

**GOVERNMENT OF INDIA  
LABOUR AND EMPLOYMENT  
LOK SABHA**

STARRED QUESTION NO:339  
ANSWERED ON:19.04.2010  
WELFARE OF CONSTRUCTION REAL ESTATE EMPLOYEES  
Kumar Shri Kaushalendra

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

- (a) whether an adequate framework exists for protection and welfare of the workers/employees engaged in the building construction/real estate sectors;
- (b) if so, the details thereof; and
- (c) the action being taken by the Government for ensuring proper implementation and strengthening of the labour laws in this regard?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT)

(a) to (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (c) OF LOK SABHA STARRED QUESTION NO. 339 TO BE ANSWERED ON 19.04.2010 RAISED BY SHRI KAUSHALENDRA KUMAR REGARDING WELFARE OF CONSTRUCTION/REAL ESTATE EMPLOYEES.

(a) to (c): In order to safeguard the interest of workers engaged in the building and other construction works, the Government has enacted 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 a view to regulating the wages, working conditions, safety and health, welfare measures etc. The Acts apply to every establishment which employs 10 or more workers. As per the Acts, every State Government has to frame and notify Rules, constitute Advisory Committee/Expert Committee, appoint various authorities for registration of workers, cess collection, inspection and Appellate authority and constitute Building and Other Construction Workers' Welfare Board to frame and implement various welfare schemes in pursuance of the said Acts. The major source of the fund to the Building and other Construction Workers Welfare Board shall be collection of cess @ 1% of the cost of construction incurred by the employer under the Building and Other Construction Workers Welfare Cess Act, 1996. The fund has to be utilized for various welfare measures.

The main responsibility for implementing the Acts lies with the respective State Government. As on 31.12.2009, 33 States/UTs have notified Rules under the Act, 30 have constituted Welfare Boards, 31 have notified implementing/cess collecting authorities and 27 have constituted State Advisory Committees.

The Central Government has framed Rules viz. the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Central Rules, 1998 which contains elaborate provisions regarding responsibilities and duties of employers, architect, projects engineers, Central Advisory Committee, Registration of establishments, safety and health, hours of work, welfare and payment of wages etc. The Central Advisory Committee has also been constituted. The Central Government is the implementing agency in the Central sphere while States are the implementing authority under State sphere.

In order to closely monitor and review the implementation of the Act, a Special Group has been constituted under the Chairmanship of Union Secretary, Ministry of Labour & Employment. The Special Group is holding region-wise meeting with the representatives of the State Governments concerned to emphasize the urgency and importance for the effective implementation of the Act. 18 Region-wise meetings of the Special Group have been held so far, in different regions.

The Central Advisory Committee constituted under the Act is also reviewing the implementation of the Act. So far eleven meetings of the Central Advisory Committee have been held.

Issues concerning construction workers was one of the agenda item discussed in State Labour Ministers Conference held on 22nd January, 2010 in New Delhi. It was impressed upon on the State Governments that concerted efforts need to be made for speedy implementation of the Act.