

1.2 Powers and duties of officers and employees [Section 4(1)(b)(ii)]

A. POWERS AND DUTIES OF THE STAFF

Labour Department, Govt. of NCT of Delhi is headed by Secretary-Cum- Labour Commissioner who performs various secretarial functions under various acts like Industrial Dispute Act- 1947, functions as appropriate Government for granting sanction for prosecution, he also functions as competent authority for issue of orders under various provisions of Industrial Dispute Act 1947 and other labour legislations. In addition to it he also discharges functions as Labour Commissioner and hears various review applications of aggrieved party under various labour laws. He also functions as Administrative Head of Labour Department in the capacity of H.O.D. In addition to it Secretary, Labour also is competent authority under various labour laws and as such he discharges statutory functions.

- (i) Addl. Labour Commissioner (Admn.) - Addl. Labour Commissioner (Admn) functions as head of the office and is head of the administration. Addl./ JLC(A) also heads Accounts Branch, Statistical and Planning Branch of Labour Department. Implementation Cell dealing with implementation of awards of Labour Court and Industrial Tribunal is also under the overall control of Addl. Labour Commissioner (Admn). Addl./ JLC(A) performs administrative functions, financial functions, approving authority for issue of Recovery Certificates, he is also competent authority in respect of various vigilance cases pertaining to Labour Department, leave sanctioning authority. He is also heading secretarial cell, housing schemes of Labour Department. He also supervises Inspectorate of Factories, Boilers and Working of Electrical Inspectorate.
- (ii) JLCs.- The department has two Joint Labour Commissioners who are Ex- Cadre Officers of Labour Department and both these JLCs perform supervisory functions in respect of 9 districts.

- (a) Joint Labour Commissioner coordinates NHRC matters, building and other construction workers Act/policy matters, policy matters relating to Bonded Labour Act, ESIC Act, EPFA Act and Trade Union Act, policy matters pertaining to ID Act. 1947, Industrial Employment Standing Order Act. 1946, Contract Labour Act. 1970, Interstate Migrant Worker's Act 1979, Maternity Benefit Act 1961, matters pertaining Central Board of Workers Education. Joint Labour Commissioner functions as head of Legal Cell/Legislation Branch of Labour Department, matters pertaining to ILO, ILC and also is coordinating officer for Indus Project. He also looks after policy matters pertaining to Delhi Shops & Estt. Act 1954, Child Labour Act 1986, Minimum Wages Act 1948, Equal Remuneration Act 1976, Payment and Bonus Act 1965, Payment of Gratuity Act 1972, Payment of Wages Act. 1936, Working Journalist Act 1955, Workmen Compensation Act. 1923, Motor Transport Worker's Act 1984, Sales Promotion Employees Act. 1976 etc. Both these JLCs perform secretarial as well as administrative functions under the aforesaid enactments relating to processing and examination of various issues as mentioned above.
- (iii) Dy. Labour Commissioners- Dy. Labour Commissioners of Labour Department discharge duties as shown below: -
- (a) Commissioner - Workmen Employees Act 1923.
 - (b) Authority -Minimum Wages Act. 1948.
 - (c) Authority - Delhi Shops & Estt. Act. - 1954.
 - (d) Licence and Registration Officer - Contract Labour Act. 1970.
 - (e) Appellate Authority -Payment of Gratuity Act. 1972.
 - (f) Certifying Officer - Industrial Employment Standing Order Act. 1946.
 - (g) Assessing Officer - Delhi Building and other Construction Worker's Rules 2002.
 - (h) DLCs are the overall incharge of the Districts.

(iv) ALCs: -

- (a) Function as Conciliation Officer under Industrial Dispute Act. 1947.
- (b) Controlling Authority under Payment of Gratuity Act. 1972.
- (c) Investigating Officer in matters/complaints pertaining to unfair labour practice etc.etc. under ID Act.1947, and for applications received under Section-2(r)(a)
- (d) Supervisory Officer in respect of Inspectors and other supporting staff.
- (e) Registering Officer under Delhi Building and other Construction Rules 2002.

(v) LOs - Labour Officers of the department functions as shown below: -

- (a) Cess Collector under Delhi Building and other Construction Rules 2002.
- (b) Inspectors under Payment of Bonus Act 1965.
- (c) Inspectors under Child Labour Act. 1986.
- (d) Monitoring of various complaints received in various districts from workers and trade unions.

(vi) Ios - Inspecting Officers of Labour Department perform following functions:-

- (a) Inspector under various labour enactments.
- (b) Inspector under Child Labour Act. 1986.
- (c) Inspector under Bonus Act. 1965.
- (d) Perform functions as Cess Collector.
- (e) Inspecting Officers are also required to handle complicated complaints/cases involving large number of workers and matters pertaining to strike, lockout, retrenchment of workers under the provisions of Industrial Dispute Act. 1947.
- (f) Inspecting Officers are also generally designated/authorized by competent authority for launching/filing prosecution against the defaulting employers

under Payment of Bonus Act 1965 and under Contract Labour Act. 1970.

(g) Inspecting Officers are also notified as Cess Collector.

(vii) Inspectors of Labour Department: - Inspectorate Staff of Labour Department are DASS cadre officials who are drawn from various other departments of Government of Delhi for tenure of 2 to 3 years in Labour Department. These inspectors primarily perform field functions and examine various complaints received from workers and trade union members in various districts on day-to-day basis. Inspectorate Staff also conduct physical verification of workers in their respective establishments, checking of workers record and filing of challans under Minimum Wages Act 1948, Child Labour Act 1986 and other legislations against the defaulting employers in the Court of Metropolitan Magistrate.

B. WORK ALLOCATION

Following is the updated order of Work Allocation:-

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE SECY-CUM-COMMISSIONER (LABOUR): ADMINISTRATION BRANCH
5 SHAM NATH MARG, DELHI-110054

Email: labouradmn@gmail.com

Ph. No. : 011-23963334

F.31/LC/Estt./1009/2019/ 708

Date: 29/12/2020

OFFICE ORDER

In supersession of Order dated 10.12.2020, the work distribution between Special Labour Commissioner and Addl. Labour Commissioners in Labour Department is assigned as under with immediate effect:-

S.No	Name & Designation	Work allotted
01.	Sh. K.S Meena, IAS, Special Labour Commissioner	1. Administration & Establishment 2. Vigilance 3. Caretaking 4. Accounts/Finance/Budget 5. Planning 6. IT Branch, MIS e-governance, e-office, monitoring and delivery of online services. 7. Legal issues of non technical nature. 8. Administrative Supervision and set up of the newly created Districts viz. South-East & Shahdara.
02.	Sh. S.C Yadav, Addl. Labour Commissioner	1. Housing Branch. 2. PGC, RTI & LG Listening Post, PGMS. 3. All court case pertaining to Supreme court, High Court and other matters pertaining to NHRC & NCPCR. 4. Coordination relating to payment of wages/salary of contractual/outsourced staff. 5. Un-organized workers Social Security Act, 2008- Policy Matters. 6. Child Labour (P&R) Act, 1986 coordination with DCPCR in respect of Child Labour issues. 7. Private Placement Agency Bill. 8. Parliament and Assembly Questions. 9. Policy matters related to BOCW Act and Cess Act. 10. C.S & L.G Meetings & related affairs/inspection/report/publicity material. 11. Policy matters related to Contract Labour (R&A) Act, 1970, compilation of report and work related to Contract Labour Advisory Board. 12. Minimum Wages and its implementation/policy matters. 13. Policy matters related to Bonded Labour and its policy related issues 14. Legal Branch 15. Policy matters and Coordination of work relating to Employees Compensation Act 1923. 16. Policy matters related to payment of Gratuity Act, 1972. 17. Central Board of Workers Education. 18. I.D Act, 1947-Policy Matters.

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	19. Industrial Employment Standing Order Act, 1946 and Policy matters. 20. Payment of Bonus Act, 1965 & Policy Matters. 21. Maternity Benefit Act, 1961 & Policy Matters. 22. Working Journalist Act 1955 & Policy Matters. 23. Interstate Migrant Workers Act, 1979 and Policy matters. 24. Motor Transport Workers Act, 1961 and Policy Matters. 25. Delhi Labour welfare Board. 26. ESI and PF Coordination. 27. Trade Union Act, 1923 and Policy Matters. 28. Delhi Shops & Establishment Act, 1954 and Policy matters.
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All DLCs and In-charges of Electrical Inspectorate and Directorate of Industrial Safety and Health will report directly to Secretary-cum-Commissioner (Labour)

R. Alice Vaz
29/12/2020

(R. ALICE VAZ)

SECRETARY-CUM-COMMISSIONER (LABOUR)

To,
All concerned officers

F.31/LC/Estt./1009/2019/708

Date: 29/12/2020

Copy forwarded for information and necessary action to:-

1. Secretary to Hon'ble Minister of Labour, Govt. of NCT of Delhi.
2. PS to Secretary-cum-Commissioner, Labour Deptt., 5-Sham Nath Marg, GNCT of Delhi.
3. PPS to Special Labour Commissioner, Labour Department.
4. PA to Additional Labour Commissioner, Labour Department.
5. Welfare Commissioner (DLWB), Employment Exchange Building. Kirby Place, Delhi-110010.
6. All the In-charges/District Heads/JLCs/DLCs/All Branches of Labour Department.
7. Director (ISH), Labour Department, GNCT of Delhi.
8. In-charge of Electrical Branch.
9. DCA, Accounts Branch, Labour Department.
10. System Analyst with the request to upload this order on the website of the Department.
11. Guard File.

Anita Rana
29/12/2020

(ANITA RANA)

DY. LABOUR COMMISSIONER (ADMN)/H.O.O

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE COMMISSIONER (LABOUR):
ADMINISTRATION BRANCH
5 SHAM NATH MARG, DELHI – 110054

Email: admn-labour@delhi.gov.in

Ph. No. : 011-23963334

F.31/LC/Estt./1009/2019/1744-1755

Dated: 30/4/2021

ORDER

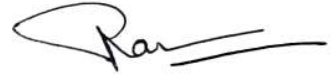
In partial modification of earlier order dated 29.12.2020 regarding work distribution between Special Labour Commissioner and Additional Labour Commissioner, the following work is also assigned to Sh. S.C. Yadav:

***Supervision of JLCs/DLCs of all districts:** All JLCs/DLCs shall report to Sh. S.C. Yadav, Addl. LC with immediate effect.

Further, if any grievance is received regarding any matter in the district (including matters relating to issuance of various licences) Sh. S.C. Yadav shall examine the grievance and pass appropriate orders to resolve the same.

Other contents of the aforesaid order will remain the same.

This is issued with the approval of Commissioner (Labour).



(ANITA RANA)

Dy. Labour Commissioner (Admin.)

To,
All Concerned Officers.

F.31/LC/Estt./1009/2019/1744-1755

Dated: 30/4/2021

Copy forwarded for information and necessary action to:-

1. Secretary to Hon'ble Minister of Labour, Govt. of NCT of Delhi.
2. PS to Secretary-cum-Commissioner, Labour Deptt., Govt. of NCT of Delhi.
3. PPS to Special Labour Commissioner, Labour Deptt.
4. PA to Additional Labour Commissioner, Labour Deptt.
5. Welfare Commissioner (DLWB), Employment Exchange Building, Kirby Place, Delhi-10010.
6. All the incharges/District Heads/JLCs/All Branches of Labour Department.
7. Director (ISH), Labour Department.
8. DCA, Accounts Branch, Labour Department.
9. Incharges of Electrical Branch.
10. System Analyst with the request to upload this order on the website of the Department.
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