

# NATIONAL CAMPAIGN COMMITTEE

## For Central Legislation on Construction Labour

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Dear Friends,

This NCC-CL Circular on the occasion of the 72nd Anniversary of the victory of Freedom Struggle is further to the 29th June 2019 Circular of NCC-CL giving details of the Action Plan decided at the 27<sup>th</sup> June 2019 meeting at Delhi. That NCC-CL meeting had decided on a follow up meeting in Delhi but subsequently the date and venue were changed and the meeting was held on 30<sup>th</sup> July 2019 in Chennai to facilitate the participation of BWI affiliates. In the critical state that we are placed, we need to recall the participation of working class in Indian Freedom Struggle and strengthen the workers' Movement towards **'Save Freedom and Labour Rights'**.

The NCC-CL meeting held in Chennai had local participants from the **Hind Mazdoor Sabha**, the **Joint Action Committee of Unorganised Sector**, the **Centre of Indian Trade Union/CWFI Workers**, **Indian National Trade Union Congress**, the **Aam Admi Trade Union** and several **independent building workers Unions**. Besides, several **affiliates of the BWI** from six states of **Bihar, Delhi, Gujarat, Odisha, Tamil Nadu** and **Uttar Pradesh** also participated. (Participants list is enclosed.)

The meeting discussed the impact of the proposed Labour Codes on Building Workers and passed the following resolutions:—

- (1) It was resolved to start a **signature campaign on letters of construction workers to the Prime Minister of India** from various towns and villages of different states. It was also resolved to **appeal to the Chief Ministers** of all State Governments and to **Members of Parliament** to register their opposition to the Labour Codes.
- (2) It was resolved to form **Joint Action Committees of Unorganised Sector Workers in all States** and UTs and **conduct Yatras** to Campaign for the Labour Rights of unorganized sector workers and **demand withdrawal of Labour Codes**.
- (3) It was resolved to **register opposition to the Labour Codes** at every level, hold **Gram Sabha** meetings on 15<sup>th</sup> August 2019 and **contact Members of Parliament in their constituencies**.

NCC-CL requests all its constituents to start executing the above three resolutions by intensifying their activities. At the end of the Monsoon session of Parliament, it has been reported in the press that the **Labour Code on Occupational Health and Conditions of Work (OSH & CW) Bill, 2019** has been referred to the **Select Committee**. It was reported that the Chairman of the Rajya Sabha has given a final call to

all the parties to send the names of their MPs, from both the houses, for eight department related Standing Committees under the Rajya Sabha by August 14. NCC-CL constituents should immediately approach the leaders of all political parties in Parliament to ensure that the names of such MPs are sent as nominees who have a good understanding of the peculiar working conditions of the unorganized and building workers sector and the BOCW Acts of 1996.

The **Labour Code on Wages, 2019** has already been **enacted and notified** repealing four earlier Acts related to wages. Two more **Labour Codes on Industrial Relations** and **Social Security** are under process. The main contents of these two Labour Codes are also well known. **All the four Labour Codes together will be repealing 44 labour Legislations.** This is **an attack on the entire architecture of labour law in India.** The laws are being repealed **without the adequate consultation provided under the ILO Convention 144** – a Convention which has been ratified by India.

The Labour Codes remove many of the protections and rights enjoyed by workers. The Government claims they will provide social security to all the fifty crore Unorganized Sector Workers but in fact the Codes have left out huge sections like **Agricultural Workers, Domestic Workers** and **Home Based Workers** from social security coverage. In further anti-labour moves the Government is also planning to **privatize social security** and **close all the existing Welfare Boards, privatize ESI and Provident Fund** and **sell public sector undertakings** which will **adversely impact the working conditions of public sector employees and unorganized sector workers.**

The time has come to forge unity among all sections of the workforce, both those in the organized and unorganized sectors to **resist the imposition of these Codes.** Accordingly, we call upon all the constituents of NCC-CL to take initiative in **forming State/UT level Joint Action Committees of Unorganised Sector Workers' trade unions** in your State/UT, particularly those from the sectors, which will be adversely impacted by the repealing of labour laws.

Thirteen laws will be repealed by the **Labour Code on OSH & CW Bill, 2019** alone viz. (1) The **Factories Act 1948**, (2) The **Mines Act 1952**, (3) The **Dock Workers (Safety, Health and Welfare) Act, 1986**, (4) The **Building and Construction Workers (Regulation of Employment and Conditions of service) Act, 1996** (5) The **Plantation Act 1951**, (6) The **Contract Labour( Regulation and Abolition Act) 1970**, (7) The **Inter State Migrant Workmen Act 1979**, (8) The **Working Journalists and Other Newspaper Employees Act 1955**, (9) The **Working Journalists Act, 1958**, (10) The **Sales Promotion Employees Act 1976**, (11) The **Motor Transport Workers Act, 1961**, (12) The **Beedi and Cigar Workers Act 1966** and (13) The **Cine Workers and Cinema Theater Workers (Regulation and Employment Act 1981.**The NCC-CL constituents should approach organizations working with all these segments and those adversely affected by the Social Security Code.

**State Units of all the Central Trade Unions must be approached to be part of the Joint Action Committee of Unorganized Sector Workers in all States and UTs.**

All the JAC USWs should **Plan a state level campaign**, through **awareness campaign meetings/ rallies** in major centres or through a **yatra across major centres** which should **culminate at State Legislatures**, to demand a **State Legislation Assembly resolution to the Parliament to give up the proposal of Labour Codes.** NCC-CL will organize a **National meeting in October** to facilitate a joint decision by the

participants of all State Joint Action Committee at Delhi. Ultimately we hope to hold a rally to Parliament with the coordination of all the State JACs in November session of Parliament.

The JAC USWs should **prepare a budget** for both the state level yatras and the National level yatra to Delhi and **collect funds from construction workers** to **'Save the BOCW Boards'**. All state teams are expected to **share a part of their fund for the NCC-CL** to make Delhi level arrangements and joint pamphlets for all States in Hindi and English. These can be translated and printed in regional languages by the state JAC USWs.

NCC-CL suggests that all constituents should **ensure proper functioning of the BOCW Board** in their State/UT, **enroll full registration** of Construction Workers, **timely delivery of all due benefits**, and **deletion of the registrations of non-Construction Workers**. The delivery of arbitrary benefits should be opposed, the implementation of **Action Plan**, the **Model Welfare Schemes** and **Social Audit** to **implement the judgement of Supreme Court on the NCC-CL petition** should be promoted. Please see earlier Circulars from NCC-CL for details in this regard. Register as large numbers of Construction Workers as possible and ensure delivery of benefits to them so that they resist closure of the Boards and ending of benefits when it comes.

**NCC-CL will approach all Central Trade Unions** to ensure that all the State Units of all Central Trade Unions shall **accommodate the Joint Action Committee of the Unorganized Sector Workers** in a joint fronts against the Labour Codes.

All constituents of NCC-CL should **inform the NCC-CL Delhi office of their tentative programme of forming JAC-USW, dates of state meetings, rallies in major centres or route of yatra** if they are in a position to organize a state level yatra. **The National Yatra programme** will be finalized **at Delhi meeting** with the participants of state JAC-USWs.

**Addresses of all the trade unions of sections of workers likely to be adversely affected by the repealing of 44 labour laws in all states**, segments which are being **left-out** of social security, as well as **Public Sector undertakings** under threat of being sold, should be shared immediately with NCC-CL to facilitate calling a joint meeting in Delhi.

All the constituents of NCC-CL and new trade unions of other affected segments are welcome to keep in regular contact with the NCC-CL office at Delhi. They may **call the Coordinator on the mobile phone number given in the letterhead.** NCC-CL proposes to create a new WhatsApp group to communicate with the enlarged team, provided all agree to confine themselves to posts about the campaign. All other suggestions may be sent to the NCC-CL Delhi office.

With thanks,

Subhash Bhatnagar

## List of Participants in the NCC-CL Meeting at Chennai

1.	G.Jothisankaran (TN)	Paradise Granite Workers' Union	9944224121
2.	Subhash Bhatnagar	National Coordinator NCC CL /NMPS/ <b>BWI</b> - Delhi	9810810365
3.	R.Rama Gounder	TN Construction Workers Union - Mettur	9442530513
4.	TM Chandiran	NMPS (TN) / <b>BWI</b> -Chennai	9444794881
5.	RMS Chittibabu	RMS Construction Workers' Union - Chennai	9840227409
6.	M.Selvakumar	NMPS ( TN) - Chennai	
7.	R.Leelavathy	Unorganised Workers' Federation (TN) -Chennai	
8.	A. Sanjon	Aam Admi SVS - Chennai	
9.	RM Swamy	Aam Admi SVS - Chennai	
10.	Vipul Pandya	Bandhkam Mazdoor Sanghatan/ <b>BWI</b> - Gujarat	
11.	Elanchezhian	Don Bosco Migrant Services - Chennai	
12.	B.Bosco	Don Bosco Migrant Services - Chennai	
13.	William	Jesuit Migrant Services Loyola - Chennai	
14.	Henry Albert	Jesuit Migrant Services Loyola - Chennai	
15.	Dominic Xavier	CMU TR Union - Chennai	
16.	Alimuddin Ansari	Hind Kissan Mazdoor Panchayat - Bihar	
17.	JK Pandey	Eastern Railway Construction Mazdoor Panchayat-WB	7376556989
18.	R.Singaravelu	Centre of Indian Trade Union/CWFI -TN	
19.	P.Lourdusamy	Centre of Indian Trade Union /CWFI -TN	
20.	P.J Easwaran	TN Construction Workers' Union Perambalur	
21.	Jogendra Tripathy	Hind Mazdoor Sabha – Odisha	9437157121
22.	Dr. Rajendra Kumar Das	Odisha	
23.	Bibiyani	Nirman Mazdoor Panchayat Sangam/ <b>BWI</b> - Delhi	
24.	Ratan Parnar	Self Employed Women Association (SEWA/ <b>BWI</b> ) - Gujarat	
25.	Alpa Trivedi	Bandh Kam Mazdoor Sangathan/ <b>BWI</b> - 9428992703	Gujarat
26.	Lalita Rajput	Bandhan Nirman Karnataka Mazdoor Union/ <b>BWI</b>	8707837416
27.	V.Saravanan	TN Construction Workers' Union - Perambalur	
28.	Praveen	DANMU / <b>BWI</b>	9958157682
29.	KV Thirupathi	Hind Mazdoor Sabha – TN	9244510815
30.	M.Panneerselvam	AIKTMS /INTUC / <b>BWI</b>	
31.	Rudrani Nath	Odisha Nirman Mazdoor Sangathan / <b>BWI</b>	9668769243
32.	Jayanthi Pradhan	Odisha KKS / <b>BWI</b>	8018118919
33.	R.Geetha	NMPS / NCC-CL	
34.	Esther Aruna Sharmila	Student - Social Work	
35.	Geetanjali	Student- Social Work	
36.	Trisila Sahayadara	Student- Social Work	
37.	Christudas	Student - Social Work	