

LABOUR DEPARTMENT

Contact Details

Office of the Collector /
Labour Commissioner,
Collectorate, D&NH,
Silvassa – 396 230.
Phone 0260 2642721
Fax No. : (0260) 2642787
Email: collector.dnh@nic.in

The Resident Deputy Collector,
Collectorate,
Dadra and Nagar Haveli,
Silvassa – 396 230.
Phone 0260 2642340

Office of the Labour Enforcement Officer,
Near Collector Office,
Dadra and Nagar Haveli,
Silvassa – 396 230.
Phone 0260 2642374

INTRODUCTION

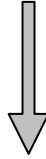
The Labour Department has been functioning w.e.f. June, 1979, which is headed by Labour Enforcement Officer with the assistance of one L.D.C. and one Peon. One Daily Wages L.D.C. has been appointed for a term of 89 days and his employment is being continued for every set of 89 days giving two-three days break. However, he has been transferred to PWD – I, but his services continue to be placed at the disposal of this department. About 3000 industrial units are functioning in this Territory, in which about 65,000 workers are employed. About 10,000 workers are employed in agriculture sector and same number of workers is engaged in building and other construction sector. About 1000 workers are employed in various Departments of the Administration like PWDs, Forest, Police, Education, Medical etc. on daily wages basis.

AIMS & OBJECTIVE

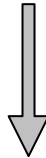
The main activities of Labour Department are mainly to effectively enforce the provisions of various Labour Laws extended by Central Government to the U.T. of Dadra and Nagar Haveli, to frame State Rules under the Central Acts, to ensure that Labour Laws are effectively enforced, to conduct inspections to ensure that the workers are paid minimum rates of wages being notified by the Administration from time to time, to carry out necessary amendments in Labour Laws etc.

ORGANIZATION STRUCTURE

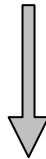
Shri Satygopal
The Administrator, DD&D&NH



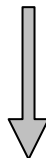
Sanjay Goel
0260 - 2642721
The Secretary (Labour) D&NH



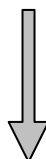
Sanjay Goel
0260 - 2642721
The Labour Commissioner, D&NH



Sanjay Goel
0260 - 2642721
The Collector, D&NH, Silvassa.

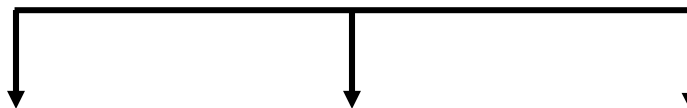


Sanjeev Kumar
0260 - 2642340
The Resident Deputy Collector, D&NH



P. S. Joshi
0260 - 2642374
The Labour Enforcement Officer, D&NH

The Labour Enforcement Officer, D&NH



K. G. Agri
LDC (1)

D. M. Patel
DW (LDC)(1)

M M. Patel
Peon (1)

SERVICES OFFERED

To provide workers minimum rates of wages notified by the Administration from time to time, compensation on the event of personal bodily injury or death caused during the course of employment, timely payment of wages, reinstatement in service or legal dues in lieu of reinstatement or reference to Industrial Court for adjudication in the case where workers are terminated from service , regulating employment of contract labour, regulating employment of inter- state migrant workman, gratuity, bonus, equal remuneration to female workers, maternity benefit to women workers, benefits to the employees of shops and establishments, regulating service conditions as per Standing Orders etc.

A detailed services being rendered by the department to the workers are contained in Annexure 'A' appended with citizen charter.

PUBLIC INTERFACE

To enforce the Labour Laws effectively thereby providing benefits and facilities to the workers as envisaged under various Labour Laws and in the process the department has to interface with the citizens.

SEVOTTAM COMPLIANT SYSTEM

(1) Identification of service offered in their standards.

The main services being offered are to provide facilities and benefits to the workers working in organized and unorganized sector as contemplated under by implementing various labour laws as clearly stated in the Citizens' Charter.

(2) Understanding Citizen (Service recipient) expectations

The guidelines are noted for compliance.

(3) Aligning service offered with Citizen (Service recipient) expectations

The guidelines are noted for compliance.

(4) Preparation of Citizens' Charter.

The Task Force shall be constituted to ensure providing better and excellent service to recipients.

(5) Understanding of charter contents

The guidelines are noted for compliance.

(6) Comparison of actual with Prescribed Standards

The guidelines are noted for compliance.

(7) Communication about difference in actual and Prescribed Standards

The guidelines are noted for compliance.

(8) Elimination of differences between Actual and Prescribed Standards

Annexure 'A'
LABOUR DEPARTMENT

DESCRIPTION OF ACTIVITIES / SERVICES / OBJECTIVES :

Sr. No.	Name of Activities / Services	Eligibility / beneficiaries / description	Documents / formalities required	Time framed for disposal
1.	Investigation and settlement of industrial disputes including apprehended disputes and for certain other purposes. i.e. Holding conciliation proceedings to bring about fair and amicable settlement between the employers and the workers in the matter of termination of service, non-payment of dues, service conditions, charter of demands, closure strike, lock out etc. under the Industrial Disputes Act, 1947.	The labour department deals with industrial disputes arising out of employment or non-employment and those arising out of the terms and conditions of employment and non-employment e.g. wages, lay off, retrenchment, closure, strike, lockout, disciplinary action, punishment etc.	To submit application raising industrial disputes giving full details of dispute and demand. The Conciliation Officer to hold joint discussion and initiate conciliation proceedings in connection with the dispute raised by either workman or employer to bring about fair and amicable settlement between the parties. If the settlement is arrived at the Conciliation Officer to send a report to govt. under Section 12(3) of the Act together with a copy of Memorandum of Settlement. If the conciliation proceedings do not end into settlement, the Conciliation Officer to submit to the appropriate Govt. a 'Failure Report' under Section 12(4) of the Act. On	Within 14 days after admitting the dispute in conciliation proceedings.

			<p>receipt of `Failure Report`, the govt. to make a reference to the Labour Court or Industrial Tribunal as the case may be for adjudication. The Labour Commissioner is the Reference Making Authority. The L.E.O. is the Conciliation Officer.</p>	
2.	<p>Fixing the minimum rates of wages in certain employments. To ensure that the workers employed in various scheduled employments are paid minimum rates of wages notified by Government from time to time by the employers.</p>	<p>The workers those who are not paid wages in accordance with the Minimum Wages Act, 1948 or overtime wages at double the ordinary rate of wages or not granted weekly day of rest etc. can file a claim application to the RDC / authority appointed under the Act. The LEO is Inspector under the Act who can also file a claim application on behalf of the workers.</p>	<p>To submit a claim application in a Form prescribed under the Minimum Wages Rules to the RDC/Authority appointed under Section 20 of the Act. The claim application to be presented within six months from the date the minimum wages become payable. The authority, after hearing the parties can order to the employer to pay an amount of difference between the statutory minimum wages and the wages paid and also impose penalty for compensation up to 10 times. The claim regarding overtime wages as per rules and weekly day of rest is also determined by the authority. The application form can be had from Labour</p>	<p>No time limit is prescribed. However, application will be disposed of as early as possible within 3 months.</p>

			Department.	
3.	<p>To ensure that the workers are paid wages within the prescribed time limit under the Payment of Wages Act, 1936. Wages are to be paid to the employees after the expiry of the wage period.</p> <p>a) before the expiry of 7th day in establishments employing less than 1000 persons and</p> <p>b) before the expiry of 10th day in establishments employing 1000 and more persons.</p>	<p>The workers those who are not paid wages within the prescribed time limit can file a claim application to the authority appointed under the Act. The LEO is Inspector under the Act who can also file a claim application on behalf of the workers.</p>	<p>To submit a claim application in a Form prescribed under the Payment of Wages Rules to the Collector/ Commissioner of Workmen's Compensation, D&NH. The claim application to be presented within 12 months. The authority after hearing the parties can order to the employer to pay the delayed wages and also impose penalty for compensation not exceeding Rs. 3,000/- but not less than Rs. 1,500/- p.m. per worker and regulate payment of wages to the workers. Appeal against the order of the Authority can be filed before the Civil Court. The claim application form can be obtained from Labour Department.</p>	-- do --
4.	<p>Payment of compensation to the workman for injury by accident under the Workmen's Compensation Act, 1923.</p>	<p>If personal injury is caused to a workman by accident arising out of and in the course of his employment, his employer is liable to pay</p>	<p>To submit a claim application to the Collector/ Commissioner for Workmen's Compensation in prescribed manner with required documents like Medical Certificate showing loss of earning</p>	-- do --

		<p>compensation in accordance with the provisions of the Act. The workman who is injured or he dies during the course of his employment, the injured workman or deceased workman's dependants can file a claim application before the Commissioner for Workmen's Compensation, Dadra and Nagar Haveli, Silvassa.</p>	<p>capacity due to injury, proof of Date of Birth, monthly wages drawn etc. In case of death of a workman, any of his dependants can file a claim. The claim to be filed within 02 years of the incident. The Commissioner after hearing the parties can pass award directing employer to deposit compensation payable under the Act. The claim application in prescribed form can be obtained from the L.E.O.</p>	
5.	<p>Payment of gratuity to the employees engaged in industry under the Payment of Gratuity Act, 1972.</p>	<p>05 Years continuous service is the criteria for eligibility. Gratuity is payable to the employee at the rate of 15 days' wages for every completed year of service or part thereof in excess of six months;</p>	<p>To submit a claim application in prescribed form to the RDC/Controlling Authority under the Act. The Authority after hearing the parties can order to the employer to pay gratuity. Claim to be filed within 90 days of the cause of action. The claim application can be obtained from Labour Department.</p>	<p>-- do --</p>

		based on the rate of his last drawn wages		
6.	Payment of bonus to employees in certain establishments under the Payment of Bonus Act, 1965.	To be eligible for bonus, the employee must have worked for not less than 30 days in the accounting year. Persons drawing over Rs.10,000/- per month are not entitled to bonus under the Act. Salary of more than Rs.3500/- per month to be taken as Rs.3500/- only. Minimum bonus is 8.33% of the salary or wages earned in the year. Maximum is 20%. Bonus is payable within eight months from the close of accounting year of industry.	The LEO is Inspector under the Act. The workman who is not paid Bonus can make a complaint to the Inspector. Where any dispute arises between employer and employee with respect to the Bonus payable under the Act, such disputes shall be deemed to be an industrial dispute within the meaning of Industrial Disputes Act, 1947 and same can be dealt with under the Industrial Disputes Act, 1947.	No time limit is prescribed under the law. However, application will be disposed of as early as possible within one month.
7.	Payment of equal remuneration to men and women workers and for the prevention of	The women workers getting less wages in comparison to their male counter parts	To make a complaint to the LEO/Inspector under the Act in a simple application to get grievances redressed	-- do --

	discrimination on the ground of sex against women in the matter of employment and for matters connected therewith or incidental there to under the Equal Remuneration Act, 1976.	for same work can file application.	by women workers, as the Administration has notified equal minimum rates of wages for men and women workers for similar work.	
8.	Providing maternity benefit to women workers under the Maternity Benefit Act, 1962.	Maternity benefit is available to a woman after she has actually worked in an establishment of the concerned employer for a period of not less than 80 days in the 12 months immediately preceding the date of her expected delivery. Days of work include day of lay off and holidays declared under any law.	If the woman worker is not extended maternity benefit as per provisions of the Act, she can file a simple application to the LEO/Inspector under the Act. The Inspector on a complaint from a woman can direct the employer to make the due payment to the woman concerned. Appeal against his decision can be made within 30 days to the Collector/ prescribed authority whose decision will be final.	-- do --
9.	Registration of Trade Unions under the Trade Unions Act, 1926.	Any seven or more members of a trade union can apply for registration to	A trade union to submit application for registration in the prescribed form containing the names, occupations and	No time limit is prescribed under the law. However,

		the Registrar of Trade Unions.	addresses of the members making the application, name and address of the union and name, age, occupation and address of each of the office bearers to the Collector/Registrar of Trade Unions, D&NH furnishing therewith following documents. 1. Bye laws of the union i.e. constitution and objects of the union. 2. Payment of registration fees. Application form can be obtained from L.E.O.	application will be disposed of as early as possible within six months.
10.	Grant of registration to industrial establishment and licence to labour contractor to employ contract labour under the Contract Labour (R&A) Act, 1970.	(1) Every establishment in which 20 or more workmen are employed or were employed on any day of the preceding 12 months as contract labour, and (2) Every contractor who employs or who employed on any day	The establishment to submit application in prescribed form for registration to the LEO/ Registering Officer furnishing therewith following documents. (1) Copy of work agreement between establishment and contractor. (2) Payment of registration fees. The labour contractor to submit application in prescribed form for licence to the LEO / Licensing Officer furnishing therewith following documents.	No time limit is fixed under the law. The application will be disposed of within 15 days.

		of the preceding 12 months 20 or more workmen.	<p>(1) Certificate in Form V issued by establishment/ principal employer to contractor regarding engagement of contractor to employ contract labour.</p> <p>(2) Details of contract labour in Form XIII.</p> <p>(3) Group Insurance Policy / W.C. policy.</p> <p>(4) Payment of license fees.</p> <p>(5) Payment of security deposit @ Rs. 270/- Per workman. The application form and other forms can be obtained from the L.E.O.</p>	
11.	Grant of registration to establishment and licence to contractor to employ inter-State migrant workmen under the Inter-State Migrant Workmen (RE & CS) Act, 1979.	(1) Every establishment in which 05 or more workmen are employed or were employed on any day of the preceding 12 months as inter-State migrant workmen, and	<p>The establishment to submit application in prescribed form for registration to the RDC/ Registering Officer furnishing therewith following documents.</p> <p>(1) Copy of work agreement between establishment and the contractor.</p> <p>(2) Payment of registration fees.</p>	-- do --

		<p>(2) Every contractor who employs or who employed on any day of the preceding 12 months 05 or more inter-State migrant workmen.</p>	<p>The contractor to submit application in prescribed form for licence to the RDC/Licensing Officer furnishing therewith following documents.</p> <p>(1) Certificate in Form VI issued by establishment/principal employer to contractor regarding engagement of contractor to employ inter-State migrant workmen.</p> <p>(2) Details of inter-State migrant workmen in Form X.</p> <p>(3) Payment of licence fee.</p> <p>(4) Payment of security deposit @ Rs.100/- Per workman.</p> <p>The application form and other forms can be obtained from the L.E.O.</p>	
12.	<p>Grant of registration of Shops & Establishments under the Goa, Daman & Diu Shops and Establishments Act, 1973 as extended to the U.T. of Dadra and Nagar Haveli.</p>	<p>Any shop and establishment functioning in the U.T. area eligible to get registered under the Act.</p>	<p>The shop & establishment to submit application in prescribed form for registration to the L.E.O./ Inspector under the Act/ Registering Officer furnishing therewith following documents.</p>	<p>Within 7 Days.</p>

		<p>N.B. :- The Rules under the Act have been framed and forwarded to the Ministry of Home Affairs, New Delhi for putting them before both Houses of Parliament for concurrence. The Rules duly concurred have not been received by the Administration.</p>	<p>1) Copy of Sale Deed or Leased Deed in respect of shop or establishment.</p> <p>2) Registration Certificate in respect Shop/ Establishment premises issued by the Silvassa Municipal Council or Gram Panchayat within which jurisdiction it is located.</p> <p>3) Copy of receipt of house tax paid.</p> <p>4) Registration Fees.</p> <p>The application form can be obtained from the L.E.O.</p>	
13.	<p>Grant of certification of Standing orders under the Industrial Employment (Standing Orders) Act, 1946.</p>	<p>The Act applies to every industrial establishment wherein 100 or more workmen are employed, or were employed on any day of the preceding 12 months.</p>	<p>The employer to submit to the RDC/Certifying Officer an application in prescribed form with five copies of the draft standing orders proposed by him for adoption in his industrial establishment.</p>	<p>No time limit is fixed under the law. The application will be disposed of within three months.</p>