

**GOVERNMENT OF PUDUCHERRY
ABSTRACT**

Labour - Act and Rules - The Building and other Construction Workers (RECS) Act, 1996 read with the Puducherry Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2001 - Amendment of the Puducherry Building and Other Construction Workers (RECS) Rules, 2001 - Draft Notification - Issued.

LABOUR DEPARTMENT

11 NOV 2019

G.O.Ms.No. 12/AIL/Lab/G/2019

Puducherry, the

READ: This Department's I.D.No.10/AIL/LAB/G/2018, dated 11.10.2019.

ORDER:

The following Notification shall be published in the next issue of the Official Gazette of Government of Puducherry:-

NOTIFICATION

The draft of the following rules further to amend the Puducherry Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2001, which the Lieutenant-Governor, Puducherry has proposed to make in exercise of the powers conferred under section 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996), is hereby published as required under sub-section (1) of section 62 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on the expiry of forty-five days from the date of publication of this notification in the official Gazette.

2. Objection or suggestion which may be received from any person by the Government of Puducherry in respect of the said draft rules within the period specified above will be considered by the Government.

3. Objections or suggestions shall be addressed to the Secretary to Government, Labour Department, Puducherry.

DRAFT RULES

1. Short title and commencement. - (1) These rules may be called the Puducherry Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Amendment Rules, 2019.

(2) They shall come into force on and from the date of their publication in the Official Gazette.

2. Amendment of rule 23.- (1) In the Puducherry Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2001, (hereinafter referred to as the said rules), for sub-rule (1) of rule 23, the following shall be substituted namely:-

"(1) The application referred to in sub-section (1) of section 7 of the Act shall be made in Form- I, through the on-line portal of the Labour Department, Puducherry".

(2) In substituted

(2) In the said rules, for sub-rule (2) of rule 23, the following shall be substituted, namely:-

"(2) The fees shall be paid by on-line payment through the on-line portal of Government of Puducherry under the relevant head of Account viz., 00-0230-00-800-01-00-01-Labour & Employment, Other Receipts, Collection Registration fees building construction workers, for the registration of the establishment."

(3) In the said rules, the sub-rule (3) of Rule 23 shall be deleted.

(4) In the said rules, the sub-rule (4) of Rule 23 shall be re-numbered as sub-rule (3).

3. Amendment to rule 25.— (1) In the said rules, in sub-rule (2) of rule 25, after the expression *"the change which has occurred"*, the expression *"through the on-line portal of the Labour Department, Puducherry"* shall be inserted.

(2) In the said sub-rule of rule (25), in the proviso clause, the following shall be substituted, as follows:-

"Provided that the Registering Officer shall not carry out any amendment in the register in Form-II through the on-line portal of the Labour Department, Puducherry, unless the appropriate fees have been paid by the employer by on-line payment through the on-line portal of Government of Puducherry under the relevant head of Account viz., 00-0230-00-800-01-00-01-Labour & Employment, Other Receipts, Collection Registration fees building construction workers".

4. Amendment to rule 26.— (1) In the said rules, in sub-rule (3) of rule 26, the word *"written"*, shall be deleted.

(2) After the expression *"Form- IV"*, the expression *"through the on-line portal of the Labour Department, Puducherry"* shall be inserted.

5. Amendment to rule 27.— In the said rules for rule 27, the following shall be substituted, namely:-

"27. The fees to be paid by on-line payment through the on-line portal of Government of Puducherry under the relevant head of Account viz., 00-0230-00-800-01-00-01-Labour & Employment, Other Receipts, Collection Registration fees building construction workers for grant of a certificate of registration under rule 24".

6. Amendment to rule 243.— (1) In the said rules, for the expression, *"shall send annually a return relating to such establishment in duplicate in Form XXV annexed to these rules"* the expression *"shall submit the Combined Annual Return in Form XXV under these rules, through on-line portal of the Labour Department, Puducherry"* shall be substituted.

(2) In the said rules, for the Form XXV, the following Form shall be substituted, namely:-

FORM XXV
(See rule 243)

**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 establishment 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:

| | No. 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 than the woman concerned: | Number | Amount not 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 not paid |
| (xi) | Number of cases where prenatal confinement and postnatal care was provided by the Management free of charge under section 18 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 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 wages | Dearness allowance | Over time | Non profit sharing bonus | Other allowances in cash | Arrears of pay in respect of previous year paid during the year. | Total |
|-------------|--------------------|-----------|--------------------------|--------------------------|--|-------|
| | | | | | | |

(v) 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

| Name 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 |
|-----------------------------------|--------------------|----------------|-----------------------|---------------------------|---|
| | | | | | |

Lo/Yanam? Weebmaster

16. Inter-state Migrant Workmen:

| | |
|---|--|
| Name and address of the 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:

Date:

Employer

//BY ORDER OF THE LIEUTENANT-GOVERNOR//

(E. VALLAVAN)

ADDITIONAL SECRETARY TO GOVERNMENT
(LABOUR)

To

✓ The Director of Stationery & Printing, Puducherry. } with a request to supply 50 copies of the notification to this Department.

Copy to:

1. The District Collector, Puducherry/Karaikal.
2. The Regional Administrator, Mahe/Yanam.
3. The Deputy Labour Commissioner, Puducherry.
4. The Inspector of Factories, Puducherry/Karaikal.
5. The Labour Officer (Enforcement), Puducherry.
6. The Labour Officer, Karaikal.
7. The Labour Officer, PBWWB, Puducherry.
8. The Assistant Inspectors of Labour, Puducherry/Karaikal/Mahe/Yanam.
9. The Web Master, Labour Department, Puducherry.
10. G.O. Copy /Spare.