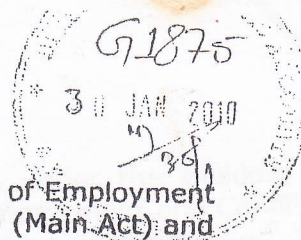


GOVERNMENT OF ANDHRA PRADESH
ABSTRACT



ACCS - Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996) (Main Act) and the Andhra Pradesh Rules made there under; the Building and Other Construction Workers' Welfare Cess Act, 1996 (central Act 28 of 1996) (Cess Act) and the Building and Other Construction Workers' Welfare Cess Rules, 1998 - Compliance with the statutory provisions by all the Departments and Public Sector Undertakings - Orders - Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (Lab.II) DEPARTMENT.

G.O.Ms.No.112

Dated.15.12.2009.

Read the following:

1. G.O.Ms.No.42, LET & F (Lab.II) Dept, dt.30.04.07.
2. From the COL, A.P. Hyd. Lr.No.C.Cell/8006/07-1, dt.14.06.2007.

ORDER:

The Building and Other construction Workers (Regulation of Employment and conditions of Service) Act, 1996 (Central Act No.27 of 1996) (Main Act) and the Building and Other Construction Workers' Welfare Cess Act, 1996 (central Act No.28 of 1996) (Cess Act) are enacted by the Central Government with an objective to collect Cess from the employers undertaking Building and Other Construction Work and to implement welfare measures for the construction workers who are registered as beneficiaries with the Building and Other Construction Workers' Welfare Board constituted by the State Government. Besides there are provisions for enforcement of regulatory conditions for safety, health and welfare of the workers working in the construction activity. The Central Government have framed the Building and Other Construction Workers Welfare Cess Rules, 1998. The Andhra Pradesh Building and Other Construction Workers (Regulation of Employment and conditions of Service) Rules, 1999 have been framed under the Main Act vide G.O.Ms.No.69, Labour, Employment, Training and Factories (Lab.II) Department, dated.3.12.1999, which have been amended vide G.O.Ms.No.57, LET & F (Lab.II) dt.26.6.2007; and the Andhra Pradesh Building and Other Construction Workers' Welfare Board has been constituted by the Government vide G.O.Ms.No.41, LET & F (Lab.II) Dt.30.4.2007.

2. The important provisions of the Main Act and the Cess Act have been enumerated in the Annexure I:

3. The Controlling Departments of the Local Bodies / Authorities which are competent to approve plans for "Building and Other Construction Work", viz., (1) Municipal Administration & Urban Development Department, (in respect of all Urban Local Bodies) (2) Panchayat Raj Department (All Village Panchayats) (3) Industries and Commerce Department (A.P.I.I.C. and Development Commissioner, SEZs) and all other State/Central Government Departments where construction activity takes place involving local Labour etc., are requested to issue instructions immediately to the Heads of Departments and the Local Bodies/Authorities:

(i) to comply with the statutory provisions under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Main Act) and the Andhra Pradesh Rules, 1999 made thereunder; Building and Other Construction Workers' Welfare Cess Act, 1996 (Cess Act) and Cess Rules, 1998 BY ENSURING THAT 1% Cess on the "Estimated Cost of Construction" of the building works covered by the definition of "Building and Other Construction Work" which includes all expenditure incurred by an employer in connection with the Building and Other Construction works and it excludes the costs of land and any compensation paid or payable to a worker or his kin under the Workmen's Compensation Act, 1923 are received by them before they accord approvals to the plan.

(ii) for the purpose of "Estimated Cost of Construction" they may advise the Applicants to follow the guidelines issued by the Registration Department vide Proceedings No.MV 5/12703/2007, Dt.30-7-2007 of the Commissioner & Inspector General of Registration & Stamps, A.P., Hyderabad (Annexure-2) and subsequent amendment thereto.

(iii) to maintain a Register and send Monthly Statement before 10th of the succeeding month as per the Annexure-3 to the Secretary, Andhra Pradesh Building & Other Construction Workers Welfare Board, Anjaiah Samkshema Bhavan, Near RTC X Roads, Hyderabad", to enable him to reconcile the Cess collection figures with the Bank/Treasury (Annexure-4), figures.

(iv) The Departments/Local Bodies/Authorities collecting Cess at the time of approval of Plans of "Building and Other Construction Works" should also submit an Annual Return as per the Annexure 5 to the Secretary, A.P. Building & Other Construction Workers Welfare Board, Anjaiah Samkshema Bhavan, Near RTC X Roads, Hyderabad, for every financial year, so as to reach the Board before 15th May, of the succeeding year. The Board shall reimburse the actual expenses incurred in collection of Cess (not exceeding 1% of the Cess collected) to the Plan Approval Authority within 30 days from the date of receipt of the Annual Statement in Annexure 5.

4. The Director of Treasuries Director of work Accounts is also requested to convey instructions to his subordinate offices not to admit the Bills pertaining to works covered by the definition of "Building and Other Construction Activity" unless deduction is made towards Cess. Orders are issued in G.O.Ms.No.42, Labour, Employment, Training & Factories Department, Dt.3.4.07, to deduct 1% Cess on all bills paid to the Contractors/Agencies from 26-6-2007 onwards in respect of the "Building and Other Construction Works' executed by them.

All the Drawing and Disbursing Officers of the State and all the Government agencies are requested to collect 1% Cess on the Cost of Construction defined as per Section 3 of the Cess Act and Rule 3 of the Rules made there under, as also the notification dated.26.09.1996 issued by the Central Government with effect from 26.06.2007 the day from which the Cess Fund Orders have come in to effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. RAMAKANTH REDDY
CHIEF SECRETARY TO GOVERNMENT

- To
- All Departments of Secretariat.
 - All Heads of Department.
 - All Directors of Works Accounts A.P. Hyderabad, with copies of the order.
 - All District Collectors.
 - The Accountant General, Andhra Pradesh, Hyderabad.
 - The Advocate General, A.P. High Court, Hyderabad.
 - The Commissioner, Printing, Stationary and Store purchase, Andhra Pradesh, Hyderabad. (with a request to publish the notification in the A.P. Gazette and furnish 10 copies to Government and 50 copies to Commissioner of Labour, A.P., Hyderabad)
 - The Director Treasuries Accounts, A.P. Hyderabad.
 - The Pay & Accounts Officer, A.P. Hyderabad.

Copy to:

- The I & PR, Publicity Cell, Secretariat, Hyderabad.
- The Secretary to State Legislative Assembly, Hyderabad.
- The P.S. to Principal Secretary to Chief Minister.
- The P.S. to Special Secretary to Chief Minister.
- The P.S. to Chief Secretary to Government.
- The P.S. to Hon'ble Minister for Labour & Factories Dept.
- The CAG, New Delhi.
- All District Treasury Officers in the State

// FORWARDED:: BY ORDER //

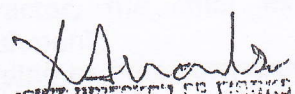

SECTION OFFICER

Encl. No. DW/Accounts/2010/1000

2373 Dated: 3/2/2010

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copy communicated to all JDWs, PAOs/APAOs for information and necessary action.


JOINT DIRECTOR OF WORKS ACCOUNTS
M.A. 1013, HYDERABAD.

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