

Minutes of the 1st meeting of the West Bengal Building and other Construction Workers' Welfare Board (set up by Labour Department Notification No.1182-IR dated 20.9.2005) held in the chamber of MIC, Labour Department & Chairman of the Board at Writers' Buildings, Kolkata-1 on 8.11.05.

Members present in the meeting:-

- 1) Md. Amin ... MIC, Labour Department & Chairman of the Board.
- 2) Shri A.M.Chakrabarti ... Principal Secretary, Labour Department.
- 3) Shri Ravi Kant ... Labour Commissioner, West Bengal & Chief Inspector of Inspection of Building & Construction.
- 4) Shri P.K.Banerjee --- Chief Inspector of Factories, WB & Ex-officio Chief Inspector of Inspection of Building & Construction.
- 5) Smt. Deepika Ghosh ... Jt. Secretary, Finance Deptt.
- 6) Shri K.C.Mandal ... Jt. Secretary, Municipal Affairs Department.
- 7) Shri Lakshman Seth ... Representative of CITU
- 8) Shri Basudeb Gupta ... Representative of AITUC
- 9) Shri Nripen Chatterjee ... Representative of TUCC
- 10) Shri Pramathesh Sen ... Representative of INTUC
- 11) Shri S.S. Chowdhury ... Representative of Bharat Chamber of Commerce.

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- 12) Shri S.K. Basu ... Representative of Builders' Association of India.
- 13) Shri Sumit Dabriwala ... Representative of Indian Chamber of Commerce.
- 14) Shri Dilip Chowdhury ... Representative of Bengal Chamber of Commerce & Industries

Other officials present :

- 1) Shri A.K. Roychaudhury ... Addl. Labour Commissioner, W. B.
- 2) Shri M. Surai ... O.S.D. (In the rank of Spl. Secretary, Labour Deptt.)

Initiating discussions MIC, Labour Department and the Chairman of the Board explained the important provisions contained in the Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996 to the members and observed that the State Govt. attached very high priorities to speedy and effective implementation of these Rules all over the State of West Bengal.

Shri Basudev Gupta of AITUC and Shri Nripen Chatterjee of TUC suggested few amendments in the Rules. After discussions it was decided that these ideas could be examined later, based on experiences to be gathered during the course of implementation of the Act and the Rules. The agenda items were taken up for discussions thereafter.

Shri Lakshman Seth of CITU requested the Chairman of the Board to select a young and energetic officer in the post of Secretary of the Board. The members unanimously authorised the Chairman of the Board to select an officer of the Labour Directorate of appropriate

seniority for appointment as Secretary and get appointment orders issued.

After discussions it was decided that to constitute the West Bengal Building and Other Construction Workers' Welfare Fund and to open a bank account in the Main Branch of State Bank of India, Kolkata, to be operated jointly by the Secretary of the Board with Labour Commissioner, West Bengal or the Chief Inspector of Factories, West Bengal. Both the Labour Commissioner and the Chief Inspector of Factories are members of the Board and have been designated as Chief Inspector of Inspection of Building & Construction. It was also agreed upon that the West Bengal Labour Welfare Board should be approached for advancing Rs.5000/- as loans, for opening the aforesaid bank account. It was suggested by Shri Basudeb Gupta that Panchayat Bodies and Municipalities should be advised not to employ any person or agency in construction work unless the said individual or the agency was duly registered under these Rules and the cess amounts had been paid to the Board. Shri Lakshman Seth enquired whether amendments to Municipal Rules would be necessary or not for collection of cess by Municipalities. It was clarified by Principal Secretary, Labour Department that the Chairman of the Board had already taken up the matter with the Municipal Affairs Department and the Panchayat Department. He pointed out that appropriate provisions had already been made in the Cess Act and therefore there should not be legal difficulties for the Panchayat & Local Bodies to collect Cess and deposit the amounts with the Board. It was decided that Panchayat Department and the Municipal Affairs Department should be advised to issue administrative orders to all Panchayat Bodies and Local Bodies directing them to collect cess under the Cess Act and the West Bengal Building and Other Construction Workers (RECS) Rules, 2004. Shri Sumit

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Dabriwala suggested that to being with, the well known large employers of construction workers should be registered under the Rules and cess should be collected from them.

Members stressed on the importance of awareness generation among the construction workers and trade unions on the provisions contained in the Act and the Rules. All possible attempts should be made to involve the people's representatives, office bearers of panchayat institutions and local bodies, trade unions, district administration and grassroot level organisations in the task of awareness generation and implementation of the Rules. The members agreed to authorise the Regional Assistant Labour Commissioners to function as Beneficiary Registering Officers in their respective jurisdictions. Each Beneficiary Registering Officers should open a bank account in the name of West Bengal Building and other Construction Workers Welfare Fund at the local branch of the State Bank of India. The registration fees of the beneficiaries and their subscriptions should be deposited by the Beneficiary Registering Officer in the said account. These bank branches should be advised to send across the deposits to the account of the fund maintained at the Main Branch of the State Bank of India, Kolkata every fortnight.

It was further decided that the headquarters of the Board should be located at the office of the Labour Commissioner, West Bengal at the New Secretariat Buildings, Kolkata-1 for the time being.

The meeting ended with vote of thanks to the Chair.

Mohammed Anwar
Minister-in-Charge and
Chairman of the Board.