

**Proceeding of the 5<sup>th</sup> meeting of the West Bengal Building and Other Construction Workers Welfare Board held on 30-3-2007 at 11-00 a.m. at writers building in the chamber of Hon'ble Sri Mrinal Banerjee, Minister-in-Charge, Labour Department and Chairman of the Board.**

Hon'ble MIC, Labour Department took the chair. Hon'ble MOS, Labour Department was also present in the meeting.

A) Members present in the meeting:

- i) Dr. Subesh Kumar Das, I.A.S. , Principal Secretary, Labour Department,
- ii) Sri Satyabrata Chakraborty, I.A.S., Labour Commissioner, West Bengal
- iii) Sri R.P. Chakraborty, Chief Inspector of Factories,
- iv) Sri Basudev Gupta, AITUC,
- v) Sri K.C.Mondal, Joint Secretary, Municipal Affairs Department,
- vi) M.Q. Qamar, General Secretary, INTUC, West Bengal
- vii) Sri S.S.Chawdhry, Bharat Chamber of Commerce,
- viii) Sri Dilip Bhattacharjee, UTUC, Lenin Sarani
- ix) Sri A.K.Sarker, Executive Member, BNCCI

B) Other officers present in the meeting were:

- i) Sri Indranil Sengupta, Additional Labour Commissioner, West Bengal & Secretary to the Board,
- ii) Sri M. Surai, I.A.S., O.S.D. & Special Secretary, Labour Department
- iii) Sri G.S. Chattopadhyay, Joint Secretary, Panchyat & Rural Development Department,
- iv) Sri P.S.Chakraborty, Deputy Labour Commissioner, West Bengal

1. With the permission from the chair, the Secretary of the WBB & OCW Welfare Board initiated the discussions and handed over the proceedings of the fourth meeting of the Board held on 9.2.2007 to the members.

2. The Principal Secretary, Labour informed that Supreme Court of India had recently dismissed all the application made by Builders Association challenging BOCW Act and directing the petitioner to pay Rs.25, 000/- as cost. Hon'ble MIC and Chairman of the Board instructed that prosecution cases should be launched against erring employers. The Principal Secretary desired to publish the news that prosecution cases were launched against erring employers. The Labour Commissioner West Bengal informed that sanctions for launching three prosecutions were accorded.

3. The Hon'ble MIC and Chairman of the Board desired that the Municipal affairs Department should monitor the <sup>collection</sup> deposition of Cess from their department. Sri K C Mondal, Jt Secy, Municipal Affairs department informed that the Department had sent the circular for depositing the Cess to ~~its~~ <sup>the</sup> Tamluk offices. *at Tamluk.*

4. Sri Basudev Gupta of AITUC observed that Municipal Affairs, Panchayat and Rural Development Department were yet to take initiative for depositing Cess. *collection of*

5. The representative of Panchayat and Rural Development Department informed that they had instructed all Zilla Parishads to deduct Cess. He also enquired whether ~~the~~ <sup>cost of</sup> ~~procured~~ materials collected ~~free of cost~~ would be considered as cost of construction while calculating Cess.

*Component, hence must be* 6. The Labour Commissioner informed that the cost of material should be ~~included~~ *is an integral* in the cost of construction.

7. The Hon'ble MIC desired that a district wise target of beneficiary registration, Cess calculation and establishment registration should be fixed up.

8. The Principal Secretary opined that, as there was no information about how much expenditure would be made in construction work in the state. It could be difficult to make a target of Cess collection.

9. Hon'ble MOS stated that some more time would be required to start the Cess collection in full swing.

After threadbare discussions, following decisions were arrived at.

- a) *was* In the next Financial Year 2007-2008, the target of beneficiary registration ~~is~~ fixed at 1 lac throughout the state and for the next three months another 600 establishments should be registered under the BOCW Act. The district wise targets should be fixed and circulated
- b) The ALC/DLCs of Regional Labour Offices should identify the DDOs involved in construction work from the treasury and find out whether they were depositing Cess.
- c) Regarding the decision of utilizing the available infrastructure under SASPFUW for collection of subscription and maintenance of records, arrived at the fourth meeting of the WBOC&OC Board should issue the order with approval by the chairman of the Board.
- d) The WBOCWW Board should issue the order of formation of a small high Power Committee with the approval of the chairman and Hon'ble MIC Labour.

- e) The Controller of Finance and Accounts Officer <sup>may</sup> ~~should~~ work <sup>in addition to his normal duties</sup> partially as accounts officer of the WBB&OCW Board. The Board shall issue the order with approval; of the government.
- f) One chartered firm would be engaged to conduct internal audit and thereafter AG might be asked to audit.
- g) Regarding skill development of construction workers, the agenda of the WBB&OCWW Board would be to promote but not to give the training. The representative of BNCCI informed that they had infrastructure to provide such training. BNCCI would submit a detailed proposal regarding such training.
- h) The inspectors of Labour Directorate would visit the municipalities regarding Cess collection and submit a report stating the person they met and the steps taken after such meeting. The inspectors should visit within 30 th April.
- i) Regarding challan for depositing the Cess the board would prepare a model and place it before the Principal Secretary Labour for approval.
- j) An amount of Rs 1 crore would be invested in a nationalized bank for a period of one year. The investment would be made within 31/3/2007 in a bank, which offers higher returns.

The Secretary of the Board informed the members the details of the Workshop on Welfare and Safety of Construction Workers to be organised by the Board on 5/4/2007 at Sisir Mancha.

The members approved an estimated expenditure of Rs 63,330/- all-inclusive for more than 400 persons belonging to Construction Workers Unions, government officials, employers, major private builders, major Cess paying departments etc attending the workshop.

The Hon'ble MOS observed that officials/representatives of Major Cess paying departments should also be invited to attend the seminar.

The meeting ended with a vote of thanks to the chair.

*M.B.* 24/4/07  
(Moinal Banerjee)  
Chairman, W.BBOCWW Board  
&  
Minister, Labour Department