

Construction Workers (Regulation of Employment and Conditions of Service) Act., 1986.

An Act to provide for the regulation of Employment in the conditions of service and for their conditions of service and matters connected therewith.

Be it enacted by Parliament in the Thirty Seventh Year of the Republic of India as follows:-

CHAPTER - I

PRELIMINARY

1. Short title, extent, commencement and application.
 - (1) The Act may be called the Construction Workers (Regulation of Employment and Conditions of Service) Act, 1986.
 - (2) It extends to the whole of India.
 - (3) This section and sections 3 to 5 Clauses (1) and (2) of section 6, and section 8 and 9 shall come into force at once in all the States and the remaining provisions of this Act shall come into force in a State on such date not being later than six months from the passing of this Act as the appropriate government may by notification in the official gazette appoint.
2. Declaration as to expediency of regulation. It is hereby declared that it is expedient in the public interest that the construction work as an industry, employing, as it does, a very large number of workers, both men and women, and whose conditions of work and living need amelioration and to whom regularity of employment must be assured, should be regulated by law, so that the Directive Principles of the constitution more particularly the relevant provisions in Articles 39, 41, 42 43 and 43 A of the Constitution are given effect to by a law made by Parliament with reference to entries 22, 23 and 24 of list III in the 7th Schedule of the Constitution.

3. Definitions -(1) In this Act, unless the context otherwise requires -

(a) 'adolescent' means a person who has completed his fifteen years of age but has not completed his eighteenth year.

(b) 'adult' means a person who has completed his 18 years of age.

(c) 'Board' means a Construction Labour Board established under section 7 Chapter 2 of this Act.

(d) 'Child' means a person who has not completed his 15 years of age.

(e) 'Construction Work' means:

(1) the construction, alteration, repair, maintenance or demolition of a building, which includes the work of masonry, carpentry, painting, electric work, plumbing and fittings or any such other work which go into making of aforesaid construction or the preparation for and the laying of the foundation of an intended building including boundary walls, or construction of wells and includes the construction of furnace, chimney, well or any ancillary structure and includes -

(2) the construction of any railway line or siding otherwise than upon an existing railway, the construction, structural alteration or repair, maintenance and laying of foundation or demolition of any dock, harbour, canal, dams embankments including river valley projects, tanks and water courses, inland navigation, road tunnel, bridge, viaduct, water works, reservoir, pipe-lines, aqueduct, sewer, sewage works, ^{river works} air fields,

sea defence works, gas works and any steel or reinforced concrete structure other than a building, or any other civil or constructional engineering work of a nature similar to any of the foregoing works or construction operations connected with the installation of machinery in any of the aforesaid construction activities.

3. Any other ancillary construction operation such as stone breaking, brickkiln and construction work for the purpose of erection or installation of machinery, where such installations takes place in a factory establishment or any engineering construction or in a mine.

(f) 'Construction Worker' means a person engaged in construction work but does not include any person who is employed in a managerial or administrative capacity.

(g) 'Employer' means any person who utilises construction labour for the purpose of construction work and include any agent or contractor by whatever name called who has undertaken the construction work on behalf of the employer.

(h) 'Establishment' means any establishment or industry engaged in any construction work as defined in Clause (e) above.

4. The provisions of this Act shall have effect notwithstanding anything inconsistent therein contained in any other law for the time being in force in any contract or instrument drawing effect by virtue of any law other than this Act or any other decree or order of any court, tribunal or authority.

5. Interpretations:

- (1) For the purposes of the Act the following provisions shall mean as stated under:-

- (a) May means shall wherever it refers to some obligation to be discharged or power to be exercised.