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8. First Report on National Commission on Labour, 161(1969).
9. Venkatachalam, supra note 1.
10. Kannan, supra note 5.
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12. First Report on National Commission on Labour, 162(1969).
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16. Mishra, supra note 13 .
17. U.P. State Electricity Board v. Hari Shankar Jain (1978)IILLJ399 SC (Supreme Court of India).
18. Srivastava, supra note 15.
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20. Art.38, 41, 42, 43, 47, The Constitution of India, 1950.
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25. Consumer Education and Research Center v. Union of India, 2004(5) SCALE839 (Supreme Court of India).
26. Venkatachalam, supra note 1 at 1.
27. Srivastava, supra note 3 at 1.
28. Srivastava, supra note 15 at 1.
29. Ibid
30. Sec 1(4) of Construction Workers Act, 1996. – It applies to every establishment which employs, or had employed on any day of the preceding twelve months, ten or more building workers in any building or other construction work.
31. Sec 2(j) of the Construction Workers Act, 1996 - ‘Establishment’ means any establishment belonging to, or under the control, of Government, any body corporate or firm, an individual or association or other body of individuals which or who employs building workers in any building or other construction work; and includes an establishment belonging to a contractor, but does not include an individual who employs such workers in any building or contractor work in relation to his own residence the total cost of such Construction not being more than rupees ten lakhs.
32. Building and other construction workers’ welfare cess Act, 1996-Levy and collection of Cess- Sec 3(1) –There shall be levied and collected a cess for the purpose of the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, at such rate not exceeding two percent but not less than one percent of the cost of construction incurred by an employer, as the Central Government may, by notification in the Official Gazette, from time to time Specify.
33. Sec 2(i) of Construction Workers Act, 1996 Act – ‘employer’ in relation to an establishment, means the owner thereof, and includes-
 - a. in relation to a building or other construction work carried on by or under the authority of any department of the Government, directly without any contractor, the authority specified in this behalf, or where no authority is specified, the head of the department;

- b. in relation to a building or other construction work carried on by or on behalf of a local authority or other establishment, directly without any contractor, the chief executive officer of that authority or establishment;
 - c. In relation to a building or other construction work carried on by or through a contractor, or by the employment of building workers supplied by a contractor, the contractor.
34. Sec 12 (1) of Construction Workers Act – Every building worker who has completed eighteen years of age, but has not completed sixty years of age, and who has been engaged in any building or other construction work for not less than ninety days during the preceding twelve months shall be eligible for registration as a beneficiary under this Act.
35. As per 2(dd)(iii) of the Employee’s Compensation Act, 1923 – “employee” means a person who is (iii) employed in any such capacity as is specified in Schedule –II, whether the contract of employment was made before or after the passing of this Act and whether such contract is expressed or implied, oral or in writing, but does not include any person working in the capacity of a member of Armed Forces of the Union; and any reference to any employee who has been injured shall, where the employee is dead, include a reference to his dependents or any of them.
And Schedule II – List of persons who, subject to the provisions of section 2(1)(dd), are included in the definition of employees
(Viii) employed in the construction, maintenance, repair or demolition of-
- i. any building which is designed to be or is or has been more than one storey in height above the ground of twelve feet or more from the ground level to the apex of the roof; or
 - ii. any dam or embankment which is twelve feet or more in height from its lowest to its highest point; or
 - iii. any road, bridge, tunnel or canal; or
 - iv. any wharf, quay, sea-wall or other marine work including any moorings of ships
36. Sec.58:- Application of Act 8 of 1923 to building workers. – The provisions of the workmen’s compensation Act, 1923, shall so far as may be, apply to building workers as if the employment to which this Act applies had been included in the Second Schedule to that Act.
37. Sec 2(12) of the E.S.I Act, 1948 - “Factory” means any premise including the precincts there of-
- a) Where on ten or more persons are employed or were employed for wages on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power or is ordinarily so carried on, or
 - b) whereon twenty or more persons are employed or were employed for wages on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on without the aid of power or is ordinarily so carried on, but does not include a mine subject to the operation of the Mines Act, 1952 (35 of 1952) or a railway running shed;

38 Sec 2(19A) of the E.S.I Act, 1948- "seasonal factory" means a factory which is exclusively engaged in one or more of the following manufacturing processes, namely, cotton ginning, cotton or jute pressing, decortications of groundnuts, the manufacture of coffee, indigo, lac, rubber, sugar (including gur) or tea or any manufacturing process which is incidental to or connected with any of the aforesaid processes and includes a factory which is engaged for a period not exceeding seven months in a year-

- a) in any process of blending, packing or replacing of tea or coffee; or
- b) in such other manufacturing process as the Central Government may, by notification in the Official Gazette, specify;)

39. Sec 2(e) of Construction workers Act, 1996- "building worker" means a person who is employed to do any skilled, semi-skilled, or unskilled, manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be expressed or implied, in connection with any building or other construction work but does not include any such person-

- i) Who is employed mainly in a managerial or administrative capacity; or
- ii) who, being employed in a supervisory capacity, draws wages exceeding one thousand six hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature;

40: - as respects the establishments engaged in 'Building and Construction Industry' specified in the notification of the Government of India in the Ministry of Labour No: GSR1069, dated: 11.10.1980, come into force on the 31st October, 1980.

41 Sec 6 of the Employees Provident Fund and Misc. Provisions Act, 1952-

Contributions and matters which may be provided for in Schemes. :- The Contribution which shall be paid by the Employer to the Fund shall be Twelve Percent of the Basic wages, Dearness Allowance and retaining allowance (if any) for the time being payable to each of the employees (whether employed by him directly or by or through a contractor), and the employees' contribution shall be equal to the contributions payable by the Employer in respect of him and may (if any employee so desires, be an amount exceeding, twelve percent of Basic wages, D.A., Retaining wages, subject to the condition that the employer shall not be under obligation to pay any contribution over and above his payable under this section.

Sec. 6 A of the Act. Employees Pension Scheme. As soon as may be after framing of the Pension Scheme, a Pension Fund into which there shall be paid, from time to time, in respect of every employee who is a member of the Pension Scheme:- (a) Such sums from the Employer's contribution under section 6, not exceeding Eight and one-third percent of the basic wages, Dearness Allowance and Retaining Allowance if any. Of the concerned employees as may be specified in the Pension Scheme.

Sec 6 C of the Act. Employees Deposit-linked Insurance Scheme:- (2) There shall be established, as soon as may be after the framing of Insurance Scheme, a Deposit-linked Insurance Fund into which shall be paid by the Employer from time to time in respect of every such employee in relation to whom he is the employer, such amount, not being more than one percent of the basic wages, D.A. and Retaining Allowance if any.

42. Para 26 (1)(a) of the E.P.F. Scheme:- Every Employee employed in or in connection with the work of factory or other Establishment to which this Scheme applies, other than an Excluded Employee, shall be entitled and required to become a member of the Fund from the day this paragraph comes into force in such factory or other Establishment.
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48. Ibid see note 46 .
49. Urban Infrastructure, Indian Infrastructure,113 (August, 2008)
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56. *ibid.*
57. *ibid.*
58. Rudder Datt, *Unorganised sector and informalisation of the Indian Economy*, Vol.50 (4) THE INDIAN JOURNAL OF LABOUR ECONOMICS, 774—820(2007).
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66. Aggarwal, *Supra* note 52 at 76-79.
67. 7th five year plan , *supra* note 43 at 1.
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69. Murlidhar Dayandeo Kesekar v. Vishwanath Pandu Barde, AIR 1995 (2) SC ALE672 (Supreme Court of India).
70. Consumer Education & Research center case, 2004(5) SCALE839 (Supreme Court of India).
71. Sec1(4) of ESI Act.- It shall apply, in the first instance, to all factories (including factories belonging to the Government other than seasonal factories.

Provided that nothing contained in this Sub-section shall apply to a factory or establishment belonging to or under the control of the Government whose employees are otherwise in receipt of benefits substantially similar or superior to the benefits provided under this Act.

72. Supra note 37 at 1.

73. Supra see note 39 at 1.

74. In *Shakti Enterprises V. Employees' state Insurance Corporation*, 1985(2) WLN360 (Supreme Court of India).

75. Sec.2(9) of E.S.I Act,1948 – “employee” means a person employed for wages in or in connection with the work of a factory or establishment to which this Act applies and-

(i) who is directly employed by the principal employer on any work of, or incidental or preliminary to or connected with the work of, the factory or establishment, whether such work is done by the employee in the factory or establishment or elsewhere; or

ii) who is employed by or through an immediate employer on the premises of the factory or establishment or under the supervision of the principal employer or his agent on work which is ordinarily part of the work of the factory or establishment or which is preliminary to the work carried on in or incidental to the purpose of the factory or establishment; or

iii) who services are temporarily lent or let on hire to the principal employer by the person with whom the person whose services are so lent or let on hire has entered into a contract of service;

(and includes any person employed for wages on any work connected with the administration of the factory or establishment or any part, department or branch thereof or with the purchase of raw materials for, or the distribution or sale of the products of , the factory or establishment. or any person engaged as an apprentice, not being an apprentice engaged under the Apprentices Act,1961 or under the standing orders of the establishment.

76. Employees Provident Fund Organization, New Delhi, Annual Report 2008.

77. Employees Provident Fund Organization, Regional Office, ESI, Bangalore, Annual Report 2008.

78. Sec 1(3)(a & b) of EPF & MP Act

79 Employees Provident Fund Organization, New Delhi (2008), *Industry wise concentration of Establishments and Members* (table).

80. Sec 1 (4) of the EPF&MP Act.- Notwithstanding anything contained in Sub-section(3) of this section, where it appears to the Central Provident Fund

Commissioner, whether on an application made to him in this behalf or otherwise, that the employer and the majority of the employees in relation to any Establishment have agreed that the provisions of this Act should be made applicable to the Establishment, he may, by notification in the Official Gazette, apply the Provisions of this Act to that Establishment on and from the date of such agreement or from any subsequent date specified in such agreement.

81. Supra, see note 41 at 4.
82. Notification dated: 9.4.1997
83. Para 68 of EPF Scheme, 1952
84. Para 69 (1) of the Scheme:- Circumstances in which accumulations in the Fund are payable to the member. A member may withdraw the full amount standing to his credit in the fund.
 - (a) On retirement from service after attaining the age of 55 years.
 - (b) On retirement on account of permanent and total incapacity for work due to bodily or mental infirmity duly certified by the Medical Officer of the Establishment or by a Registered Medical Practitioner.
 - (c) Immediately before migration from India for permanent settlement abroad (or for taking employment abroad)
 - (d) On termination from service
85. Supra note 76 at 7.
86. Employees Provident Fund Organization, Regional Office, Bangalore, Annual Report, (2008).
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90. Supra note 88 .

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92. Supra note 88 at 8.
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95. Supra note 43 at 5.
- 96 Press release of Government of Karnataka, *Benefits given under National Rural employment Guarantee Scheme.2005*, (January 11, 2009).
97. Supra note 94 .
- 98 M.S.Shivakumar *et al*, *Recruitment of employment practices in construction industry- A case study* 1-45 (unpublished, archived at National Law School of India University Library).
99. Supra note 88 at 8.
- 100 Silvia.M.De Mendoncae Noronha, *Migrant construction workers in Goa*, Vol. 41(4) INDIAN JOURNAL OF LABOUR ECONOMIC S, 765-771 (1998).
101. Supra note 94.
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106. Supra note 103 .
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109. Supra note 94 at 9.
110. Supra note 105 at 9.
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113. Section 1(4) (a&b) of Inter-state Migrant workmen (Regulation of employment and conditions of Service) Act, 1979.
114. Sec 2(1)(e) of ISMW Act, 1979- "inter-State migrant workman" means any person who is recruited by or through a contractor in one State under an agreement or other arrangement for employment in an establishment in another State, whether with or without the knowledge of the principal employer in relation to such Establishment.
115. Sec 2(1)(g) of the ISMW Act, 1979- "Principal employer" means,-
- (i) in relation to any office or department of the Government or a local authority, the head of that office, department or authority or such other officer as the Government or the local authority, as the case may be, may specify in this behalf;
 - (ii) in relation to a factory, the owner or occupier of the factory and where a person has been named as the manager of the factory under the Factories Act, 1948, the person so named;
 - iii) in relation to a mine, the owner or agent of the mine and where a person has been named as the manager of the mine, the person so named;
 - iv) in relation to any other establishment, any person responsible for the supervision and control of the establishment.
116. Sec 8 of ISMW Act, 1979- Licensing of contractors.-(1) with effect from such date as the appropriate Government may, by notification in the Official Gazette, appoint, no contractor to whom this Act applies shall,-
- a) recruit any person in a state for the purpose of employing him in any establishment situated in another State, except under and in accordance with a licence issued in that behalf,-
 - i) if such establishment is an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of Section 2, by the licensing officer appointed by the Central

Government who has jurisdiction in relation to the area wherein the recruitment is made;

ii) if such establishment is an establishment referred to in sub-clause (ii) of clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the State Government who has jurisdiction in relation to the area wherein the recruitment is made;

b) employ as workmen for the execution of any work in any establishment in any State, persons from another State (whether or not in addition to other workmen) except under and in accordance with a licence issued in that behalf.-

i) if such establishment is an establishment referred to in sub-clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the Central Government who has jurisdiction in relation to the area wherein the establishment is situated;

ii) if such establishment is an establishment referred to in sub-clause (ii) of clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the State Government who has jurisdiction in relation to the area wherein the establishment is situated.

(2) subject to the provisions of this Act, a licence under sub-section (1) may contain such conditions including, in particular, the terms and conditions of the agreement or other arrangement under which the workmen will be recruited, the remuneration payable, hours of work, fixation of wages and other essential amenities in respect of the inter-state migrant workmen, as the appropriate Government may deem fit to impose in accordance with the rules, if any, made under section 35 and shall be issued on payment of such fees as may be prescribed;

Provided that for any special reasons, the licensing officer is satisfied that it is necessary to require any person who has applied for, or who has been issued, a licence to furnish any security for the due performance of the conditions of the licence, he may, after communicating such reasons to such person and giving him an opportunity to represent his case, determine in accordance with the rules made in this behalf the security which shall be furnished by such person for obtaining or, as the case may be, for continuing to hold the licence.

(3) The security which may be required to be furnished under the proviso to sub-section (2) shall be reasonable and the rules for the purposes of the said proviso shall, on the basis of the number of workmen employed, the wages payable to them, the facilities which shall be afforded to them and other relevant factors provide for the norms with reference to which such security may be determined.

117. Section 14 of ISMW Act, 1979- Displacement allowance.- (1) There shall be paid by the contractor to every inter-state migrant workman at the time of recruitment, a displacement allowance equal to fifty percent of the monthly wages payable to him or seventy-five rupees, whichever is higher

(2) The amount paid to a workman as displacement allowance under sub-section (1) shall not be refundable and shall be in addition to the wages or other amount payable to him.

118. Section 15 of ISMW Act, 1979- Journey allowance etc.- A journey allowance of a sum not less than the fare from the place of residence of the inter-State migrant workman in his State to the place of work in the other State shall be payable by the contractor to the workman both for the outward and return journeys and such workman

shall be entitled to payment of wages during the period of such journeys as if he were on duty

119. Section 28 of ISMW Act, 1979

120 Salal Hydro-electric Project v. Union of India, (1984) 3 SCC 538,
(Supreme Court of India).

121. Report on National Commission on rural Labour, 101-130 (1991).

122. Sec 20 (3) of the ISMW Act, 1979.- Notwithstanding anything contained in sub-section (1) and (2), if a State Government considers it necessary for the purpose of satisfying itself that the provisions of this Act are being complied with in respect of any workmen belonging to that State and employed in an establishment situated in another State, it may, by order in writing, appoint such persons, being persons in the service of that Government, for the exercise of such of the powers mentioned in sub-section(2), as may be specified in that order;

Provided that no such order shall be issued without the concurrence of the Government of the State in which such workmen are employed or where the establishment is an establishment referred to in sub-clause (i) of clause (a) of sub-section(1) of section 2, without the concurrence of the Central Government.

123. Salal hydro Project case, (1984) 3 SCC 538, (Supreme Court of India).

124. Supra note 114 at 10.

125. Section 27 of ISMW Act, 1979- Offence by companies.-(1) Where an offence under this Act has been committed by a company, every person who, at the time of offence was committee, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub -section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

126. Supra note 105 at 9.

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133. Supra note 131.
134. Supra note 94 at 9.
135. Supra note 131.
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138. *The standard vacuum refinery v. their workmen*, AIR 1960 SC 948, (Supreme Court of India).
139. Sec 7 of CLRA Act- Registration of certain establishments- (1) Every principal employer of an establishment to which this Act applies shall, within such period as the appropriate Government may, by notification in the Official Gazette, fix in this behalf with respect to establishments generally or with respect to any class of them, make an application to the registering officer in the prescribed manner for registration of the establishment;

Provided that the registering officer may entertain any such application for registration after expiry of the period fixed in this behalf, if the registering officer is satisfied that the applicant was prevented by sufficient cause from making the application in time.

(2) If the application for registration is complete in all respects, the registering officer shall register the establishment and issue to the principal employer of the establishment a certificate of registration containing such particulars as may be prescribed.

140. Sec 12 of CLRA Act- Licensing of contractors -(1) with effect from such date as the appropriate Government may, by notification in the Official Gazette, appoint no contractor to whom this Act applies, shall undertake or execute any work through contract labour except under and in accordance with a licence issued in that behalf by the licensing officer.

(2) Subject to the provisions of this Act, a license under sub section (1) may contain such conditions including, in particular, conditions as to hours of work, fixation of wages and other essential amenities in respect of contract labour as the appropriate Government may deem fit to impose in accordance with the rules, if any, made under section 35 and shall be issued on payment of such fees and on the deposit of such sum, if any, as security for the due performance of the conditions as may be prescribed.

141 Sec 10 of CLRA Act- Prohibition of employment of contract labour-(1) Notwithstanding anything contained in this Act, the appropriate Government may, after consultation with the Central Board or, as the case may be, a State Board, Prohibit, by notification in the Official Gazette, employment of contract labour in any process, operation or other work in any establishment.

(2) Before issuing any notification under sub-section(1) in relation to an establishment, the appropriate Government shall have regard to the conditions of work and benefits provided for the contract labour in that establishment and other relevant factors, such as-

(a) whether the process, operation or other work is incidental to, or necessary for the industry, trade, business, manufacture or occupation that is carried on in the establishment;

(b) whether it is of perennial nature, that is to say, it is of sufficient duration, having regard to the nature of industry, trade, business, manufacture or occupation carried on in that establishment;

(c) whether it is done ordinarily through regular workmen in that establishment or an establishment similar thereto;

(d) whether it is sufficient to employ considerable number of whole time workmen.

142. Gammon India Ltd. V. Union of India, AIR 1974 SC 961, (Supreme Court of India).

143. Dena Nath v. National Fertilizers Ltd, AIR 1992 SC 457(Supreme Court of India).

144. Gujarat in FCI Worker's Union v FCI, 1992-I-LLJ-257, (High Court of Gurjat).

145 (1) Sec 23 of CLRA Act-Contravention of provisions regarding employment of contract labour- Whoever contravenes any provision of this Act or of any rules made thereunder prohibiting, restricting or regulating the employment of contract labour, or contravenes any condition of a licence granted under this Act, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, and in the case of a continuing contraventions with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

(2) Sec 25 of CLRA Act- Offence by companies- (1) if the person committing an offence under this Act is a company, the company as well as every person in charge of, an responsible to, the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any director, manager, managing agent or any other officer of the company, such director, manager, managing agent or such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

146. Air India Statutory Corporation v. United Labour Union, AIR 1987 SC

645(Supreme Court of India).

147. Steel Authority of India Ltd. V. National Union Waterfront Workers, 2001 (7) SCC

14 (Supreme Court of India).

148. (A) Sections 16 of CLRA Act- Committees of the Board-(1)(i) The Board may constitute such Committees and for such purpose or purposes as it may think fit

(ii) While constituting the Committees the Board may nominate one of it members to the Chairman of the Committee.

(2) The Committee shall meet at such times and places as the Chairman of the said committee may decide.

(ii) The Provisions of rules 12, 13(2), 14, 15 shall apply to the committee for transaction of business at its meetings as they apply to the Board, subject to the

modification that the quorum specified in rule 15 shall be "one third" of the members' instead of "five members"

(3) The provisions of rule 11 shall apply to the members of the Committee for attending the meetings of the committee, as they apply to the members of the Board.

(B) Sec17. Manner of making application for registration of establishment.-

(1) The application referred to in sub-sec (1) of section 7 shall be made in triplicate in Form-I to the registering officer of the area in which the establishment sought to be registered is located.

(2) The application referred to in sub-rule (1) shall be accompanied by a demand draft showing payment of the fees for the registration of the establishment.

(3) Every application referred to in sub-rule(1) shall be either personally delivered to the registering officer or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1), the registering officer shall, after noting thereon the date of receipt by him of the application, grant an acknowledgement to the applicant.

(C). Section. 18. Grant of certificate of registration – (1) The certificate of registration granted under sub- section (2) of section 7 shall be in Form II.

(2) Every certificate of registration granted under sub-section (2) of section 7 shall contain the following particulars, namely:-

a) the name and address of the establishment;

b) the maximum number of workmen to be employed as contract labour I the establishment;

c) the type of business, trade, industry, manufacture or occupation which is carried on in the establishment;

d) such other particulars as may be relevant to the employment of contract labour in the establishment.

(3) The registering officer shall maintain a register in Form III showing the particulars of establishment in relation to which certificates of registration have been issued to him.

(4) If, in relation to an establishment, there is any change in the particulars specified in the certificate of registration, the principal employer of the establishment shall intimate to the registering officer, within thirty days from the date when such change takes place, the particulars of, and the reasons for, such change.

(D) Section 19. Circumstances in which application for registration may be rejected.-

(1) If any application for registration is not complete in all respects, the registering officer shall require the principal employer to amend the application so as to make it complete in all respects.

(2) If the principal employer, on being required by the registering officer to amend his application for registration, omits or fails to do so, the registering officer shall reject the application for registration.

(E) Section 20. Amendment of certificate of registration.-(1) where, on receipt of the intimation under sub-rule (4) of rule 18, the registering officer is satisfied that an amount higher than the amount which has been paid by the principal employer as fees

for the registration of the establishment is payable, he shall require such principal employer to pay a sum which, together with the amount already paid by such principal employer, would be equal to such higher amount of fees payable for registration of the establishment and to produce the demand draft showing such deposit.

(2) Where, on receipt of the intimation referred to in sub-rule (4) of rule 18, the registering officer is satisfied that there has occurred a change in the particulars of the establishment, as entered in the register in Form III, he shall amend the said register and record therein the change which has occurred.

Provided that no such amendment shall affect anything done or any action taken or any right, obligation or liability acquired or incurred before such amendment;

Provided further that the registering officer shall not carry out any amendment in the register in Form III unless the appropriate fees have been deposited by the principal employer.

(F) Sec 21. Application for a licence.-(1) Every application by a contractor for the grant of licence shall be made in triplicate, in Form IV, to the licensing officer of the area in which the establishment, in relation to which he is the contractor, is located.

(2) Every application for the grant of a licence shall be accompanied by a certificate by the principal employer in Form V to the effect that the applicant has been employed by him as a contractor in relation to his establishment and that he undertakes to be bound by all the provisions of the Act and the rules made thereunder insofar as the provisions are applicable to him as principal employer in respect of the employment of contract labour by the applicant.

(3) Every such application shall be either personally delivered to the licensing officer or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1), the licensing officer shall, after noting thereon the date of receipt of the application, grant an acknowledgement to the applicant.

(5) Every application to in sub-rule (1) shall also be accompanied by a demand draft showing-

- i) the deposit of the security at the rates specified in rule 24, and
- ii) the payment of the fees at the rates specified in rule 26.

149 Hindustan Steel Works Construction Ltd. Vs. Commissioner of Labour, 1996 SCC (5) 34 (Supreme Court of India).

150 Supra note 136 at 13.

151 Rajeev Meenakshi, *Contract labour Act in India - A pragmatic view*, 1-24 (Working paper No175, Institute for Social and Economic Change, Bangalore, 2006).

152. D. Rajasekhar and J.Y Suchitra, *Employment security for the unorganized sector workers in Karnataka*, 1-24 (Working paper 169, Institute for Social and Economic Change, Bangalore, 2006).

153. Section 27 of Minimum Wages Act, 1948. - Power of State Government to add to Schedule. - The appropriate Government, after giving by notification in the Official Gazette not less than three month's notice of its intention so to do, may, by like notification, add to either Part of the Schedule any employment in respect of which it is of opinion that minimum rates of wages should be fixed under this Act, and thereupon the Schedule shall in its application to the State, be deemed to be amended accordingly.

154. G.L. Kothari, WAGES DEARNESS ALLOWANCE AND BONUS, 90 (1968).

155. Crown Aluminum works v. Their Workmen, AIR 1958 SC.30
(Supreme Court of India).

156. U. Unichoyi v State of Kerala, AIR.1962 SC. 12 (Supreme Court of India).

157. Workmen v. Reptakos Brett & Co .Ltd, (1992)1SCC290 (Supreme Court of India).

158. *Standard Vacuum Refining Co. of India v. It's Workmen* ,(1961) SC,895 (Supreme Court of India).

159. Express Newspapers (P) Limited V.Union of India, AIR 1958 SC 578 (Supreme Court of India).

160. Kerala Hotel and Restaurant Association v. State of Kerala, AIR 1990 SC 913 (Supreme Court of India).

161. Kamani Metals & Alloys Ltd v. Workmen, AIR 1967 SC 1175 (Supreme Court of India).

162. Supra note 94 at 9.

163. Manali chakrabarti and Rahul Varman, *Labour standards in globalization- A case study of implementation of minimum wages*, Vol. 50(1) THE INDIAN JOURNAL OF LABOUR ECONOMICS) 137-150 (2007).

164. Labour statistics, Indian Journal of Labour Economics,
Vol. 50, No 01, 2007. p 161.

165. Consumer Education and Research Center case, 2004(5) SCALE839 (Supreme Court of India).

166. Supra note 93 at 9.

167 Supra note 100 at 9.

168 Supra note 131 at 13.

- 169 Supra note 94 at 9.
170. Supra note 93 at 9.
171. Supra note 94 at 9.
172. Supra note 94 at 9.
- 173 P.K.Tripathy and P.K. Mohanty, *Organizing the Unorganized migrant Rural Workmen in Orissa- Problems and Prospects*, Vol. 38(4) THE INDIAN JOURNAL OF LABOUR ECONOMICS, 771-775(1995).
- 174 A.C.K. Nambiar, *Unorganised Labour Unionism, The case of Head Load workers in Kerala*, Vol. 38(4), THE INDIAN JOURNAL OF LABOUR ECONOMICS, 737 -748 (1995).
- 175 LABOUR FILE, Vol.5 (1 and 2) 13-16 (January 1, 2007).
- 176 J. John, *overall increase in Sectoral setbacks: Lessons from Trade Union verification, 2002*, LABOUR FILE Vol.5 (1) 15-48 (April, 2007).
177. *Implementation of Construction Workers Act*, THE TIME OF INDIA (Bangalore edn., December 6, 2008). Times of India English daily 6.12.2008
- 178 National Campaign Committee for Central Legislation on Construction Labour V. Union of India , Writ Petition No: 318 of 2006 (Supreme Court of India)
179. K.P.Kannan . *The Welfare fund model of social security for informal Sector workers: The Kerala experience*, Vol. 45(2) THE INDIAN JOURNAL OF LABOUR ECONOMICS, 243-271(2002).
180. C.P. John and Raj.D.Nair, *Welfare fund model for labour- A study of kerala*, SOUTHERN ECONOMIST , 7-11 (2005).
181. Kerala State Planning Board Economic Survey, 416-521 (2007).
182. R.P. Nair. *The Kerala Construction Labour Welfare Fund*, (Working paper.219, International Labour Office, Geneva, July, 2004).
183. .Notification G.O.No(P)No.53/98/LBR dated, Thiruvananthapuram, 14.8.1998, Rule 282 –Transfer of accumulation from welfare Fund established under the Kerala construction workers’ Welfare Fund Act, 1989 (20 of 1989).- Notwithstanding anything contained in the Kerala Construction Workers’ Welfare Fund act, 1989, on the date of

coming into force of these rules the sums standing to the credit of the Kerala Construction Workers Welfare Fund established under the aforesaid Act shall subject to the conditions by the Central Government, stand transferred to and credited to the fund established under rule 281 of these rules and the liability of a beneficiary to pay contributions to the Kerala Construction Workers Welfare Fund shall cease from the date of coming into force of these rules.

184. Labour Statistics, Government of Kerala (2002), Registered Trade Union and Workers (table).

185. SCHEDULE I [See clause 2 (c)]

1. Stone cutter or stone breaker or stone crusher.
2. Mason or brick layer.
3. Carpenter
4. Painter or varnisher.
5. Fitter including bar bender.
6. Plumber for road pipe work.
7. Electrician.
8. Mechanic.
9. Well Sinker
10. Welder.
11. Head mazdoor.
12. Mazdoor.
13. Sprayman or mixerman (Road surfacing)
14. Wooden or stone packer.
15. Well diver for removing silt.
16. Hammerman.
17. Thatcher.
18. Maistry.
19. Blacksmith.
20. Sawyer.
21. Caulker.
22. Mixer (including concrete mixer operator).
23. Pump operator.
24. Mixer driver.
25. Roller driver.
26. Kalasis or sarang engaged in heavy engineering construction, like heavy machinery, bridge work, etc.
27. Watchman.
28. Mosaic polisher.
29. Tunnel worker.
30. Rock breaker and quarry worker.
31. Marble/Kadappa stone worker.
32. Road worker.
33. Earth worker connected with construction work.
34. Worker engaged in processing lime.

35. Worker engaged in anti-sea erosion work.
 36. Any other category of workers who is actually engaged in the employment in construction or maintenance of dams, bridges, roads or in any building operation.
 [37. Brick manufactory other than the brick manufactory under the Factories Act, 1948 (Central Act 63 of 1948).
 38. Employment in construction of pandals.]

188. Sec 2(10) Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982- "manual worker" means a person who is engaged or to be engaged directly or through any agency, in any scheduled employment whether for wages or not, to do manual work in any scheduled employment, and includes any person not employed by any employer or a contractor, but working with the permission of, or under agreement with the employer or contractor for making or altering or for any work, [and a person who directly engages himself in any scheduled employment but does not include any member of the family of an employer or any employee who is in the enjoyment of benefits by or under the Employees' State Insurance Act, 1948 (Central Act XXXIV of 1948) or the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (Central Act XIX of 1952);]

187. Sec 3 of Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982.

188. Sec 8 A. Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982.

189. Sec 4 of Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982.-

190.

Date of Registration/renewal of registration	Period before which registration should be renewed.	Free for renewal	Period which notice for cancellation of registration should be sent.	Period by which registration should be cancelled.
(1)	(2)	(3)	(4)	(5)
Any day between First January and Thirtieth June of a year	After two years from the date of initial registration or subsequent renewal but before Thirtieth June of that year.	Rupees Ten	After the expiry of the period specified in column (2) and on or after the first July but before Thirty-first August of that year.	If the registration is not renewed within one month after the issue of the notice specified in column 4.
Any day on or between First July and Thirty-First of December of a year	After two years from the date of initial registration or subsequent renewal but before Thirty-first of December of that year.	Rupees ten.	After the expiry of the period specified in column (2) and on or after the First January but before 28 th February of the succeeding year.	If the registration is not renewed within one month after the issue of the notice specified in column (4).

Subs. By G.O.Ms.No.200, Labour & Employment (1-1), dated the 15th November, 1999

191. V. Krishnamurthy and R.P. Nair, *The Welfare Fund for Construction Workers in Tamil Nadu*, (Extension of Social Security paper No 18 , Social Security Policy and Development Branch, International Labour Office, Geneva ,2003)

192. Directorate of Economics and Statistics, Government of Karnataka, Bangalore
Karnataka 1-11 (2007)

193 Sec 18 of The Building and Other Construction Workers (Regulation of employment and conditions of Service) Act, 1996. – Constitution of State Welfare Boards.- (1) Every State Government shall, with effect from such date as it may, by notification, appoint, constitute a Board to be known as the .. (Name of the State) Building and Other Construction Workers' Welfare Board to exercise the powers conferred on, and perform the functions assigned to, it under this Act.

(2) The Board shall be a body corporate by name aforesaid, having perpetual succession and a common seal and shall by the said name sue and be sued.

(3) The Board shall consist of a chairperson, a person to be nominated by the Central Government and such number of other members, not exceeding fifteen, as may be appointed to it by the State Government:

Provided that the Board shall include an equal number of members representing the State Government, the employers and the building workers and that at least one member of the Board shall be a woman.

(4) The terms and conditions of appointment and the salaries and other allowances payable to the chairperson and other members of the Board, and the manner of filling of casual vacancies of the members of the Board, shall be such as may be prescribed.

194. Supra note 185 at 20.

195 Statement of Shri Harish Rawat, Rajya Sabha (July, 2010).

196. For statement of Object and Reasons, The Employees Compensation Act, 1923, Gazette of India, 1922 Part.V at p.113

197. Devshi Bhanji khona v. Mary Burno, (1985) IILLJ70 (High Court of Kerala).

198 Kochu velu V. Purakkattu Joseph, 1(1985)ACC107 (High Court of Kerala).

199. Sarup Singh Sher Singh Ramgarhia V. Mukund Lal, AIR 1960 119, (High court of Punjab and Haryana).

200 In Pine Chemicals V. Assessing Authority, (1992)2SCC683 (High court of Punjab and Haryana).

201 Sec 53 of E.S.I.Act, 1948. - Bar against receiving or recovery of compensation or damages under any other law.- An insured person or his dependents shall not be

entitled to receive or recover, whether from the employer of the insured person or from any other person, any compensation or damages under the Workmen's Compensation Act, 1923 (8 of 1923) or any other law for the time being in force or otherwise, in respect of an employment injury sustained by the insured person as an employee under this act.

202 Bharagath Engineering v.R.Ranganayaki, 2003(2)SCC 138 (Supreme Court of India).

203. Sec 2 (14) of ESI Act, 1948. "insured person" means a person who is or was an employee in respect of whom contributions are or were payable under this Act and who is, by reason thereof, entitled to any of the benefits provided by this Act.

204 . Sec 38 of ESI Act, 1948. All employees to be insured. - Subject to the provisions of the Act, all the employees in factories or establishment to which this Act applies shall be insured in the manner provided by this Act.

205 Abad Fisheries V. Commissioner for Workmen's Compensation, (1994) III LLJ 28 (High Court of Madhya Pradesh).

206. Pandu d/o Shri. Uma Charan Mishra V. The Divisional Manger of M.P. State Road Transport Corporation, (1999) III LLJ 28 (High Court of Madhya Pradesh).

207 Trechan v. M/s Associated Electrical Agencies, AIR 1996SC1990 (Supreme Court of India).

208 Ved Prakash Garg v. Premi Devi, AIR 1997 SC 3854 (Supreme Court of India).

209 Rita Devi V. New India Assurance Co Ltd, (2000)5SCC113 (Supreme Court of India).

210. Noorulla v. P.K. Prabhakar, 1999 II LLJ 741: AIR 2000 (High Court of Karnataka).

211. Section 110 AA of Motor Vehicle Act.- Notwithstanding any thing contained in workmen's Compensation Act, where the death of or bodily injury to any person gives rise to a claim for compensation under this Act and also under the Workmen's Compensation Act the person entitled to compensation may claim such compensation under either of those Acts but not under both.

212 Sec 147(1) of the Motor Vehicles Act, 1988 .
Corresponding Law.- Section 147(1) corresponds to section 95(1) of the motor Vehicles Act, 1939.

213. Trading Engineering New Delhi V Smt. Nirmala Devi, AIR 1980 P&H 115 (High Court of Punjab and Haryana).

214. Sec 3(5) of The Employee's Compensation Act, 1923.- Nothing herein contained shall be deemed to confer any right to compensation on an employee in respect of any injury if he has instituted in a Civil Court a suit for damages in respect of the injury against the employer or any other person; and no suit for damages shall be maintainable by an employee in any Court of law in respect of any injury-

(a) if he has instituted a claim to compensation in respect of the injury before a Commissioner; or

(b) if an agreement has been come to between the employee and his employer providing for the payment of compensation in respect of the injury in accordance with the provisions of this Act.

215. J.P. Tobacco Products v. Union of India, (1996)ILLJ822SC
(Supreme Court of India).

216 Supra note 93 at 9.

217 T.S Papola and Jesin Pais, *Debate on Labour market reforms in India. A Case of misplaced focus*, Vol.50(2) THE INDIAN JOURNAL OF LABOUR ECONOMICS 183- 197 (2007).

218. 2nd National Commission on labour Report. 688 (2002)

219. K.K.Bhaskara v. State of Kerala, (1973)ILLJ204 (High Court of Kerala)

220. Khemchand Motilal Tobacco products Ltd V. Union of India, 1996JLJ94
(High Court of Madhya Pradesh).

221. Supra note 43 at 5.

222 Supra note 121 at 12.

223. Supra note 33 at 2.

224. Supra note 34 at 3.

225. Sec 14 of Construction Workers Act, 1996. - Cessation as a beneficiary.

(1) A building worker who has been registered as a beneficiary under this Act shall cease to be as such when he attains the age of sixty years or when he is not engaged in building or other construction work for not less than ninety days in a year:

PROVIDED that in computing the period of ninety days under this sub-section, there shall be excluded any period of absence from the building or other construction work due to any personal injury caused to the building worker by accident arising out of and in the course of his employment.

(2) Notwithstanding anything contained in sub-section (1), if a person had been a beneficiary for at least three years continuously immediately before attaining the age of sixty years, he shall be eligible to get such benefits as may be prescribed.

Explanation: For computing the period of three years as a beneficiary with a Board under this sub-section, there shall be added any period for which a person had been a beneficiary with any other Board immediately before his registration.

226. Sec 17 of the Building and other construction workers (Regulation of employment and conditions of service) Act, 1996.- Effect of non-payment of contribution. When a beneficiary has not paid his contribution under sub-section (1) of section 16 for a continuous period of not less than one year, he shall cease to be a beneficiary:

PROVIDED that if the Secretary of the Board is satisfied that the non-payment of contribution was for a reasonable ground and that the building worker is willing to deposit the arrears, he may allow the building worker to deposit the contribution in arrears and on such deposit being made, the registration of building worker shall stand restored.

227. Rule 241(2) (b) of Building and other construction Rules, 1998. - issue a service certificate to each of such building worker in Form XXIV annexed to these rules to such building workers on termination of his service on account of completion of such work or for any other reason.

228. Supra note 173 at 19.

229. Supra note 152 at 17.

230. Supra note 88 at 8.

231 Supra note 87 at 8.

232 Supra note 98 at 9.

233 Supra note 87 at 8.

234 Supra note 98 at 9.

235 137th report Law Commission of India.

236. Nathulal case v. The Regional P.F. Commissioner, 1984, Lab IC, 1438.
(High Court of Madhya Pradesh).

237. Carmel V. Abao, *The Plight of Construction Workers and implications for ASEAN Economic Integration*,
<http://www2.asetuc.org/media/Minding%20the%20Builders.pdf> (May 23, 2011).

QUESTIONNAIRE FOR THE EMPLOYER :

1. Name and Address of the Establishment : _____

2. Date/month of Commencement of Building Construction work: _____

3. Number of Construction workers in the Estt: (Please (✓) the relevant option).

- | | | | |
|-----------------------|-----|----------------------|-----|
| (i) 10 - 20 workers | () | (iv) 61 - 80 workers | () |
| (ii) 21 - 40 workers | () | (v) 81 - 100 workers | () |
| (iii) 41 - 60 workers | () | (vii) more than 100 | () |

4. Number of contractors engaged for supply of Man-Power :
(Please (✓) the relevant option)

- | | |
|-------------------------------|-----|
| (i) 2 - 5 nos | () |
| (ii) 6 - 8 nos | () |
| (iii) more than 8 contractors | () |

5. Number of construction workers engaged through contractors :
(Please (✓) the relevant option)

- | | | | |
|-----------------------|-----|----------------------|-----|
| (i) 10 - 20 workers | () | (iv) 61 - 80 workers | () |
| (ii) 21 - 40 workers | () | (v) 81 - 100 workers | () |
| (iii) 41 - 60 workers | () | (vii) more than 100 | () |

6. Do you know that the Construction Workers' Act applies to an Establishment wherein ten or more workers are engaged for Building Construction work: Yes/No

7. Do you know that Employer needs to apply for Certificate of Registration to the Authority Yes/No

8. Do you know that, a notice is to be given to the Authority before to thirty days of commencement of Building Construction work Yes/No

9. Do you know that, Central Government levies Cess @ 1- 2% on the cost of Building construction Yes/No

10. Do you know that the order of Assessment of Cess made by the Authority can be appealed against in case of any variation Yes/No

11. Have you preferred any appeal before the Authority against the orders of Assessment of Cess Yes/No

11. The number of construction workers working with the Establishment, who got registered as beneficiary with the Welfare Board :
(Please (✓) the relevant option)

- | | | | |
|-----------------------|---------|----------------------|---------|
| (i) 10 - 20 workers | () | (iv) 61 - 80 workers | () |
| (ii) 21 - 40 workers | () | (v) 81 - 100 workers | () |
| (iii) 41 - 60 workers | () | (vii) more than 100 | () |

13. The number of construction workers who contribute to the Welfare Board by making deduction from the wages (Please (✓) the relevant option)

- | | |
|---------------------------|---------|
| (i) 10-20 workers | () |
| (ii) 20- 40 workers | () |
| (iii) 40-60 workers | () |
| (iv) more than 60 workers | () |

14. The number of workers who leave the job in any particular month.
(Please (✓) the relevant option).

- a) 10 - 20 workers
- b) 20 - 40 workers
- c) 40 - 60 workers
- d) more than 60 workers.

15. Whether any Trade Union/Representative approached the Establishment with regard to extension of welfare benefits to the Construciton worker(s)

Yes/No

16. Do you know that the Government provides Grant-in-aid for the welfare facilities provided by the Employer to the Construction workers

Yes/No

17. Whether the Employer/Establishment is providing any kind of welfare benefit(s) in addition to the benefits extended by the Welfare Board

Yes/No

QUESTIONNAIRE FOR THE CONSTRUCTION WORKER :

1. Name of the Construction Worker : _____

2. (i) Age : _____ (ii) Sex : Male / Female

3. Permanent Address : _____

4. Literacy Level : (Please (✓) the relevant option)

- (i) 1 - 4th standard ()
(ii) 5 - 7th standard ()
(iii) 8 - 10th standard ()
(iv) Above matric ()

5. Number of dependent family members: (Please (✓) the relevant option)

- (i) 2-4 nos ()
(ii) 5-7 nos ()
(iii) more than 7 nos ()

6. Establishment in which working : _____

7. Date/month of joining the Establishment : _____

8. Have you worked continuously in any Establishment for the following period :
(Please (✓) the relevant option)

- (i) 1 - 3 months () (iii) 7 - 12 months ()
(ii) 4 - 6 months () (iv) more than one year ()

9. Do you know that Karnataka State Constructions Workers Welfare Board provides the following benefits :

- a) Loan amount of Rs.5000/- for purchase of tools Yes/No
b) Loan for Construction of House Yes/No
c) Educational Assistance for Two Children Yes/No
d) Medical assistance upto a max of Rs.2000 Yes/No
e) Financial Assistance upto one Rs. one lakh in case of Death/Permanent Disablement Yes/No
f) Medical assistance for Treatment of major disease upto Rs.50,000/- Yes/No
g) Financial Assistance upto Rs.5000 for children's marriage (two children only) Yes/No
h) Monthly pension upto Rs.300/- per month Yes/No
i) Maternity benefit of Rs.6000/- for female workers. Yes/No

10. Number of years of experience in the field of construction work :
(Please (✓) the relevant option)
- | | | | |
|----------------------|-----|---------------------|-----|
| (i) Less than 1 year | () | (iv) 6-9 years | () |
| (ii) 1-3 years | () | (v) 9-12 years | () |
| (iii) 3-6 years | () | (vi) Above 12 years | () |
11. Do you know that, to become eligible for Registration as a beneficiary you must have worked atleast three months in the preceeding year
- Yes/No
12. Have you got registered as a beneficiary with the Welfare Board.
- Yes/No
13. Do you know that membership ceases :
- (i) if contribuions are not paid for more than one year
- Yes/No
- (ii) when a consturction worker is not employed for more than 3 months in a year
- Yes/No
14. Do you know that contributions @ Rs.10/- per month can be remitted to:-
- (i) Welfare Board through Labour Officer
- Yes/No
- (ii) Authorise Employer to deduct from wages
- Yes/No
15. When ever there is change in employment do you get the new job with in the following period. (Please (✓) the relevant option)
- | | | | |
|------------------|-----|-------------------|-----|
| (i) 1-3 months | () | (ii) 4-6 months | () |
| (iii) 7-9 months | () | (iv) 10-12 months | () |
16. Do you know that membership can be retained even on change of job from one state to another state
- Yes/No
17. Have you approached any Trade Union seeking guidance for availing the said benefits.
- Yes/No

Signature of the C.Worker.

Questionnaire for the Trade Union Office Bearer:

1. Name of the Trade Union Office Bearer :
2. Office Address of Trade Union. :
3. Membership of Trade Union. (as on 31.3.09)
4. Do you know that :
 - a) The Building & Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996 (In Short Act) applies to an Establishment when Ten or more workers are employed with the Establishment. Yes / No
 - b) The Karnataka State Construction Workers Welfare Board (In Short Board) Provides various kinds of Social Security & Labour Welfare Benefits to the workers registered the Board. Yes / No
 - c) The Central Government levies Cess @ 1% on the cost of the construction of Building. Yes / No
5. Do you agree that the Building and other construction workers (In Short Workers) are encountered with the limitations such as :
 - i) They are Unorganized and prone to scattered employment Yes / No
 - ii) Lack of awareness about the Social Security and Labour Welfare benefits provided by the Board.
6. Is it true that membership of the Trade Union is on the raise by bringing the Construction workers under its ambit Yes / No
7. The number of Grievances received from the workers in a month. (Please put ✓ the relevant box)

a) 10 – 50 ()	c) 100-200 ()
b) 50-100 ()	d) above 200 ()
8. Is it true that Construction workers approach the Trade Union Seeking assistance for the following reasons
 - i) For getting registered as beneficiary with the Board. Yes / No
 - ii) For obtaining Employment Certificate. Yes / No
 - iii) For availing Social Security & Welfare benefits from the Board: Yes / No

9. Do you agree that Trade Union Representation before the Authorities has helped in registration of workers with the Board. The Number of Registrations made out in a month. Please put ✓ the relevant box)

- a) 10-50 () c) 1500-200 ()
 b) 100-150 () d) more than 200 ()

10 Do you agree that workers migrating from different states are also employed with the Establishment.

Yes / No

11. Do you agree that frequent change in job by the Construction Workers is resulting in:

- a) Less number of Registrations as beneficiary with the Board
 b) Break in reckonable service/Retention of Membership,
 c) Difficulties in issuing of Employment Certificate.

Yes / No

Yes / No

Yes / No

12 Do you agree that in order to encourage the construction workers For Retention of Membership there is a need for suitable Provisions in the Act.

Yes / No

13 Any other information/Suggestions for effective Administration of the Welfare Board.

Signature of the Office Bearer

Questionnaire for the Labour Officer:

1. Name of the Labour Officer :
2. Experience in the field of Enforcement of Labour laws.
(Please ✓ the relevant box) :
 - i) 1-4 years () iii) 8-12 years ()
 - ii) 4-8 years () iv) more than 12 years ()
3. Do you notice that Employer is aware about the Provisions of The Building & other Construction workers (Regulation of Employment & Conditions of service) Act, 1996. (In short Act)
 - i) The Applicability of the Act when Ten or more workers are employed with the Establishment. Yes / No
 - ii) Submission of Notice thirty days prior to commencement of Construction work and also intimation about its completion. Yes / No
 - iii) Levy of Cess @ 1-2% on the cost of Construction by the Central Government Yes / No
 - iv) About the functioning of Karnataka State Construction Workers Welfare Board and the welfare benefits extended to the Workers Registered as beneficiary with the Board. Yes / No
4. Do you notice that Employer is aware about the orders of Assessment made by Authority for ascertaining the actual Cost of Construction of Building Yes / No
5. (a) Do you come across instances where the Employer has disputed the orders of Assessment. Yes / No
(b) If yes, the reasons/objections raised by the Employer may be mentioned.

6. Do you notice that Construction Workers hailing from different States are also employed with the Establishment. Yes / No
7. Do you notice that Construction workers employed with the Establishment are encountered with the limitations such as:
 - i) Low level of Literacy Yes / No
 - ii) Lack of awareness about the compulsory registration as beneficiary with the K.S.C.W.W.Board Yes / No
 - iii) Lack of awareness about the mode of remittance of Contributions @ Rs. 10/- per month to the KSCWWB Yes / No
 - iv) Lack of awareness about retention of Membership in case change in employment. Yes / No

8. Do you agree that frequent change in job by the Construction Workers is resulting in:
- a) Less number of Registrations as beneficiary with the Board Yes / No
 - b) Break in reckonable service/Retention of Membership, Yes / No
 - c) Difficulties in issuing Employment Certificate. Yes / No
9. Do you come across instances where Trade Union(s) represent grievances of construction workers in the following areas:
- a) Non-Registration of Construction workers as Beneficiary with the K.S.S.W.W.Board. Yes / No
 - b) Delay in extending Social Security/Welfare facilities. Yes / No
 - c) Grievances other than the above may kindly be mentioned.
-
10. Do you notice that Employer needs to incur expenses in furnishing the documents such as:
- a) Age Certificate of Construction workers issued by the Doctor Yes / No
 - b) Copies of Address Proof of workers for issual of Identity Card Yes / No
11. Do you notice that Employer is aware about Grant-in- aid Provided by the Government in cases where Additional welfare benefits are extended by the Employer to the Construction workers. Yes / No
12. Do you agree that there is need for cohesion of records maintained by the Employer as per Inter-State Migrant Workers Act, 1979 and with that of the Act. Yes / No
13. Do you agree that in order to encourage the construction workers for Retention of Membership there is a need for amendment in the Act. Yes / No
14. Any other information/Suggestions for effective Administration of the Welfare Board.
-

Signature of Labour Officer

കേരള ബിൽഡിംഗ് ആന്റ് അദർ കൺസ്ട്രക്ഷൻ വർക്കേഴ്സ് വെൽഫെയർ ബോർഡ്

ഫാറം നമ്പർ - 1

അംഗത്വം പുതുക്കുമ്പോൾ തൊഴിലാളി സമർപ്പിക്കേണ്ട സ്റ്റേറ്റ്‌മെന്റ്

1. തൊഴിലാളിയുടെ പേരും പൂർണ്ണ മേൽവിലാസവും : S. Sreedharan; 9/10, K. P. Road, Thiruvananthapuram.
2. (എ) അംഗത്വ നമ്പർ ൧. 25508 (ബി) വരിനിരക്ക് Rs. 20/-
(സി) വരിസംഖ്യ അടയ്ക്കുന്ന ബാങ്കിന്റെ പേര് : D. B. Bank Ltd.
3. ചെയ്യുന്ന ജോലിയുടെ പേര് : ബിൽഡിംഗ് വർക്കേഴ്സ്.
4. ഇപ്പോഴത്തെ വയസ്സ് 41 ജനനതീയതി 30/5/1967
റിട്ടയർമെന്റ് തീയതി 30/5/2027

മേൽ പ്രസ്താവിച്ചിരിക്കുന്ന വിവരങ്ങൾ എന്റെ അറിവിലും ഉത്തമ വിശ്വാസത്തിലും സത്യമാണെന്നും മേൽ അന്വേഷണത്തിൽ വ്യാജമാണെന്ന് തെളിഞ്ഞാൽ എന്റെ അംഗത്വം അവസാനിക്കുന്നതുൾപ്പെടെയുള്ള മേൽ നടപടികൾ കൈക്കൊള്ളുന്നതിനും ഞാൻ ഇതിനാൽ സമ്മതിച്ചുകൊള്ളുന്നു. ഞാൻ ആരോഗ്യവാനും ജോലിചെയ്യുവാൻ കഴിവുള്ള ആൾ ആണെന്നും ഇതിനാൽ ഉറപ്പു നൽകുന്നു. എന്തെങ്കിലും രോഗം ഉണ്ടെങ്കിൽ ആ വിവരം സ്റ്റേറ്റ്‌മെന്റിൽ രേഖപ്പെടുത്തേണ്ടതാണ്.

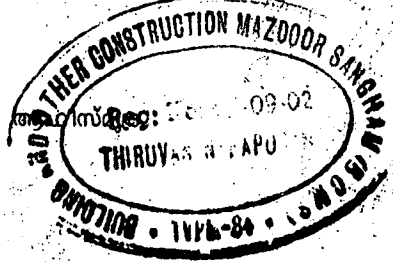
ശ്രീ. സി. സുബ്ബലക്ഷ്മി, വാ. ൧൧, പാലക്കാട്, തിരുവനന്തപുരം, PIN: 17
H. No: 481

ഞാൻ 11/99 മുതൽ 3/08 വരെയുള്ള വരിസംഖ്യ കൃത്യമായി അടച്ചിട്ടുണ്ടെന്നും കഴിഞ്ഞ വർഷം കൂടിശ്ശിലയൊന്നും വരുത്തിയിട്ടില്ലായെന്നും 90 ദിവസത്തിൽ കൂടുതൽ നിർമ്മാണ പണിയിലേർപ്പെട്ടിരുന്നില്ലെന്നും ഇപ്പോഴും ടി തൊഴിലിലേർപ്പെട്ടിരിക്കുകയാണെന്നും ഇതിനാൽ സത്യവാങ്മൂലം നൽകുന്നു.

സ്ഥലം : S.S. Sreedharan
തീയതി : 30/5/2027

സർട്ടിഫിക്കറ്റ്

കേരള നിർമ്മാണ തൊഴിലാളി ക്ഷേമനിധിയിൽ ൧. 25508 നമ്പർ അംഗത്വം (തൊഴിലാളിയുടെ പേരും മേൽവിലാസവും) S.S. Sreedharan; 9/10, K. P. Road, Thiruvananthapuram. ബാങ്കിന്റെ പേര് D. B. Bank Ltd. ശാഖയിൽ 3/08 വരെ കൃത്യമായി അംശദായം അടച്ചിട്ടുണ്ടെന്നും കഴിഞ്ഞവർഷം ടിയാൻ 90 ദിവസത്തിൽ കൂടുതൽ നിർമ്മാണ പണികളിലേർപ്പെട്ടിരിക്കുന്നില്ലെന്നും, തുടർന്നും ടി തൊഴിലിൽ ഏർപ്പെട്ടിരിക്കുകയാണെന്നും, ക്ഷേമനിധി അംഗത്വം തുടരാൻ ടിയാൻ അർഹനാണെന്നും ഇതിനാൽ സാക്ഷ്യപ്പെടുത്തിക്കൊള്ളുന്നു



എന്ന്,
P. HENCODU-D. SEKHARAM NAIR,
General Secretary
, and other Construction
Mazdoor Sangham
Thiruvananthapuram-84
അധികാരപ്പെടുത്തിയിട്ടുള്ള
ഉദ്യോഗസ്ഥന്റെ / യൂണിയൻ ഓഫീസറുടെ
പേരും, ഉദ്യോഗപ്പേരും, ഒപ്പും

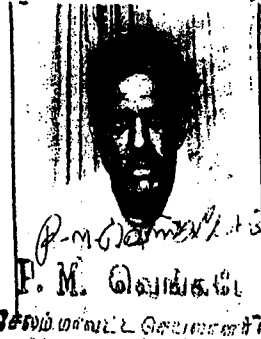
തീയതി
സ്ഥലം

தமிழ்நாடு கட்டுமானத் தொழிலாளர்கள் ரூல வாரியம்

735, அண்ணா சாலை, சென்னை-2.

அட்டவணை-II
படிவம் "அ"
(ஒரத்து 5 (2) காகம்)

அணைகள், பாலங்கள், சாலைகள் மற்றும் இதர கட்டிடங்கள் மற்றும் பராமரிப்பு பணிகளில் ஈடுபட்டுள்ள உடல் உழைப்புத் தொழிலாளர்கள் பதிவு செய்வதற்கான விண்ணப்பம்.



P. M. வெங்கடேசன்

சேலம் மாவட்ட செயலாளர் வட்டி

12.45
12/12/02

பதிவு எண் :
(அலுவலகத்தில் பூர்த்தி செய்வதற்காக)

05 | 06 | 35 | 13



1. தொழிலாளியின் பெயர்

M. லக்ஷ்மீகாந்த்

2. வயது மற்றும் பிறந்த தேதி

47 - 10/6/1955

3. தந்தை பெயர் / தாயார் பெயர்

சுந்தர் சாமி

4. திருமணம் அந்தஸ்து

(திருமணம் ஆனவரை திருமணம் ஆகாதவரை, விதவையர் (அ) மனைவியை இழந்தவரை) :

தெவன்

5. பிரந்தர முகவரி

M. லக்ஷ்மீகாந்த் அகாடமிக்கு நகராட்சி

6. தற்போதைய முகவரி

சென்னை கருத்துப்படி அபிவிருத்தி அமைச்சு 100 ஆம் வீடு 11

7. ஏதேனும் ஒரு தொழிற்சங்கத்தில் உறுப்பினராக

ஆம்

8. ஆம் எனில் தொழிற்சங்கத்தின் பெயர்

தமிழக கட்டிட தொழிலாளர்கள் பத்திய சங்கம், M. D. S. 948

9. சாதாரணமாக தொழிலாளர் பணிக்கு செல்லிற இடங்களும் அவை அமைந்துள்ள பகுதிகள் குறித்த விவரமும்

சென்னை மாவட்டம் தமிழ்நாடு (முழுவதும்)

10. தொழிலின் தன்மை மற்றும் பணித்திறன்

(கிரிஸ்டி கங்கர்) வெல்டர்

இடம்: அ. காங்கர் கிரிஸ்டி

நாள்: 12/12/2002

உடல் உழைப்புத் தொழிலாளர் கையொப்பம்

M. லக்ஷ்மீகாந்த்

M. மனவந்திரன்

சான்றிதழ்.

திருத்தி செய்தி

M. லக்ஷ்மீகாந்த்

அணைகள்

பாலங்கள், சாலைகள், மற்றும் இதர கட்டிடங்கள் கட்டுதல் மற்றும் பராமரிப்பு பணிகளில் ஈடுபட்டுள்ள ஒரு உடல் உழைப்புத் தொழிலாளர் என்று இதன் மூலம் சான்றளிக்கப்படுகிறது.

இடம்: சென்னை

தேதி: 12/12/2002



P. M. வெங்கடேசன்

P. M. வெங்கடேசன்

சேலம் மாவட்ட செயலாளர் வட்டி, அங்கீகாரம் அளிக்கப்பட்டவரின் கையொப்பம்.

சான்றளிக்கப்படுகிறது / நாள் வரை செல்லத்தக்கது.

அலுவலக முத்திரை

கையொப்பம் தொழிலாளர் உதவி ஆணையாளர்



ನಮೂನೆ - 5

ನಿಯಮ 20 ರ ಉಪನಿಯಮ [1] ನೋಡುವುದು
ನುಭವಿ ಎಂದು ನೋಂದಾಯಿಸುವ ಅರ್ಜಿ



ಗೆ,
ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಣಾಧಿಕಾರಿ,
ಕಟ್ಟಡ ಮತ್ತು ಇತರ ನಿರ್ಮಾಣ
ಕಾರ್ಮಿಕರ ಕಲ್ಯಾಣ ಮಂಡಳಿ,
ಕಾರ್ಮಿಕರ ಭವನ, 3ನೇ ಹಂತ,
ಬನ್ನೇರುಘಾಟ್ಟಿ ರಸ್ತೆ, ಬೆಂಗಳೂರು -29

1. ಅರ್ಜಿದಾರರ ಪೂರ್ಣ ಹೆಸರು ಮತ್ತು
ಖಾಯಂ ವಿಳಾಸ
2. ಹುಟ್ಟಿದ ದಿನಾಂಕ/ವಯಸ್ಸು
3. ಲಿಂಗ
4. ರಾಷ್ಟ್ರೀಯತೆ
5. ಇವುಗಳಿಗೆ ಸೇರಿದುದಾರ್ಯೇ

ಶ್ರೀ. ಸಿ. ರಾಜೇಶ್ವರಿ ಎನ್. ಎ. ಬಿ. ಸ್ವಾಮಿ
ಪಿ. ಡಿ. ನಗರ ರಸ್ತೆ, ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ
29 ವರ್ಷ

ಗಂಡು / ಹೆಣ್ಣು : ಗಂಡು
ಭೌತಿಕತೆ : ಭೌತಿಕತೆ
ಪರಿಶಿಷ್ಟ ಜಾತಿ (ಎಸ್.ಸಿ) / ಪರಿಶಿಷ್ಟ
ಪಂಗಡ (ಎಸ್.ಟಿ) ಇತರ ಹಿಂದುಳಿದ
ಜಾತಿ (ಪಿ.ಬಿ.ಸಿ) / ಇತರ

6. ಸ್ಥಳೀಯ ವಿಳಾಸ
7. ಹಾಲಿ ನಿಯೋಜಕರ ಹೆಸರು ಮತ್ತು ವಿಳಾಸ
8. ಕೆಲಸದ ಸ್ವರೂಪ
9. ಉದ್ಯೋಗಕ್ಕೆ ಸೇರಿದ ದಿನಾಂಕ
10. ವೇತನ ದಿನ ಒಂದಕ್ಕೆ / ಪ್ರತಿ ತಿಂಗಳಿಗೆ
11. ನಾಮ ನಿರ್ದೇಶಿತರ ಹೆಸರು, ಸಂಬಂಧ ಮತ್ತು
ವಿಳಾಸ

ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ, ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲೆ
ಕೆ. ಎ. ಸಿ. ರಸ್ತೆ, ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ
10-1-2014 ರಿಂದ
120=10 ಎನ್.ಎಸ್.ಎಸ್.
ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ

ನಾನು ಈ ಮೂಲಕ ದೃಢೀಕರಿಸುವುದೇನೆಂದರೆ ಮೇಲೆ ನೀಡಿದ ಮಾಹಿತಿಯು ನನ್ನ ತಿಳುವಳಿಕೆ ಹಾಗೂ ನಂಬಿಕೆಗೆ ಅನುಗುಣವಾಗಿ
ಸರಿ ಇರುತ್ತದೆ ಹಾಗೂ ನಿಜವಾಗಿರುತ್ತದೆ.

ಸ್ಥಳ :
ದಿನಾಂಕ :

ಶ್ರೀ. ಸಿ. ರಾಜೇಶ್ವರಿ ಎನ್. ಎ. ಬಿ. ಸ್ವಾಮಿ
ಅರ್ಜಿದಾರರ ಸಹಿ / ಎಡ ಪೆಟ್ಟರಿಳಿಸ ಗುರುತು

ಕಛೇರಿ ಉಪಯೋಗಕ್ಕಾಗಿ ಮಾತ್ರ

ರೂ ಗಳ ಶುಲ್ಕ ಸ್ವೀಕರಿಸಿದೆ

ಅರ್ಜಿ ಪುರಸ್ಕರಿಸಿದೆ / ತಿರಸ್ಕರಿಸಿದೆ.

ಸ್ಥಳ :
ದಿನಾಂಕ :

ನೋಂದಣಿ ಅಧಿಕಾರಿಗಳ
ಸಹಿ ಹಾಗೂ ಮೊಹರು

ಕಟ್ಟಡ ಮತ್ತು ಇತರ ನಿರ್ಮಾಣ ಕಾರ್ಮಿಕರ (ಉದ್ಯೋಗದ ಕ್ರಮೀಕರಣ ಮತ್ತು ಸೇವಾ ಪರತ್ತುಗಳು) ಕರ್ನಾಟಕ ನಿಯಮಗಳು, 2006 ರ ನಿಯಮ 20 ರ ಉಪನಿಯಮ (2) ರ ಖಂಡ (ಸಿ) ಪ್ರಕಾರ ಕಟ್ಟಡ ಕಾರ್ಮಿಕನು ಕಟ್ಟಡ ನಿರ್ಮಾಣ ಕಾಮಗಾರಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿರುವ ಬಗ್ಗೆ ನೋಂದಾಯಿತ ಕಾರ್ಮಿಕ ಸಂಘದವರು ನೀಡುವ ಪ್ರಮಾಣ ಪತ್ರ



1. ಕಾರ್ಮಿಕ ಸಂಘದ ಪೂರ್ಣ ಹೆಸರು ಮತ್ತು ಪೂರ್ಣ ವಿಳಾಸ	ಕಟ್ಟಡ ನಿರ್ಮಾಣ ಕಾರ್ಮಿಕರ ಸಂಘ (ನೋಂದ.) ಬಿ.ಡಿ.ಓ. ಆಫೀಸ್ ಹತ್ತಿರ, ಬೆಂಗಳೂರು ರಸ್ತೆ, ಚಿಂತಾಮಣಿ - 563 125, ಚಿಕ್ಕಬಳ್ಳಾಪುರ ಜಿಲ್ಲೆ
2. ಕಾರ್ಮಿಕ ಸಂಘದ ನೋಂದಣಿ ಸಂಖ್ಯೆ ಮತ್ತು ದಿನಾಂಕ	ನಂ 5/2001. 9-8-2001
3. ನೋಂದಣಿ ಪತ್ರ ನೀಡಿದ ಕಛೇರಿಯ ವಿಳಾಸ (ಯಾವ ಸಹಾಯಕ ಕಾರ್ಮಿಕ ಅಯುಕ್ತರು)	ಶಿವರಾಜು ವಿಳಾಸ - ೨
4. ಅರ್ಜಿದಾರ ಕಟ್ಟಡ ಕಾರ್ಮಿಕನ ಹೆಸರು 1) ಖಾಯಂ ವಿಳಾಸ 2) ಹಾಲಿ ವಾಸಿಸುತ್ತಿರುವ ವಿಳಾಸ	ಕಟ್ಟಡ ಕಾರ್ಮಿಕರ ಸಂಘದ ಬೆಂಗಳೂರು ವಿಳಾಸ ಶಿವರಾಜು ವಿಳಾಸ
5. ಅರ್ಜಿದಾರ ಕಟ್ಟಡ ಕಾರ್ಮಿಕನು ಹಾಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿರುವ ಕಟ್ಟಡ ಮಾಲೀಕರ/ಗುತ್ತಿಗೆದಾರರ ಪೂರ್ಣ ಹೆಸರು ಮತ್ತು ಪೂರ್ಣ ವಿಳಾಸ	ಕಟ್ಟಡ ಕಾರ್ಮಿಕರ ಸಂಘದ ಬೆಂಗಳೂರು ವಿಳಾಸ ಶಿವರಾಜು ವಿಳಾಸ
6. ಅರ್ಜಿದಾರ ಕಟ್ಟಡ ಕಾರ್ಮಿಕನು ಹಾಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿರುವ ಕಟ್ಟಡ ನಿರ್ಮಾಣದ ಕಾಮಗಾರಿಯ ವಿವರಗಳು	ಕಟ್ಟಡ ಕಾರ್ಮಿಕರ ಸಂಘದ ಬೆಂಗಳೂರು ವಿಳಾಸ ಶಿವರಾಜು ವಿಳಾಸ
7. ಅರ್ಜಿದಾರ ಕಟ್ಟಡ ಕಾರ್ಮಿಕನು ಈ ಕಾಮಗಾರಿಯಲ್ಲಿ ಮಾಡುತ್ತಿರುವ ಕೆಲಸದ ಸ್ವರೂಪ/ ಹುದ್ದೆ.	ಕಟ್ಟಡ ಕಾರ್ಮಿಕರ ಸಂಘದ ಬೆಂಗಳೂರು ವಿಳಾಸ ಶಿವರಾಜು ವಿಳಾಸ
8. ಯಾವ ದಿನಾಂಕದಿಂದ ಆತನು ಸದರಿ ಕಾಮಗಾರಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದಾನೆ.	10-1-2004 ರಿಂದ
9. ಈ ಒಂದು ವರ್ಷದ ಅವಧಿಯಲ್ಲಿ ಅರ್ಜಿದಾರ ಕಟ್ಟಡ ಕಾರ್ಮಿಕನು 90 ದಿನಗಳ ಅವಧಿಗೆ ಯಾವ ಕಟ್ಟಡ ನಿರ್ಮಾಣದ ಕಾಮಗಾರಿಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡಿರುತ್ತಾನೆ ಅದರ ಅವಧಿವಾರು ವಿವರಗಳು	ಅವಕಾಶ ಶಿವರಾಜು ವಿಳಾಸ
10. ಆತನಿಗೆ ನೀಡಲಾಗುತ್ತಿರುವ ಸಂಬಳ	ರೂ / ೨೦೦೦ ರಿಂದ

ಮೇಲಿನ ವಿವರಗಳು ಸರಿ ಇರುತ್ತವೆಂದು ದೃಢೀಕರಿಸಲಾಗಿದೆ.

ಕಾರ್ಯದರ್ಶಿ
ಕಾರ್ಮಿಕ ಸಂಘದ ಅಧ್ಯಕ್ಷರು/
ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ/ ಕಾರ್ಯದರ್ಶಿ

ಸ್ಥಳ :
ದಿನಾಂಕ :



കേരള നിർമ്മാണ തൊഴിലാളി
ക്ഷേമനിധി ബോർഡ്
 തിരുവനന്തപുരം

അംഗത്തിന്റെ പേര്: S.S. മുഖ്യാനന്ദൻ
 അദ്ധ്യക്ഷൻ: എ.എ. മുഹമ്മദ്
 അംഗീകൃത തുക: 25000/-
 തീയതി: 26.10.98
 സ്ഥാപനം: RA. POTHENCODE
 Name of Bank: Dee. S. Bank of India
 MANAGER: [Signature]

കേരള നിർമ്മാണ തൊഴിലാളി							ക്ഷേമനിധി ബോർഡ് Regd- No.						
പതി	മാസം	തവണ	അടച്ച തുക	പിഴവിലിട	Balance	Initial & Seal	തീയതി	മാസം	തവണ	അടച്ച തുക	പിഴവിലിട	Balance	Initial & Seal
198	11/98	1+2	40		40	✓							
20	12/98	12	240		280	✓							
21	1/99	12	240		528	✓							
22	2/99	12	240	10	778	✓							
23	3/99	12	240	18	1018	✓							
24	4/99	12	240	14	1258	✓							
25	3/05	3	60		1318	✓							
26	3/06	12	240	16	1558	✓							
30	8/07	12	240	22	1798	✓							
36	3/08	12	240	16	2038	✓							