

No. LE/DMN/SCLW/183/2017/331
Administration of Daman & Diu,
Department of Labour & Employment,
Daman.

Dated : 25/11/2017

Read : Business Reforms Action Plan , 2017 issued by DIPP, Ministry of
Commerce & Industry, New Delhi.

ORDER

In pursuance of the new guidelines proposed by the DIPP, Ministry of Commerce & Industry, New Delhi, the following Acts have been covered under Online Inspection portal :-

1. The Inspection under the Minimum Wages Act, 1948
2. The Inspection under the Contract Labour (Regulation & Abolition) Act, 1970
3. The Inspection under the Payment of Bonus Act, 1965
4. The Inspection under the Payment of Gratuity Act, 1972
5. The Inspection under the Equal Remuneration Act, 1976
6. The Inspection under the Factories Act, 1948 (For DD & DNH)
7. The Inspection under the Payment of Wages Act, 1936
8. The Inspection under the Payment of Maternity Benefit Act, 1961

(2) Online Inspection will be generated by the Commissioner of Labour.

(3) **Establishment / Factory Selection Criteria: -**

- ❖ A system generated unique ID number is given to each establishment / factory in the data base.
- ❖ The Data base of the establishments / factories for online portal is developed from the following sources.
 - 1) Sources like complaint against an establishment / factory for non-compliance of Labour Laws etc.
 - 2) System generated data base of establishments, who have applied for registration certificate or licence or under self-certification scheme.
 - 3) Factories List as per the database of Factories available with Department of Industries

(4) ONLINE ALLOCATION OF ESTABLISHMENTS/FACTORIES FOR INSPECTION:

(a) Online Allocation of Establishments / Factories for Inspection :

Allocation of Establishments to be inspected by Inspecting officers during the month is carried out on the basis of random allocation by the system on the components of criteria as follows:

- 1) Based on the complaints received from workmen I Union or any notice intimation received at Labour Commissioner Office / Chief Inspector of Factories & Boilers Office, Dy. Labour Commissioner Office and Labour Inspector Office.
- 2) Risk assessment allotment taking into account on the basis of Number of Workmen employed by the establishment / factories i.e.

(a) Low risk establishment/factories employing less than 20 workers will be exempted from inspection with a history of satisfaction compliance of labour law, except in case of complaint received against the establishment for violation of labour laws

(b) Medium risk establishment / factories employing 20 or more but up to 100 workers

(c) High risk establishments employing more than 100 workers

(b) Brief description of low, Medium and High risk Factories/Establishment

(1) Low Risk: Factories except as specified in clause- 2(b)(3) employing up to 20 workers are to be inspected only if there are complaints of noncompliance of various Labour laws, accidents and dangerous occurrences. Establishment employing up to 20 workers are to be inspected only in case of complaints regarding non-compliance of various Labour laws / Labour situation.

(2) Medium Risk: Establishment / Factories except as specified in clause- 2(b)(3) employing more than 20 workers and up to 100 workers.

(3) High Risk: Major Accident Hazard and other chemical factories, factories carrying out dangerous operations of the Factories Act, 1948 and section 2(cb) of the Factories Act, 1948 and all factories/establishments employing 100 or more workers.

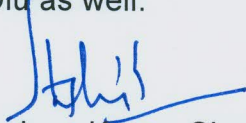
(5) UNSCHEDULED INSPECTION :

In case of Labour situation, complaint under Labour Laws, accident and dangerous occurrence, survey of unregistered factories or any notice/intimation received at the concerned office, officer/inspector shall be sent for inspection/visit immediately by the Labour Commissioner.

(4) EXEMPTION CRITERIA (ESTABLISHMENTS / FACTORIES NOT REQUIRED TO BE INSPECTED):

- 1) Low risk Establishment i.e. Factories mentioned in 2(b)(1) with a history of satisfactory compliance of labour laws.
- 2) Establishments/Factories registered under self-certification scheme will be inspected as per the provisions of the scheme except in case of labour situation / accident.

The detailed procedure and checklist for online joint inspection are as follows and also available on the official website (www.labourdaman.in) of Labour and Employment Department, U.T Administration of Daman & Diu as well.


(Sandeep Kumar Singh)
Collector/ Labour Commissioner
Daman & Diu