

CHAPTER III

1. Registration of Places of Work, Employers and Workers

11. Subject to the particular provisions of Section 12 of this Act, no work in the Building & Construction Industry will be commenced or carried out by an employer at any place of work, unless, the place of work, the employer, including the contractors, if any, and the workers employed there are registered, in the prescribed manner, with the Central or the State Board, as the case may be, on payment of the prescribed fees and security deposits, which shall be based on the total value of the work involved in such work and the number of workers employed or proposed to be employed at the place of work.

2. Every employer and contractor shall, at least thirty days after the commencement of any work in the Building & Construction Industry at any place, send or cause to be sent to the Central or State Board, as the case may be, and to the Officer and the Inspector appointed by the Board, having jurisdiction in the area, where the proposed work is to be carried out, a notice, in writing, containing the following particulars, viz.

- a) the name, if any, and the location of the work
- b) the name and address of the employer;
- c) the name and address of the person in authority at the place of work;
- d) the names and addresses of the contractors operating at the place of work or likely to operate thereat, the number of workers employed or proposed to be employed by them and the nature of work undertaken or proposed to be undertaken by them together with the total value of such work.
- e) the probable duration of the work, and the number of workers employed or proposed to be employed.
- f) the address to which communications relating to the place of work may be sent and
- g) the arrangements for storing dangerous materials or explosives, if any, to be used at the place of work.

Provided that the limit of thirty days for sending notice shall not apply in case of any work undertaken in the event of war or other emergency, endangering national safety, epidemics, natural calamities endangering human life, or urgent repairs to avoid dangers to the safety of the people.

13. Where any change occurs in any of the particulars already furnished, the employer shall intimate the change to the Central or State Boards as the case may be, within 8 days of such change, and the Board shall take note of such change.
14. A copy of the notice referred to in Sub-Section (2) above shall be displayed by the employer conspicuously at the place of work. Likewise, any intimation of change to the Board, under Sub-Section (3) above, shall also be displayed conspicuously by the employer at the place of work near the notice aforesaid.
15. On receipt of the notice, under Sub-Section (2) or the intimation of change, under Sub-Section (3), the Central or the State Board, as the case may be, shall cause the correctness of the particulars stated therein to be verified, through the conduct of such enquiries by such persons, as it may deem fit, and, on being satisfied about the correctness thereof, shall

enter the said particulars in a Register to be maintained by it, in a prescribed form, and then shall subject to such conditions and on payment of such fees, as may be prescribed, proceed to issue a Certificate of Registration to the employer, in a prescribed form, which shall be displayed conspicuously by the employer at the place of work.

16. The Certificate of Registration granted by the Central or the State Board, as the case may be, shall be valid until revoked.
17. Where a place of work is closed by the employer either for the reason of completion of work or for any other reason, he shall within fifteen days of the closure inform, in writing, the Central or the State Board, as the case may be, the fact of such closure, including its date and as to whether the legal dues of the workers payable by the employer have been paid to them by the employer. The Board, on receipt of such intimation, shall cause the same to be verified, in the prescribed manner, and, if satisfied about the correctness thereof, shall proceed to pay the terminal dues, if any, of the workers employed thereat and then remove the name of the work place from the Register maintained by it under the Act.

18. The Board shall either sue moto or on receipt of a complaint, after making or causing to make such enquiries by such person as it considers necessary in respect thereof and, on being satisfied about the correctness of the information so collected about the complaint, give a 'show-cause' notice to the employer and giving him an opportunity of being heard ^{or suspend} shall thereafter cancell/ the registration of a place of work or the employer, if it finds that the employer has violated any of the provisions of this Act or the Rules or the Schemes, if any, framed thereunder or the conditions subject to which the registration was granted. *

19. Every contractor and every worker, who intends to undertake any work in the Building and Construction Industry at any place, shall send or cause to be sent to the Central or the State Board, as the case may be and to the Officer and the Inspector appointed by the Board, having jurisdiction in the area, where the proposed work is to be undertaken or done, an application, in the prescribed manner, containing the required particulars.

20. Where any change occurs in any of the particulars furnished, the contractor or the worker shall intimate the change to the Central or the State Board, as the case may be, within 8 days of such change, and the Board shall take note of such change.

* The Board may revoke the Cancellation ^{or} Suspension Order after being satisfied that the default for which the Cancellation of Suspension of registration was ordered is rectified.

21. On receipt of the application from the contractor or the worker, under Sub-Section (9) or the particulars of change under Sub-Section (10), the Central Board or the State Board, as the case may be, shall cause the correctness of the particulars stated in the application or the particulars of the change to be verified, through the conduct of such enquiries by such persons, as it may deem fit, and, on being satisfied about the correctness thereof, shall enter the said particulars in the Register to be maintained by it, in the prescribed form, and then shall proceed to issue a licence to the contractor or Registration Certificate to the worker or make such changes in respect of the particulars contained therein subject to such conditions and payment of such fees and security deposit, if any, as may be prescribed.

22. The licence of the contractor and the Registration Certificate of the worker, shall be valid until revoked.

23. Where a place of work is closed by the employer either for the reason of completion of the work or for any other reason or the termination of the contract of the contractor or the services of the worker, the employer, the contractor and the worker shall, within 8 days of the closure or termination of the contract or service, inform, in writing, the Central or the State Board, as the case may be, the fact of such closure or termination, including its date and as to whether the workers have been paid the legal dues payable to them by the employer and, if so, how much and on what date? The Board, on receipt of such intimation, shall cause the same to be verified, in the prescribed manner,

and if satisfied about the correctness thereof, shall then proceed to pay the terminal dues, if any, to the workers who were employed thereat.

24. The Board, whether suo moto or on receipt of a complaint and on making or causing to make such enquiries in respect thereof, as it considers necessary and, on being satisfied about the correctness of the information so collected, shall, after giving a 'show-cause' notice to the contractor or the worker, as the case may be, and after giving him an opportunity of being heard, cancel the licence of the contractor or the registration of the worker, if it finds that the contractor or the worker has violated any of the provisions of this Act or the Rules or the Schemes, if any, framed thereunder or the conditions subject to which the licence or the registration was granted. The Board may revoke the cancellation or suspension after being satisfied that the default for which the cancellation or suspension of registration was ordered is rectified.

25. Every employer, including a contractor, who intends to undertake work or undertakes work in the building & construction industry at a particular place of work and proposed to employ workers or has employed workers, therefore shall notify the Board, in the prescribed form, giving the relevant particulars, such as the nature, skill and categories of the workers proposed to be employed or

employed, including the category-wise total number thereof at the place of work, in the prescribed manner, to the Central or State Board, as the case may be, within 15 days of the commencement of operations at the place of work.

26. On receipt of such notice from the employer or the contractor, the Board shall send to the employer or the contractor, as the case may be, in the prescribed form and in the prescribed manner, the categorywise relevant particulars of the workers registered with the Board, for consideration for employment by the employer or the contractor at the place of work.