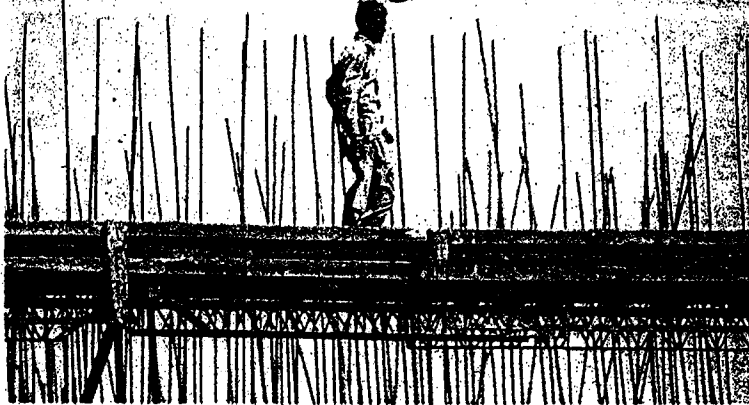
The security mechanisms in place at many construction sites in the city leave a lot to be desired. While the high-end builders and contractors try to ensure requisites like protective gear for the labourers, these measures are far from the norm in Bangalore, that continues to see a huge growth in real estate activity.

Construction workers, as a sector, includes brick layers, painters, masons, plumbers and all those who constitute the chain who contribute to the construction of a building. Though the Building and Other Construction Workers' Act of 1996 allows for several benefits and welfare measures, the sector is still largely unorganized, due to the migratory nature of a majority of the workers.

A recent rule — that all construction contractors should ensure that the labourers are enrolled as members of the Karnataka Building and Other Construction Workers Welfare Board — is an attempt to extend the welfare measures of the board to a larger section of the workers.

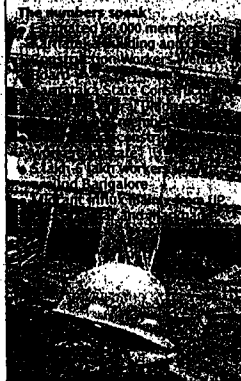
K A Mohan, chairman, Bangalore working committee of the

Labouring brick by brick



Benefits to members of the welfare board

- Rs 1 lakh for next of kin of dead and worker with permanent injury
- Group insurance to be borne by contractors/builders
- Rs 4,000 for women workers for maternity leave
- Rs 2,000 to family in case of natural death of worker
- Rs 5,000 for wedding of two children
- Rs 50,000 as house loan for workers aged below 45 years, to be repaid in 15 years at 1% interest
- Rs 5,000 loan to buy tools of trade
- All benefits available one year after enrolling as member; each get an ID card



Karnataka State Construction Workers Central Union, says the welfare board has to give a compensation of Rs 1 lakh to the next of kin in case of death or the construction worker in case of an injury which might make the worker incapable of work. The contractors or builders also provide group insurance to workers, with the compensation being given as per the age of the worker.

Under this, a worker aged 40 and above would be given an insurance of Rs 2 lakh while for a younger worker, the compensation would be up to Rs 4 lakh. These benefits, though, are open only to members. The membership costs Rs 25 initially and later, Rs 10 every month.

Mohan said the contractors or the union has to validate the membership letter, though the temporary nature of the construction jobs continues to pose issues of recording labour movement. The labour department estimates that there are over 20 lakh construction and building workers in the state, including migrant labourers from the northern states.

Migrant labour from other districts and states has contributed further to the unorganized nature of the sector. Karnataka labour minister Bachche Gowda had recently mooted the idea of migration certificates for labourers coming in from other states in order to streamline the construction labour sector. The idea is not translated into action.

Prestige Group chairman obtains bail

TNN NEWS NETWORK

Bangalore: Kadugodi police issued arrest warrants against nine persons on Monday night in connection with the wall collapse at Prestige Shanthiketan construction site near ITPB, in which two labourers were killed.

WALL COLLAPSE

Prestige Group chairman Irfan Razak, who was among the accused, obtained bail on Tuesday. The other eight are Ashok Sapra, Prestige Group vice-president; Ravi Hoskote, vice-president of the Malaysian company constructing the building; Muralidharan, GM of Prestige Group; Dattatraya and Nandkishore, project managers; Piyush and Basavaraj, site engineers; and Dubey, labour contractor.

One of the injured persons, Kailash, is still recovering at a hospital. Prasanna Bara and Sanjay Dutta died on the spot. They were working near a wall that fell on them. This is the second such incident at the construction site.

- Though the provisions of the Central Legislation are clear and there is no discrimination between the workers hailing from the native state or from the other states for getting the Registration and to reap the welfare benefits, yet in reality the worker is facing difficulty in getting the employment Certificate and to submit the certificates as regards the proof of residence, age proof etc.
- The Executive of M/s. Larsen and Toubro Limited while presenting has stressed that the Company is imparting Free Training to the Construction Workers for a period of three months at Cconstruction Training Institute, and as sum of Rs. 2000/- is being paid as stipend to these trainees. It is stressed that workers are not coming voluntarily for undergoing the training as well for getting registrations with Welfare Board. It is only due to initiative taken by Employers and some of Trade Unions the process of registration by the workers are being carried out and it is very meager and negligible when compared magnitude of construction work force working in various parts of the State of Karnataka.
- In order to bring in awareness there is a need for establishing facilitation centres at all construction sites and Government departments who are related with the job so as to educate the construction worker about the importance of the registration for self as well as his family members and the kind of welfare benefits provided by the Welfare Board.
- Retention of membership and fulfilling the requisites is a major issue of concern and payment of contributions intermittently by the construction workers is of no avail and hence there needs some

difficult process and claiming the benefits after overcoming the legal procedure is a major hurdle to the construction work force.

- J. Ram Mohan Reddy, High Court of Karnataka has expressed his concern that the Construction work force churn out monuments to the organized society but at the same time these Construction Workers remain at the bottom and under the umbrella of unorganized work force. It is apparent that there exists some gap between the Construction work force and the Welfare Board and to due which the social security and welfare benefits are distanced from the unorganized construction labour.
- J.Naga Mohan Das, High Court of Karnataka has hinted that providing the Welfare benefits to the construction work force through the Construction Workers Act,1996 assists in sailing with two aspects i.e. prosperity and humanity in a compatible manner and there by the efforts of the stake holders is placed in the direction of the legislative intent of the Act.

Table-50

Responses from the Construction Workers: Literacy level

Sl.No	Name & Address of the Building Construction Establishment (Registered with Welfare Board)	Literacy level			
		I to IV	V to VII	VIII to X	Above X
1	M/s Larsen & Toubro Ltd, E.C.C. Dn. #19 D 1 st floor, K.k. Road, Bangalore	11	06	14	19
2	G Stad Hotel Pvt. Ltd, # 24/1, Viithal Malya Road, Bengaluru-560001	08	20	07	16
3	M/S B .E. Bilalimoriya & Co .Ltd. Shivakripa, #56,1 st floor, 1 st cross, 4 th main, Domlur 2 nd stage, Indira nagar, Bengaluru-560071. (Manthri Greens)	22	16	10	02
4	B.L. Kashyap & Sons Ltd, Eden Hall, F-002, #245, Defence Colony, 80 feet road, Indiranagar, Bengaluru-560080	34	08	06	01
5	Gina Engineering Company Pvt. Ltd., Jubilee Building, 45, Museum Road, Bengaluru-560025	09	27	15	10
6	M/S. Devi Prasad Construction Pvt. Lt, #334/28, 14 th cross, 2 nd Block, Jayanagar, Bangalore.	27	32	06	02
7	M/S Consolidated Construction Consortium Ltd, #1018, 16 th main, 1 st Phase, 1 st Stage BTM Layout, Bangalore 560 029.	24	04	16	02
8	M/S Agri Gold Estates & Entertainment Pvt. Ltd, Arakere village, Bangalore	26	16	09	04
9	M/S Rose Garden Housing Developers Pvt. Ltd, #53, K.H. Road, Bengaluru-560027	09	22	03	03
10	M/S Sarvashree Constructions, # 10/1, Hotel Santhosh Complex, 1 st cross, 3 rd main Gandhinagar, Bangalore	25	06	06	04
11	M/s I.T.C .Hotels, Raja Ram Mohan Roy Road , Bangalore 560 025	14	11	14	10
12	M/S. I.V.R.C.L. Infrastructures & Projects Ltd, No. 438, 1 st floor, 6 th Block, 18 th main, Koramangala Bengaluru-560095	09	12	01	01
		218	180	107	74

Out of the 578 samples, the rate of illiteracy work out to be 69 % and this factor contributes for less number of registration of construction workers with the welfare Board.

Table-51

Responses from the Construction Workers: Size of family

Sl.No	Name & Address of the Building Construction Establishment (Registered with Welfare Board)	No of dependents of Construction workers		
		2-4 nos	5-7 nos	more than seven nos.
1	M/s Larsen & Toubro Ltd, E.C.C. Dn. #19 D 1 st floor, KumaraKrupa Road, Bengaluru-560001	23	21	06
2	G Stad Hotel Pvt. Ltd, # 24/1, Vitthal Malya Road, Bengaluru-560001	09	37	05
3	M/S B .E. Bilalimoriya & Co .Ltd. Shivakripa, #56,1 st floor, 1 st cross, 4 th main, Bengaluru-560071.	23	24	03
4	B.L. Kashyap & Sons Ltd, Eden Hall, F-002, #245, Defence Colony, Indiranagar, Bengaluru-560080	22	16	11
5	Gina Engineering Company Pvt. Ltd., Jubilee Building, 45, Museum Road, Bengaluru-560025	08	49	04
6	M/S. Devi Prasad Construction Pvt. Lt, #334/28, 14 th cross, 2 nd Block, Jayanagar, Bangalore.	37	27	03
7	M/S Consolidated Construction Consortium Ltd, #1018, 16 th main, BTM Layout, Bangalore 560 029.	22	17	07
8	M/S Agri Gold Estates & Entertainment Pvt. Ltd, Arakere village, Bangalore	13	36	05
9	M/S Rose Garden Housing Developers Pvt. Ltd, #53, K.H. Road, Bengaluru	23	11	03
10	M/S Sarvashree Constructions, # 10/1, Gandhinagar, Bangalore	11	10	20
11	M/s I.T.C .Hotels, R. R. Mohan Roy , Roa ,Bangalore-25	19	24	06
12	M/S. I.V.R.C.L. Infrastructures & Projects Ltd, Koramangala Bengaluru-560095	11	08	04
	Total samples	221	280	77

It is seen that 86% of construction workers have five to seven dependent family members and this facts indicates that their social responsibility is predominant and strive hard to win the bread by working in the construction industry.

Chart-10
Literacy level

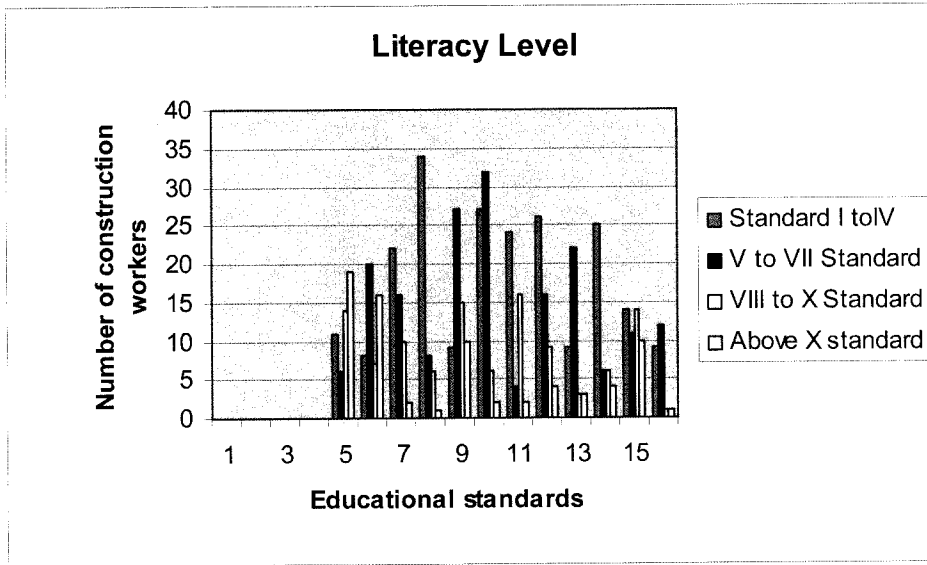


Chart-11
Dependent family members

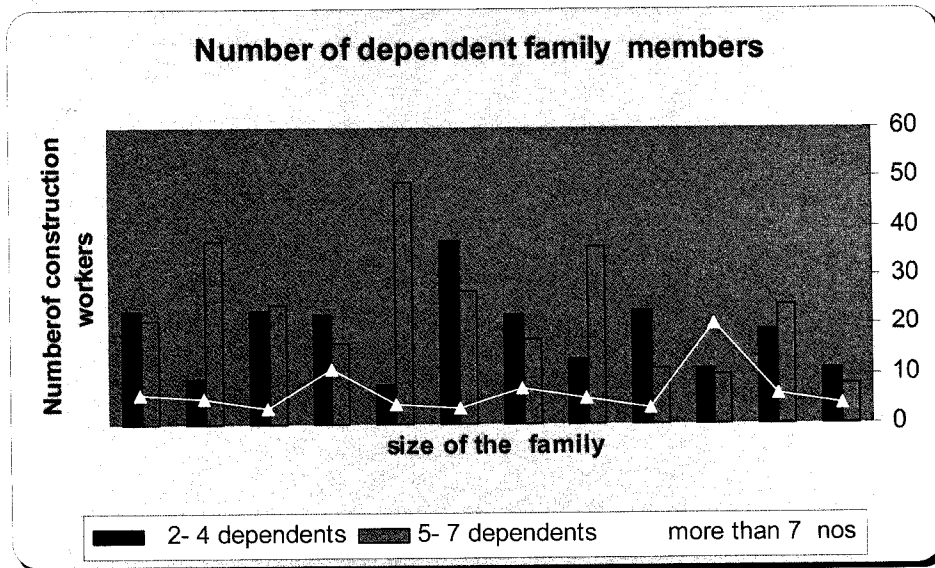


Table-52

Responses from the Construction Workers: Continuity of work

Sl.No	Name & Address of the Building Construction Establishment (Registered with Welfare Board)	About Continuity of Work in the Establishment			
		1-3 months	4-6 months	7-12 months	More than one year
1	M/s Larsen & Toubro Ltd, E.C.C. Dn. #19 D 1 st floor, KumaraKrupa Road, Bengaluru-560001	17	04	05	24
2	G Stad Hotel Pvt. Ltd, # 24/1, Vitthal Malya Road, Bengaluru-560001	14	8	23	06
3	M/S B .E. Bilalimoriya & Co .Ltd. Bengaluru-	14	09	19	08
4	B.L. Kashyap & Sons Ltd, Eden Hall, F-002, #245, Defence Colony, , Bengaluru-5	21	19	05	04
5	Gina Engineering Company Pvt. Ltd., Jubilee Building, 45, Museum Road, Bengaluru-560025	14	32	11	04
6	M/S. Devi Prasad Construction Pvt. Lt, #334/28, 14 th cross, 2 nd Block, Jayanagar, Bangalore.	40	21	04	03
7	M/S Consolidated Construction Consortium Ltd, #1018, 16 th main, BTM Layout, Bangalore 560 029.	25	10	09	02
8	M/S Agri Gold Estates & Entertainment Pvt. Ltd, Arakere village, Bangalore	04	03	39	07
9	M/S Rose Garden Housing Developers Pvt. Ltd, #53, K.H. Road, Bengaluru-560027	24	10	03	-
10	M/S Sarvashree Constructions, # 10/1, Hotel Santhosh Complex, Gandhinagar, Bangalore	09	07	21	04
11	M/s I.T.C .Hotels, Raja Ram Mohan Roy Road , Bangalore 560 025	16	17	08	08
12	M/S. I.V.R.C.L. Infrastructures & Projects Ltd, Koramangala Bengaluru	08	09	06	-
	Total samples:	206	149	153	70

That 61.4% of the construction workers are successful in getting employment for period of six months in a year and this aspect makes clear that for the remaining part of the year they strive hard to secure employment in desperation for fulfilling the basic needs.

Chart-12

Continuity of work

Continuity of Work

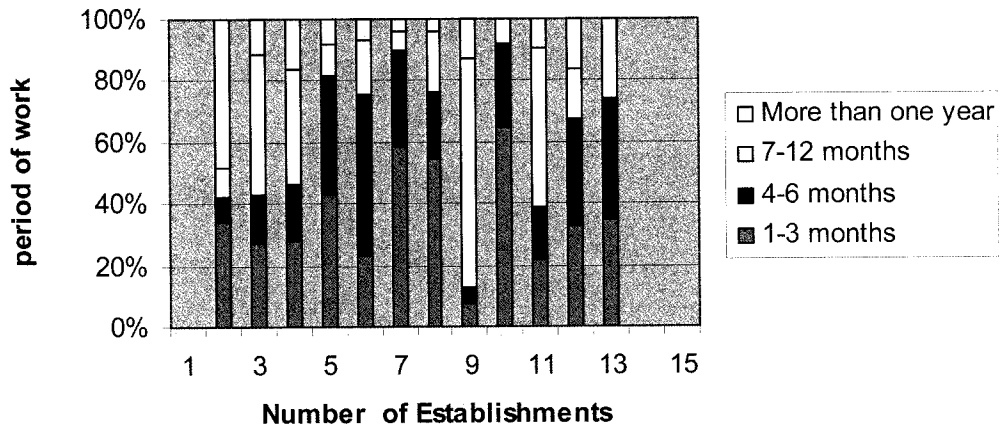


Table-53

Responses from the Construction Workers: Inter state migrants

Sl.No: Of the Estts.	Number of Construction workers hailing from different States											
	KN	KL	TN	AP	MH	ORI	RAJ	BIH	JH	WB	UP	OTH
I	13		11	04		05		03	01	13		
II	17				06		01			27		
III		01		01		32		08		07		01
IV	12					11	02	08	06	09		01
V	14							34	02	08		03
VI	17			02		04		12		29		03
VII	03					03		4	02	32		02
VIII	49		02	03								
IX	26	04	3					04				
X	13		06	22								
XI	07		02	02	02	02	08	12	3	6	07	
XII	08		02	04		02				03	04	
Total N.578	179	05	26	38	06	59	11	85	14	134	11	10

That out of 578 samples collected from the construction workers, there is significant impact i.e. 69% of work force is inter-state migrant workers. This figure reveals that the labour mobility/migration is a consequence of push factor i.e. economic necessity for fulfilling the basic requisites for their survival.

Chart-13
Inter-State Migrant Workers

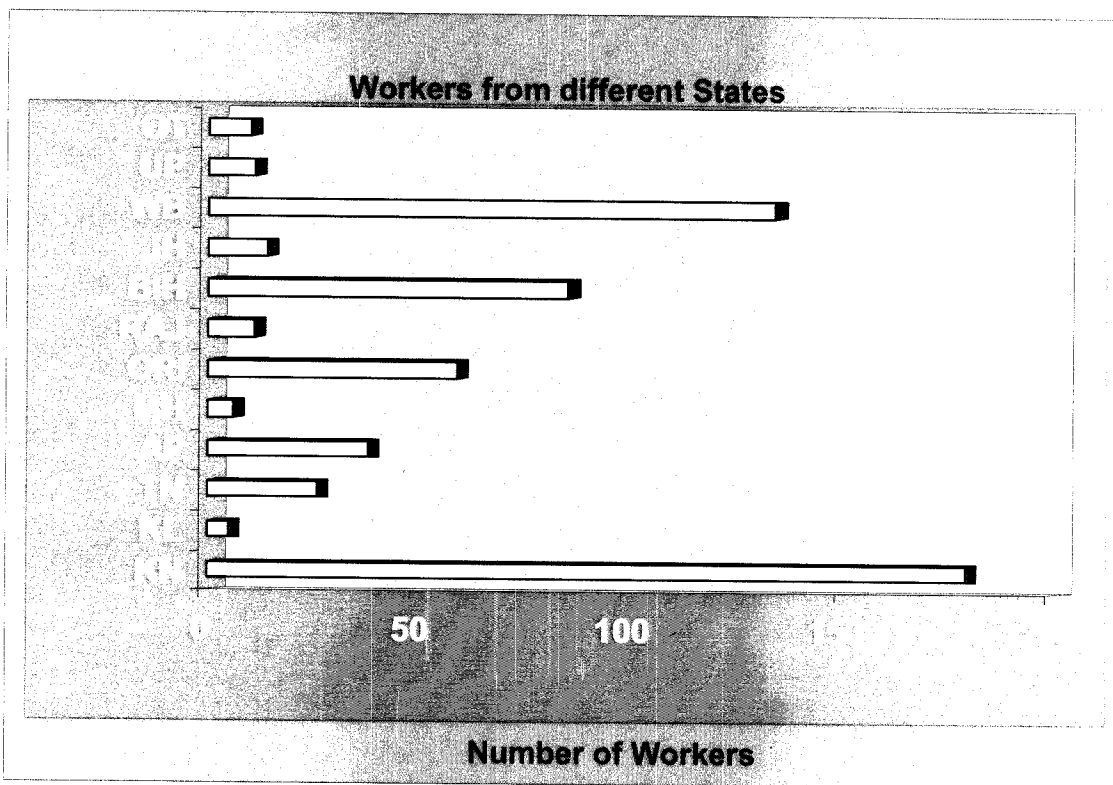


Table-54

Responses from the construction workers: Awareness.

Sl. No:	Awareness about the benefits extended by the Welfare Board. (Number of Samples 578. Affirmative Responses)								
	a	b	c	d	e	f	g	h	i
I	47	50	45	49	47	46	46	49	34
II	24	27	23	32	34	21	28	22	16
III	12	17	19	11	14	12	04	10	05
IV	1	1	1	1	1	1	1	02	02
V	03	04	08	09	05	9	04	08	03
VI	05	06	06	04	07	05	08	08	04
VII	02	03	04	03	03	03	06	04	04
VIII	02	03	02	04	03	03	02	02	08
IX	02	03	03	06	03	08	04	05	06
X	03	02	04	06	03	05	03	02	04
XI	12	05	07	09	05	06	09	04	02
XII	02	02	03	03	04	04	02	06	02
Total	115	123	125	125	129	117	117	122	90

These figures depict that about 78% of the construction workers are unaware of the kind of welfare benefits extended by the welfare Board. The extent of awareness i.e. 22% is only due to the thrust put forth by the Welfare Board and State Legal Services Authority by conducting the awareness programmes/seminar.

Table-55

Responses received from construction workers: Years of experience

Sl.No:	years of experience of construction workers. No. of samples: 578					
	Less than one year	1- 3 years	3-6 years	6-9 years	9-12 years	Above 12 years.
I	04	16	10	09	04	07
II	47	03	01	-	-	-
III	23	21	05	01	-	-
IV	33	09	03	04	-	-
V	23	04	27	07	-	-
VI	41	21	04	01	-	-
VII	27	16	01	02	-	-
VIII	15	13	11	09	03	03
IX	19	12	03	02	01	
X	04	10	12	08	03	04
XI	27	16	03	02	01	-
XII	16	05	02	-	-	-
Total:	279	146	82	45	12	14

That out of the 578 samples collected almost 50% of the construction workers are having experience less than one year. This indicates that labour migration is rampant and its movement particularly towards Bangalore City in search of employment is progressing at pace with the growth of construction sector in the region.

Chart-14
Years of experience

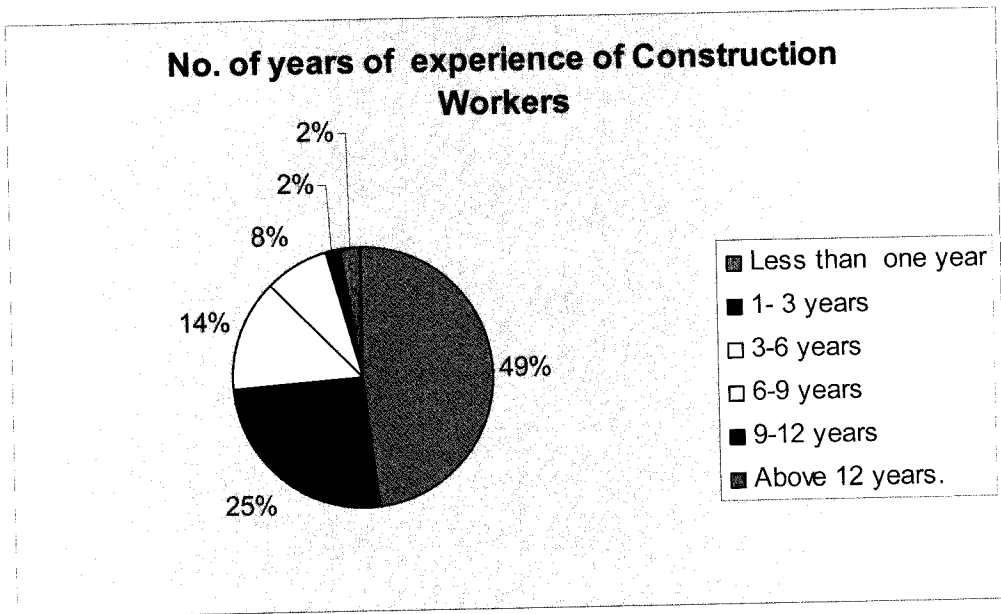


Table-56

Responses from Construction Workers. Awareness about eligibility

Sl.No	Awareness about eligibility for Registration whether worked for more than three months in preceding year (Response Affirmative)	Whether Registered as Beneficiary with the Welfare Board
I	47	50
II	28	51
III	23	31
IV	14	16
V	07	12
VI	14	21
VII	05	-
VIII	05	05
IX	04	03
X	06	02
XI	04	03
XII	03	03
Total:	160	197

It is important to notice that 27% of the construction workers (out of 578 samples) are aware about the utility of registration with the welfare Board and this facts reveals that 73% of the construction workers are distanced due to exigencies and unable to get the benefits due to the compelling circumstances.

Table-57

Responses from Construction Workers. Retention of Membership

(Number of Samples: 578)

Sl.No	Awareness about lapse of membership (Responses Affirmative)		Awareness about payment of Contributions (Responses Affirmative)	
	Non payment of contributions for more than one year	Construction worker not employed for more than three months	Through Welfare Board	Authorise Employer Deduction from wages.
I	34	29	45	48
II	09	03	12	13
III	13	06	11	12
IV	02	03	03	04
V	03	04	03	08
VI	02	02	04	06
VII	02	02	03	04
VIII	02	03	04	06
IX	03	02	01	02
X	02	02	03	04
XI	03	03	02	06
XII	01	01	02	04
Total:	76	60	93	117

These figures reflects that about 87% of the construction workers are ignorant about the norms and are unable to retain their membership as a result they are deprived of the welfare benefits.

Table-58

Responses from Construction Workers : Period of intervention
(No. of Samples 578)

Sl.No	Period of intervention on change of Job				Awareness about retention of membership on change of job from state to another state.
	1-3 months	4-6 months	7-9 months	10-12 months	
I	27	12	03	01	07
II	02	03	37	05	04
III	14	12	15	06	03
IV	16	21	06	04	02
V	08	33	15	02	03
VI	31	26	06	02	02
VII	10	23	13	-	-
VIII	06	18	18	12	-
IX	16	15	03	03	-
X	13	23	03	02	-
XI	08	22	17	02	-
XII	11	07	03	02	-
Total:	162	215	139	41	21

It can be observed from the data that about 65 % of construction workers has to face the period of unemployment ranging 1 to 6 months in a year and under this situation expecting them to remain diligent in remitting the contributions to the welfare Board is not viable and conducive to the construction work force.

Chart-15

Intervening Period in shift of job

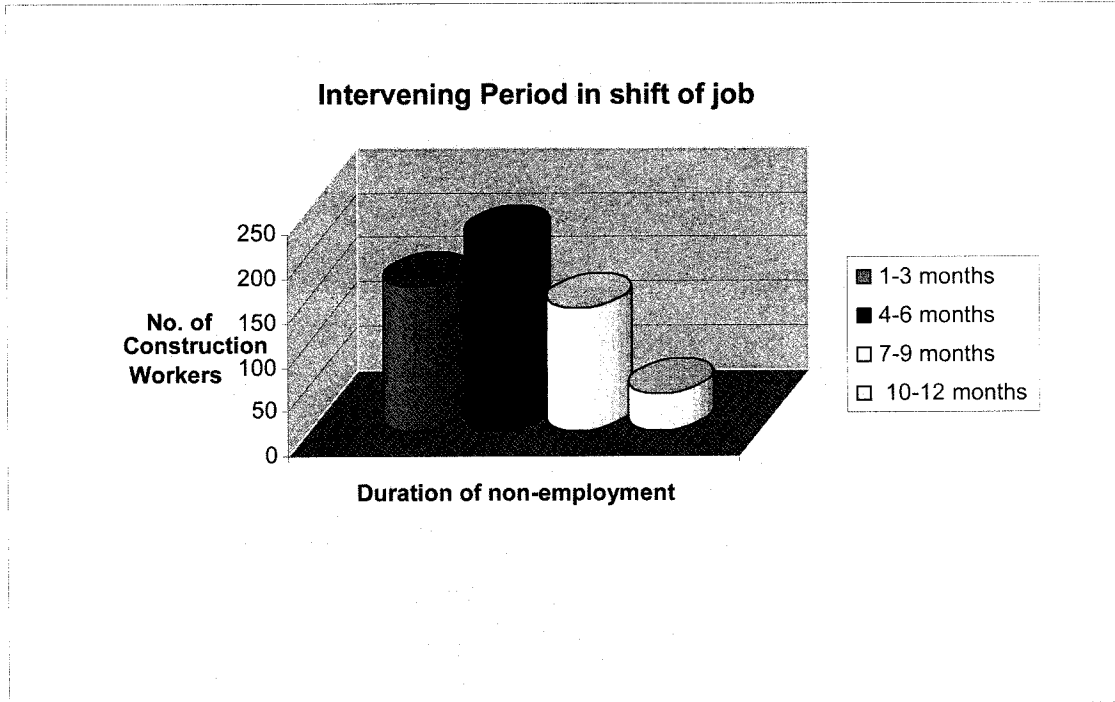


Table-59

Feed back from the Employer/Officers of the Establishment

Sl. No	Name & Address of the Building Construction Establishment (Registered with Welfare Board	Number of Construction Workers engaged by the Employer.	Number of contractors engaged for supply of manpower	No. of construction workers engaged through the Contractors.
I	M/s Larsen & Toubro Ltd, E.C.C. Dn. #19D 1 st floor, K.k.Road,Bengaluru	280	08	280
II	G Stad Hotel Pvt. Ltd, # 24/1, Vitthal Malya Road, Bengaluru-560001	220	05	220
III	M/S B .E. Billimoriya & Co.Ltd., Bengaluru-560071.	350	08	350
IV	B.L. Kashyap & Sons Ltd, Eden Hall, F-Indiranagar, Bengaluru-560080	175	05	175
V	Gina Engineering Company Pvt. Ltd., , Museum Road ,Bengaluru-560025	210	06	210
VI	M/S. Devi Prasad Construction Pvt. Lt, #334/28, 14 th cross, 2 nd Block, Jayanagar, Bangalore.	225	06	225
VII	M/S Consolidated Construction Consortium Ltd, #1018, 16 th main, 1 st Phase, 1 st Stage BTM Layout, Blore-29.	150	02	150
VIII	M/S Agri Gold Estates & Entertainment Pvt. Ltd, Arakere village, Bangalore	110	02	110
IX	M/S Rose Garden Housing Developers Pvt. Ltd, #53, K.H. Road, Bengaluru-560027	120	02	120
X	M/S Sarvashree Constructions, # 10/1, Hotel Santhosh Complex, 1 st cross, 3 rd main Gandhinagar, Bangalore	80	-	-
XI	M/s I.T.C .Hotels, R. R. M Roy Road , Bangalore -25	1500	21	1500
XII	M/S. I.V.R.C.L. Infrastructures & Projects Ltd, Koramangala Bengaluru	120	02	120
	Total	3540	67	3460

Role of contractors is predominant in supply of construction work force and their dominance cannot be undermined in the recruitment process. At the same time their liability is limited i.e. by paying a meager amount of licence fee under the Contract Labour Act, these contractors earn labour charges without contributing to the labour welfare.

Table-60

Feed back collected from the Employer/Officers of the Establishment

Sl. No.	Awareness of the Employer dealing with Labour matters.					
	Applicability of Construction workers Act	Certificate of Registration with the Welfare Board	Prior Notice Before commencement of construction work	Levy of Cess @ 1% by the Central Govt.	Provisions for appeal Against the Orders of Assessment	Whether any appeal Preferred against the orders of Assessment
I	Yes. 12	Yes.12	Yes12	Yes .11 No.01	Yes.11 No.01	No. 12. Yes.0
	Total Number of Establishments XII					

It is noticed that the awareness of the employers about the provisions of the Construction workers Act is a mixed basket and their support in improving the working conditions of the construction workers is nominal when compared to the cost implications of the Construction Project(s).

Table-61

Feed back from Employer/Officers of the Establishment

Sl. No	Number of Construction workers					
	Who got registered with the Welfare Boar	Contributions made through deduction from wages	Who leave the job in any particular month	Approach of Trade Union about extension of welfare benefits.	Grant-in-Aid by the Govt.	Benefits provided in addition to the benefits extended by the Board
I	60	60	20	Yes	Yes	yes
II	80	-	20	No	No	No
III	20	20	40	No	Yes	Yes
IV	20	20	20	No	Yes	Yes
V	20	20	40	No	Yes	No
VI	20	20	60	No	No	No
VII	20	20	40	No	Yes	Yes
VIII	05	-	20	No	Yes	Yes
IX	03	-	40	No	No	No
X	02	-	20	No	Yes	No
XI	03	-	60	No	Yes	Yes
XII	03	-	20	No	Yes	No
	256	160				

That 44 % sample of construction workers got registered with the welfare Board and also 28 % are remitting contributions through the deductions from wages. This makes clear that the keenness of the employer in encouraging the construction workers is impressive and the mode of voluntary registration by the construction workers needs reconsideration by the functionaries of the Board.

Table-62

Responses from the Trade Union Representatives – Applicability of Act.

Name of the Trade Union	Awareness of the Trade Union Representatives		
	Applicability of Act	Various kinds of benefits extended by the welfare Board	levy of Cess @ 1 % by the Government
Karnataka Building and other construction Workers Union	Yes	Yes	Yes
All India Trade Union Congress	Yes	Yes	Yes
Bharat Mazdoor Sangh,	Yes	Yes	Yes
Unorganized Sector Labour Union	Yes	Yes	Yes
Karnataka state Construction Workers Central Union	Yes	Yes	Yes
Karnataka State Building and other Construction workers federation,	Yes	Yes	Yes
Building Construction Workers Union	Yes	Yes	Yes

It is stated that most of the trade union representatives are aware of the provisions of the Construction workers Act, 1996 and their involvement in support of construction work force is moving in the right direction

Table- 63 Responses from the Trade Union- Grievance

Name of the Trade Union	Grievances received in a month	Workers approach the Trade Union		
		getting registered as beneficiary	obtaining employment certificate	availing welfare benefits
Karnataka Building and other construction Workers Union	100	yes	yes	yes
All India Trade Union Congress	50	yes	yes	yes
Bharat Mazdoor Sangh,	50	yes	yes	yes
Unorganized Sector Labour Union	50	yes	yes	yes
Karnataka state Construction Workers Central Union	50	yes	yes	yes
Karnataka State Building and other Construction workers federation,	60	yes	yes	yes
Building Construction Workers Union	50	yes	yes	yes

The approach of construction work force is inclined towards the Trade Union and this is a positive sign and it is also evident from the responses that grievance of the construction workers is redressed thereby assist in availing the welfare benefits.

Table-64

The Responses from Trade Union. Awareness about eligibility

Name of the Trade Union	prone to scattered employment	Lack of awareness about the benefits	Increase in membership
Karnataka Building and other construction Workers Union	yes	yes	yes
All India Trade Union Congress	yes	yes	yes
Bharat Mazdoor Sangh,	yes	yes	yes
Unorganized Sector Labour Union	yes	yes	yes
Karnataka state Construction Workers Central Union	yes	yes	yes
Karnataka State Building and other Construction workers federation,	yes	yes	yes
Building Construction Workers Union	yes	yes	yes

The Trade Union representative agree to the fact that unawareness of construction workers is a major impediment for extension of welfare benefits by the Welfare Board. Their interaction with the construction workers will proximate and move in the path put forth by the Construction Workers Act, 1996

Table-65 Responses from the Trade Union

Name of the Trade Union	Assistance provided by T.U.	Migrant workers employed	Frequent change in the job results in		
			Less number of registrations	Break in service/retention of membership	Difficulties in issuing Employment certificate
Karnataka Building & other construction Workers union	yes	yes	yes	yes	yes
All India Trade Union Congress	yes	yes	yes	yes	yes
Bharat Mazdoor Sangh,	yes	yes	yes	yes	yes
Unorganized Sector Labour Union	yes	yes	yes	yes	yes
Karnataka state Construction Workers Central Union	yes	yes	yes	yes	yes
Karnataka State Building federation,	yes	yes	yes	yes	yes
Building Construction Workers Union	yes	yes	yes	yes	yes

The Trade Union concede with the view that migrant labour is extensively deployed by the employers and there is a need to strengthen the voice of migrant workers and also encourage them for getting registered with the welfare board by adopting simple procedure/easy documentation.

Table-66 Responses from the Labour Officers. Enforcement of Act

Bangalore Division	E X P E R I E N C E	Observations of Labour Officer about the awareness of the Employer			
		Applicability of the Act	Submission of intimation before commencement of work	Levy of Cess @ 1%	About benefits extended by the welfare Board
Labour Officer-I	12 years	No	No	No	No
Labour Officer-II	08 years	No	No	No	No
Labour Officer-III	04 years	No	No	No	No
Labour Officer-IV	12 years	Yes	Yes	No	Yes
Labour Officer-V	12 years	Yes	No	Yes	Yes
Labour Officer-VI	12 years	No	No	No	No
Labour Inspector-I	12 years	No	No	No	No
Labour Inspector-II	12 years	Yes	Yes	Yes	Yes
Labour Inspector-II	12 years	Yes	Yes	Yes	Yes
Labour Inspector-IV	12 years	No	No	No	Yes
Labour Inspector-V	08 years	No	No	No	No
Labour Inspector-VI	12 years	No	Yes	Yes	Yes

The observation of the Labour officers reveals the fact that awareness of the employer about the applicability of the Act is fair and much needs to be done for uniformity in enforcement of construction law/beneficial legislation.

Table -67 Responses from officers of Labour Department.

(I)	C. workers hailing from different states.	Construction workers encountered with the following limitations			
		Low level of literacy	Lack of awareness about		
			Regn	Remittance of Contribution	Retention of membership
Labour Officer- I to XII	Yes-12	Yes-12	Yes-12	Yes-12	Yes-12

(II) Bangalore Division	Frequent change in job by the construction workers results in			Trade union represent the Grievance of C. workers	
	Less No. of Regns. With Board	Break in reckonable service	Difficulties in issuing employment certificate	Non -Regn. of constn. Workers as beneficiary with board.	Delay in extending benefits by welfare board
Labour Officer-I to XII	Yes-12	Yes-12	Yes-11 No-.01	Yes-09 No-03	Yes-7 No- 5

(III) Bangalore Division	Employer Incurs Expenses for furnishing		Employer is aware about Grant in aid Provided by the Govt.	Need for cohesion Of records	Encouraging the worker for Retention of membership
	Age Certificate of C. worker	Copies for Address Proof			
Labour Officer-I to XII	Yes-6 No-06	Yes-06 No-06	Yes-04 No-08	Yes-08 No-04	Yes-12
		Total Number of Labour Officers - XII			

The Labour Officers concur with the views that prevalence of migrant labour in the construction industry cannot be sidelined and in order to extend welfare benefits rationally to all sections of construction sector, there is need for simplification of procedures .