

Particulars of organization, functions and duties

[Section 4(1)(b)(i)]

1. NAME AND ADDRESS OF ORGANIZATION :-

OFFICE OF THE LABOUR COMMISSIONER
GOVERNMENT OF N.C.T. OF DELHI
5, SHAM NATH MARG,
DELHI - 110054.

2. HEAD OF ORGANIZATION:-

The Labour Department, Government of N.C.T. of Delhi is headed by Secretary-cum-Labour Commissioner(Labour), who is assisted by Special Labour Commissioner, Additional Labour Commissioner, Joint Labour Commissioners, Deputy Labour Commissioners, Assistant Labour Commissioners, Directorate of Industrial Safety and Health, Electrical Inspectorate, Chief Inspector of Boilers, Chief Inspector of Shops and Establishments, Labour Officers, Inspecting Officers, Labour Inspectors and other supporting staff.

With a view to make the administration responsive to the needs of the people and bring governance to their doorsteps, the department has been organized on territorial basis into nine districts. Proposal for setting up of two more districts has been initiated.

Each district is headed by a Joint/Deputy Labour Commissioner who is assisted by Asstt. Labour Commissioners and Labour Officers, Inspecting Officers, Labour Inspectors and other supporting staff.

3. MISSION AND VISION:-

Mission of the Labour Department is to promote growth of industrial and Commercial activities by ensuring harmonious relationship between employer and workmen through preventive steps, conciliatory effort, adjudicatory, punitive action and promoting welfare oriented activities to promote the welfare of the workmen in the National Capital Territory of Delhi. The Department being an enforcing agency prosecutes employers found violating Laws, in the Courts. In addition to it Department of Labour provides various welfare amenities like Holiday Homes at Allahabad and Shimla. The Department also conducts various classes for providing vocational skills to the children of workers and facility for pre-nursery teaching to children of the workers in its various districts.

4. BRIEF HISTORY AND BACKGROUND FOR ITS ESTABLISHMENT

The Department of Labour has been formulated in the year 1952-53 and at that period it was a joint Department comprising of Labour as well as Industries in the formative years. However, later on a need was felt for separating the Industries Department from Labour and accordingly from the year 1954 onwards the Labour Department, Government. of N.C.T. of Delhi assumed its singular characteristics and functions. The Department is headed by an I.A.S. Officer .

Labour Department, which is primarily vested with the responsibility of enforcing various labour laws along with maintaining industrial peace and harmony, was working zone wise up to the year 1994. However, after developing district concept from the year 1994, N.C.T. of Delhi has been divided into 9 revenue districts for better administration and governance. Accordingly, Labour Department also reorganized its working on district pattern .Each district is headed by Jt./ Deputy Labour Commissioner who is assisted by Assistant Labour Commissioner, Labour Officer, Inspecting Officer and other Inspectorate and Clerical Staff as support functionaries who assist him in discharging office duties. In order to provide better services, the Offices of Factory Inspectorate, Electrical Inspectorate were also located in all the 9 districts.

Labour Department has an effective enforcement machinery through which vigorous efforts are made to resolve the industrial disputes by conciliatory mechanism. In case disputes are not resolved through conciliation such disputes are referred to Labour Courts/Industrial Tribunals as the case may be for adjudication.

Keeping in mind the rise in trading and commercial activities in N.C.T. of Delhi and in order to provide speedier judicial remedy, the number of Labour Courts were increased from 10 to 13 which are located at Karkardooma, Shahdara. In addition to this there are 2 Industrial Tribunals ,which are presided by Presiding Officer of the level of Additional District Judges, who adjudicate the disputes so referred and pronounce their awards/orders.

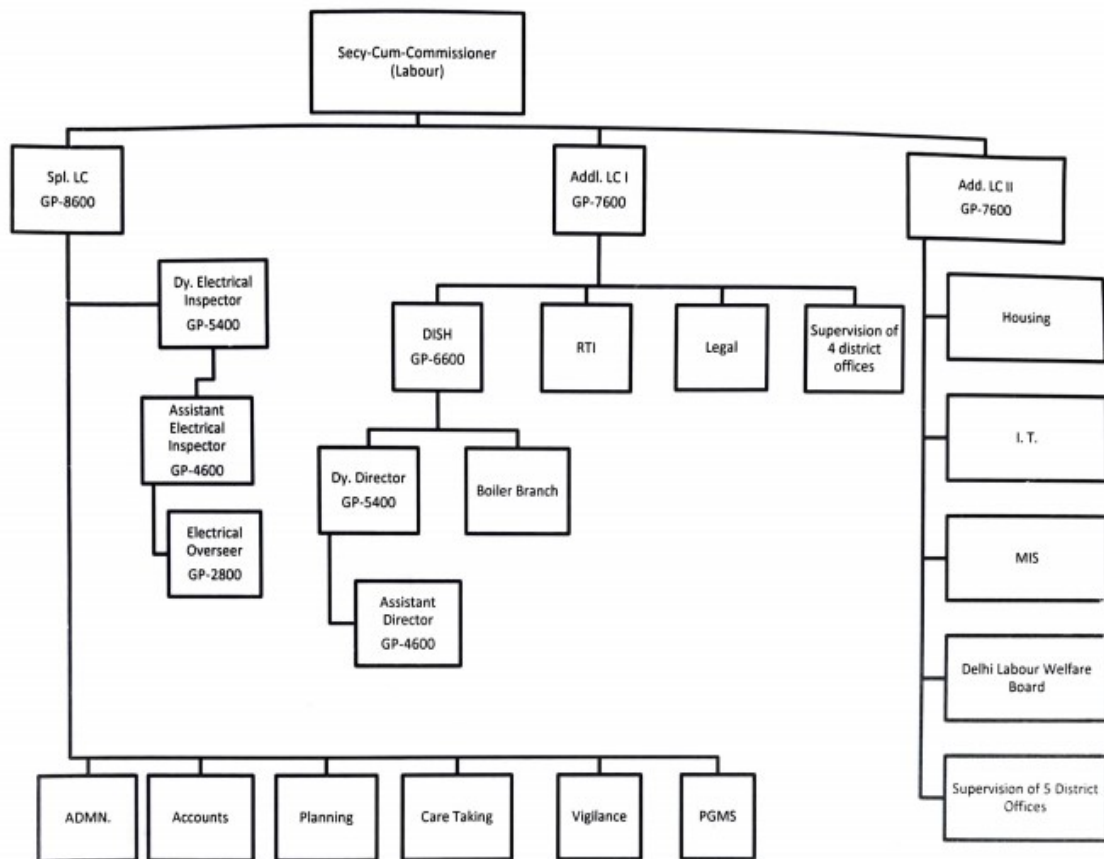
The Labour Department in compliance to Hon'ble Supreme Court of India directions, made a significant amendment by formulating the Industrial Disputes (Delhi Amendment) Bill 2003, in the year 2003 in respect of Section-2 (A) of Industrial Disputes Act. 1947. By this amendment a workman whose services have been discharged/dismissed/terminated can file his claim within a period of one year from his discharge / dismissal/termination , directly in Labour Court if he so desires . This is an important step towards providing speedier dispensation of justice to workers at large.

The concept of e-governance has also been initiated by Labour Department and website of the Department i.e. www.labour.delhigovt.nic.in has already been developed. The Department has also initiated various steps for computerization of its working so that the Department

provides better and effective services in a customer friendly manner which is transparent also. The Department has already started online registration of Shops & Commercial Establishments under Delhi Shops & Establishment Act 1954, However on line registration under other labour laws in respect of Licenses and registration are in process

5. ORGANISATIONAL CHART

The Labour Department is headed by an I.A.S. Officer as Secretary cum Labour Commissioner who is assisted by Special Commissioner(Labour), Addl./ Joint Labour Commissioners ,Deputy Labour Commissioners , Assistant Labour Commissioners, Chief Inspector of Factories, Chief Inspector of Boilers, Chief Electrical Inspector, Chief Inspector of Shops & Establishments, Assistant Director(Planning),Sr. Accounts Officer, Labour Officers, Welfare Officer, Inspecting Officer and Inspectorate Staff. The Department functions on district pattern and each of 9 district is headed by a Jt./ Deputy Labour Commissioner who is assisted by Assistant Labour Commissioner , Labour Officers , Inspecting Officer, Inspectors and other supporting staff .



6. ALLOCATION OF BUSINESS

Labour Department is responsible for maintaining industrial peace and harmony and also to promote harmonious relations between employers and employees which in turn improves production and productivity in a conducive working environment. The Department also plays an important role in enforcing provisions related to safety, health and welfare of workers in Industrial Establishments. In addition to it the Department also enforces various labour laws and

initiates punitive action in respect of defaulting employers for violating various labour legislations.

The Department also undertakes various welfare schemes for workers and their families by organizing picnics and tours for which facility of holiday homes have been provided. Nursery education classes and other vocational centers are also being run by the Delhi Labour welfare Board under Labour Department.

In order to provide effective and speedier service for the public , reference of dispute , publication of awards as well as implementation of awards under Industrial Dispute Act,1947 has been decentralized in the year 2009 and all Deputy Labour Commissioners have been delegated power to the same .

In addition to its registration of Trade Union and other connected their with under Trade Union Act 1926 are being performed by Deputy Labour Commissioner

7. DUTIES TO BE PERFORMED TO ACHIEVE THE MISSION(FUNCTION AND DUTIES)

The department being vested with the responsibility of enforcing various labour legislations and thereby maintaining industrial peace and harmony performs various functions and duties under various labour laws. These duties include;

- (i) Conciliatory functions by Conciliation Officers under Industrial Disputes Act 1947,
- (ii) Discharge of duties by Commissioners-DLCs under Workmen Compensation Act 1923,
- (iii) Discharge of duties as Authority -DLCs under MW Act 1948 and Delhi Shops & Estt. Act 1954.
- (iv) Discharge of duties as Controlling Officer-ALCs under Payment of Gratuity Act 1972.
- (v) Discharge of duties as Appellate Officer-DLCs under Payment of Gratuity Act 1972.
- (vi) Discharge of duties as Registration and Licencing Officer-DLCs under Contract Labour Act 1970.
- (vii) Discharge of duties as Certifying Officer -DLCs under Industrial Employment Standing Order Act 1946.

- (viii) Discharge of duties as Registering Officer-ALCs under Delhi Building and other Construction Workers (Regulation of Employment and Conditions of Service) Rules 2002.
- (ix) Discharge of duties as Cess Collector -LOs/ IOs under Cess Act./Rules.
- (x) Discharge of duties as Assessing Officer- DLCs under Cess Act/Rules.
- (xi) Secretarial functions performed under ID Act 1947 for reference of disputes to Labour Court/Industrial Tribunal, Publication of awards, Implementation of awards of Labour Court/IT and issuance of Recovery Certificate in respect of back wages as per the award.
- (xii) Registration/Cancellation of the Trade Union under Trade Union Act 1926 and hearing of grievances/complaints under the said Act.
- (xiii) Enforcement and disposal of complaints received under Right to Information Act 2001.
- (xiv) Filing of prosecutions/challans by Inspectorate Staff under MW Act, Bonus Act, Contract Labour Act, Child Labour Act etc.etc. against defaulting employers in cases where violations have been detected.
- (xv) The department also conducts raids/inspections and surveys in respect of employment of Child Labour especially in prohibited/hazardous occupations and processes under Child Labour Act 1986.
- (xvi) Constitution of various statutory and non-statutory Boards under various Labour Enactments.
- (xvii) Hearing of important and sensitive matters/disputes involving large number of workers by Secretary (Labour) personally.
- (xviii) Compilation of data and other statistical information by Planning Section.

8. DETAILS OF SERVICES RENDERED

The Department is vested with responsibility of settlement of industrial disputes and enforcement of various labour laws for mitigating the problems and sufferings of workers

arising out of employment. The Department also initiates prosecution proceedings and also files challans against defaulting employers in the Court of Law.

9. CITIZENS INTERACTION

The Department is a service oriented Department and by virtue of its nature, the Department regularly interacts with workers of organized as well as unorganized sector, Trade Union leaders, Advocates representing workers and managements, Employer's Federations/Associations, Market Associations and Industrial Employers Forum, NGOs working in labour field.

District Deputy Labour Commissioners hold meetings with Trade Unions and Employers Association which helps both the parties and the Department to understand the viewpoint of others, create awareness about various labour laws, safety and measures to be adopted in industry, awareness about rights and responsibilities of workers and employers.

10. POSTAL ADDRESS OF THE MAIN OFFICE/DISTRICT OFFICES

Main / Head Office	Office of the Labour Commissioner 5, Sham Nath Marg, Delhi- 54.
South-West Distt	Office of DLC, D.T.C Colony, Hari Nagar, Pratap Nagar, Delhi - 64.
South Distt	Office of DLC, A-Wing, First Floor, Puspa Bhavan, Madangir, Delhi-62.
North-East Distt	Office of DLC, Viswakarma Nagar, Sahadara. Delhi.
East Distt	Office of DLC, Viswakarma Nagar, Sahadara. Delhi.
West Distt.	Office of DLC, Karam Pura,

	New Delhi
North-West	Office of DLC, Nimiri Colony, Ashok Vihar, Delhi.
North Distt	Office of DLC, Nimiri Colony, Ashok Vihar, Delhi.
New Delhi Distt.	Office of DLC, Pusa Employment Exchange, Pusa Complex, New Delhi.
Central District	Office of DLC, Pusa Employment Exchange, Pusa Complex, New Delhi.

11. WORKING HOURS BOTH FOR OFFICE AND PUBLIC

Head Office as well as District Offices work from 9.30 AM to 6 PM ,Monday to Friday.

12. PUBLIC INTERACTION, IF ANY

Regular interaction with public is made by Officers at District level and interaction is also made with public at Headquarter level between 12 Noon to 1 PM, Monday to Friday.

13. GRIEVANCE REDRESS MECHANISM

FUNCTIONS AND DUTIES OF LABOUR DEPARTENT

The Labour Department, Government of N.C.T of Delhi is vested with functional responsibilities of

enforcement of various Labour Laws, which are exercised under various Labour Legislations. One of the most important functions and duties is maintaining for all industrial peace and harmony especially in various industrial areas resolving/settling and minimizing various industrial disputes through the process of conciliation. The Department is vested with the responsibilities of protecting the legitimate rights of workers who are employed in factories, industrial unions, commercial shops, shops etc. Efforts are made for settling industrial disputes through the process of conciliation failing which the disputes are referred to adjudication machinery i.e. Labour Courts and Industrial Tribunals.

The rights of workmen are also protected by enforcement of various provisions of law and laws relating to safety in industries are enforced by Inspectorate of Factories, Inspectorate of Boilers and Electrical Inspectorate.

The Labour Department also grants registration to various unions under Trade Union Act 1926 and allots a specific Registration No. and after thorough checking of credentials of the applicant union. In addition to it periodical audits are also carried out to ensure operational and functional status of a registered Trade Union by verifying its Annual Returns and other necessary information as per the provisions of Trade Union Act 1926. By doing so, it is an effort made with poor workers who are not adequately literate as well as various employers do not fall as prey in the hands of intermediaries, touts and other such persons operating under the garb of Trade Union and are not victimized and financially exploited by such persons.

Complaint based inspections; suo- motto inspections and periodical surveys are also undertaken by Labour Department under various labour laws, which are being enforced by Labour Department Government. of N.C.T. of Delhi.