

Implementation of Building and other Construction Workers Act, 1996

*274.SHRI TARINI KANTA ROY:

SHRI TAPAN KUMAR SEN:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Building and Other Construction Workers (Regulation of Employment Workers' Condition of Service) Act, 1996 has been implemented in all States and Union Territories;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) to (c) Under 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, the States have to frame and notify Rules, constitute Advisory Committees/Expert Committees, appoint various authorities for registration of workers, cess collection, Inspection and Appealing Authority and constitute State Welfare Boards to frame and implement various welfare schemes in pursuance of the said Acts. The States are at various stages of implementation of these Acts. As on 31.03.2009, 27 State/UTs have notified Rules under the Act, 26 have constituted Welfare Boards, 24 have notified implementing/cess collecting authorities, 26 have constituted State Advisory Committees and 15 have formulated the welfare schemes. State-wise status as intimated by the State/UT Governments is given in the Statement-I and II (*See below*). The inability of some of the States to constitute Welfare Boards and State Advisory Committees and non-notification of cess collecting authorities has delayed the implementation in these States. A number of States have also not been able to formulate welfare schemes despite the statutory mandate to do so.

Statement-I

States of Implementation of the Building and other construction workers (Regulation of Employment and conditions of Service) Act 1996

Sl.No.	Name of the States/UTs.	Whether Rules notified under the Act	Whether Welfare Board constituted	Whether Implementing / Cess collecting authority notified	Whether State Advisory Committee constituted	Whether Schemes framed and implemented
1	2	3	4	5	6	7
1.	Andhra Pradesh	Yes	Yes	Yes	Yes	No
2.	Arunachal Pradesh	Yes	Yes	Yes	Yes	Yes
3.	Assam	Yes	Yes	Yes	Yes	Yes*
4.	Bihar	Yes	Yes	Yes	Yes	No
5.	Chhattisgarh	No	No	No	Yes	No
6.	Goa	Yes	Yes	Yes	Yes	No

1	2	3	4	5	6	7
7.	Gujarat	Yes	Yes	Yes	Yes	Yes
8.	Haryana	Yes	Yes	Yes	Yes	Yes
9.	Himachal Pradesh	Yes	Yes	No	No	No
10.	J & K	Yes	Yes	Yes	Yes	No
11.	Jharkhand	Yes	Yes	Yes	Yes	Yes*
12.	Karnataka	Yes	Yes	Yes	No	Yes
13.	Kerala	Yes	Yes	Yes	No	Yes
14.	Madhya Pradesh	Yes	Yes	Yes	Yes	Yes
15.	Maharashtra	Yes	Yes	Yes	Yes	No
16.	Manipur	Yes	No	No	No	No
17.	Meghalaya	Yes	No	No	No	No
18.	Mizoram	Yes	No	No	Yes	No
19.	Nagaland	No	No	No	No	No
20.	Orissa	Yes	Yes	Yes	Yes	Yes
21.	Punjab	Yes	Yes	Yes	Yes	No
22.	Rajasthan	No	No	No	Yes	No
23.	Sikkim	Yes	No	Yes	No	No
24.	Tamilnadu**	Yes	Yes	No	Yes	Yes
25.	Tripura	Yes	Yes	Yes	Yes	Yes
26.	Uttar Pradesh	No	No	Yes	No	No
27.	Uttarakhand	Yes	Yes	Yes	Yes	Yes*
28.	West Bengal	Yes	Yes	Yes	Yes	Yes
29.	Delhi	Yes	Yes	Yes	Yes	Yes
30.	A & N Islands	Yes	Yes	Yes	Yes	No
31.	Chandigarh	No	Yes	Yes	Yes	No
32.	Dadra and Nagar Haveli	No	Yes	No	Yes	No
33.	Daman and Diu	No	Yes	No	Yes	No
34.	Lakshadweep	No	No	No	No	No
35.	Puducherry	Yes	Yes	Yes	Yes	Yes

* Schemes framed but yet to be implemented.

** State implementing its own Act.

Statement-II

Welfare schemes formulated by State Governments

Arunachal Pradesh

(1) Housing Loan (2) Tool Advance (3) Medical Assistance (4) Marriage Assistance (5) Maternity Assistance (6) Education Assistance (7) Old Age Pension (8) Disability Pension (9) Family Pension (10) Orphan Pension (11) Funeral Assistance.

Assam

(1) Death Benefits (2) Accident Benefit (3) Assistance to Educational Institutions for Job Oriented Technical Education to the Children of the Beneficiaries.

Gujarat

(1) Educational Assistance to Children (2) Maternity Benefit Scheme (3) Accident Benefit Scheme (4) Funeral Benefit Scheme (5) Medical Assistance Scheme (6) House Building Scheme (7) Training for Skill Upgradation.

Haryana

(1) Maternity Benefit (2) Pension (3) Advance for Purchase/construction of House (4) Disability pension (5) Loan for Purchase of Tools (6) Funeral Assistance (7) Payment of Death Benefit (8) Medical Assistance (9) Financial Assistance for Education (10) Marriage Assistance (11) Family Pension (12) Benefits under Janshree Bima Yojana

Jharkhand

(1) Maternity Benefit (2) Pension (3) Disability Pension (4) Funeral Assistance (5) Educational Assistance (6) Medical Assistance (7) Financial Assistance for Marriage (8) Family Pension (9) Orphan Pension (10) Refund of the Contribution of Deceased Member

Karnataka

(1) Funeral Assistance (2) Medical Assistance (3) Accident Benefit Scheme

Kerala

(1) Pension (2) Family Pension (3) Tools Advance (4) Funeral Benefits (5) Death Benefits (6) Accident Death Benefits (7) Treatment Benefits (8) Fatal Disease Treatment Benefits (9) Ex-gratia Benefits (10) Scholarship (11) Entrance Exam Coaching (12) Marriage Benefits (13) Maternity Benefits.

Madhya Pradesh

(1) Medical Assistance in Case of Accident Scheme (2) Funeral Assistance & Ex-gratia Payment in Case of Death Scheme (3) Education Assistance (Scholarship) Scheme (4) Cash Award for Meritorious Student Scheme (5) Maternity Assistance Scheme (6) Medical Assistance Scheme (7) Beneficiary's Daughter's/Female Beneficiary's own marriage Assistance Scheme (8) Pension Assistance Scheme (9) Housing Loan Assistance Scheme.

Orissa

(1) Accident Benefit (2) Pension to the Beneficiaries on Completion of 60 Years of Age (3) Family Pension (4) Invalid Pension (5) Death Relief/Funeral Assistance (6) Loan and Advances for Construction of House (7) Group Insurance (8) Financial Assistance for the Education of Children of the Beneficiaries (9) Medical Assistance (10) Maternity Benefits (11) Marriage Benefits (12) Tool Advances (13) Financial Assistance for Coaching in Specialized Subjects.

Tripura

(1) Assistance in Case of Accident (2) Death Benefit (3) Pension (4) Loan & Advances
(5) Medical Assistance (6) Maternity Benefits.

Tamil Nadu

(1) Group Personal Accident Insurance Scheme (2) Assistance on Natural Death (3) Assistance for Funeral Expenses (4) Educational Assistance (5) Maternity Benefits (6) Reimbursement of Cost of Spectacles (7) Pension Scheme (8) Creches for Children of Women Workers.

Uttarakhand

(1). Payment of Pension (2) Maternity Benefits (3) Advance for Purchase/construction of House (4) Disability Pension (5) Loan for the Purchase of Tools (6) Payment of Funeral Assistance (7) Payment of Death Assistance (8) Medical Assistance (9) Financial Assistance for Education (10) Financial Assistance for Marriage (11) Family Pension.

West Bengal

(1) Assistance in Case of Accident (2) Death Benefit (3) Old Age Pension (4) Assistance for the Education of Children (5) Medical Assistance (6) Maternity Benefits (7) House Building Advance.

Delhi

(1) Advance for Purchase/construction of House (2) Disability Pension (3) Loan for Purchase of Tools (4) Death Benefits to the nominee/dependent of the workers (5) Maternity Benefits (6) Family Pension (7) Old Age Pension (8) Creches for the Children (9) Payment of LIC Premium (10) Scheme for Providing Temporary Accommodation for Construction Workers in Holding Areas

Puducherry

(1) Group Insurance Coverage under Janshree Bima Yojana (2) Medical Assistance (3) Funeral Assistance/Death Benefits (4) Maternity Benefits (5) Marriage Assistance (6) Deepawali Gift Coupons (7) Scholarship to Children (8) Raincoat