

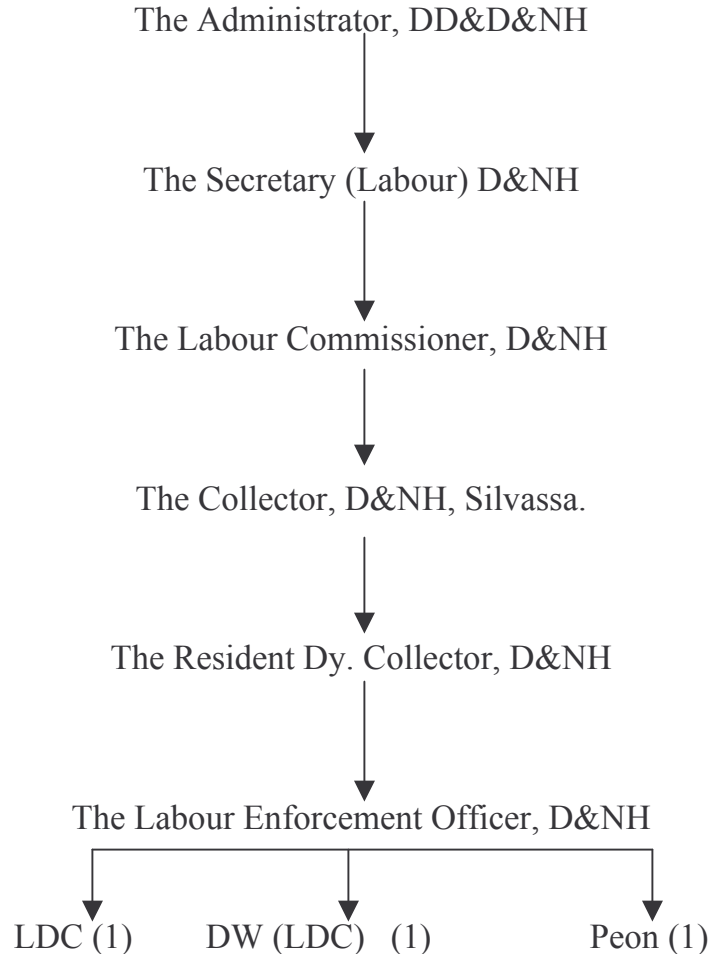
CITIZEN CHARTER

ADMINISTRATION OF DADRA AND NAGAR HAVELI, U.T., LABOUR DEPARTMENT.

1. **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. 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. About 10,000 workers are engaged in building and other construction work. About 10,000 workers are employed in various Departments of the Administration like PWDs, Forest, Police, Education, Medical etc.

2. **ORGANISATIONAL STRUCTURE**



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3. **ACTIVITIES :**

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.

4. **PUBLIC INTERFACE :**

To enforce the Labour Laws effectively thereby providing benefits and facilities to the workers as envisaged under various Labour Laws. About 27 Labour Laws are being enforced in this Territory as per the list Annexed as Annexure 'A'.

5. **CONTACT PERSONS : The Collector/Labour Commissioner/ Secretary (Labour/Commissioner for Workmen's Compensation, D&NH, Silvassa.**

Address : Office of the Collector/
Labour Commissioner,
Collectorate, D&NH,
Silvassa – 396 230.

Phone No. : (0260) 2642721 (OFFICE)

Fax No. : (0260) 2642787

Email : collector.dnh@nic.in

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The Resident Deputy Collector, D&NH.

Address : O/O the Resident Dy. Collector,
Collectorate,
Dadra and Nagar Haveli,
Silvassa – 396 230.

Phone No. : (0260) 2642340 (OFFICE)

The Labour Enforcement Officer, D&NH.

Address : Office of the
Labour Enforcement Officer,
Near Collector Office,
Dadra and Nagar Haveli,
Silvassa – 396 230.

Phone No. : (0260) 2642374 (OFFICE).

(**P.S. JOSHI**)
Labour Enforcement Officer,
Dadra and Nagar Haveli,
Silvassa.

LABOUR DEPARTMENT

DESCRIPTION OF ACTIVITIES / SERVICES / OBJECTIVES :

Sr. No.	2	3	4	5
1	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 workman employed in industry to make application to the L.E.O. / Conciliation Officer to get his grievances redressed.	To submit application in duplicates with full details of dispute and demand. The Conciliation Officer to hold joint discussion and initiate conciliation proceedings in connection with the dispute raised by the workman 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 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.	Within 14 days after admitting the dispute in conciliation proceedings.

Contd....2/-

1	2	3	4	5
2.	<p>Fixing the minimum rates of wages in certain employment. Payment of wages according to minimum rates of wages fixed under the Minimum Wages Act, 1948.</p>	<p>The labourers employed in scheduled employments to make application in case they are paid wages less than the minimum rates of wages as fixed by the Government or non-payment of Overtime wages as per Rules.</p>	<p>To submit 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 compensation upto 10 times the difference between the statutory minimum wages and the wages paid. The application form can be had from Labour Department.</p>	<p>No time limit is prescribed. However, application will be disposed of as early as possible within 3 months.</p>
3.	<p>Regulation of payment of wages to persons employed directly or indirectly in industry under the Payment of Wages Act, 1936.</p>	<p>Wages are to be paid to the employees after the expiry of the wage period. a) before the expiry of 7th day in establishments employing less than 1000 persons and b) before the expiry of 10th day in establishments employing 1000 and more persons.</p>	<p>To submit 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 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>	<p>-- do --</p>

1	2	3	4	5
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 compensation in accordance with the provisions of the Act.</p>	<p>To submit a claim application to the Collector/ Commissioner for Workmen's Compensation with required documents like Medical Certificate showing loss of earning 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>	<p>-- do --</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.</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>

1	2	3	4	5
6.	<p>Payment of bonus to employees in certain establishments under the Payment of Bonus Act, 1965.</p>	<p>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.</p>	<p>If the workman is not paid bonus he can raise dispute regarding bonus which is treated as an industrial dispute and can be proceeded as per the provisions of the Industrial Disputes Act, 1947. The application to be made to the L.E.O./ Conciliation Officer.</p>	<p>No time limit is prescribed under the law. However, application will be disposed of as early as possible within one month.</p>
7.	<p>Payment of equal remuneration to men and women workers and for the prevention of discrimination on the ground of sex against women in the matter of employment and for matters connected therewith or incidental thereto under the Equal Remuneration Act, 1976.</p>	<p>The workmen workers getting less wages in comparison to their male counter parts for same work may file application.</p>	<p>To make a complaint to the LEO/Inspector under the Act in a simple application to get grievances redressed by women workers, as the Administration has notified equal minimum rates of wages for men and women workers for similar work.</p>	<p>-- do --</p>

1	2	3	4	5
8.	<p>Maternity benefit to women workers under the Maternity Benefit Act, 1962.</p>	<p>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.</p>	<p>If the woman workers 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.</p>	<p>-- do --</p>
9.	<p>Registration of Trade Unions under the Trade Unions Act, 1926.</p>	<p>Any seven or more members of a trade union can apply for registration to the Registrar of Trade Unions.</p>	<p>A trade union to submit application for registration in the prescribed form containing the names, occupations and 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.</p> <ol style="list-style-type: none"> 1. Bye laws of the union i.e. constitution and objects of the union. 2. Payment of registration fees. <p>Application form can be obtained from L.E.O.</p>	<p>No time limit is prescribed under the law. However, application will be disposed of as early as possible within six months.</p>

1	2	3	4	5
10.	<p>Registration to industrial establishment and licence to labour contractor to employ contract labour under the Contract Labour (R&A) Act, 1970.</p>	<p>(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 of the preceding 12 months 20 or more workmen.</p>	<p>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. (1) Certificate in Form V issued by establishment/ principal employer to contractor regarding engagement of contractor to employ contract labour. (2) Details of contract labour in Form XIII. (3) Group Insurance Policy. (4) Payment of licence fees. (5) Payment of security deposit @ Rs.30/- Per workman. The application form and other forms can be obtained from the L.E.O.</p>	<p>No time limit is fixed under the law. The application will be disposed of within 15 days.</p>

1	2	3	4	5
<p>11.</p>	<p>Registration to establishment and licence to contractor to employ inter-State migrant workmen under the Inter-State Migrant Workmen (RE & CS) Act, 1979.</p>	<p>(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 (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 establishment to submit application in prescribed form for registration to the RDC/ Registering Officer furnishing therewith following documents. (1) Copy of work agreement between establishment and the contractor. (2) Payment of registration fees. The contractor to submit application in prescribed form for licence to the RDC/Licensing Officer furnishing therewith following documents. (1) Certificate in Form VI issued by establishment/ principal employer to contractor regarding engagement of contractor to employ inter-State migrant workmen. (2) Details of inter-State migrant workmen in Form X. (3) Payment of licence fee. (4) Payment of security deposit @ Rs.100/- Per workman. The application form and other forms can be obtained from the L.E.O.</p>	<p>-- do --</p>

1	2	3	4	5
12.	<p>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>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>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>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>	<p>Within 7 Days.</p>

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13.	<p>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>

(P.S. JOSHI)
Labour Enforcement Officer,
Dadra and Nagar Haveli,
Silvassa.

LIST OF LABOUR LAWS ENFORCED IN THE UNION TERRITORY OF DADRA AND NAGAR HAVELI.

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1. The Minimum Wages Act, 1948.
2. The Industrial Disputes Act, 1947.
3. The Equal Remuneration Act, 1976.
4. The Contract Labour (Regulation and Abolition) Act, 1970.
5. The Beedi and Cigar Workers (CE) Act.
6. The Inter State Migrant Workman (RE & CS) Act, 1979.
7. The Bonded Labour System (Abolition) Act, 1976.
8. The Workmen's Compensation Act, 1923.
9. The Child Labour (Prohibition and Regulation) Act, 1986.
10. The Employees' State Insurance Act, 1948.
11. The Goa, Daman and Diu Shops and Establishments Act, 1973 as extended to the U.T. of Dadra and Nagar Haveli.
12. The Factories Act, 1948.
13. The Indian Trade Union Act, 1926.
14. The Payment of Wages Act, 1936.
15. The Payment of Gratuity Act, 1972.
16. The Payment of Bonus Act, 1965.
17. The Maternity Benefit Act, 1961.
18. The Industrial Employment (Standing Orders) Act, 1946.
19. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952.*
20. The Apprentices Act, 1961.**
21. The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959.***
22. The Building and Other Construction Workers (RE & CS) Act, 1996.
23. The Building and Other Construction Workers' Welfare Cess Act, 1996.
24. The Emigration Act, 1983.****
25. The Sales Promotion Employees (Conditions of Services) Act, 1976.
26. The Motor Transport Workers Act, 1961.*****
27. The Union Territory Relief of Agriculture Indebtedness Regulation, 1977.

- * This Act is implemented by Regional Provident Fund Commissioner, Gujarat State.
- ** This Act is implemented by I.T.I., D&NH.
- *** This Act is implemented by Employment Exchange, D&NH.
- **** This Act is implemented by Police Deptt., D&NH.
- ***** This Act is implemented by Registering & Licencing Authority, D&NH.