

THE HARYANA BUILDING AND OTHER CONSTRUCTION WORKERS WELFARE BOARD

LEGISLATIONS :

The Central Government has enacted the legislations, namely-“the Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Act, 1996” and “the Building and Other Construction Workers’ Welfare Cess Act, 1996” with the object to regulate the employment and conditions of service and to provide safety, health and welfare measures for the building and other construction workers, which is most vulnerable segment of the second largest unorganized labour sector in India after agriculture.

APPROPRIATE GOVERNMENT :

2. “The Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Act, 1996” is to be implemented by the Central Government where Central Government is “Appropriate Government” and by State Government wherever State Government is the “Appropriate Government” as the case may be as defined under section 2(a) of the Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Act, 1996.

FRAMING OF RULES :

3. The Labour Department of the State Government has framed the Rules, namely “the Haryana Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Rules, 2005 under the

Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996.

AUTHORITIES UNDER THE ACT :

4. The State Government in Labour Department has appointed Additional Chief Inspector of Factories as **Chief Inspector of Inspection of Building and Construction** under section 42(2) of the Act of 1996 vide its notification dated 5.6.2006, copy enclosed at **Annexure-A**.

Chief Inspector of Factories, Additional Director, Industrial Safety and Health, all Joint Directors, Industrial Safety and Health, all Deputy Directors, Industrial Safety and Health, all Deputy Directors, Industrial Health, all Assistant Directors, Industrial Safety and Health, all Assistant Director, Industrial Safety and Health (Chemical) and all Assistant Directors, Industrial Health-cum-Certifying Surgeon, have been appointed as "**Inspectors**" under section 42(3) of the Act of 1996 vide State Government notification dated 2.8.2007, copy enclosed at **Annexure-B**.

All the Senior Assistant Directors, Industrial Safety and Health (now re-designated as Deputy Directors, Industrial Safety and Health), have been appointed as "**Registering Officers**" under section 6 of the Act of 1996 vide State Government notification dated 5.6.2006, copy enclosed at **Annexure-C**.

Additional Labour Commissioner (Administration) and Additional Labour Commissioner, Gurgaon, have been appointed as "**Appellate Officer**"

under section 9(1) of the Act of 1996 vide State Government notification dated 6.02.2009, copy enclosed at **Annexure-D**.

All Assistant Directors, Industrial Safety and Health, have been appointed as "**Cess Collectors**" under rule 2(f) of the Building and Other Construction Workers Welfare Cess Rules,1996 vide State Government notification dated 29.6.2006, copy enclosed at **Annexure-E**.

All Senior Assistant Directors, Industrial Safety and Health (now re-designated as Deputy Directors, Industrial Safety and Health), have been appointed as "**Assessing Officers**" under rule 2(g) of the Building and Other Construction Workers Welfare Cess Rules,1996 vide State Government notification dated 29.6.2006, copy enclosed at **Annexure-F**.

Additional Labour Commissioner (Administration) and Additional Labour Commissioner, Gurgaon, have been appointed as "**Appellate Authority**" under rule 2(h) of the Building and Other Construction Workers Welfare Cess Rules,1998 vide State Government notification dated 6.2.2009, copy enclosed at **Annexure-G**.

CONSTITUTION OF THE BOARD :

5. Under section 18 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996, the State Government in Labour Department vide its notification dated 2.11.2006 under the Chairmanship of Hon'ble Labour Minister comprising of representative of employers and workers in equal numbers has constituted the Board, namely, the

Haryana Building and Other Construction Workers Welfare Board for a period of five years. The Headquarters of the Board shall be at Chandigarh. Copy is enclosed at **Annexure-H**.

THE FUNCTIONS OF THE BOARD.-

- (1) The Board may-
 - (a) provide immediate assistance to a beneficiary in case of accident;
 - (b) make payment of pension to the beneficiaries who have completed the age of sixty years;
 - (c) sanction loans and advances to a beneficiary for construction of a house not exceeding such amount and on such terms and conditions as may be prescribed;
 - (d) pay such amount in connection with premia for Group Insurance Scheme of the beneficiaries as it may deem fit;
 - (e) give such financial assistance for the education of children of the beneficiaries as may be prescribed;
 - (f) meet such medical expenses for treatment of major ailments of a beneficiary or, such dependent, as may be prescribed;
 - (g) make payment of maternity benefit to the female beneficiaries;
and
 - (h) make provision and improvement of such other welfare measures and facilities as may be prescribed.

SECRETARY TO BOARD:-

- (1) The Secretary to the Board shall be the Chief Executive Officer of the Board. The Secretary to the Board shall exercise full administrative control on the staff of the Board being its Chief executive Officer.
- (2) The Secretary shall, with the approval of the Chairperson issue notice to convene meetings of the Board and keep the record of minutes and shall take necessary steps for carrying out the decisions of the Board.

APPOINTMENT OF SECRETARY AND OTHER OFFICERS:-

- (1) The Labour Commissioner shall be the Secretary of the Board and any other gazetted officers may be appointed as one or more Joint Secretary by the Board who shall perform the duties under the control and supervision of the Secretary of the Board as may be specified by the Secretary.
- (2) The Board may, with the prior concurrence of the Government, appoint,-
 - (i) as many officers of the Labour Department; and
 - (ii) such other officers and employees of any other department of the Government, as it considers necessary to assist the Board in the efficient discharge of its functions under the Act.

ADMINISTRATIVE AND FINANCIAL POWERS OF THE SECRETARY:-

- (1) The Secretary of the Board may, without reference to the Board, sanction expenditure and contingencies, supplies and services and purchase of articles, refund for administering the Fund subject to the limits upto which he may be authorized to sanction expenditure on any single item from time to time by the Board.
- (2) The Secretary may also exercise such other administrative and financial powers other than those specified in sub-Rule (1) above, as may be delegated to him from time to time by the Board.
- (3) The Board may, from time to time delegate, subject to such conditions as it may deem fit, administrative and financial powers to any other officer under its control and supervision to the extent considered necessary for its efficient functioning.
- (4) In the absence of holding of the meeting of the Board for any reason whatsoever, the Chairman shall have the powers to approve adhoc budget which shall be deemed to be the budget till it is approved by the Board or not. This adhoc budget shall be signed by the Chairman, Secretary and Joint Secretary, if any.
- (5) The Secretary of the Board shall have full powers to hire a building for the purpose of the Board on PWD assessed rates.
- (6) The Secretary of the Board shall have full powers to engaged services on contract basis as per the requirement of the Board.

WELFARE SCHEMES :

6. The detail of welfare schemes for building and other construction workers have been listed under Chapter-V of "the Haryana Building and Other

Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2005", framed under the Act of 1996, which includes;

Maternity Benefit: The women employees who are beneficiary of the fund shall be given Rs. 1000 each as maternity benefit during the period of maternity. On an application made by her in **Form XI** with such other documents as may be specified shall be submitted for this benefit:

Provided that this benefit shall not be allowed for more than twice.

Note:- Board in its sixth meeting held on 12.02.09 has approved to enhance the amount from Rs. 1,000/- to 5,000/-

` : A member of the fund who has been working as a building worker for not less than one year after the commencement of these Rules shall on completion of sixty years of age be eligible for pension. The pension will become payable from the first day of the succeeding to the month in which he completes sixty years of age.

Procedure for payment of pension-(1) An application for pension shall be submitted in **Form XII** to the Secretary of the Board or the officer authorized by him for the purpose.

(2) If in the opinion of the Secretary of the Board or the officer authorized by him the applicant is eligible for pension, he shall sanction pension and send the pension sanctioning order to the applicant:

Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard.

(3) If it is found that the applicant is not eligible for pension, the application shall be rejected, and the applicant informed accordingly.

(4) The applicant may file an appeal before the Board against the decision taken under sub-Rule (3) within sixty days from the date of the receipt of the order:

Provided that the Board may for sufficient reason in writing condone the delay upto one year in filing the appeal.

(5) The amount of pension shall be one hundred and fifty rupees per mensem. An increase of ten rupees shall be given for every completed year of service beyond five years. The board may with the previous approval of the Government revise the pension.

(6) The pension sanctioning authority shall maintain a register in **Form XIII**.

Advance for purchase of construction of house: (1) The Board may on application by a member, sanction an amount not exceeding fifty thousand rupees as advance for the outright purchase of a house or for the construction of house. The beneficiary shall along with the application in **Form XIV** produce such documents as may be specified by the Board.

(2) No advance under sub-Rule (1) shall be sanctioned to those who do not have membership in the fund continuously for five years and having fifteen years service for superannuation.

(3) A completion certificate shall be submitted to the Secretary of the Board within six months from the date of drawl of advance. The amount sanctioned as advance shall be recovered in equal installments as may be fixed by the Board.

Note:- Board in its sixth meeting held on 12.02.09 has approved to enhance the amount from Rs. 50,000/- to 1,00,000/-

Disability pension :-(1) The Board may sanction an amount of one hundred and fifty rupees per mensem as disability pension to a beneficiary who is permanently disable due to paralysis, leprosy, cancer, T.B., accident etc. in addition to the pension he will be eligible for an exgratia payment of not more than five thousand rupees depending upon the percentage of disability and subject to such conditions as may be fixed by the Board.

(2) The application for disability pension and exgratia payment under sub-Rule (1) shall be made in **Form XV** with such certificate and other documents as may be specified by the Board.

Note:- Board in its sixth meeting held on 12.02.09 has approved to enhance the amount from Rs. 150/- to 300/-, in addition to the pension he will be eligible for an exgratia payment of not more than Rs. 30,000 depending upon the percentage of disability.

Loan for the purchase of Tools:- An amount of five thousand rupees will be sanctioned as loan to the members of the fund, for the purchase of tools. Those who have completed three years membership in the fund and those who remit contribution regularly will be eligible for this loan. The beneficiary should not have completed fifty five years of age. The Loan amount shall be recovered in not more than sixty installments. An application in **Form XVI** shall be made for this loan with such other documents as may be specified by the Board.

Payment of funeral assistance:- The Board may sanction an amount of one thousand rupees to the nominees/depends of a deceased member, towards funeral expenses. An application in Form XVII shall be submitted for this benefit.

Note:- Board in its sixth meeting held on 12.02.09 has approved to enhance the amount from Rs. 1,000/- to 5,000/-

Payment of Death Benefit:- The Board may sanction an amount of fifteen thousand rupees to the nominees/dependents of a member towards death benefit in case of death. If the death is due to an accident, during the course of employment, the nominees/dependents of the member shall be given fifty thousand rupees towards death benefit.

Note:- Board in its sixth meeting held on 12.02.09 has approved to enhance the amount from Rs. 15,000/- to 50,000/- in case of natural death, and enhanced Rs. 50,000/- to 125,000/- in case of death during the course of employment.

Application for Death benefit:- (1) A nominee who is entitled to Death benefit under this Rule shall submit to the Secretary or any other officer authorized under this Rule shall submit to the Secretary or any other officer authorized by him an application in **Form XVIII**. A certificate regarding the

death/accident death issued by a Government doctor not below the rank of Medical Officer shall be produced along with the application and other documents specified by the Board.

(2) The Secretary or the officer authorized by him may on receipt of the application conduct an enquiry with regard to the eligibility of the applicant.

(3) If the Secretary or the officer authorized by him is satisfied that the person who has applied for financial assistance is entitled for such benefit he may sanction the amount.

(4) The sanctioning authority shall maintain a register for this purpose in **Form XIX.**

(5) A person aggrieved by any decision taken under sub Rule(3) file an appeal before the Board within sixty days from the date of receipt of the order under that sub Rule and the decision of the Board thereon shall be final .

Medical Assistance to the Beneficiaries.-The Board may sanction financial assistance to the beneficiaries who are hospitalized for five or more days due accident or any disease. The financial assistance shall be two hundred rupees for the first five days and twenty rupees each for the remaining days, subject to a *maximum* one thousand rupees. This assistance shall also be given to the beneficiaries met with accident and put in plaster at residence. If disability is resulted due to accident, the worker shall be eligible for a financial assistance upto a maximum five thousand rupees depending upon the percentage of disability. The application in **Form XX or XXI** shall be submitted with such other documents as may be specified by the Board.

Financial Assistance for education:-Children of the members shall be eligible for such financial assistance as may be determined by the Board for such courses of study as may be specified by the Board from time to time. An application in **Form XXII** shall be submitted with such documents and within such time as may be specified by the Board.

Note:- The Board in its sixth meeting held on 12.02.09 has approved to adopt the **Scholarship Scheme** being run by the Haryana Labour Welfare Board with subject to the condition that the construction workers should be register with

the Haryana Building and Other Construction Workers Welfare Board and should have continuous membership of atleast one year. Scholarship amount between Rs. 2,000/- to Rs.12,000/- starting from the admission in 9th class to B.A./M.A./Diploma/Degree etc. as the case may be depending upon the percentage of marks not less than 50 % in the previous class, would be available to the children of the beneficiaries.

Financial Assistance for Marriage:- The Building workers having continuous membership for three years shall be eligible to get financial assistance of two thousand rupees for the marriage of their children. A female member of this fund is also eligible for this assistance for her own marriage. This assistance shall be sanctioned for the marriage of two children of the beneficiary. An application in **Form XXIII** shall be submitted along with such other documents as may be specified by the Board.

Family Pension:- In the event of death of a pensioner, family pension will be given to the surviving spouse. The amount of pension will be fifty percent of the pension received by the pensioner or one hundred rupees whichever is higher. An application in **Form XXIV** shall be submitted with such documents as may be specified by the Board within three months from the date of death of the pensioner.

Refund of the contribution of deceased member: (1) On the death of a member, the amount of contribution standing in his credit shall be given to his nominee. In the absence of a nominee the amount shall be paid to his legal heirs in equal shares.

(2) All financial benefits under these Rules other than benefit and medical assistance for accidents shall become payable only after one year of a person becoming member of the fund.

MEETINGS OF THE BOARD :

7. The first meeting of the Board was held on 21.12.2006 and subsequent meetings were held on 13.4.2007, 14.6.2007, 16.11.2007,

11.6.2008, 12.2.2009 4.8.2009 and 26.5.2010. In these meetings various new schemes other than the schemes mentioned in the notified rules were introduced for the welfare of workers. A copy of such new schemes is enclosed at **Annexure-I**.

CONSTITUTION OF ADVISORY COMMITTEE :

8. The State Government in the Labour Department has also constituted "the Haryana State Building and Other Construction Workers' Advisory Committee" under section 4(1) read with sub-section (2) of the Act of 1996 vide its notification dated 9.4.2007 which will be advising the State Government on such matters arising out of the administration of this Act as may be referred it. (copy enclosed at **Annexure-J**).

REGISTRATION OF ESTABLISHMENT :

9. An employer of an establishment is required to get establishment registered under section 7 of the Act of 1996 with Registering Officers after paying the registration fee as prescribed in Rule 21 of the Rules of 2005. The detail of fee to be deposited on account of registration of establishment is as under:-

(a)	is upto 100	Rs.2000/-
(b)	Exceeds 100 but does not exceed 500	Rs.5000/-
(c)	Exceeds 500	Rs.10000/-

The fee shall be deposited through the treasury challan under receipt head of the Labour Department i.e. "0230- Labour & Employment-800- Other Receipt (99)-Labour".

An employer shall make application in triplicate in **Form-I** to Registering Officer of the area in which the building or other construction work is to be carried on by the establishment.

REGISTRATION OF WORKER :

10. 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 section 12 of the Act of 1996. The worker shall submit an application in **Form V** to concerned officer of the Department along with a Registration fee of Rs. 25/-. He/She shall also file a nomination in **Form VI**

Eligible building worker is required to pay a registration fee of Rs.25/- once in life as per section 28(4) of the Rules of 2005 for getting himself/herself registered with the Board. This registration fee goes to funds of the Board.

CONTRIBUTION :

The registered building worker shall further contribute Rs.5/- P.M. for availing benefits of various welfare schemes being run by the Board as required under rule 29(1) of the Rules of 2005. Rule 64(1) of the Rules of 2005 further provides that on the death of a member, the amount of contribution standing in his credit shall be given to his nominee. In the absence of a nominee the amount shall be paid to his legal heirs in equal shares.

Rule 29(2) of the Rules of 2005 further provides that if a beneficiary commits default in the payment of contribution continuously for a period of one year, he shall cease to be a beneficiary of the Fund. However, with the permission of the Secretary or an officer authorized by him in this behalf the membership may be resumed on repayment of arrears of contribution with a fine of two rupees per month subject to the condition that such resumption shall not be allowed more than twice.

ADVERTISEMENTS FOR AWARENESS :

11. To bring more and more awareness amongst the employers and the workers about the provisions of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 and the Building and Other Construction Workers' Welfare Cess Act, 1996 and the rules made thereunder, boards/hoardings containing the provisions alongwith the welfare schemes of the Board have been installed at the important places in the State of Haryana besides holding of seminars/sanitization workshops and giving advertisements through newspapers/electronic media.

12. To boost the process of registering more and more construction workers, all Assistant Directors, Industrial Safety and Health, Labour Officers-cum-Conciliation Officers and Labour Inspectors have also been authorised to register such worker falling in their respective jurisdictions. Approximately, 55000 workers have been registered so far. Registration of workers is a regular process.

LEVY AND COLLECTION OF CESS :

13. Section 3 of "the Building and Other Construction Workers' Welfare Cess Act, 1996" provides levy and collection of cess for the purposes of "the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996", at such rate not exceeding two per cent, but not less than one per cent 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.

As per the Central Government notification dated 26.9.1996 (copy enclosed at **Annexure-K**), one percent of the cost of construction incurred by an employer including public sector, is collected by the State Government as cess which is the main source of income of the Board in addition to the fee received on account of registration of workers. The cess amount shall be sent to the Board by demand draft (DD) in favour of "Secretary, the Haryana Building and Other Construction Workers' Welfare Board, Chandigarh" with covering letter addressed to "the Labour Commissioner-cum-Secretary, the Haryana Building and Other Construction Workers' Welfare Board, 30-Bays Building, Ist Floor, Sector-17, Chandigarh". The Funds so collected are primarily utilized for the implementation of various welfare schemes being run by the Board for the building and other construction workers.

.....

ANNEXURE-A

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 5th June, 2006

No. 6/23/06-1Lab.____ In exercise of powers conferred by Sub-section (2) of Section-42 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Act 27 of 1996), the Governor of Haryana hereby appoints the Additional Chief Inspector of Factories, Haryana to be the Chief Inspector of Inspection of Building and Construction for the purposes of the said sub-section.

PROMILLA ISSAR,
Financial Commissioner and Principal Secretary to
Government, Haryana, Labour Department.

ANNEXURE-B

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The, 2 August, 2007

No. 6/23/06-1Lab (A).__ In exercise of powers conferred by Sub-section (3) of Section-42 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Act 27 of 1996) and in supersession of earlier notification No. 6/23/06-1Lab dated 5th June, 2006 issued in this behalf, the Governor of Haryana hereby appoints the Chief Inspector of Factories, Additional Director, Industrial Safety & Health, all Joint Directors, Industrial Safety and Health, all Deputy Directors, Industrial Safety and Health, all Deputy Director, Industrial Health, all Assistant Directors, Industrial Safety and Health, all Assistant Directors, Industrial Safety and Health (Chemical) and all Assistant Director, Industrial Health-cum-Certifying Surgeon to be the Inspectors for the purposes of the said Act within their respective jurisdiction.

NARESH GULATI

Financial Commissioner and Principal Secretary to
Government, Haryana, Labour Department.

ANNEXURE-C

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Order

The 5th June, 2006

No. 6/23/06-1Lab.__ In exercise of powers conferred by clause (a) of Section 6 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Act 27 of 1996), the Governor of Haryana hereby appoints all the Senior Assistant Directors, Industrial Safety and Health in Haryana to be the registering officers for the said act within their respective jurisdiction.

PROMILLA ISSAR,
Financial Commissioner and Principal Secretary to
Government, Haryana, Labour Department.

ANNEXURE-D

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 6th February, 2009

No. 6/24/06-1Lab. In exercise of powers conferred by Sub-section (1) of Section 9 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Act 27 of 1996), and in supersession of Haryana Government, Labour Department, Notification No. 6/23/2006-1Lab, dated the 5th June, 2006 the Governor of Haryana hereby nominates the Additional Labour Commissioner (Administration) Haryana and Additional Labour Commissioner, Gurgaon, to be appellate officer for the purposes of the said section within their respective jurisdiction.

NARESH GULATI

Financial Commissioner and Principal Secretary to
Government, Haryana, Labour Department.

ANNEXURE-E

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 29th June, 2006

No. 6/24/2006-1Lab.___ In exercise of powers conferred by clause (f) of rule 2 of the Building and Other Construction Workers' Welfare Cess Rules, 1998, the Governor of Haryana hereby appoints all Assistant Directors, Industrial Safety and Health to be Cess Collectors within their respective jurisdiction for the purposes of the said clause.

PROMILLA ISSAR,
Financial Commissioner and Principal Secretary to
Government, Haryana, Labour Department.

ANNEXURE-F

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 29th June, 2006

No. 6/24/2006-1Lab,___ In exercise of powers conferred by clause (g) of rule 2 of the Building and Other Construction Workers' Welfare Cess Rules, 1998, the Governor of Haryana hereby appoints all Senior Assistant Directors, Industrial Safety and Health to be Assessing Officers within their respective jurisdiction for the purposes of the said clause.

PROMILLA ISSAR,
Financial Commissioner and Principal Secretary to
Government, Haryana, Labour Department.

ANNEXURE-G

HARYANA GOVERNMENT
LABOUR DEPARTMENT
Notification

The 6th February, 2009

No.6/24/2006-1Lab(B).- In exercise of the powers conferred by clause (h) of rule 2 of the Building and other Construction Workers Welfare Cess Rules, 1998 and in supersession of Haryana Government, Labour Department No. 6/24/2006-1Lab, dated the 29th June, 2006, the Governor of Haryana hereby appoints Additional Labour commissioner (Administration), Haryana and Additional Labour Commissioner, Gurgaon, to be appellate authority for the purposes of the said clause within their respective jurisdiction.

NARESH GULATI,

Financial Commissioner and Principal Secretary to
Government Haryana, Labour Department

ANNEXURE-H

HARYANA GOVERNMENT
LABOUR AND EMPLOYMENT DEPARTMENT
Notification

The 2nd November, 2006

No. 11/6/2006-2Lab. In exercise of powers conferred by Sub-section (1) read with Sub-section (3) of Section 18 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Act 27 of 1996), the Governor of Haryana hereby constitutes the Haryana Building and Other Construction Workers' Welfare Board, with effect from the date of publication of this notification in the Official Gazette, consisting of the following members including the Chairperson, namely:-

Labour and Employment Minister, : Chairperson
Haryana Government

Representative of the State Government:

1. Parliamentary Secretary, : Member
Labour and Employment,
Haryana
2. Financial Commissioner and : Member
Principal Secretary to
Government, Haryana, Labour
and Employment Department
3. Financial Commissioner and : Member
Principal Secretary to
Government, Haryana,
Finance Department
4. Financial Commissioner and : Member
Principal Secretary to
Government, Haryana, Social
Justice and Empowerment and
Welfare of Scheduled Castes,
Backward Classes, Women
and Child Development
Department

5. Chief Inspector of Inspection : Member
of Building and Other
Construction

Representative of Central Government:

- Regional Labour Commissioner : Member
(Central), Headquarter,
Ministry of Labour, Sharam
Shakti Bhawan, Rafi Marg,
New Delhi

Representative of Employers:

1. Chief Administrator, Haryana : Member
Urban Development Authority,
Panchkula
2. Chief Administrator, Haryana : Member
State Agricultural Marketing
Board, Panchkula
3. Chief Engineer, PWD (Building : Member
and Road), Planning and
Administration, Haryana,
Chandigarh
4. Shri Ramesh Chandra, Unitech : Member
Private Limited, South City,
Phase-II, Gurgaon, Haryana
5. Shri Satish Yadav, House : Member
Number 1808, Sector 10A,
Gurgaon

Representative of Workers:

1. Shri Dharamvir Son of Late : Member
Shri Surjan, Village Gauri Pura,
Post Office Kitlana, Tehsil and
District Bhiwani
2. Shri Ram Singh Sharma, : Member
Mohalla Jatan, Ward Number
11, Village and Post Office
Ladwa, District Kurukshetra

3. Shrimati Bala Devi wife of Shri : Member
Raj Gopal, Ward Number 12,
Mahendergarh
4. Shri Govind Ram Nain, Nemgal : Member
Road, Jawahar Colony, Now expired
Faridabad
5. Shrimati Reena Bharti, 223/4, : Member
Subhash Nagar, Gurgaon

2. The Headquarter of the Board shall be at Chandigarh but the Chairperson can hold meetings at any other place in the State of Haryana.

3. The term of the Board shall be for five years.

4. The non-official members of the Board shall be entitled to Travelling Allowance/Daily Allowance in accordance with the Government institutions issued from time to time. However, other conditions as laid down in the Travelling Allowance Rules shall also apply to journeys performed by non-official members except when otherwise provided.

5. The Labour Commissioner, Haryana being Secretary of the Board shall be the Controlling Officer in respect of the Travelling Allowance Bills of the non-official members of the Board.

6. This issues with the concurrence of the Finance Department conveyed vide their U.O. Number 3/20/06-2FD-III/2034, dated the 18th October, 2006.

M.L.TAYAL,
Financial Commissioner and Principal Secretary to
Government, Haryana, Labour and Employment
Department.

ANNEXURE-I**LIST OF SOME NEW SCHEMES OTHER THAN THOSE MENTIONED IN THE HARYANA BUILDING AND OTHER CONSTRUCTION WORKERS' (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) RULES, 2005.**

.....

- ❖ **Health Insurance Scheme:** Under this scheme, annual insurance coverage of sum of Rs.30,000/- on the pattern of Rashtriya Swasthya Bima Yojana (RSBY) launched by Government of India for Below Poverty Line Families, is to be made available to the beneficiary and his family with 5 members as a unit and the health coverage would include indoor expenses of reputed public/private hospitals. However to execute this scheme M/s Royal Sundram Alliance Insurance Co. Ltd., Chandigarh has been selected as Insurer, which will be issuing health cards to the registered building and other construction workers so that holder of health cards could avail medical facilities/treatment from empanelled hospitals including some Govt. Hospitals also. This insurer had started its working w.e.f. 01.10.2010.
- ❖ **Coverage of chronic diseases:** A further Health Scheme for coverage of chronic diseases like cancer, AIDS, T.B. and heart diseases etc. has also been introduced and under this scheme beneficiary may get self treatment or treatment for his/her dependents as indoor patients from public sector hospitals and get medical bill reimbursed against actual expense but not exceeding Rs.One lac in a year.
- ❖ **Free traveling facility for religious/historical places:** The facilities for visiting religious/historical places once in four years for a family not exceeding 5 members, is available to the beneficiary who is having two years service at his credit and will not be drawing monthly salary exceeding Rs.10,000/-. Period of this visit will not be exceeding 10 days. The payment of expenditure so incurred by the beneficiaries will be made

at the rate prescribed by the Haryana Roadways from time-to-time or actual railway fare, as the case may be.

- ❖ **Facilities for crèches and mobile toilets:** These facilities are presently available at Gurgaon and Faridabad. It has also been decided to extend these facilities at other Districts also as per requirement depending upon the strength of such labourers.
- ❖ **Free Transport Facilities for students:** To give boost to the educational facilities for universal coverage of children belonging to this target group, the process for hiring mini-buses/vans for taking their children for their living places to the nearby schools has been approved by the Board.
- ❖ **Mobile Dispensary Vans:** In order to meet health care requirements of the beneficiaries, the mobile dispensary vans alongwith requisite medical staff and medicines are already in operation at Gurgaon, Ambala, Panipat, Faridabad and Hisar districts.
- ❖ **Shelters for Construction Workers:** The facilities of shelters with civic amenities is to be provided to Labour at the labour chowks on availability of the land from local authorities. Three Labour Sheds at Yamuna Nagar and two Labour Sheds at Faridabad are under construction. Rs. 28.05 lacs has been released to Executive Office, MC, Yamuna Nagar and Rs. 20Lac has also been released to Additional Deputy Commissioner, Faridabad for the construction of said Labour Sheds in August, 2009.
- ❖ **Financial assistance for marriage of daughters:** A new scheme namely "Kanyadan" has also been introduced under which Rs.21,000/- as assistance for marriage of each daughter of the construction workers, would be given. This benefit is admissible upto two daughters
- ❖ **Establishment of Labournet Centres in the State:** Initially, one Labournet Centre by involving Bangalore based NGO-MAYA has been

established at Manesar which was inaugurated by Hon'ble C.M. on the occasion of the Mazdoor/Labour Day on 12.6.2009. In this context, one more Labournet Centre at Sikanderpur (Gurgaon) and two at Faridabad have been established, which are in operation. The main objective of these Centres to register and create a data base of workers and provide Identity Cards to all workers, improve safety at work sites, short-term modular training opportunities to workers and crèche facility etc. However, on the basis of performance of these Centres after one year, the Board will be establishing such Centres in other towns of the State where construction workers are expected to be found working in clusters.

ANNEXURE-J

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 9th April, 2007

No. 2/47/2006-2Lab. In exercise of powers conferred by Sub-section (1) read with Sub-section (2) of Section 4 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (Act 27 of 1996), the Governor of Haryana hereby constitutes the Haryana State Building and Other Construction Workers' Advisory Committee, consisting of the following members, namely:-

- | | | | |
|----------------------------------|---|---|-------------------|
| 1. | Parliamentary Secretary,
Labour and Employment,
Haryana | : | Chairperson |
| 2. | Shri K.L.Sharma, M.L.A., Near
Civil Hospital, Shahabad (M),
Kurukshetra. | : | Member |
| 3. | Smt. Geeta Bhukal, M.L.A.,
New MLAs Flat No.206,
Sector-3, Chandigarh | : | Member |
| 4. | Chief Inspector of Inspection
of Building and Other
Constructions | : | Member ex-officio |
| 5. | Regional, Labour
Commissioner (Central), Head
Quarters, Ministry of Labour,
Sharam Shakti Bhawan, Rafi
Marg, New Delhi (Nominee of
Central Government) | : | Member |
| Representative of the Employers: | | | |
| 6. | Chief Engineer (Building and
Road) Planning and
Administration, Haryana,
Chandigarh | : | Member |

7. Shri Gopal Ansal, M/s Ansal : Member
Group, Gurgaon
8. Shri Puneet, M/s Vipul : Member
Infrastructure and Developers
Limited, Global Business Park,
Fortune Hotel, Gurgaon

Representative of building workers:

9. Shri Jagat Naagar, Advocate, : Member
18, Harchand Bagh, Vasant
Kunj Road, Andheri Mor, New
Delhi-30
10. Smt. Bimla Parmar, Kirti : Member
Nagar, Near Mohala Factory,
Bhiwani
11. Shri Narendra Singh, Village : Member
Jatola, Post Office Saidpur,
District Sonapat

Representative of State Level Association of Architects:

12. Shri R.L.Malhotra, President, : Member
Indian Institute of Architect,
Haryana Chapter, H.No. 1408,
Sector-14, Faridabad

Representative of State Level Associate of Engineers:

13. Shri T.C. Jain, Retired : Member
Superintending Engineer,
House No. 284, Sector-7,
Panchkula

Representative of Accident Insurance Institutions:

14. Shri Harish Gupta, House No. : Member
2638/2, Sector 47-C,
Chandigarh Surveyor Oriental
Insurance Company, SCO No.
109-10-11, Ist Floor, Sector-
17-D, Chandigarh

Representative of Welfare Expert:

15. Smt. Manorama Rana, Deputy : Member
Labour Commissioner-II,
Gurgaon

Representative of Media:

16. Shri Hitender Rao, Special : Member
Correspondent, Hindustan
Times

2. The Headquarter of the Advisory Committee shall be at Chandigarh but the Chairperson can hold meetings at any other place in the State of Haryana.

3. The term of the Advisory Committee shall be for five years.

4. The non-official members of the Advisory Committee shall be entitled to Travelling Allowance/Daily Allowance in accordance with the Government institutions issued from time to time. However, other conditions as laid down in the Travelling Allowance Rules shall also apply to journeys performed by non-official members except when otherwise provided.

5. The Labour Commissioner, Haryana being Member Secretary of the Advisory Committee shall be the Controlling Officer in respect of the Travelling Allowance Bills of the non-official members of the Advisory Committee.

6. The Travelling Allowance/Dearness Allowance of members shall be paid from the funds of the Haryana Building and Other Construction Workers' Welfare Board and entitlement will be equal to Grade-I officers drawing pay of Rs.16000/- and above per month as per letter of Chief Secretary, Govt. of Haryana's U.O. No. 36/6/98-Pol (4P), dated 14.2.2007. This issues with the concurrence of the Finance Department conveyed vide their U.O. No. 732/2007-2FD-III, dated 6.4.2007.

MANIK SONAWANE,
Financial Commissioner and Principal Secretary to
Government, Haryana, Labour Department.

ANNEXURE-K

MINISTRY OF LABOUR

Notification

New Delhi, the 26th September, 1996

S.O.2899.___ In exercise of powers conferred by sub-section (1) of Section 3 of the Building and Other Construction Workers' Welfare Cess Act, 1996 (28 of 1996) and in supersession of the notification of the Government of India in the Ministry of Labour No. S.O.1767 dated the 17th May, 1996, the Central Government specifies a cess for the purposes of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996), at the rate of 1 per cent, of the cost of construction incurred by an employer.

D.K.TREHAN,
Labour & Employment Adviser

