

OFFICE OF THE TRIPURA BUILDING & OTHER
CONSTRUCTION WORKERS' WELFARE BOARD
SHRAMA BHAWAN, OFFICE LANE, AGARTALA

No. F. 6(6)-TB&OCWWB/CASH/CESS/GC/2014 / 6 259-265 Dated: 21/01/2023

To
The Director
Urban Development Department
Government of Tripura

Subject:- Collection of 1% Labour Cess from the Private Building as per the Building and Other Construction Workers' Welfare Cess Act, 1996.

Sir,

In reference to the subject cited above, I have the honour to inform you that Tripura Building and Other Construction Workers Welfare Board is constituted under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. The main objective of the Board is to provide social security and welfare measures to the building and other construction workers in the state.

As per Section 3 of the Building and Other Construction Workers Welfare Cess Act, 1996 [BOCW Welfare Cess Act, 1996] the State Government is mandated to collect 1% of the cost of construction incurred by the employer as labour cess. The cess collected is credited to the Building and Other Construction Workers' Welfare Fund, which is utilized by the Board for implementing various welfare schemes for the registered building and other construction workers.

As per the provision of Act, in case of individual residential building plans where the estimated cost is Rs. 10 lakh and above 1% cess shall be collected. It has come to our notice that private buildings in the state are not paying the labour cess as per the BOCW Welfare Cess Act, 1996. This is a violation of the law and deprives the building and other construction workers of their rightful benefits.

Recently, a Performance Audit in Tripura Building and Other Construction Workers Welfare Board was conducted by the Office of the Principal Accountant General (Audit) Tripura, and the team from the said department has raised objection for non-collection of advance cess from private construction and in their observation suggested to collect 1% labour cess from private construction while approving building plan where the cost of the building is 10 lakh and above.

It is pertinent to mention here that regarding this issue, a meeting was held on 9-11-2023 under the Chairmanship of Hon'ble Minister, Labour Department, Govt. of Tripura. The decision of the meeting is enclosed as Annexure-I.

Therefore, I would kindly request you to make it priority to deposit 1% cess from all private/commercial construction works and comply with all the provisions of the BOCW (RE & CS) Act 1996.

Yours faithfully,

(P. Majumder, TCS, Gr-II)
Secretary, TB&OCWWB

Copy to:

1. The Municipal Commissioner, AMC for kind information and necessary action please.
2. The Executive Officer/ Deputy Executive Officer of all Municipal Council/Nagar Panchayat/ for information and necessary action.

Copy also forwarded to:

1. P.A to the Secretary Labour, Govt of Tripura, for kind information of the Secretary.
2. P.S to the Secretary Urban Development, Govt of Tripura, for kind information of the Secretary.
3. P.A to the Labour Commissioner for kind information of the Labour commissioner.

Secretary, TB&OCWWB

**Office of the Tripura Building and Other
Construction Workers Welfare Board
Shram Bhavan, Office Lane, Agartala**

No. F.1(1)/ TBOCWWB/CESS ACT/2023/ 6280-256

Dated/8.11.2023

Meeting Minutes related to the collection of 1% labour cess from Private Building as per the Building and Other Construction Workers' Welfare Cess Act, 1996.

Venue:- Chamber of Hon'ble Minister, Labour Department, Govt. of Tripura.

Date:- 09-011-2023

Time:- 4:00 PM.


The list of participants in the meeting:

Sl No	Name	Designation
1.	Shri Tinku Roy.	Hon'ble Minister of Labour Department
2.	Shri Dipak Majumder.	Hon'ble Mayor, AMC
3.	Md Sayed	Addl. Municipal Commissioner.
4.	Shri Amitabha Chakma	Jt. Director, UDD
5.	Shri Subrata Banik	DDO, AMC
6.	Shri Baijoyanta Das	OSD to the Minister, Labour Department
7.	Smt. Paramita Majumder	Deputy Labour Commissioner

The meeting was chaired by Shri Tinku Roy, Hon'ble Labour Minister of Tripura, who welcomed all the attendees and reiterated the objective and the importance of the meeting. He said that as per 3 of the Building and Other Construction Workers' Welfare Cess Act, 1996 the collection of 1% labour cess from private/commercial building is a crucial and mandatory task for the welfare of the building and other construction workers in the state. He said that the cess is a source of revenue for the welfare fund of the workers, which is used to provide various benefits and facilities to the registered workers such as pension, medical assistance, maternity benefit, educational benefit, marriage, disability, death and funeral etc.


Accordingly, after detail discussion with the participants the following decisions were taken for collection of 1% labour cess from private building where estimate cost crossed 10 lakhs.

1. At present AMC/ULBs is collecting 1% labour cess from all the Government construction works only. But no cess is being collected from any private buildings(residential/ commercial) till now. Thus AMC/ULBs will now lay emphasis on collection of 1% cess from private building (residential and commercial)
2. The cess will be deducted from the building owners at the time of approval of the building plan by the AMC or the ULBs.
3. The labour commissioner will conduct an urgent meeting with the IT department and Urban Development Department to prepare a route map of cess collection.


18/11/23

4. The Director of Urban Development Department will conduct a meeting with all the Chief Executive Officers of the ULBs in the state to review and monitor the progress and performance of the cess collection and assessment.
5. A letter to be issued to the Director, Urban Development Department by the Labour Department regarding collection of 1% labour cess from private building with a copy to all AMC/MC/NP.
6. Notice to be issued against all the defaulter / owner of the **Commercial** building which were constructed after the notification of the cess act and the rules and which have not paid the cess to the AMC or the Labour Department, by the enforcement machineries of Labour Department to pay the cess within a stipulated time.

The meeting was ended with vote of thanks by the Chair.


(D. Reang) 18/11/23
Labour Commissioner
Government of Tripura

Copy to:

1. P.S to the Hon'ble Minister, Labour Department, Government of Tripura for kind information of the minister.
2. The Hon'ble Mayor, AMC for kind information.
3. The Addl. Municipal Commissioner for kind information.
4. OSD to the Minister, Labour Department, for information.
5. The Jt. Director, UDD, for kind information and compliance
6. The DDO, AMC for information and necessary action.
7. The Secretary, TBOCWW Board for information and necessary action.