

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

LOK SABHA

**UNSTARRED QUESTION NO. 3679
TO BE ANSWERED ON 16.03.2020**

LABOUR IN STONE CRUSHING

3679. SHRI P.P. CHAUDHARY:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the labour engaged in stone crushing are not treated as construction workers and hence do not get benefits under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996;

(b) if so, the details thereof and the reasons therefor;

(c) whether the Government has received any request from the Rajasthan Government to recognise labourers employed in stone crushing as construction workers so as to benefit the stone crushing labourers of Rajasthan; and

(d) if so, the details thereof and the decision taken thereon?

ANSWER

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI SANTOSH KUMAR GANGWAR)**

(a) to (d): The list of work defined as “building or other construction work” under Section 2(1) (d) of the Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Act, 1996, does not include “stone crushing”. However, Section 2(1) (d) of the Act vests powers in the State Government, to further expand the list so as to include more such other work as “building or other construction work”. The State Government of Rajasthan, in exercise of the powers conferred under Section 2(1)(d) of the Building and Other Construction Workers (RECS) Act, 1996, has expanded the “definition” of “building or other construction work” laid down under the Act by way of notifying “stone cutting, breaking and crushing” as

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building or other construction work vide notification dated 02.02.2015 and thereby included persons engaged in such work under the definition of “building worker” as defined under section 2(1)(e). Consequent to the said notification dated 02.02.2015 workers engaged in “stone cutting, breaking and crushing” work are eligible for registration as beneficiary in the State in terms of section 12 of the BOCW (RECS) Act, 1996 and availing of benefits of the welfare schemes formulated under section 22(1) of the Act.

As the authorities of the State Government/State Welfare Board are the appropriate authority vested with the statutory powers to apply section 2(1)(d), section 2(1)(e), section 12 and section 22(1) of the Act, the reference of the Rajasthan State BOCW Welfare Board seeking guidance from the Central Government in this regard was not appropriate and accordingly returned.
