

No.B.16012/2/2014 -LE&IT
GOVERNMENT OF MIZORAM
LABOUR, EMPLOYMENT & INDUSTRIAL TRAINING DEPARTMENT
MIZORAM SECRETARIAT, AIZAWL -796001.

Dated Aizawl, the 30th March, 2017

OFFICE MEMORANDUM

Subj : Payment of cess @ 1% on the cost of construction works/projects undertaken by all Building & Others Constructors in the State of Mizoram –deduction at course

The State Government, vide it's order No.A.47011/2/2008 – L&E, dated 4th February 2011, has implemented the provision of the Building & Other Construction Workers (Regulation of Employment & Condition of Service) Act, 1996 and the Rules framed thereunder and also the building & Other Construction Workers Welfare Cess Act, 1996 and the Rules framed thereunder. The Central Government specified a Cess for the purpose of Building & Other Construction Welfare (Regulation of Employment & Condition of Service) Act, 1996 at the rate of 1% of the cost of construction incurred by an employer or any executing agency as the case may be. As provided in Rule 5 of the Cess Rule, 1996, the Government of Mizoram appointed cess collectors and the proceeds of the Cess collected shall be transferred by these officials to the Mizoram Building & Other Construction Workers Welfare Board.

Accordingly, all the Works Department or any other Department/Establishment as the case may be, while entering into any agreement with any Contractor/Establishment for execution of any building and other construction works including works being executed departmentally, shall ensure deduction at source @1% of the cost of construction as cess for the Mizoram Building & Other Construction Workers Welfare Board.

The Provision of these Acts are required to be implemented by the State Government as per the directives of the Hon'ble Supreme Court of India and the Hon'ble Supreme Court itself is directly monitoring the implementation of the provision of this Act.

In view of the above, all the Department of the state Government are directed to deduct the Cess at source and submit the amount so deducted to the Cess Collectors, appointed by the State Government vide Notification issued vide even no dt. 31.05.2016(Copy enclosed) through Account Payee Cheque/Bank Draft.

Further, all the Department are reminded that the cost of collection as per Section 3 of the Cess Act can only be deducted by the Cess Collectors appointed by the Government and this cost of collection (1% of the collected cess) shall be deposited in the Government revenue only by the Cess Collectors and the Secretary, Mizoram Building & Other Construction Workers Welfare Board.

This directive is for strict compliance of all concerned.

This supersedes the previous Office Memorandum No.B-16012/2/2011- LE&IT, dated 29.05.2012.

Sd/- LALMALSAWMA
Chief Secretary to the Govt. of Mizoram,

Memo No.B.16012/2/2014 -LE&IT ::::: Dated Aizawl, the 30th March, 2017.

Copy to :-

1. P.S to Chief Minister, Mizoram.
2. P.S to Minister, Labour, Employment & Industrial Training Department.
3. P.P.S. to Chief Secretary, Govt. of Mizoram.
4. All Administrative Department, Govt. of Mizoram.
5. All Heads of Departments, Govt. of Mizoram.
6. Director, Labour, Employment & Industrial Training Department.
7. All Employers concerned.
8. Guard File.



(H. MALSAWMI)

Under Secretary to the Govt. of Mizoram,
Labour, Employment & Industrial Training Deptt.