

The 14th March, 2017.

No.LBG/69/15/Pt/175. - In exercise of the powers conferred by Section 62 of the Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996), the State Government is pleased to make the following rules 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, 2017.

(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,
 - (i) In sub-rule (2), for the existing clauses (i), (ii), (iii) and (iv), the following new sub-rule (2) shall be substituted, namely,-

“ (2) The following shall be submitted along with the application.
 - (i) Electoral photo Identity Card (EPIC);
 - (ii) 2 (two) recent colour passport size photographs”.
 - (ii) In sub-rule (3), for the words “ Certificate from the employer or contractor that the applicant is a construction worker shall be produced along with the application for registration” appearing therein, the words “Certificate from the employer or contractor or officials of the works departments not below the rank of Assistant Engineer shall be produced along with the application for registration” shall be substituted.
 - (iii) In sub-rule (4), for the words “₹ 25 (Rupees Twenty five) only” occurring therein, the words “₹ 10 (Rupees Ten) only” shall be substituted.
3. **Amendment of Rule 273** – In Rule 273 of the principal Rules, in sub-rule (1), for the words “₹ 30 (Rupees Thirty) only per mensem” occurring therein, the words and figures “₹ 5 (Rupees Five) only per mensem” shall be substituted.
4. **Amendment of Rule 277.**- In Rule 277 of the principal Rules, for the words “₹ 1000 (Rupees one thousand) only each as maternity benefit during the period of maternity”, occurring therein, the words and figures “₹ 3000 (Rupees Three thousand) only each for two children only” shall be substituted.

5. **Amendment of Rule 279.** – In Rule 279 of the principal Rules, for the existing Sub-rule (5), a new sub-rule (5) shall be substituted namely, -
- “(5). The amount of Pension shall be ₹ 1000 (Rupees One thousand) only per mensem. The Board may revise the Welfare Pension periodically.”
6. **Amendment of Rule 280.**- In Rule 280 of the principal Rules,
- (i) In Sub-rule (1), for the words and figures “Rs. 50,000 (Rupees fifty thousand) only”, the words and figures “₹ 1,00,000 (Rupees One lakh) only” shall be substituted.
- (ii) For sub-rules (2) and (3), the following new sub-rules (2), (3), (4), (5) and (6) shall be submitted, namely,-
- “(2) The beneficiary shall submit original land documents to the Board which are returnable once the loan has been cleared;
- (3) No advance under sub-rule (1) shall be sanctioned to those who do not have membership in the fund continuously for three years and having less than five years service of superannuation;
- (4) A Completion certificate shall be submitted to the Secretary of the Board within six months from the date of drawal of advance;
- (5) The amount sanctioned as advance shall be recovered at the rate of Rs. 2,500 (Rupees two thousand five hundred) only per month and shall not at any rate exceed four years;
- (6) An Indemnity Bond will have to be executed between the beneficiary, his heirs or successors and the Board in Form No. XLVII”.
7. **Amendment of Rule 281.**- In Rule 281 of the principal Rules, for the words and figures “₹ 150 (Rupees one hundred fifty) only per mensem” occurring therein, the words and figures “₹ 1,000 (Rupees One thousand) only per mensem” shall be substituted and further, for the words and figures, “₹ 5,000 (Rupees five thousand) only” occurring therein, the words and figures “not more than ₹ 20,000 (Rupees Twenty thousand) only” shall be substituted.
8. **Amendment of Rule 283.**- In Rule 283 of the principal Rules, for the words “₹ 1,000 (Rupees one thousand) only” occurring therein, the words and figures “₹ 5,000 (Rupees Five thousand) only” shall be substituted.
9. **Amendment of Rule 284.**- In Rule 284 of the principal Rules,
- (i) The words “Payment of death Benefit” appearing in the subtitle of the said rule shall be substituted by the words “Payment of Natural Death Benefit”.

- (ii) In sub-rule (1), for the words and figures “₹ 15,000 (Rupees Fifteen thousand) only”, appearing therein, the words and figures “₹ 2,00,000 (Rupees Two lakhs) only” shall be substituted.
- (iii) In sub-rule (1), if the death is due to an accident during the course of employment for the words and figures “₹ 50,000 (Rupees Fifty thousand) only” appearing therein, the words and figures “₹ 5,00,000 (Rupees Five lakh) only” shall be substituted.
- (iv) In sub-rule (2), for the words “Assistant Surgeon” occurring therein, the words “District Medical & Health Officer” shall be substituted.

10. **Amendment of Rule 285.**- For rule 285 of the principal Rules, the following new rule shall be substituted, namely,-

“285. The Board may every year award cash awards to 3 (three) male and 3 (three) female children of beneficiaries in each District who scores highest mark in SSLC as follows:-

- a) ₹ 5,000 (Rupees five thousand) only shall be awarded for the highest marks (one male, one female).
- b) ₹ 2,500 (Rupees two thousand five hundred) only shall be awarded for the second highest mark (one male, one female).
- c) ₹ 1,000 (Rupees One thousand) only shall be awarded for the third highest marks (one male, one female).

11. **Amendment of Rule 287.**- In Rule 287 of the principal Rules, for the words and figures “₹ 200 (Rupees two hundred) only for the first 5 days and ₹ 20 (Rupees twenty) only each for the remaining days subject to a maximum of Rs. 1000 (Rupees one thousand) only”, the words and figures “₹ 200 (Rupees Two hundred) only for the first 5 days and ₹ 100 (Rupees One hundred) only per day for the remaining days subject to a maximum of ₹ 5,000 (Rupees Five thousand) only” shall be substituted.

Thereafter, the words “ The Board may also sanction a Medical Accident Claim for an amount not exceeding ₹ 50,000 (Rupees Fifty thousand) only to a beneficiary who sustains grievous injury at the work place as immediate financial assistance for medical treatment.

The assistance shall be subject to the condition that a certificate be furnished by the Employer that the beneficiary suffered injuries during the course of work in the work place, to be supported by a certificate from the Medical authority not below the rank of the District Medical & Health Officer. However, such Accident Claim shall not be applicable in cases

- where the beneficiary was under the influence of any intoxicants or such substances” shall be added after the last words appearing in the said rule.
12. **Amendment of Rule 289.-** In Rule 289 of the principal Rules, for the existing words and figures “Rs. 2,000 (Rupees two thousand) only” occurring therein, the words and figures “₹ 5,000 (Rupees Five thousand) only” shall be substituted.
13. **Amendment of Rule 290.-** In Rule 290 of the principal Rules, for the existing words and figures “ Rs. 100 (Rupees one hundred) only” occurring therein, the words and figures “₹ 500 (Rupees five hundred) only” shall be substituted.
14. **Amendment of Rule 292.-** In Rule 292 of the principal Rules,
- (i) for the existing sub rule (1), the brackets and figure appearing therein as “(1)” at the first line and before the words “ On the death of a member the amount of contribution standing in his credit shall be given to his nominee. In the absence of nominee the amount shall be paid to his legal heirs in equal shares” shall be deleted.
 - (ii) the existing sub-rule (2) shall be deleted.
15. **Substitution of Form XXXVI.-** For the existing Form XXXVI appearing in the principal rules, the new Form XXXVI shall be substituted, namely,-

**“FORM NO. XXXVI
MEGHALAYA BUILDING AND OTHER CONSTRUCTION WORKERS WELFARE
BOARD**

[See Rule 280 (1)]

Application No.

Fee Rs.

APPLICATION FOR HBA

(For new Construction/Maintenance/Purchase of land with building)

1. (a) Name of the Applicant :
- (b) Permanent Address :
- (c) Present Address :
2. Date of Birth :
3. Date of Retirement :
4. (a) Register Number :
- (b) Date of Registration :
- (c) Rate of remittance :
- (d) Date of first remittance :
- (e) Date of last remittance :
- (f) Total amount remitted :
- (g) Whether the membership has ever been :
revoked, if so, details :
- (h) Details of revival :
5. Purpose of advance (New Construction/
Maintenance/purchase of land with Building) :
6. Whether the applicant has a house of his own:
7. Amount of advance required :
8. Details of Land Property
- (a) Town/Village :
- (b) Locality/Street Name :
- (c) District :
- (d) House No. (if any) :
- (e) Valuation of the Property (approximate) :
9. Whether the applicant has received any other:
Loan for HBA, give details
10. Estimate for construction/main tenancy of :
building as per plan
11. Details of the amount raised apart from the :
loan
12. Whether the applicant has received loan :
previously from this Board

DECLARATION

I hereby declare that the above statements are true and correct to the best of my knowledge and belief.

Place :

Signature :

Date :

Name :

Details of documents to be produced :

1. ID/Address Proof (EPIC/Aadhar Card/Ration Card).
2. Plan and estimate (approved) (Urban)/Rough Sketch (Rural).
3. Original Land document.
4. Ownership of the building (for maintenance only).
5. Attested copies of BOCWWB Identity card and Bank Passbook.
6. Age certificate of the building (for maintenance only) (Self declaration).
7. No objection certificate from the authorities for construction.
8. Declaration from the applicant that neither he/she/nor his/her spouse of children own a house (for new construction).

Place :-

Date :-

Name and Address Registration No. &
Address of the worker".

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16. **Addition of Form XLVII, -** After Form XLVII of the principal Rules, the following new Form shall be added, namely,-

"FORM NO. XLVII

[See Rule 280(6)]

APPLICATION FOR ADVANCE FOR PURCHASE OR CONSTRUCTION OF HOUSE**INDEMNITY BOND**

By the Present Indemnity Bond executed by me on the _____ day of _____ 20____
 I Shri/Smti _____ S/o D/o _____ R/o _____
 hereinafter called the Borrower/Obligator of the First Part, which expression shall mean and include me, my
 heirs, successors and legal representatives and hereby held and firmly bound to the Meghalaya Building and
 Other Construction Workers' Welfare Board, Shillong hereinafter called the Creditor/Obligee of the Second
 Part, which expression shall mean and include his heirs, successors and legal representatives in the sum of
 ₹ _____ (Rupees _____ only) to be paid to the Meghalaya Building and Other
 Construction Workers' Welfare Board, for which payment faithfully and truly be made. I bind myself, my
 heirs, executors and administrators as aforesaid.

NOW THE CONDITION OF THE BOARD IS SUCH THAT :

The repayment of the loan shall be @ ₹ 2500 (Rupees two thousand five hundred) only per month and
 shall not at any rate exceed 4(four) years repayment time.

In the event of the death of Shri/ Smti _____ (Borrower/ Obligator), his heirs or
 successors do and shall faithfully and truly pay or cause to be paid to the Meghalaya Building and Other
 Construction Workers' Welfare Board (Creditor/ Obligee).

THEN the above Written bond or obligation shall be void and have no effect, otherwise the same shall
 remain in force and value.

Signed, sealed and delivered by the above named Shri/ Smti _____ along with
 his/ her heirs or successors on the _____ day of _____ 20____ hereinbefore mentioned.

Attested by _____

(BORROWER)

Witnesses :

(HEIR'S NAME)1. Name _____
Address __________
(HEIR'S NAME)2. Name _____
Address _____

DATE _____"

Sd/-

Principal Secretary to the Govt. of Meghalaya,
Labour Department, Shillong.

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**SCHEME FOR THE PRE- MATRIC AND POST MATRIC SCHOLARSHIP TO CHILDREN
OF CONSTRUCTION WORKERS REGISTERED WITH THE BUILDING AND OTHER
CONSTRUCTION WORKERS' WELFARE BOARD.**

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 sub- clause (i) of clause V.-

The sub-clause (i) of clause V of the said scheme shall be deleted.

2. Amendment of clause VI.-

- (i) In sub-clause (iii) of clause VI, before the words "Class 5-7 grant amount - ₹ 800/- (Rupees eight hundred) only appearing therein, the words "Class 1 – 2 and Class 3 – 4" and further the words "₹ 400 (Rupees four hundred) only and ₹ 600 (Rupees six hundred) only grant amount" shall be added.

M. S. RAO,
Principal Secretary to the Govt. of Meghalaya,
Labour Department, Shillong.

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