

GOVERNMENT OF KARNATAKA

No: LD 458 LET 2021

Karnataka Government Secretariat
Vikasa Soudha,
Bangalore, Dated:08/08/2022**NOTIFICATION**

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 Government of Karnataka, after consultation with the Expert Committee, hereby makes the following rules further to amend the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) (Karnataka) Rules, 2006, namely:-

RULES

1. Title and commencement.- (1) These rules may be called the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) (Karnataka) (Amendment) Rules, 2022.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of rule 20:- In the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) (Karnataka) Rules, 2006, (hereinafter referred to as the said rules) in rule 20:-

(i) in sub-rule (2), clause (a) shall be omitted.

(ii) after sub-rule (6), the following shall be inserted, namely:-

“(7) The registering officer may after due enquiry cancel or suspend any registration obtained by a beneficiary under these rules by furnishing false information or by submitting false or fabricated documents or by impersonation or where the beneficiary has not worked for the required number of days as stipulated under the Act as a building and other construction worker; and

(8) The Labour Officer or any other officer authorised by the Board of the respective jurisdiction shall be the Appellate Authority in case of rejection of the application for the registration of beneficiary or the suspension or the cancellation of Registration as the case may be:

Provided that such application shall be made to the Authority within thirty days from the date of such cancellation or suspension as the case may be.”

3. Omission of rule 21-A.- Rule 21-A of said rules shall be omitted.

4. Amendment of rule 31-A:- In rule 31-A of said rules, in sub-rule (3), for the figure and word “2 crore” the figures and word “2.5 Crore” shall be substituted.

5. Amendment of rule-39:- In rule 39 of said rules,-

(i) in sub-rule (1),

(a) for clause (a), the following shall be substituted, namely:-

“(a) Who has completed sixty years of age and who has been registered with the Board for not less than three years and who continues to be a beneficiary.”

(b) Clause (b) and (c) shall be omitted.

(ii) in sub-rule (7) for the figures and words “Rs. 2000/- (Rupees two thousand only)” the figures and words “Rs. 3,000/- (Rupees three thousand only)” shall be substituted.

(iii) for sub-rule (8) the following shall be substituted, namely:-

“(8) The beneficiary shall submit the Living Certificate in Form XII-A to the sanctioning Authority. The Living certificate shall be obtained from the Village Accountant of the Revenue Department or the Labour Inspector of the Jurisdiction, the Jurisdictional Panchayath Development Officer or the Medical Officer of the Primary Health Centre and shall be submitted to the Sanctioning Authority in December each year:

Provided that the pension, if any, paid to any beneficiary for the period intervening between the death of the beneficiary and the month of December subsequent to the death of the beneficiary shall be appropriated towards the Family Pension if any payable to the spouse under rule 39 A.”

6. Amendment of rule 40:- In rule 40 of the said rules, in sub-rule (1), clause (c) shall be omitted.

7. Amendment of rule 41:- In rule 41 of said rules,-

(i) clause (a), shall be omitted.

(ii) after clause (d), the following proviso shall be inserted, namely:-

“Provided that the Board may provide such implements and tools or kits containing essential items of daily need as may be determined, to every registered construction worker who has not undergone training as required by this Rule, so as to enable them to upgrade their work skills and increase their productivity.

Provided, further that the registered construction workers shall be eligible to avail such Kit only once in a life time.”

8. Amendment of rule 42:- In rule 42 of said rules,-

(i) for sub-rule (1) the following shall be substituted, namely:-

“(1) Eligibility: Every registered construction worker who is not below the age of 21 years and not above the age of 50 years is eligible to apply for assistance of Loans and Advances for construction of a House (Karmika Gruha Bhagya).”

(ii) in sub-rule (2), after clause (b), the following proviso shall be inserted namely:-

“Provided that nothing in this clause shall prevent the Board from giving any loans or advances to registered construction worker who otherwise fulfils the conditions stipulated in this rule and who intends to construct a house on land owned by him or his spouse or allotted to him or his spouse or for purchase of a house for his or her own residential purpose either in his or her name or in the name of the spouse”.

(iii) in sub-rule (3), for the figures and words “by the Board in equal annual installments in a period of 20 years” the figures and words “on such terms, conditions and installments which shall not be less than 10, proportionate to the remaining period of membership as may be determined by the Board at the time of sanction of the loan or advance as the case may be.” shall be substituted.

9. Amendment of rule 43:- In rule 43 of said rules,-

(i) in sub-rule (1), for the figures and words “Rs. 30,000/- for a female child and a sum of Rs. 20,000/- for a male child” the figures and words “Rs.50,000/- (Fifty thousand only)” shall be substituted.

(ii) in sub-rule (2), clause (c) shall be omitted.

(iii) in sub-rule (2), after clause (d) the following proviso shall be inserted namely:-

“Provided that this clause shall not be applicable in case twins or more children are born in either of the deliveries”.

10. Amendment of rule 44:- In rule 44 of said rules,-

(i) in sub-rule (1), for the figures and words “Rs. 50,000/- (Rupees fifty thousand only)” the figures and words “Rs. 71,000/- (Rupees seventy one thousand only)” shall be substituted.

(ii) after sub-rule (1), the following proviso shall be inserted namely:-

“Provided that the nominee or dependents of the registered construction worker who has died due to Covid-19 shall be eligible to get an exgratia amount of Rs.2,00,000/- (Rupees two lakhs only) instead of Rs.71,000/- as specified in sub-rule (1) above”.

11. Amendment of rule 45:- In rule 45 of said rules,-

(i) in sub-rule (2), clause (c) shall be omitted.

(ii) after sub-rule (4), the following shall be inserted, namely:-

“(5) The Board may provide training to the children of the registered building and other construction workers who desire to undertake competitive examinations conducted by the Karnataka Public Service Commission or Union Public Service Commission as the case may be or for any other examinations conducted by agencies of the State for recruitment to the posts of the State/Union.

(6) The Board may provide Essential Learning Kits or education kits or school kits, Computers, Laptops and Tabs for two children of the registered Building and Other Construction Workers, as may be notified by the Board.

Provided that the children of registered Building and Other Construction Workers shall not be eligible for the Laptops, if they have availed the same from any other Department or Schemes of the Central or State Government.

Provided further that only two children of the registered Building and Other Construction Workers shall be eligible for the above benefit even if both the parents are registered Building and Other Construction Workers.

(7) The Board may disburse the financial assistance under these rules through the State Scholarship Portal of the Government of Karnataka or any other mode as the Board thinks fit.”

12. Amendment of rule 46:- In rules 46 of said rules, for the figures and word “Rs. 10,000/-” the figures and words “Rs. 20,000/- (Rupees twenty thousand only)” shall be substituted.

13. Insertion of new rules 46-A and 46-B:- After rule 46 of the said rules the following shall be inserted, namely:-

“46-A. Establishment of Mobile Clinic facility:- The Board may establish Mobile Clinics at such places as it considers necessary for providing treatment, clinical facilities or Preventive Health Care to the Building and Other Construction Worker and their dependents on such terms and conditions as it thinks fit.

46-B. Nutrition Kit for registered Building and other construction Worker:- The Board in times of Social and Economic distress, health exigencies and such other natural calamities may provide Nutritional Kits/ immunity kits consisting of such food commodities as is required at such intervals as may be determined for maintaining Health and strength of the registered Building and Other Construction Worker.”

14. Amendment of rule 47:- In rule 47 of said rules,-

(i) for sub-rule (2), the following shall be substituted, namely:-

“(2) “Eligibility” The Nominee of a registered construction worker who meets with an accident resulting in his or her death, shall be entitled for a compensation of Rs.5 lakh (Rupees Five Lakhs only) from the Board excluding the following cases of death.

- (a) Natural Death
- (b) Payment of compensation in respect of death or injury as consequence of resulting from.-
 - (i) Committing or attempting suicide, intentional self injury;
 - (ii) Committing any breach of law with criminal intent;
 - (iii) Any attempted crime on the body.”

(ii) sub-rule (5) shall be omitted.

15. Amendment of rule 48:- In rule 48 of the said rules, in sub-rule (2), after the words “his or her dependents” the words “during the membership of such registered construction worker” shall be inserted.

16. Amendment of rule 49:- In rule 49 of said rules,-

(i) in sub-rule (1), for the figures and words “Rs.50,000/- (Rupees fifty thousand only)” the figures and words “Rs. 60,000/- (Rupees sixty thousand only)” shall be substituted.

(ii) in sub-rule (2), clause (c) and clause (f) shall be omitted.

17. Amendment of rule 49-B:- In rule 49-B of said rules, the following proviso shall be inserted, namely:-

“ Provided that any beneficiary whose application for benefits under Rule 39,39-A, 40, 40-A, 44 and 47 has been rejected may appeal to the Deputy Labour Commissioner of the Jurisdiction and any beneficiary whose application for benefits under Rule 41,42,43,45,46,48 and 49 has been rejected may appeal to the Assistant Labour Commissioner of the Jurisdiction within thirty days of such rejection and the Deputy Labour Commissioner or Assistant Labour Commissioner of the Jurisdiction as the case may be shall after summary enquiry dispose of the application within thirty days from the date on which the Appeal was made.

Provided further that the decision of the Deputy Labour Commissioner or the Assistant Labour Commissioner as the case may be shall be final.”

18. Amendment of rule- 49-C:- In rule 49-C of the said rules brackets and Note thereto against rule 39 in the table shall be omitted.

19. Omission of rule 49-D:- Rule 49-D of the said rules shall be omitted.

20. Omission of rule 49-E:- Rule 49-E of the said rules shall be omitted.

21. Amendment of rule- 49-F:- In rule 49-F of the said rules sub-rule (2), shall be omitted.

22. Insertion of new rule 49-G:- After rule 49-F of the said rules the following shall be inserted, namely:-

“49-G Assistance of KSRTC Bus Pass to registered construction workers.- (1) The Board shall provide to the registered construction workers KSRTC/NEKRTC/NWKRTC bus passes to travel from place where he ordinarily reside to place of his work.

(2) The cost of the bus pass shall be borne by the Board and the registered construction workers at such ratio as may be determined by the Board.

(3) Application for seeking this assistance shall be submitted to the Secretary or any other Officer authorised by the Board in this behalf, in Form XXIII -D

along with the prescribed KSRTC Pass Form duly filled in and along with all required documents.”

23. Substitution of Form XII A.- For Form XII-A of the said rules, the following shall be substituted, namely:-

**“Form No. XII -A
[See sub-rule (8) of rule-39]**

Living Certificate

Certified that I have seen Sri/ Smt.....Address
.....Aad
har Card Number.....that she/ he alive on this date.

Place.....

.....
Signature of the Revenue Official/

Labour Inspector / Gazetted Officers of the

Department of Labour/ Jurisdictional

Panchayath Development Officer/

Medical Officer of the Primary Health Centre.

Date.....

*This Certificate is issued only for the purpose of availing benefit of Pension from the Karnataka Building and Other Construction Workers' Welfare Board and it is valid up to one year.”

24. Insertion of Form XXIII D:- After Form XXIII-C of the said rules, the following shall be inserted, namely:-

“Form XXIII-D

[See sub-rule(3) of rule 49-G]

Application for assistance of registered construction workers travelling in KSRTC buses

Application No.

To,

The Secretary,
Karnataka Construction Workers Welfare Board
Kalyana Suraksha Bhavan,
Dairy Circle, Bannerghatta Road,
Bengaluru -560 029

1	Name of the applicant :		
2	Present Residential Address:		
3	Permanent Residential Address:		
4	Registration Details :		
a	Registration Number :		
b	Date of Registration :		
c	Age in years and date of birth:		
d	Trade of construction worker:		
	Plumber / electrician / Painter / Carpenter / Other (please Specify)		
e	Place of origin and destination of journey for which pass is required:	Origin	Destination

5. Documents to be enclosed :

Self attested copy of Registration ID card

Self attested copy of Aadhar Card

Filled in KSRTC Form.

DECLARATION

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

Place:

Date:

Applicant Signature

(Registered Construction Worker)

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Acknowledgement

Received Application for assistance of KSRTC bus pass to Registered Construction Workers travelling in KSRTC buses from.....to..... Sri/Smt _____ with registration number _____ Aadhar No. _____ Address _____ with necessary documents on _____. The application is under verification.

Place:

Date:

Receiving Officer

Sanction Order

The Application of Sri/Smt _____ registration number _____ aadhar card No. _____ Address _____ are verified and found correct. Hence, assistance of KSRTC bus pass to Registered Construction Workers travelling in KSRTC buses is sanctioned.

Place

Date

Seal and Signature of
Sanctioning Officer

Rejection / Cancellation Order

The Application and documents of Sri/Smt _____ Registration number _____ Aadhar No. _____ Address _____ is verified and rejected for the following reasons:

1. _____
2. _____
3. _____
4. _____

Place:

Date:

Seal and Signature of
Sanctioning Officer”

This Notification is issued in concurrence with the Cabinet Meeting No:11 Case No:C-351/2022, held on Dated:20/07/2022.

By order and in the name of the
Governor of Karnataka

(S. EJAS PASHA)

Under Secretary to Government,
Labour Department.

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