

GOVERNMENT OF MEGHALAYA
LABOUR DEPARTMENT

NOTIFICATION

Dated Shillong, the 19th February, 2019

No. LBG.73/12/Pt.I/314 - 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 No. 27 of 1996), the Governor is pleased to make the following rules further to amend the Meghalaya Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2008 (hereinafter called the principal Rules), namely,-

1. Short title and commencement. - (1) These Rules may be called the Meghalaya Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Amendment) Rules, 2018.

(2) They shall come into force with effect from the date of notification in the Official Gazette.

2. Amendment of Rule 272. - In Rule 272 of the principal Rules, after the existing sub-rule (7) the following new clause shall be added namely, -

“(i) Proof of relationship of nominee with the construction worker shall be required to be submitted along with documents, such as Marriage Certificate, EPIC of the spouse (where name of spouse is mentioned, in case the spouse is nominee), Birth Certificate, ST Certificate (in case the children are nominees), etc., at the time of registration for membership”.

3. Amendment of Rule 277. - After the existing Rule 277 of the principal Rules, the following proviso shall be added namely,-

“Provided that this benefit shall not be allowed more than twice.”

Further, after the existing Rule 277, a new sub-rule shall be added, namely,-

“(1) A Male employee who is a beneficiary of the fund shall be given Rupees three thousand only each for two children as maternity benefit on behalf of his spouse, provided he is a registered worker and also, provided that his wife is not registered with the Board nor availed of this benefit. He should be married only once and this benefit be restricted to two of his children only. He can avail subject to production of proper documentations such as Marriage Certificate and Birth Certificate of the child”.

4. Amendment of Rule 280. - For the existing Rules 280 of the principal Rules, the following shall be substituted namely,-

“The Board shall adopt the Pradhan Mantri Awas Yojana - Rural scheme (or similar housing schemes promoted by the Government) for Building & Other Construction Worker beneficiaries for rural areas but excluding those beneficiaries who are in the priority or Socio Economic Caste Census list of Community and Rural Development, where the Board shall give financial support subject to a maximum of Rupees One lakh thirty thousand. In the case of Pradhan Mantri Awas Yojana - Urban (or equivalent), the beneficiary contribution amount subject to a maximum of Rupees Seventy Five thousand can be supported by the Board for Building & Other Construction Worker beneficiaries of Urban areas. Beneficiaries who have availed the scheme from either Community and Rural Development or Urban Affairs shall not be entitled to this scheme. The Board shall be empowered to frame detail...”

5. **Amendment of Rule 282.**- For the existing Rules 282, the following shall be substituted namely,-

“A onetime grant for purchase of tools, subject to a maximum amount of Rupees Ten thousand, will be granted to all members of the fund. An application in Form No. XXXVIII shall be made for this grant with such other documents as may be specified by the Board. Operation and maintenance of the tool shall be the sole responsibility of the beneficiary, and the Board shall not be responsible for any after-sales service, parts or accessories. The grant shall be sanctioned subject to production of a valid cash memo or voucher from an authorized dealer by the BOCW beneficiary and the tools shall be produced before an official of the Board for inspection & photograph. The Board shall emboss a mark (logo or serial No) onto the tool after production & inspection. A tool so marked cannot be produced again for any subsequent claim(s). A beneficiary is prohibited from selling the tools purchased and shall not be entitled to a second grant”.

Further, a new Rule shall be added after Rule 282 as follows namely,-

“282A. one set of Personal Protective Equipments is to be provided to the registered beneficiaries. A Building & Other Construction worker shall not be entitled to a second set”, “Proper tendering or quotation process to be followed to procure the items mentioned in the Rules”.

6. **Amendment of Rule 284.**- In the existing Rule 284 of the principal Rules.

- (i) The words “Payment of Natural Death Benefit”, appearing in the subtitle of the said Rule shall be substituted by the words “Payment of Death Benefit”.
- (ii) In sub-rule (1) if the death is due to an accident during the course of employment for the words and figures “ Rs 5,00,000/- (Rupees Five lakhs) only” appearing therein, the words and figures “Rs 3,00,000/- (Rupees Three lakhs) only” , shall be substituted.
- (iii) In sub-rule (1) the words, “Rupees Two lakhs only for Natural Death and Rs.5 lakhs (Rupees Five lakhs) only for Accidental Death shall still continue to those beneficiaries who are not covered under any insurance scheme”, shall be added.
- (iv) After sub-rule (1), the words “There shall be no bar for the nominee to claim any other death or accidental death benefit under any insurance scheme covering the beneficiary (e.g., PMJJBY/PMSBY/ etc.)” , shall be added.

In sub-rule (2) of the said Rule, the words “District Medical & Health Officer” appearing therein shall be substituted by the words “Registrar of Births & Deaths”.

7. **Amendment of Rule 287.**- After the existing Rule 287 of the principal Rules, new sub- rules shall added as follows, namely,-

“(i) A female beneficiary can claim both Maternity benefit and Medical Benefit if medical complications arise out of maternity that require medications or further hospitalizations. Recommendation of the treating doctor will have to be furnished for such cases.”

“(ii) An annual medical allowance grant of Rupees One Thousand only, shall be granted to all beneficiaries. This shall cover those beneficiaries who require medication but do not require hospitalization”.

8. Amendment of Rule 289.-For the existing Rule 289 of the principal Rules, the following shall be substituted namely,-

- (1) "A building worker having continuous membership for 3 years shall be eligible to get financial assistance of Rupees Five Thousand only for his or her own marriage. A registered beneficiary can avail of this assistance once only", and
- (2) "This assistance shall be sanctioned for the marriage of all adult children of a beneficiary subject to production of proper documentation such as Marriage Certificate, etc."
- (3) "An application in Form No.XLV shall be submitted along with such other documents as may be specified by the Board such as Marriage Certificate, etc".

9. Amendment of Rule 292.- After the existing Rule 292 of the Principal Rules, a new Rule shall be added as follows, namely, -

"292A- Refund of contribution to those who:

- (i) Surrender their membership with the Board by virtue of availing Government job, etc:
Provided he or she does not re-enroll himself as a beneficiary of the Board.
- (ii) Cease to be a member with the Board on attaining the age of sixty years;

In such cases as above, the amount of contribution standing in his/her credit shall be given to him or her".

10. Addition of new rule 303.- After Rule 302 of the Principal Rules, a new Rule shall be added as follows, namely, -

"**Rule 303** – Employees' Provident Fund Organisation (EPFO): The Board will reimburse the registered beneficiaries' contribution to the premium of EPFO, if they are enrolled under it, on submission of Challan or receipt".

11. Addition of new rule 304.- After Rule 303 of the principal Rules, a new Rule shall be added namely, -

"**Rule 304** – The Board shall carry out new schemes as directed by the Government of India from time to time under relevant Sections of the Act. Further, the Board can take up new schemes of emergent nature within the ambit of the Act. However, Amendment to the Rules is to be carried out within six months".

12. Addition of new rule 305.- After Rule 304 of the principal Rules, a new Rule shall be added namely, -

"**Rule 305** – "The Board shall be empowered to frame detailed Guidelines for the Scheme(s) under this Rule".

13. Substitution of Forms.-Forms No. XXVII to XLVI shall be substituted by modified application forms, merging of Pre-matric & Post-matric forms and also to modify the booklet type of MBOCWWB ID.

14. Amendment of Regulation under Rule 288 to Clause VI of the Pre & Post Matric Scholarship Scheme to the Children of the Beneficiaries.- In Regulations governing the award of Scholarship to children of construction workers registered with the Meghalaya Building and Other Construction Workers' Welfare Board:

(i) In the existing sub-clause (v) under Clause IV-Conditions of Eligibility, a new sub-

“(v)(a) Children of construction workers pursuing Master Degree can claim scholarship only if he or she is still a dependent of the beneficiary. Self Declaration by the beneficiary stating that his son or daughter is still a dependent is to be submitted along with the application, with a condition that if the declaration is found to be false, the amount is to be reimbursed to the Board by the benefitted beneficiary, along with a penalty to be decided by the Board”.

- (ii) In the existing sub-clause (x) under Clause IV-Conditions of Eligibility. For the words appearing therein “Only two children of the same parents or guardians will be entitled to receive scholarships. This restriction will apply to girls also”, shall be deleted.
- (iii) In the existing sub-clause (i) under Clause VI-Value of Scholarship, for the words and figures “stipend for Master Degree @ Rupees one thousand only per month i.e. Rs.1000/- per month”, shall be added.
- (iv) After the existing sub-clauses (iii) under Clause VI-Value of Scholarship, a new sub-clause shall be added as follows, namely,-

“(iv). Book grant @ Rupees One Thousand and Fourteen Hundred only and Rupees One Thousand Eight Hundred only for Degree and Master Degree students respectively”.

- (v) The existing sub-clause (iii) under Clause VI shall be substituted by the following:

“(iii) A One Time Book and Uniform Grant to students @ 2 months stipend will be granted p.a. for the students of the following group of classes :-

(a)	Class I- Class II	grant amount	Rs.400/-
(b)	Class III- Class IV	grant amount	Rs. 600/-
(c)	Class 5 - Class 7	grant amount	Rs.800/-
(d)	Class 8 - Class 10	grant amount	Rs.1000/-
(e)	Class 11 - Class 12	grant amount	Rs.1200/-
(f)	Certificate course		Rs.1200/-
(g)	Diploma course		Rs.1200/-”.

- (ii) In addition to the existing stipend, a onetime Book and Uniform Grant in Clause VI, a new sub-clause shall be added as follows, namely,-

“(v).A onetime stationery grant @ Rupees Five Hundred only will be granted for the students of all groups of classes”.

Regulations governing the award of scholarships to Children of Constitution of Construction workers registered with the Building and Other Construction Workers' Welfare Fund.

1. **Amendment of Clause IV.**- (i) In the existing sub-clause (v) under Clause IV-Conditions of Eligibility, a new sub- clause shall be added as follows, namely, -

“(v) (a) Children of construction workers pursuing Master Degree can claim scholarship only if he or she is still a dependent of the beneficiary. Self Declaration by the beneficiary stating that his son or daughter is still a dependent is to be submitted along with the application, with a condition that if the declaration is found to be false, the amount is to be reimbursed to the Board by the benefitted beneficiary, along with a penalty to be decided by the Board”.

(ii) In the existing sub-clause (x) under Clause IV-Conditions of Eligibility, the words “Only two children of the same parents or guardians will be entitled to receive scholarships. This restriction will apply to girls also” appearing therein, shall be deleted.

2. **Amendment of clause VI.**- (i) In the existing sub-clause (i) under Clause VI-Value of Scholarship, the words and figures “stipend for Master Degree @ Rupees one thousand only per month”, shall be added.

(iii) After the existing sub-clauses (i) to (iii) under Clause VI-Value of Scholarship, “a new sub-clause shall be added as follows, namely,-

“(iv). book grant @ Rupees One Thousand and Fourteen Hundred only and Rupees One Thousand Eight Hundred only for Degree and Master Degree students respectively”.

(ii)The existing sub-clause (iii) under Clause VI shall be substituted by the following:

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(e)	Class 11 - Class 12 grant amount	Rs.1200/-
(f)	Certificate course	Rs.1200/-
(g)	Diploma course	Rs.1200/-

(iv) In addition to the existing stipend, a onetime Book and Uniform Grant in Clause VI, a new sub- clause (v) shall be added as follows, namely, -

“(v).A onetime stationery grant @ rupees five hundred only will be granted for the students of all groups of classes”.

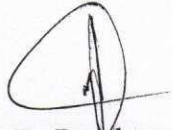
Sd/-
D.P. Wahlang, IAS,
Principal Secretary to the Govt. of Meghalaya,
Labour Department

Memo No. LBG. 73/12/Pt.I/314-A

Dated Shillong, the 19th February, 2019.

Copy to:

1. P.S. to Principal Secretary, Labour & Chairman, MBOCWBB.
2. Secretary, Labour.
3. Labour Commissioner.
4. Under Secretary, Labour.
5. Director of Printing & Stationery to kindly publish the above notification in the Official Gazette & Supplies 150 copies.
6. Joint Labour Commissioner Shillong/Tura.
7. All Deputy Labour Commissioners.
8. Office Copy.


(R. Ranthap, IAS),
Additional Secretary to the Govt. of Meghalaya,
Labour Department.