

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

The Building and Other Construction Workers (RE&CS) Act, 1996 and A.P. Rules 1999, the Building and Other Construction Workers Welfare Cess Act, 1996 and Central Rules, 1998 – Payment of Cess collection expenses to the Cess collection Departments PSUs, Local Authorities etc –Orders issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.IV) DEPARTMENT

G.O.Rt.No.251

Dated:24.02.2012

Read the following:-

- 1) G.O.Ms.No. 111 of LETF (Lab IV) Dept dated 15.12.2009
- 2) G.O.Ms.No. 112 of LETF (Lab IV) Dept dated 15.12.2009
- 3) From the COL, Lr.No.E/3043/2011, dated:18.02.2012.

ORDER:

According to section 3(1) of the Building and Other Construction Workers Welfare Cess Act, 1996 read with notification No. S.O No.2899, Dated: 26.03.1996 of the Government of India, provides for levy and collection of Cess at the rate of 1% on the cost of construction and section 3(2) provide that the Cess so levied shall be collected from the employers in such a manner including deduction at source in respect of the building and other construction works of Government or of a Public Sector Undertaking or advance collection through a Local Authority where approval of such building or other construction works by such local authority is required. Section 3(3) provides that the Cess so collected under section 3(2) by such local authority or State Government shall be paid to the Construction Board after deducting the cost of collection of such Cess not exceeding one percent (1%) of the amount collected. Rule 5(2) of the Building and Other Construction Workers Welfare Cess Rules, 1998 provide that the proceeds of the Cess collected under Rule 4 shall be transferred by such Government office, Public Sector Undertakings, Local Authority or Cess collector to the board and such Government Office or Public Sector Undertakings may deduct from the Cess collected or claim from the Board, as the case may be, actual collection expenses not exceeding 1% (one percent) of the total amount collected.

2. Government in the G.O. 2nd read above, have issued instructions for compliance of the statutory provisions of the above said Acts by all the Cess levying and collection Departments, Public Sector Undertakings and Local Authorities by ensuring that 1% Cess is collected on the estimated cost of construction from the building and other construction establishments and the Andhra Pradesh Building and Other Construction Workers Welfare Board shall reimburse the actual expenses incurred in collection of Cess (not exceeding 1% of the Cess collected) to the Plan Approval Authority.

3. In view of the circumstances stated above, Government hereby request all the Cess levying and collection Departments, Public Sector Undertakings and Local Authorities to follow the above mentioned provisions of the Central Act/ Rules framed by the Central Government without any deviation.

4. The Secretary, Andhra Pradesh Building & Other Construction Workers Welfare Board shall issue the instructions to the Cess collection Departments PSUs, Local Authorities etc accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.SREENIVASULU
SECRETARY TO GOVERNMENT

To

The Commissioner of Labour, Hyderabad.

The Andhra Pradesh Building & Other Construction Workers Welfare Board

Copy to:

P.S. to the Secretary, LET&F Department.

PA to the Joint Secretary , LETFB Department.

Sf/Sc.

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/FORWARDED :: BY ORDER//

SECTION OFFICER