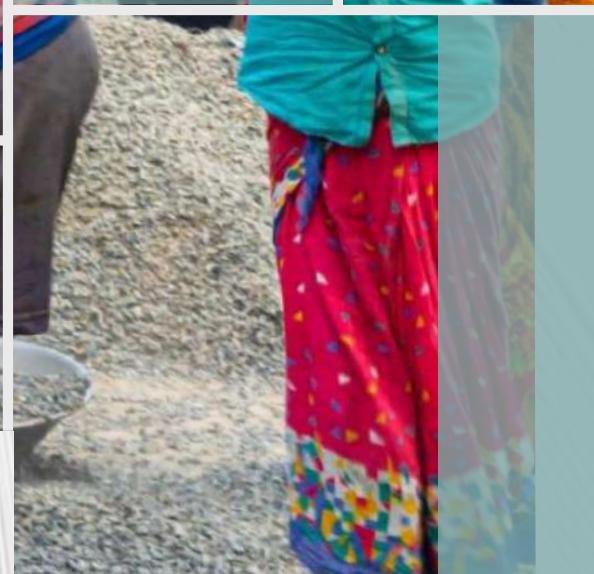




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Innovations for Construction Worker Validation Protocols

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- Author: Umang Kamra

Introduction

Construction workers often face precarious socio-economic conditions, compounded by challenges related to their migrant status and informal employment, which subjects them to numerous vulnerabilities. Within this workforce, migrant and daily-wage labour chowk workers are especially vulnerable. They endure substandard living and working conditions, significant health risks, psychological distress, and economic exploitation, among other challenges. To address these vulnerabilities, the Building and Other Construction Workers (Regulation Of Employment And Conditions Of Service) Act, or the BOCW Act, was implemented in 1995 to ensure social welfare for and to prevent the exploitation of construction workers (Ministry of Law & Justice, 1996). Under the Act, states were required to set up Building and Other Construction Workers Welfare Boards (BoCWWBs) to register construction workers and promote their welfare through various schemes and benefits [Section 18]. As per the Building And Other Construction Workers Welfare Cess Act, 1996, BOCWWBs levy a 1% cess on construction costs at major building sites, which employers remit to the government. This pool of cess funds is utilised to finance schemes and benefits for supporting construction workers during significant life stages, such as maternity, marriage, education, death, old age pension and more. Due to its distinctive self-financing mechanism, this Act is a unique case study for the sustainable governance of social protection schemes. As of July 2024, states have registered more than 5.65 crore construction workers and collected more than 1.12 lakh crores in cess funds cumulatively since its implementation, with around 66,000 crores of balance available (MoLE, 2024).

This policy brief focuses on one of the major research questions in BOCW implementation: What is the most efficient process to validate whether an applicant is a building and construction worker? There are varying entry-level documentation and validation processes in different states, ranging from lenient to stricter models. On the one hand, lenient models make the application process more accessible for vulnerable construction workers, reducing exclusion. On the other hand, more stringent checks inspire confidence in the validity of a BOCWWB's database, enabling quicker delivery of claims without additional verification. Thus, there is a need to strike a careful balance between the two, ensuring that vulnerable categories like interstate migrants (hereon, migrant workers) and labour chowk workers are not excluded while ensuring sufficient checks for higher confidence in BOCWWB registration data. As large-scale disbursals such as pollution ex-gratia in North India become recurring, with other climate-related DBTs for relief (ex., heatwaves) on the horizon, this problem statement becomes even more relevant for efficient welfare delivery. Through this policy brief, Indus Action aims to contribute to the ecosystem's knowledge and drive action towards resolving this critical challenge. The brief accomplishes this by offering a deeper context of the problem statement, mapping implementation processes across 8 states, highlighting significant gaps, and proposing innovations regarding documentation and validation processes.

Documentation And Validation Processes

Under the BOCW Act, construction workers aged 18 to 60 who have worked at least 90 days in the past year are eligible for beneficiary registration [Section 12(1)], with all registered workers entitled to benefits from the Board's Fund [Section 11]. States have designed over 15 schemes under this Act to follow a lifecycle approach, supporting construction workers and their families through major life events by offering benefits for maternity, marriage, children's education scholarships, death and funeral expenses, old-age pensions, and more. To access these schemes and benefits, construction workers must be "live registered members," regularly renewing their BOCW registrations, as they can lose their registration if they are not engaged in construction work for at least ninety days in a year [Section 14]. Renewal is a cyclical process, ranging from annual to 5-yearly processes in different states. Thus, as depicted in the citizen journey flowchart below, construction workers must undergo a documentation and validation process at three stages: registration, renewal and claims.

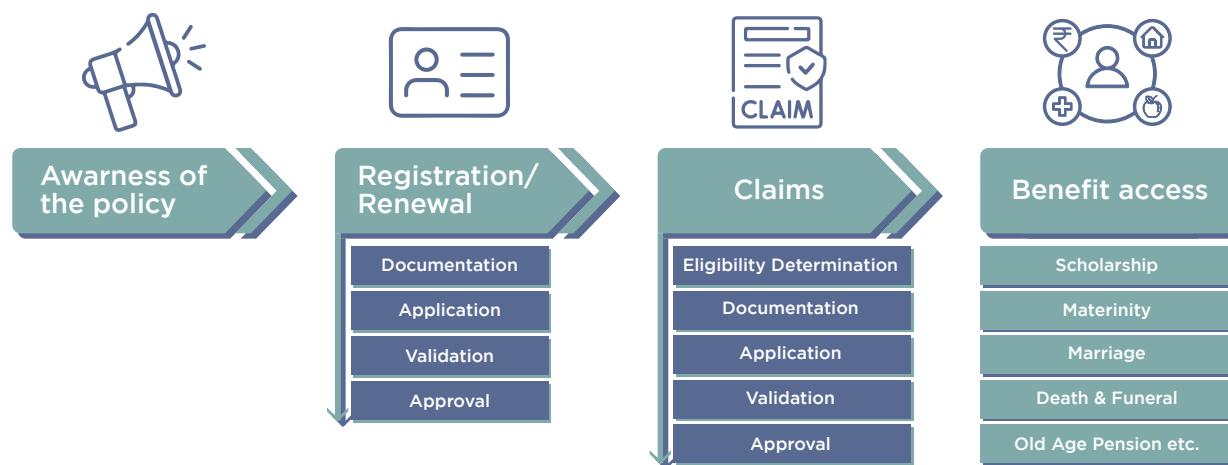


Figure 1: A construction worker's journey in accessing BoCW benefits

¹ We adopted a purposive, qualitative research design, conducting semi-structured interviews with government officials, trade union representatives, civil society organizations, and legal professionals across seven Indian states. The selection of these states was based on a clear rationale: most are significant destinations for construction workers, attracting large numbers of interstate migrants. Chhattisgarh, as a source state, was included as an exception, providing an opportunity to explore a different context and enhancing the richness of our findings. Collectively, these seven states account for over 43% of the total registered BOCWs nationally and represent more than 38% of the cess amount collected nationwide. The conversations focused on practical experiences, systemic challenges, and potential innovations to improve the current welfare framework.

In the registration and renewal processes, the documentation required and validation undertaken is to confirm if the applicant is a legitimate building and construction worker to obtain or renew a BOCW registration card or certificate. Typically, 90-day certificates and residence proof are two documentation proofs that cause exclusion as they are often difficult to secure.

The 90-day certificate is a critical document for an applicant to prove their construction worker status by offering proof or a declaration that the applicant has worked at least 90 days in the past year as per Section 12(1) of the BOCW Act. The 90-day certificate, based on state rules, can be offered in various formats; it is either attested by stakeholders associated with the construction worker (employers, contractors, trade unions, labour dept. officials) or self-attested by the construction worker. In the latter, workers manually fill out the details of their employers/contractors on self-certification forms.

The Ministry of Labour & Employment (MoLE), Government of India (GOI), has continually advocated for self-certification to streamline registration and renewal. GOI-vide emails dated 25 September 2018 and 25 October 2018 circulated the Model Welfare Schemes for Building and Other Construction (BOC) workers, under the Hon'ble Supreme Court's directions of 4 October 2018 (MoLE, 2018). Herein, it was explicitly stated that "the Board may allow self-certification regarding the number of days of work (mandatory 90 days) performed by the worker," as long as the self-certification contains "full details of the sites, employer and number of days of work performed ... so that the information pertaining to the 90 days period should be verifiable at any given time." Additionally, the Hon'ble Minister of State (I/C), MoLE, via D.O. letter dated 6 July 2020, requested Chief Ministers, Lt. Governors, and Administrators of States/UTs to implement a "Mission Mode Project" aimed at registering all left-out BOC workers (Samariya, 2020). This time-bound project hinged on simplifying processes, eliminating the need for workers' physical presence, and placing trust in workers through self-certification. These measures demonstrate MoLE's continued emphasis on easing registration and renewal, ensuring that eligible construction workers receive timely benefits under various social security and welfare schemes.

Along with the 90-day certificate and other identification documents, the proof of residence is another document that workers, especially interstate migrants, struggle to obtain. Most states consider it crucial for interstate migrant workers to prove that they live in the state where they are applying for BOCW registration. For domiciles of that state, the process is much simpler since they possess an Aadhaar Card with a permanent address in that state, which is accepted as residence proof in most, if not all, cases. For interstate migrants, however, their Aadhaar Card generally contains the address of their source state, which introduces complications for BOCW registration in another state. Some states have recognised this roadblock and allow alternate residence proofs. Typically, 90-day certificates and residence proof are two documentation proofs that cause exclusion as they are often difficult to secure. Figure 1 summarises the types of 90-day certificates accepted in specific

states and migrant resident proof requirements, and Table A in the Annexure details the specific documentation accepted for both.

	90 day Certifiactes	
	Self Certifiacte accepted	External attention required
Residence proof for migrants	No present address proof required	Gujarat
	Other present address proof beyond Aadhaar is accepted	Delhi Telangana
	Aadhaar Card is mandatory for address proof	Chhattisgarh Uttar Pradesh
		Rajasthan

Figure 2: 90-day certificate formats and migrant residence proof across states

Notably, Chhattisgarh, Gujarat, and Uttar Pradesh offer only self-certifications with employer or contractor details, while Delhi accepts employer or contractor certificates and trade union certificates in addition to self-certification. Gujarat also offers instant on-the-spot registration undertaken by labour officials posted in mobile health vans that visit construction sites and labour chowks. Rajasthan only offers employer and contractor certificates, with the former also being used by Gram Panchayats for MGNREGA workers. Maharashtra, in addition to the employer certificate, also has a provision where certification from gram panchayat or municipal officers is accepted; these officials provide this certificate after validating employer or contractor details provided by the worker in a separate form.

Chhattisgarh, Uttar Pradesh, and Rajasthan require interstate migrant workers to have an Aadhaar Card that states a permanent address in their respective states. Additionally, in UP, interstate migrants must undergo a separate offline registration process at the ALC office, even though others may file applications online. While Maharashtra accepts only a rent agreement in the applicant's name, Delhi and Telangana offer more flexibility by allowing alternative address proofs. In Delhi, beyond a rent agreement, a trade union certificate, a bank passbook with a Delhi address, an attested letter from a ward councillor or utility bills signed by the landlord attesting that the construction worker stays at the location can be offered. Telangana requires four documents for registration (Aadhar card, electricity bill, ration card, bank account passbook/statement), wherein any one of these documents should have a Telangana address. Gujarat does not require any specific proof of residence from migrant workers, as workers can self-declare their present address.

After an application for registration or renewal is filed, BOCWWBs typically undertake **validation** to confirm whether the applicant is indeed a building and construction worker. Section 12(4) of the Act prescribes the following:

If the officer authorised by the Board under sub-section (2) is satisfied that the applicant has complied with the provisions of this Act and the rules made thereunder, he shall register the name of the building worker as a beneficiary under this Act: Provided that an application for registration shall not be rejected without giving the applicant an opportunity of being heard.

Thus, it can be inferred that validation depends on the 'satisfaction' of the labour official. State Rules, in most cases, also do not lay out how the validation may be conducted, which introduces ambiguity in the process as approvals end up depending on the 'satisfaction' of the registering official. Table 1 highlights registration validation processes followed across specific states. In most cases outlined, a telephonic check occurs through calls either to the employer/contractor, to confirm whether the applicant is/was employed by them, or to the workers, to confirm their occupation status. In some cases, if the 90-day document is deemed satisfactory, no additional validation may be done.

State	Registration Validation Process
Chhattisgarh	Workers are contacted telephonically to confirm their occupation.
Delhi	<ul style="list-style-type: none"> • Telephonic validation through employers/contractors to confirm if the applicant works/has worked for them. • There is no additional validation in case a certificate is provided by a trade union or, in some cases, by a trusted institutional employer.
Gujarat	<ul style="list-style-type: none"> • Workers are contacted telephonically to confirm their occupation. • For registration through labour officials in mobile health vans, since they visit the applicant's place of work, they can validate their occupation status instantly.
Maharashtra	<ul style="list-style-type: none"> • Panchayat/Municipal Certificate Gram or Ward officials telephonically contact employers/contractors based on the details provided by the applicant to confirm whether the applicant works/has worked for them. • There is no additional validation in case a certificate is provided by an institutional employer. • As of February 2025, all applicants are required to physically visit Taluka centres after filing their applications for ID validation.
Punjab	Workers are contacted telephonically to confirm their occupation.
Rajasthan	<ul style="list-style-type: none"> • Telephonic validation through employers/contractors to confirm if the applicant works/has worked for them. • Applicants may be asked to visit district offices if there are any further queries. • There is no additional validation for MGNREGA workers as they are checked based on documentation and MGNREGA records.
Telangana	<ul style="list-style-type: none"> • If the applicant submits employer/contractor certificates, telephonic validation through employers/contractors to confirm if the applicant works/has worked for them. • If the applicant submits self-certification, then labour officials conduct physical checks at the applicant's declared worksites.
Uttar Pradesh	Validation is done telephonically on a case-by-case basis. Automatic approval is provided within 3-4 days.

Table 1: Validation processes for registration across specific states

Documentation and validation processes for claims are usually geared toward confirming whether a legitimate building and construction worker is eligible for

accessing schemes and benefits extended to registered workers. In most of the states we have mapped in this brief, with the exception of Maharashtra and Telangana, physical validation is carried out wherein officials visit the construction worker's place of residence or the construction worker is required to visit the district labour office. It is likely that Maharashtra and Telangana do not undertake physical validation due to stricter checks at the registration level.

Challenges with the current process

The current practices followed by states are well-suited for formally employed construction workers who are able to negotiate with their employers or contractors and secure the required documentation required to prove their legitimacy as construction workers. Furthermore, the domiciles of the state face lesser challenges in securing BOCW registrations. However, these processes exclude the most vulnerable and often overlapping categories of construction workers: self-employed labour chowk workers and interstate migrant workers.

The requirement to provide 90-day certificates often excludes self-employed daily wage workers who gather at labour chowks and do not engage in long-term employment with a single employer/contractor. Even if they provide employer/contractor details, there is a higher chance of failed validation for them as their employer/contractor may not be able to attest to their employment due to a short-term engagement, inability to recall the work, or compliance fears for unregistered contractors.

In addition, the Ministry of Labour and Employment has continually advocated for facilitating the “conscious inclusion of migrant BOCW workers in destination states” (Mission Mode Project, 2020) and ensuring that “migrant workers from outside the State are not discriminated at the time of registration and delivery of benefits” (Model Welfare Schemes, 2018). However, state-level implementation tends not to include inter-state migrants or creates barriers for them to register through strict documentation requirements, as the Act may be interpreted as a state-level policy meant for the state's domicile workers. Furthermore, migrant workers with no stable address, who move from one construction site to another, are also effectively excluded as they may not be able to secure proof of current address. Mobility is intrinsic to construction work and asking for fixity as a prerequisite to delivering social welfare to a highly mobile group is a major gap in implementation.

This brings us back to our research question, with an added dimension: What is the most efficient process to validate whether an applicant is a building and construction worker while ensuring vulnerable categories such as labour chowk workers and migrant workers are not excluded? From a process design lens, we need to ensure that exclusion is minimised through simpler and relevant processes while ensuring sufficient checks and balances to inspire confidence in the validity of BOCWWB databases for anticipated large-scale disbursals. The next section explores some innovative approaches for answering this question.

Innovations for validation

For innovating efficient processes for construction worker validation, there are two design principles or criteria that we can use to evaluate the innovations: citizen burden and administrative viability. Citizen burden, rated low or high, refers to how burdensome a certain process may be for construction workers and the likelihood of them being able to fulfil it. Administrative viability, also rated low or high, defines how viable or valid the administration may consider a specific process as sufficient proof to register and disburse benefits to a construction worker.

Validation should be a one-time activity, carried out only at the registration stage, that gives the BOCWWB sufficient proof that an applicant is a construction worker. Thus, the validation process should be convincing enough that it is not replicated at the renewal and claims stages. Based on these considerations, this brief proposes a range of innovations and rates existing mechanisms in Figure 2.

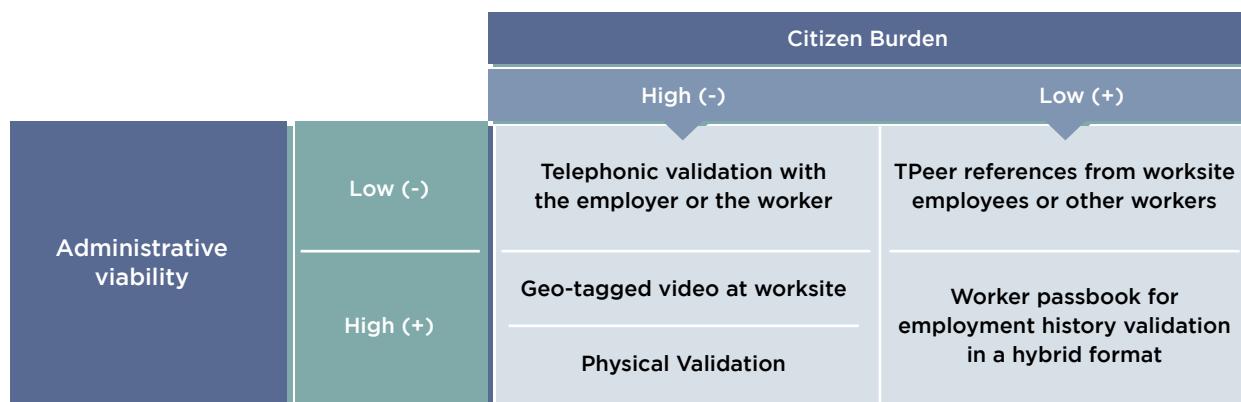


Figure 3: Evaluations of innovations and existing mechanisms for construction worker verification

Two of the mechanisms listed in Figure 2—Telephonic and physical validation—are existing processes.

- **Telephonic validation with employer or worker:** Firstly, the administrative viability for telephonic validation is low since, despite this process being followed in most states, concerns about inclusion errors and database validity still persist. Furthermore, telephonic interviews may not offer sufficient reason to believe that an applicant is a construction worker, especially if only the applicant is called. Moreover, as highlighted previously, if employers/contractors are telephonically interviewed, there is a higher chance of failed validation as the employer/contractor may not be able to attest to an applicant's employment due to a short-term engagement, inability to recall the work, or compliance fears if they are unregistered. Secondly, this process places an undue burden on the applicant to negotiate the validation with their employers, who may hesitate to attest to their employment status. Additionally, applicants have to interact with labour officials, who are participating in a process that is not well defined, making it more challenging to negotiate for approval.
- **Physical Validation:** This is highly administratively viable since it is widely considered the best method for confirming an applicant's employment status by visiting their residence. However, it may not be the best method if the applicant is asked to visit the labour office as employment or other proxy checks like housing status, checks with neighbours, etc., won't be undertaken. Additionally, physical validation places a significant burden on the administration and citizens because it necessitates their physical presence. For citizens, this requirement can result in lost work time and wages, as labour officials conduct these checks during business hours when workers are busy at worksites.

Given the significant gaps in these existing processes, the brief proposes the following alternatives that could replace these practices.

Peer references from worksite employees or other workers

In the peer reference model, instead of obtaining certification from employers and contractors, the range of stakeholders that workers can get certification from would be extended. This process, if instituted, will ease processes for two categories of workers who typically find it difficult to secure documentation: small construction site workers and labour chowk workers. For instance,

- Small construction site workers may secure attestation from any other worksite employees, such as site administrators, subcontractors, munshis, and other construction workers. They can also secure attestation from local municipal sanitation workers who work around the construction site. State processes can define whether a certification from a single source may work or may be required from at least two sources.

- Labour Chowk workers may secure a reference from any two registered construction workers or peers who can confirm that the applicant is a construction worker. Since the attestation is secured from registered workers, the BOCWWB has already expressed trust in them, and they also stake their credibility with the BOCWWB in providing a reference to their peer.

This model is low in citizen burden, as applicants will be able to secure documentation through already established networks and more accessible stakeholders where there is less of a power imbalance, as opposed to employers/contractors or labour officials. However, the process is low in administrative viability since the labour officials may not be satisfied with the attestations from stakeholders who are not in a position of authority and may wish to undertake further validation (potentially telephonic), which will increase the citizen burden as ad-hoc validation processes may be followed.

Nevertheless, the model deserves serious consideration as it can democratise the validation process and leverage existing networks established by construction workers. It will also result in time savings for the BOCWWB if they forego any additional validation processes and consider peer reference to be a strong proof to establish employment status.

Geo-tagged video at worksite

In this approach, the applicant is required to submit a live geo-tagged video from their worksite as part of the BOCW application process. By capturing a real-time video with embedded geolocation data, the applicant provides direct evidence of their physical presence at a construction site, thereby confirming their engagement in construction work. This live video feature serves as a robust verification tool, making it considerably more challenging for fraudulent applications to pass through unchecked.

From an administrative perspective, this mechanism offers high viability as it delivers tangible, verifiable proof that the applicant is indeed working on a construction site. The geo-tagged video not only affirms the applicant's location through accurate geolocation but also timestamps the submission, further enhancing the integrity of the validation process.

However, the introduction of this digital requirement does impose a high burden on the applicant. Given that many construction workers may have limited digital literacy or lack access to the necessary technology, the need to capture and submit a live video could significantly complicate the registration process. This additional step might compel workers to depend on intermediaries, thereby potentially excluding some of the most vulnerable members of the workforce. Ultimately, while the geo-tagged video approach fortifies administrative confidence in verifying construction worker status, careful consideration must be given to mitigate its impact on citizen burden.

Worker passbook for employment history validation in a hybrid format

The BOCW Act mandates that every beneficiary be issued an identity card, which doubles as an employment diary, with a photograph and sufficient space for entering details of work performed. In accordance with Section 13 of the Act, every employer is required to enter, authenticate, and return the recorded work details. The Model Welfare Schemes (2018) have reinforced this approach by suggesting that BOCW registration authorities issue identity cards in the form of a passbook or employment diary. This is particularly critical for labour chowk workers, who often face difficulties in procuring an employment certificate from their employers, thereby hindering their registration.

A hybrid worker passbook presents a promising solution that bridges traditional and digital methodologies. By popularising the physical passbook, workers can be encouraged to systematically record their work details and obtain the necessary signatures from their employers. This provides them with a tangible record of their employment history.

The hybrid model offers a digital alternative alongside the physical passbook, paving the way for a gradual transition towards a fully digital system as digital literacy and access improve. In its digital format, additional validation features can be incorporated to bolster the confidence of BOCWWBs in the recorded employment history. For example, beyond capturing basic worksite details such as the employer's name, address, and mobile number, the digital passbook could include:

- OTP validation for the employer's number, serving as a digital signature and
- Geotagged and timestamped images of the workplace or worksite, an accessible feature on the application

These enhancements would ensure that the employment records are more accurately captured and verifiable, thereby increasing administrative viability while minimising the need for subsequent validation checks. For the worker, the primary responsibility remains the same, securing the necessary employer and worksite details, thus imposing only a minimal additional burden.

Overall, the hybrid worker passbook model strikes an effective balance. It offers high administrative viability by ensuring a more accurate capture of employment histories and incorporates robust digital validation measures, all while keeping the process accessible and manageable for construction workers across diverse employment contexts.

Conclusion

In conclusion, addressing the challenges inherent in the current BOCW registration process necessitates a balanced approach, one that robustly verifies a construction worker's employment while minimising additional burdens on an already vulnerable population. This brief has explored the intricacies of existing documentation and validation methods, highlighting the limitations of traditional processes that often marginalise self-employed labour chowk workers and interstate migrants. In response, innovative mechanisms such as peer references, geo-tagged video submissions, and hybrid worker passbooks have been proposed to enhance administrative viability and reduce exclusion.

As Section 60 of the BOCW Act, 1996 empowers the Central Government to issue binding directives, it is imperative that any validation protocols deemed effective by the Ministry of Labour & Employment should be considered for state-level adoption. By standardising these enhanced practices, BOCWWBs across all states can ensure that the process not only upholds the integrity of the registration system but also secures the welfare benefits of every eligible construction worker.

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Annexure

State	90-day certificate formats actively used	Residence proof for interstate migrants (beyond Aadhar)
Chhattisgarh	<ul style="list-style-type: none"> Self-certification with employer details 	<ul style="list-style-type: none"> Aadhaar card is mandatory Bank Passbook & Ration Card (optional)
Delhi	<ul style="list-style-type: none"> Employer/contractor certificate Registered construction worker's union certificate Self-certification with employer details 	<ul style="list-style-type: none"> Rent agreement Trade union certificate Electricity/Gas/Water/ Telephone Bill signed by the landlord attesting that the construction worker stays at the location Bank passbook with a Delhi address
Gujarat	<ul style="list-style-type: none"> Self-certification with employer details Instant registration through labour officials in mobile health vans visiting labour chowks & construction sites 	No current address proof is required; only mentioning the current address is sufficient
Maharashtra	<ul style="list-style-type: none"> Employer Certificate Gram Panchayat/ Municipal Corporation /Nagar Panchayat/ Municipality/ Nagar Parishad Certificate after verifying employer or contractor details provided by the worker in a separate format. 	<ul style="list-style-type: none"> The rent agreement, which shall be in the applicant's name
Punjab	<ul style="list-style-type: none"> Gram Panchayat/ Nagar Panchayat Certificate after verifying employer or contractor details Employer Certificate 	<ul style="list-style-type: none"> Bank Passbook/Statement
Rajasthan	<ul style="list-style-type: none"> Employer Certificate, also utilised by Gram Panchayats for NREGA workers Contractor Certificate 	<ul style="list-style-type: none"> Aadhaar card is mandatory
Telangana	<ul style="list-style-type: none"> Employer/contractor certificate Self-certification with employer and worksite details 	<ul style="list-style-type: none"> Any one of the following documents should have a Telangana address: Aadhar card Electricity bill Ration card Bank account passbook/statement
Uttar Pradesh	<ul style="list-style-type: none"> Self-certification with employer details asked for separately 	<p>The process is being done offline by registering directly with the ALC office. No standard information on address proof requirements, but Aadhar is likely mandatory.</p>

Table 2: 90-day certificates & residence proof requirement across specific states



INDUS ACTION

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**G-7, 2nd Floor,
Lajpat Nagar III, Delhi-110024**



www.indusaction.org