



CITIZEN'S / CLIENT'S CHARTER

FOR

LABOUR DEPARTMENT

OF

U.T. OF

DADRA AND NAGAR HAVELI,

SILVASSA

(2011-12)

Phone No. (0260) 2642721

Fax No. : (0260) 2642787

Email - labourdnh@gmail.com

APPEAL TO EMPLOYERS

- (1) Keep pace with changing times; recognize the rights of your employees.
- (2) Helping your employees is helping yourselves.
- (3) Avoid legal action through perfect compliance with the provisions of the Act.

LABOUR LAWS BEING ENFORCED BY THE LABOUR DEPARTMENT

Sr. No.	Act / Rules
1.	The Industrial Disputes Act, 1947
2.	The Industrial Disputes (Central) Rules, 1957
3.	The Industrial Employment (Standing Orders) Act, 1946
4.	The Industrial Employment (Standing Orders) Rules, 1947
5.	The Indian Trade Unions Act, 1926
6.	Dadra and Nagar Haveli Trade Unions Regulations, 1986
7.	The Workmen's Compensation Act, 1923
8.	The Dadra and Nagar Haveli Workmen's Compensation Rules, 1977
9.	The Payment of Wages Act, 1936
10.	The Dadra and Nagar Haveli Payment of Wages Rules, 1977
11.	The Employees' State Insurance Act, 1948
12.	The Dadra and Nagar Haveli Employees' Insurance Court Rules, 2002
13.	The Dadra and Nagar Haveli Employees State Insurance (Medical Benefit) Rules, 2004
14.	The working Journalist (Conditions of Service and Miscellaneous Provisions) Act, 1965
15.	The Payment of Bonus Act, 1965
16.	The Payment of Bonus Rules
17.	The Maternity Benefit Act, 1961 and rules made thereunder
18.	The Beedi and Cigar Workers (Conditions of Service) Act, 1996 and rules made thereunder.
19.	The Contract Labour (Regulation & Abolition) Act, 1970
20.	The Contract Labour (Regulation & Abolition) Dadra and Nagar Haveli Rules, 1976
21.	The Payment of Gratuity Act, 1972
22.	The Payment of Gratuity (Dadra and Nagar Haveli) Rules, 1985
23.	The Minimum Wages Act, 1948
24.	Dadra and Nagar Haveli Minimum Wages Rules, 1970
25.	Goa, Daman & Diu Shops & Establishments Act, 1973 as extended to the U.T. of Dadra and Nagar Haveli
26.	The Dadra and Nagar Haveli Shops and Establishments Rules, 2000
27.	The Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1970
28.	The Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Dadra and Nagar Haveli Rules, 1985
29.	Child Labour (Prohibition & Regulation) Act, 1986 and rules made thereunder
30.	The Equal Remuneration Act, 1976 and rules made thereunder
31.	The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996
32.	The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Dadra and Nagar Haveli Rules, 2003
33.	The Bonded Labour System (Abolition) Act, 1976

**LABOUR DEPARTMENT OF
U.T. OF DADRA AND NAGAR HAVELI, SILVASSA**

CONTACT

Sr. No.	Name of the Officer	Designation	Telephone Nos.
1.	Shri Mohan Jeet Singh, IAS	Development Commissioner / Secretary (Labour)	0260-2632126
2.	Shri Manoj Kumar Sahoo, IAS	Collector / Labour Commissioner	0260 - 2642721
3.	Shri Sanjeev Kumar	The Resident Deputy Collector	0260 - 2642340
4.	Shri P. S. Joshi	Labour Enforcement Officer	0260 – 2642374

2) VISION

Improving the working conditions and the quality of life of workers through effectively implementing various labour laws thereby making industrial units and other establishments to provide benefits and facilities to the workers as envisaged under various labour laws and rules made thereunder, ensuring that there is no child labour.

3) MISSION

To ensure that the workers are paid minimum wages by the employers notified by the Administration from time to time. To effectively enforce the provisions of various labour laws to ensure that the workers are provided benefits and facilities by the employers as envisaged under various labour laws.

4) SERVICE STANDARDS

Sr. No.	Services Transaction	Documents required	Standard
1	2	4	5
1.	Investigation and settlement of industrial disputes including apprehended disputes and for certain other purposes under the Industrial Disputes Act, 1947.	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	Within 14 days after admitting the dispute in conciliation proceedings.

		<p>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 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>The workers are paid wages not below the minimum rates of wages being notified by the Administration from time to time by the employers under the Minimum Wages Act, 1948.</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</p>	<p>Within 03 months</p>

		compensation up to 10 times and regulate the minimum wages. 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 Department.	
3.	<p>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>	To submit a claim application in a Form prescribed under the Payment of Wages Rules to the Act/ 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 ₹ 3,000/- but not less than ₹ 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 Act. The claim application form can be obtained from Act.	Within 03 months
4.	Payment of compensation to the workman for injury by accident under the Workmen's Compensation Act, 1923.	To submit a claim application to the Act/ Commissioner for Workmen's Compensation in prescribed manner with required documents like Medical Certificate showing loss of earning capacity / permanent partial disability resulted from injury issued by qualified medical practitioner, proof of Date of Birth, monthly	Within 03 months

		wages drawn Act. In case of death of a workman, any of his dependants can file a claim application. The claim application 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.	
5.	Payment of gratuity to the employees engaged in industry under the Payment of Gratuity Act, 1972.	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.	Within 03 months
6.	Payment of bonus to employees in certain establishments under the Payment of Bonus Act, 1965.	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.	Within 01 month

7.	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 there to under the Equal Remuneration Act, 1976.	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.	Within 01 month
8.	Providing maternity benefit to women workers under the Maternity Benefit Union, 1962.	If the woman worker is not extended maternity benefit as per provisions of the Union, she can file a simple application to the Union/Inspector under the Union. 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 Union/ prescribed authority whose decision will be final.	Within 01 month
9.	Registration of Trade Unions under the Union 1926.	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 Union/Registrar of Trade Unions, D&NH furnishing therewith following documents. 1. Bye laws of the Union i.e. constitution and objects of the Union.	Within 06 months

		2. Payment of registration fees. Application form can be obtained from L.E.O.	
10.	Grant of registration to industrial establishment and licence to labour contractor to employ contract labour under the Contract Labour (R&A) Act, 1970.	<p>The establishment to submit application in prescribed form for registration to the LEO/ Registering Officer furnishing therewith following documents.</p> <p>(1) Copy of work agreement between establishment and contractor.</p> <p>(2) Payment of registration fees.</p> <p>The labour contractor to submit application in prescribed form for licence to the LEO / Licensing Officer furnishing therewith following documents.</p> <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 licence fees.</p> <p>(5) Payment of security deposit @ ₹ 270/- Per workman. The application form and other forms can be obtained from the L.E.O.</p>	Within 15 days
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.	<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>	Within 15 days

		<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.	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>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>	Within 7 Days

13.	Grant of certification of Standing orders under the Industrial Employment (Standing Orders) Act, 1946.	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.	Within 03 months
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5) Grievance Redress Mechanism

The Labour Department is committed to redress grievances in a responsible and effective manner. The salient measures taken in this regard are:-

- The Collector / Labour Commissioner would function as the Director (Grievances). The public can meet him every working day from 12:00 Noon to 2:00 p.m. with their grievances (Phone: 0260 – 2642721 (O), Fax No. (0260) 2642787)
- The timely redressal of public grievances is and will continue to be monitored by the Director (Grievances).
- The Citizen's Charter has been uploaded on the web site by the Director (IT), Dadra and Nagar Haveli, Silvassa.

6) Stakeholders / Clients

The trade Union organizations, employer organizations, Labour Court and Industrial Tribunal are the stakeholders. Our clients are the workers with special focus on the particularly workers engaged in vulnerable unorganized sectors.

7) Responsibility Centers

The office of the Labour Enforcement Officer would function as Responsibility Center under the administrative control of the Collector / Labour Commissioner. The person having a grievance against Responsibility Center could lodge a grievance against it with the Collector / Labour Commissioner who would ensure that the Responsibility Center has set standards of service and is delivering services accordingly.

8) Indicative expectations from service recipients

We expect our service recipients to:

- Contact Labour Enforcement Officer in the Administration of Dadra and Nagar Haveli in respect of matters related to complaint of their conditions of service and all other labour related matters for redressal. The workers may also contact the Collector / Labour Commissioner to get their grievance redressed in regard to labour related issues.
- Send suggestions, wherever required, for improving, functioning and promoting accountability and transparency.

9) Month and Year for next review of the charter

The Citizen's Charter will be reviewed annually for further improving our response to the public

GRIEVANCE PROCEDURE

To facilitate smooth but prompt redressal of grievances, the Labour Enforcement Officer would act as Public Grievance Officer who will be the Key Officer to hear the grievances of the affected workers and the employers and redress the same. The Public Grievance Officer shall hear grievances on every working day between 12:30 p.m. to 01:30 p.m. A complaint box has already been fixed for entering the grievances of the public. A register to record the date of receipt in disposal of the grievance is also being maintained

**CASE OF ANY DIFFICULTY OR
FOR ANY CLARIFICATION PLEASE CONTACT
THE LABOUR ENFORCEMENT OFFICER**

**CAUTION
DO NOT WAIT TILL THE INSPECTOR
VISITS YOUR ESTABLISHMENT.
COMPLY WITH THE PROVISIONS
NOW ITSELF.**

**DO NOT MERELY FOLLOW THE LETTERS OF LAW, COMPLY WITH
THE SPRIT OF THE LAW**

