

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
RAJYA SABHA  
UNSTARRED QUESTION NO. 2499  
TO BE ANSWERED ON 10.08.2023**

**PROTECTIONS UNDER BOCW ACT, 1996**

**2499. SHRI ANEEL PRASAD HEGDE:**

**Will the Minister of Labour and Employment be pleased to state:**

- (a) whether Government is aware that BOCW (Regulation of Employment and Conditions of Service) Act 1996 and BOCW Welfare Cess Act, 1996 had protected building worker's working conditions;**
- (b) whether Labour Codes have given up safety provisions present in the Act and draft Central rules have no safety part, while over 200 safety provisions were present earlier;**
- (c) the outcome of the recent Agra meeting of State Labour Secretaries where functioning of State level welfare boards was discussed; and**
- (d) whether Government is considering amendment to OSH Code to include safety provisions, if so, the details thereof?**

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI RAMESWAR TELI)**

**(a): The Central Government is committed to protect and promote the welfare, social security, safety and health of labourers. Central Government has enacted the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 [BOCW (RE&CS) Act, 1996] now subsumed in the Occupational Safety, Health and Working Conditions Code, 2020 (OSH Code, 2020) to regulate the employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare measures and for other matters connected therewith or incidental thereto.**

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**(b): The Occupational Safety, Health and Working Condition Code, 2020 (OSH Code, 2020), as notified in the Gazette of India subsumes 13 Central Labour Laws. While formulating OSH Code, 2020, the provisions of the 13 Central Labour Laws have been simplified, rationalized and amalgamated and, wherever required, obsolete provisions have been removed altogether without compromising the occupational safety, health and working conditions of the persons employed in an establishment including building workers.**

**OSH Code, 2020 is a forward-looking legislation and provides a more comprehensive and streamlined framework which strengthens the enforcement mechanisms and the protection of the safety and health of workers including building workers.**

**(c): In the meeting of Principal Secretaries/Secretaries of Labour Department of States/UTs Government, the Ministry instructed them to comply with the order of the Hon'ble Supreme Court and instructions passed in WP No. 308/2006 notified by the Ministry from time to time for the compliance.**

**(d): No proposal for amendment to OSH Code, 2020 is under consideration at present as OSH Code, 2020 has adequate provisions for protections and safety.**

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