

**JOINT ACTION COMMITTEE  
Construction Worker Union – Delhi**

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19<sup>th</sup> May,2020

To,  
The Labour Minister &  
Chairman,Delhi Building &  
Other Construction Workers Welfare Board.  
Vikash Bhawan-II  
Delhi-110054

**Online registration without preparation is  
promoting corruption and  
avoiding payment of lockdown compensation  
to five lakh Construction Workers  
registered as beneficiaries since 2005.**

**Request Review the decision taken without Tripartite Consultation.**

**Request to immediately call the Board meeting  
pending since June 2019- almost eleven Month.**

Dear Sir,

Limiting the dates of open online registration from 15<sup>th</sup> to 25<sup>th</sup> May, 2020 has created a rush for registration, higher demand of fees from Rs.500 to Rs.2000 for registration by private parties/trade unions. Verification of 50 person per day after 25<sup>th</sup> May puts an uncertainty on the time it is likely to take for the verification of all those who are registered from 15<sup>th</sup> to 25<sup>th</sup> May,2020. The online registration system has not worked smoothly on Saturday and Sunday, i.e. 16<sup>th</sup> and 17<sup>th</sup> May, 2020.

The opening of online registration will not ensure large scale registration automatically unless you increase the number of 'registering authorities'. With only five Deputy Secretaries authorised to put digital signatures who can sign maximum of only five hundred Identity Cards per day, in 10 days from 15<sup>th</sup> to 25<sup>th</sup> May 2020, the Delhi BOCW Welfare Board, can mathematically achieve only 5000 registration and renewals. The

realistic achievement of Delhi BOCW from November 18 to March 2020 was **only 1000 in ten days.**

Therefore we request you to immediately call a meeting of the Delhi Building & Other Construction Workers Welfare Board to discuss **how the five lakhs construction workers of Delhi, registered as beneficiaries since 2005, can be delivered the lockdown compensation at the earliest.** These five lakh beneficiaries have been left out because they have failed to submit their annual work certificate and contribution of 20 Rupees since last few years. They failed **not because of their fault** but because of the non-working of the labour officials who were designated since 2002 onward as 'registering authorities' and because of the " very-very slow speed of the functioning of the ' Five Deputy Secretaries' of the Delhi BOCW Board, working in '**diverted capacity**' from other department, who were designated as 'the registering authorities' on 29<sup>th</sup> November 2018, in the place of the labour officials who refused to performed their designated duties. Delhi Government has failed to take any disciplinary action against these labour officials till now. Even in this precarious situation, you have not understood the importance of keeping the workers and their representatives on your side and consulting them before taking such a crucial decisions.

With this low rate of registration, the Delhi Building & Other Construction Workers Welfare Board will take 5000 days or **20 years** (assuming 250 working days per year) to register remaining five lakh Construction Workers and another **twenty years** to register the remaining five lakh unregistered construction workers, **forty year in total.**

Delhi Building & Other Construction Workers Welfare Board is in this **absurd** situation **because the open registration has been launched without consulting the tripartite board constituted or notified on 14th May, 2020** under the Building & Other Construction Worker Acts,1996 and the Delhi BOCW Rules,2002.

The process adopted on the basis of one sided advise of the labour officials or the Board officials is likely to take several years, much longer than the Five Years term of the government of NCT of Delhi for which it has been elected by the voters of Delhi, including the construction Workers who have been denied the compensation.

Therefore we request **the first meeting of the newly constituted Board to take the following proposal of JAC-CWUD as an agenda item and decide on it.**

JAC-CWUD proposes that instead of going through the whole process of depositing work certificate of 90 days during last year and annual contribution of Rs. 20, which takes at least one hour to more than twenty four hours. In the present crisis the Board should decide that the Board will obtain only the copies of page 2,3 and 6 of the Identity Card, Aadhar Card and Bank Passbook of all the registered beneficiaries. These copies can be obtained along with a self-undertaking or /and a work certificate by the union that the registered beneficiaries has worked for more than 90 days as a construction worker during last one or more years since when the renewal is due. The Board meeting should decide that only in the present crisis the entitlement to receive benefits under Section 14(1) of the BOCW Act 1996 shall be restored. The annual contribution shall be waved off or any fine for the delay under Section 267(2) shall be waved off in the present emergency as an emergency step.

The Board meeting should also decide that all such beneficiaries should be granted a relief of Rs.5000/- per month for the last two months in their bank account.

Several Trade Union working with construction workers in Delhi have also given their support to the above mention proposal

Once the above decision has been taken by the Delhi BOCW Board it will help in the renewals of all the pending registrations of beneficiaries.

Twenty State BOCW Board have ready granted emergency relief to all the registered beneficiaries without looking in to their renewals, as can be seen from the enclosed NCC-CL circular dt.30.04.2020 If the Construction Workers who have left for their native place, also claim this amount it will take the goodwill of the Delhi BOCW Board to other States, outside the boundaries of Delhi.

There are few more pending issues which needs to the considered at next Board meeting because few Deputy Secretaries are taking arbitrary decisions e.g. Section 267(2) of the Delhi BOCW Rules is twisted into an absolutely wrong policy of **not restoring the entitlement of a beneficiary who have a gap of more than two years in depositing the annual contribution.** This is contrary to the spirit of the Section 17 of the BOCW Act which provides for the restoration of the entitlement on the payment of the pending contribution.

The appointment of a **full time Secretary** and **full time adequate staff** for the Delhi BOCW Board is the **most crucial requirment to do away with the corruption which has gone in to the roots of the Board during last two years.**

The Board is yet to provide for a system for timely updation of daily registrations and renewals. The name and details of the Cyber Café or Trade Unions registering, renewing or filling the claims need, to be recorded in the system to identify faulty practices if any.

We request you to please take an immediate decision on this letter and call for a Board meeting through Video-Conferencing.

With thanks

Your Sincerely,

1. Anurag Saxsena, President & Siddheswer Shukla, Member Delhi BOCW Board and General Secretary Rajdhani Bhawan Nirman Kamgar Union **CITU** 9891320909, 8447380108,
2. Lata, Member Delhi BOCW Board Vice Precedent, Self Employed Women Association .Delhi (SEWA) 8800336511
3. Ramendra, Member Delhi BOCW Board General Secretary Delhi, Nirman Mazdoor Sanghathan, BWI, **TUCC** 9868815915, 9891264064
4. Ramesh Vats, President, Mhanagar Asangthit Mazdoor Union BWI, **INTUC**, and Former Member of Delhi BOCW Board 9990712759
5. Subhash Bhatnagar Secretary Nirman Mazdoor Panchayat Sangam, BWI. Former Member Delhi BOCW Board , 9810810365
6. V.K.S Gautam, Member Delhi BOCW Advisory Committee and General Secretary Building Workers Union, **AICCTU** 9717677286.

Copy to Lt. Governor, Chief Minister, Chief Secretary of Delhi DGLW Principle Secretary Labour, Secretary Delhi BOCW Board