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LABOUR & E. S. I. DEPARTMENT

NOTIFICATION

The 30th April 2012

S.R.O. No. 231/2012—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 (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, 2012.

(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 262 (i) in sub-rule (i), the figures 'Rs. 5000' shall be substituted by the figures, words and brackets "Rs. 25,000.00 (Rupees Twenty-five thousand) only".

(ii) After the sub-rule (3) the following sub-rule shall be inserted, namely:—

"(4) The Board may also delegate financial powers to the District Labour Officers of the Labour Directorate to sanction and payment of medical expenses up to Rs. 5,000.00 (Rupees Five Thousand) only per month @ not exceeding Rs. 500.00 (Rupees Five Hundred) only per case except funeral and educational assistance to the beneficiary. In case, the District Labour Officers need to incur expenditure beyond the ceiling, same may be referred to the Board for further action."

3. In the said Rule 270 in Rule (i) the letters and figures 'Rs. 50,000.00' and 'Rs. 25,000.00' appearing against items (A) and (B) respectively shall be substituted by the following, namely—
'Rs. 75,000.00' and Rs. '40,000.00'.

(ii) the following table shall be inserted to item (D), namely :—

"Table

Sl. No.	Name of Disablement	Composition in percentage to be applied on Rs. 1,00,000	Percentage
(1)	(2)	(3)	(4)
1	Loss of toes	All	20
		Great both phalanges	05
		Great one phalanx	02
		Other than great, if more than one toe last each.	01
2	Loss of hearing	Both ears	50
3	Loss of hearing	One ear	15
4	Loss of four fingers and thumb of one hand.		40
5	Loss of four fingers		35
6	Loss of thumb	Both phalanges	25
		Three phalanges	10
		Two phalanges	08
7	Loss of index finger	One phalanx	04
		Three phalanges	06
		Two phalanges	04
8	Loss of middle finger	One phalanx	02
		Three phalanges	05
		Two phalanges	04
9	Loss of ring finger	One phalanx	02
		Two phalanges	04
		Three phalanges	05
10	Loss of little finger	Three phalanges	04
		Two phalanges	03
		One phalanx	02
11	Loss of meta ear pal 1st and 2nd.	(additional)	03
		3rd, 4th and 5th.	(additional)
12	Any other permanent partial disablement.		Percentage assessed by Doctor.

after item (D), the following item shall be inserted, namely :—

"(E) The Board may sanction compensatory allowance @ 30% of the minimum wages for the construction workers covered under ESI Scheme for the period of treatment in Government and ESI empanelled hospitals subject to maximum up to 30 (thirty) days as 70% of the wages during the period of treatment are reimbursed by ESI Corporation.

Compensatory allowance @ minimum wages for the period of treatment subject to maximum up to 30 (thirty) days shall be reimbursed by workers not covered under ESI Scheme."

4. In the said rules, in Rule 271, in sub-rule (i), the figures and letters 'Rs. 25,000.00' and 'Rs. 50,000.00' shall respectively be substituted by the figures, letters, words and brackets 'Rs. 50,000.00 (Rupees Fifty Thousand)' and 'Rs. 1,00,000.00 (Rupees One Lakh)'.

5. In the said rules, for Rule 275, the following rule shall be substituted, namely :—

"275—The Board shall grant financial assistance for education to the children of the beneficiaries having a continuous registration for a period of one year under the Board in the following manner.

The children continuing their studies :—

- (i) 11th and 12th class—Rs. 1,500 for son and Rs. 2,000 for daughter per annum.
- (ii) B.A./B.Sc./B.Com. and ITI/Diploma—Rs. 2,000 for son and Rs. 2,500 for daughter per annum.
- (iii) For Engineering, Medical and P.G. studies—Rs. 3,000 per annum for both son and daughter.

The financial assistance for education to the beneficiary shall be entitled up to two children. In case both the spouses are registered beneficiary either of them will be eligible to get benefit of educational assistance."

6. In the said rules, in Rule 276, for the words 'Cancer, Heart Disease, Kidney Disease and Brain Disease, in Government Hospitals, the words 'Cancer, Heart Disease, Kidney Disease, Brain Disease, in Insulin-dependant and Thalesemia-cum-sickle cell', shall be substituted.

7. In the said rules, for Rule 277, the following rule shall be substituted, namely—"277". The maternity benefit @ Rs. 2,000 per child shall be given to the female beneficiary subject to maximum of two children who are registered beneficiaries for a period of one year. The Board may require such employees to submit application in Form XLI with such documents and within such time as may be specified by the Board.

8. In the said rules, in Rule 278, for sub-rule (2) the Para. shall be substituted by the following sub-rule, namely—"The Board may grant financial assistance up to Rs. 2,000 for purchase of working tools to the skilled and highly-skilled beneficiary, who are registered beneficiaries at least for a period of one year, subject to condition that they will produce purchase receipt of such items from the registered shop or company. The Board may require such employees to submit application in Form XLIV with such documents and within such time as may be specified by the Board".

9. In the said rules, after Rule 278-A, the following rule shall be inserted, namely :—

"278-B—The Board shall extend an amount of Rs. 5,000 (Rupees Five Thousand) only as marriage assistance to the unmarried beneficiary on her marriage and marriage of two girl children who are of above 18 years of age subject to minimum of one year as registered beneficiary. In case, both the spouses are registered beneficiary, either of them will be eligible to get benefit of marriage assistance. The Board may require such employees to submit application in Form XLV with such documents and within such time as may be specified by the Board."

10. In the said rules, the existing "Form XLI" shall be renamed as "Form XL" and after Form XL as so renamed, the following Form shall be inserted, namely :—

[No. 3365—LL-I(III)-19/2012-LESI.]

By order of the Governor

CTM. SUGUNA

Commissioner-cum-Secretary to Government

" FORM-XLI

(See Rule 277)

APPLICATION FOR GRANT OF MATERNITY BENEFIT

To

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

1. Name of the applicant (Women Beneficiary) :
2. Husband's Name :
3. Residential Address :
 - (a) Permanent :
 - (b) Present :
4. Registration No. :
(Copy of Identity Card to be enclosed)
5. Amount of annual contribution remitted :
(No. and date of receipt)
6. Age and date of birth :

7. Date of birth of the child for which the application is made :
8. (a) Whether maternity benefit is availed earlier under this rule :

(b) If yes, give details :

(i) Date of receipt :

(ii) Amount availed :

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"

11. In the said rules, after Form XLIII, the following forms shall be inserted, namely :—

FORM-XLIV

[See Rule 278(2)]

APPLICATION FOR GRANT FOR THE PURCHASE OF WORKING TOOLS

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 No. :
(Xerox copy of Identity Card to be attached)
5. Amount of annual contribution remitted :
(Receipt No. and date)
6. Age and date of birth :

7. Nature of job :
8. Particulars of instrument purchased—
 - (a) Description :
 - (b) Make :
 - (i) Invoice price (copy enclosed) :
 - (ii) 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 knowledge and belief. In case, any information submitted by me is found wrong; I shall be refund the same with interest to the Board immediately.

Place :

Date :

Signature of applicant

FORM-XLV

[See Rule 278(B)]

APPLICATION FOR GRANT FOR GRANT OF MARRIAGE ASSISTANCE FOR MARRIAGE OF SELF/DEPENDENT GIRL CHILD

To

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

1. Name of registered construction worker :
2. Address :
 - (a) Permanent :
 - (b) Present :
3. Age :
4. Nature of work :
5. Registration No. and date :
(Xerox copy of Identity Card to be enclosed)

6. (a) Whether marriage for self/daughter :

(b) In case marriage of daughter :

(i) Name of the daughter for whom :
marriage the assistance is sought.

(ii) Date of marriage :
(Attested copy of Marriage Certificate to be attached).

(c) Whether any marriage assistance is availed earlier under this rule :
If yes, give details.

(d) Whether Husband/Wife of the registered beneficiary :
is also a registered building workers. If yes, give details.
(name, address, registration No., etc.)

Place :

Date :

Full Signature/Thumb Impression of the applicant

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