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LABOUR & ESI DEPARTMENT

NOTIFICATION

The 28th February, 2014

No. 1952-LL-I (III)8/2013/LESI.— In exercise of the powers conferred by Section 62 read with Section 40 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, (Act 27 of 1996), the State Government after consultation with the Expert Committee, do hereby make the following rules further to amend the Odisha Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Rules, 2002, namely:—

1. (1) These rules may be called the Odisha Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Amendment Rules, 2014.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2002 (hereinafter referred to as the said rules), in rule 208, for sub-clause (i) of clause (b) of sub – rule (1), the following sub-clause shall be substituted, namely:—

“(i) the Labour Commissioner, Odisha who shall be the authority under section 39 of the Act”.

3. In the said rules, in the rule 262,—

(i) in sub-rule (1), for the figure, words and bracket “Rs. 25,000.00 (Rupees Twenty Five Thousand)”, the figure, words and bracket “Rs. 1,00,000.00 (Rupees One Lakh)” shall be substituted; and

(ii) for sub-rule (4), the following sub-rule shall be substituted, namely:—

“(4) The Board may, with the prior approval of the Government, delegate financial powers to the Collector of the district and other officers of the State Government to such extent, for such purpose and subject to such conditions as may be specified in the delegation”.

4. In the said rules, in rule 265,—

(i) in clause (v) of sub-rule (2), the words “The nomination shall stand revised in the name of the spouse on his acquiring a family or on the happening of any legal change in the status of the family” shall be deleted.

(ii) after sub rule (2), the following sub-rule shall be inserted, namely:—

“(2A). The nominee shall mean:—

(i) the spouse;

(ii) in case the spouse is not living, all minor children; and

(iii) in case there is no living spouse or minor children, parents.”

5. In the said rules, sub-rule (4) of rule 266 shall be deleted.

6. In the said rules, in rule 270, for the letters and figures appearing against items (A),(B) and (C) “Rs. 75,000.00”, “Rs.40,000.00” and “Rs.20,000.00”, the letters and figures “Rs.1,50,000.00”, “Rs.80,000.00” and “Rs.40,000.00” shall respectively be substituted.

7. In the said rules, in sub-rule (1) of rule 271, for the figures and words “Rs.50,000.00 (Rupees Fifty Thousand)” and “Rs. 1,00,000.00 (Rupees One Lakh)”, the figures and words “Rs. 1,00,000.00 (Rupees One Lakh)” and “Rs. 2,00,000.00 (Rupees two Lakhs)” shall respectively be substituted.

8.In the said rules, for clauses (i), (ii) and (iii) of rule 275, the following clauses shall be substituted, namely:—

“(i) 11th and 12th class:- Rs.3,000 for son and Rs.4,000 for daughter per annum.

(ii) for under graduate and post-graduate studies in any discipline other than engineering, technology or medicine-Rs.4,000 for son and Rs.5,000 for daughter per annum.

(iii) for I.T.I. or Diploma in Engineering or Degree in Engineering or Medicine- at par with fee structure for Government institutions as approved by the State Government for son and an additional amount of Rs.2,400 for daughter per annum.”

9. In the said rules, in rule 277, for the figure “Rs. 2,000.00”, the figure “Rs. 4,000.00” shall be substituted.

10. In the said rules, in rule 278, —

(i) in sub-rule (1), for the figure, words and bracket “Rs.3,000 (Three Thousand)”, the figure, words and bracket “Rs.2,000 (Rupees Two Thousand) per month subject to a maximum training period of six months” shall be substituted;

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The Board may grant financial assistance up to Rs.4,000 for purchase of working tools and up to Rs.1,000 for purchase of safety equipment to the registered beneficiary who has completed at least one

year, subject to production of purchase receipt of admissible items from a registered shop or company. The application shall be in Form XLIV with such documents and be made within such period as may be specified by the Board”.

(iii) after sub-rule(2), the following sub-rule shall be inserted, namely:—

“(3) The Board may grant financial assistance up to Rs.4,000 for purchase of bicycle by a beneficiary who has completed at least three years of registration, subject to production of purchase receipt from a registered shop or company. The application shall be in Form XLIV and be accompanied with such documents and be made within such period as may be specified by the Board”.

11. In the said rules, in rule 278-A, for the figure and words “Rs.1,800 (one thousand eight hundred)”, the figure and words “Rs.5,000 (Rupees five thousand)” shall be substituted.

12. In the said rules, in the rule 278-B, for the figure and words “Rs.5,000 (Rupees Five Thousand)”, the figure and words “Rs.20,000 (Rupees twenty thousand only)”, shall be substituted.

13. In the said rules, in rule 279, for the words “of the Welfare Board” appearing at the end of the words “of the Government” shall be substituted.

14. In the said rules, after rule 285, the following rule shall be inserted, namely:—

“285-A. The Board shall arrange for translation and supply of Form XXVII, Form XXXI, Form XXXIV, Form XXXV, From XXXVII, Form XXXIX, Form XL, Form XLI, From XLII, Form XLIII, Form XLIV and Form XLV in Odia and the forms so translated in Odia shall be filled in Odia which shall be valid and acceptable for all purposes.”

15. In the said rules, in rule 288, in sub-rule(4), for the words “to the Secretary”, the words to the Secretary to the Government of Odisha in the Labour and Employees’ State Insurance Department shall be substituted and for the words “Government of Orissa in Labour & Employment Department”, the words “Government of Odisha in the Labour and Employees’ State Insurance Department” shall be substituted.

16. In the said rules, in Form XXXIV, for the reference “See Rule 268(3)” the reference “See Rule 270” shall be substituted.

17. In the said rules, for Form-XXVII, Form-XXVIII, Form-XLII and Form-XLIV, the following Forms shall be substituted, namely:—

"FORM XXVII"

[See Rule 265(1)]

APPLICATION FOR REGISTRATION OF BUILDING AND OTHER CONSTRUCTION
WORKER

1. (a) Name of the construction worker :
- (b) Sex :
- (c) Marital Status :
- (d) Father's Name /Husband's Name :
- (e) Date of birth/age :
(attested copies of proof of age to
be enclosed)
- (f) Present address :
- (g) Permanent address :
 - (i) Village :
 - (ii) Post office :
 - (iii) Gram panchayat :
 - (iv) Block / Municipality / NAC :
 - (v) District :

Attach three
recent pass
port size
colour photo

2. Details of the family members :

Sl. No.	Name	Age	Relation with the Applicant

3. Name and Address of the establishment(s) where the applicant worked during the last one year (with Registration No., if available) :
4. Date of working with duration of work in the establishment (s) :
5. Nature of job :
6. Educational qualifications/training details, if any :
7. Whether BPL/Antyodaya Mention Card No. if available (Based on self-declaration by the applicant) :
8. PF/ESI No., if any :

9. (I) Whether SC / ST /SEBC :

(II)Whether Minority/Physically Challenged/etc. (based on self-declaration by the applicant) :

10. Bank Account No./Name of Branch/Bank :

The above facts are true to the best of my knowledge and information.

Signature of the Applicant

Place:

Date:

Certified that the above applicant is /was engaged by me/known to me as a building workers since _____

Signature of the Employer/ Registered union with seal, address & contact no.

.....

Acknowledgement

Received the application for registration under BOCW(RE&CS) Act, 1996 From Shri/ Smt.

An amount of Rs. _____ as Registration and one years' Membership fee has been received vide Money Receipt No. _____ dated _____

Signature _____
Date _____

FORM XXVII
 [See Rule 266(1)]
 IDENTITY CARD OF THE CONSTRUCTION WORKER UNDER O.B &
 O.C.W.W,BOARD

Regd. No.

Date :

Space for
Colour
Photo

1. a. Name of the Construction Workers :
 (b) Sex :
 (c) Marital Status :
 (d) Father's Name /Husband's name :
 (e) Date of birth/age :

 (f) Permanent Address :
 (g) Present Address :
2. Name, Address, Registration No. of :
 the Establishment where the
 Worker is working.
3. Nature of job :
4. BPL/Antyodaya :
 Mention Card No.
5. (I)Whether SC/ ST/ SEBC :
 (II)Whether Minority/ Physically
 Challenged/ etc.
6. (a) Registration No. of the beneficiary :
 (b) Date of Registration :
7. Bank Account No. & Name of
 Branch/Bank
8. Signature of the worker registered
 as beneficiary

Place:

Date:

Registering Officer
 (Signature with Seal)

Form-XLII
(See Rule 275)
APPLICATION FOR FINANCIAL ASSISTANCE FOR THE EDUCATION OF
CHILDREN OF THE BENEFICIARY

To

The Secretary, Odisha Building & Other Construction
Workers' Welfare Board /District Labour Officer.

1. (a) Name of the registered Construction Workers :
- (b) Sex :
- (c) Marital Status :
- (d) Father's Name / Husband's name :
- (e) Date of birth/age :
- (f) Present Address :
- (g) Permanent Address :
2. Name, Address, Registration No. of the Establishment where the Worker is working. :
3. Nature of job :
4. BPL/Antyodaya Mention Card No. :
5. (I)Whether SC/ ST/SEBC :
(II)Whether Minority/ Physically Challenged/ etc. :
6. (a) Registration No. of the beneficiary :
(b) Date of Registration :
7. Bank Account No. :
Name of Branch/Bank :
8. Details of son (s) /daughter(s) for whom Education assistance is sought :

Enclose three
pass port size
colour photo

Sl. No.	Name	Date of birth	Examination passed	Name of the School	Name of the Educational Institution Where reading	Admitted in Class/Year

(Attested Xerox copy of the mark-sheet shall be enclosed)

Place:

Date:

Signature/Thumb impression of the Registered
Beneficiary

Form-XLIV

[See Rule 278(2) and 278(3)]

APPLICATION FOR GRANT FOR THE PURCHASE OF WORKING TOOLS /
SAFETY EQUIPMENTS/BICYCLE

To

The Secretary,
Odisha Building & Other Construction Workers' Welfare Board,
Bhubaneswar.

1. Name of the applicant beneficiary:
2. Father's/Husband's Name:
3. Residential Address:
 - (a) Permanent :
 - (b) Present :
4. Registration Number :
(Xerox Copy of Identity card to be attached)
5. Amount of Annual contribution remitted:
(Receipt No. & Date)
6. Age & date of birth:
7. Nature of job:
8. Particulars of item purchased-
 - (a) Description:
 - (b) Make:
 - (c) Invoice price (Original bill to be enclosed):
 - (d) Name and address of supplier:
9. Amount of grant applied for:

DECLARATION

I do hereby solemnly declare that the facts mentioned above are true to the best of my knowledge and belief. In case any information submitted by me is found wrong; I shall be liable to refund the same with interest to the Board immediately.

Place:

Date:

Signature of applicant"

By Order of the Governor

R.K. SHARMA

Principal Secretary to Government