



ABSTRACT

Labour –Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996) - Tamil Nadu Building and other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2006- Amendment to Rules- Notified.

LABOUR AND EMPLOYMENT (I2) DEPARTMENT

G.O.(Ms).No.148

Dated: 31.08.2017
ஹேவிளம்பி, ஆவணி 15,
திருவள்ளூர் ஆண்டு 2048
Read:

From the Director of Industrial Safety and Health, Chennai-32, letter No.B1/15400/2017, Dated 07.08.2017.

ORDER:-

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary. The Works Manager, Government Central Press, Chennai- 600 079 is requested to send fifty copies of the Gazette to the Government and fifty copies to the Directorate of Industrial Safety and Health, Chennai - 600 032 directly.

2. The Secretary to Government, Tamil Development and Information (Translations) Department, Secretariat, Chennai-600 009 is requested to send the Tamil translation of the Notifications to the Works Manager, Government Central Press, Chennai-600 079 for the publication in Tamil Nadu Government Gazette Extraordinary.

(By Order of the Governor)

Mangat Ram Sharma,
Principal Secretary to Government(FAC)

To
The Works Manager, Government Central Press, Chennai- 600 079. (2 Copies)
(for publication of the notification in the Tamil Nadu Government Gazette)
The Secretary to Government, Tamil Development and Information (Translations) Department, Chennai-600 009.
The Director of Industrial Safety and Health, Chennai-600 032.
The Commissioner of Labour, Chennai-600 006.
The Secretary, Tamil Nadu Construction Workers Welfare Board, Chennai-600 034.

Copy to:

The Law Department, Chennai – 600 009.

The Senior Personal Assistant to Minister for Labour, Chennai-600 009.

The Private Secretary to Secretary to Government, Labour and Employment Department, Chennai-600 009.

The Labour and Employment (H, J and K) Departments, Chennai-600 009.

The Labour and Employment (OPII) Department, Chennai-600 009. (2 copies)

SF/SC/ for file. (C.No.12186/I2/2017)

//Forwarded by Order//

Section Officer.

APPENDIX.**NOTIFICATION.**

In exercise of the powers conferred by section 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996) and in consultation with the expert committee, the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Building and other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2006.

AMENDMENTS.

In the said Rules,-

(1) in rule 23, -

(a) in sub-rule (2), after the expression, "by a demand draft", the expression "or online payment through online portal of Directorate of Industrial Safety and Health," shall be inserted;

(b) for sub-rule (3) the following shall be substituted, namely:-

"(3) Every application referred to in sub-rule (1) shall be made through online portal of Directorate of Industrial Safety and Health or personally delivered to the Registering Officer or sent to him by registered post.";

(2) in rule 242, for the expression, "shall send annually a return relating to such establishment in duplicate in Form XXV under Schedule XIII to these rules", the expression "shall submit the Combined Annual Return in Form XXV under Schedule XIII to these rules, through online portal of Directorate of Industrial Safety and Health" shall be substituted;

(3) in Schedule XIII for Form XXV, the following Form shall be substituted, namely:-

“FORM XXV.

(See rule 242)

COMBINED ANNUAL RETURN OF EMPLOYER TO BE SENT TO THE
REGISTERING OFFICER

Year ending 31st December

1. Full name and full address of the establishment of the building and other construction work (Place, Post Office, District)
2. Name and permanent address of the establishment
3. Name and address of the employer
4. Nature of building and other construction work carried on
5. Full name of the Manager or person responsible for supervision and control of the establishment
6. Number of building workers ordinarily employed
7. Total number of days during the year on which building workers were employed
8. Total number of man-days worked by building workers during the year
9. Maximum number of building workers employed on any day during the year
10. The number of accident that took place during the year as under:
 - (a) The total number of accidents.
 - (b) The number of accidents resulting in disablement of building workers for less than 48 hours, the number of building workers involved and the number of man-days lost.
 - (c) The number of accidents resulting in disablement of building workers beyond 48 hours but not resulting in any permanent partial or permanent total disablement, the number of building workers involved, and the number of man-days lost on account of such accidents.

- (d) The number of accidents resulting in permanent partial or total disablement, the number of building workers involved and the number of man-days lost on account of such accidents.
- (e) The number of accidents resulting in death of building workers and the number of resultant deaths.

The Chief Inspector or Inspectors appointed by the Government under the Act shall direct the owners of establishments registered under this Act, to send the copies of Annual Returns submitted by the employers of registered establishments in respect of the Government to the Chief Inspectors of Building and Other Construction Work of Inspections by virtue of provisions of Section 60 of the Act.

The Chief Inspector or Inspectors appointed under this Act by the Government shall direct the owners of such establishments as are registered under this Act by registering officers appointed by the Government to send copies of the Annual Returns to the Director General by virtue of provisions of Section 60 of the Act.

11. Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates.

12. (i) Particulars of Maternity Benefits:

	Number of Employees received	Total amount paid	
Miscarriage			
Confinement			
Illness			
Medical Bonus			
Total			
(ii)	Number of women who gave notice under section 6 of the Maternity Benefit Act, 1961:		
(iii)	Number of women who were granted permission to absent on receipt of notice of confinement:		
(iv)	Claims for maternity benefit rejected:	Number	Amount not paid
(v)	Claims for medical bonus rejected:	Number	Amount not paid
(vi)	Cases in which leave for miscarriage was applied for but was rejected:	Number	Amount not paid

(vii)	Cases in which additional leave for illness under section 10 was applied for but was rejected:	Number	Amount not paid
(viii)	Cases in which payment was made to persons other the woman concerned:	Number	Amount paid
(ix)	Women deprived of maternity benefit and/ or medical bonus under proviso to sub-section (2) of section 12 of the Maternity Benefit Act, 1961:	Number	Amount not paid
(x)	Cases in which payment was made on the order of the Appellate Authority or Inspector:	Number	Amount paid
(xi)	Number of cases where prenatal confinement and postnatal care was provided by the management free of charge under section 8 of the Maternity Benefit Act, 1961:		

13.(i) Particulars of Deductions made from Salary in respect of persons whose wages are not more than the wages specified by Central Government under sub-section (6) of section 1 of the Payment of Wages Act, 1936 (Central Act 4 of 1936) :-

	Number of employees involved	Total Amount of deductions made
Fines		
Damages/ Loss		
Breach of Contract		
Others		
Total		

(ii) Details of number of persons earning not more than the wages specified by Central Government under section 6 of the Payment of Wages Act, 1936 (Central Act 4 of 1936) :-

Men
Women:
Adolescent:

(iii) Details of money value concession paid (in Rupees):

(iv) Total wages including deductions under sub-section (2) of section 7 of the Payment of Wages Act, 1936 (Central Act 4 of 1936):-

Basic Wage.	Dearness Allowances.	Over time.	Non Profit sharing bonus.	Other allowances in cash.	Arrears of pay in respect of previous year paid during the year.	Total.

(v) Details of the remittances of Fines collected towards Tamil Nadu Labour Welfare Fund.

	Demand Draft No.	Date.	Bank.	Amount Rs.ps.
1 st Quarter				
2 nd Quarter				
3 rd Quarter				
4 th Quarter				

(vi) Total cash value of the wages paid in kind:

14. Payment of Bonus paid for the accounting year:

Number of employees eligible for Bonus.	Percentage of Bonus declared.	Total amount of Bonus paid.	Date of payment.

15. Contract Labour:

Names and addresses of contractors.	Period of contract.	Nature of work.	Number of days worked.	Number of man days worked.	Maximum number of workers employed by each contractor.

16. Inter-state Migrant Workmen:

Name and address of contractors	
Period of contract	
Nature of work	
Maximum number of migrant workmen employed by each contractor	
Number of days worked	
Number of man-days worked	

Place.....

Employer.....”.

Date.....

Mangat Ram Sharma,
Principal Secretary to Government (FAC)

//True Copy//

Section Officer.