

No: Shram(Prastha)11/05

OFFICE ORDER.

The particulars of the organization, functions and duties etc. required to be published as per provisions of Sub-Section (1)(b) of Sec.4 of the Right to Information Act, 2005 are as under:-

(I) Particulars of Labour & Employment Department, its Functions & Duties.

The Department is regulatory in nature and primarily concerned with ensuring the implementation of Labour Acts(26 Central & 2 of the State) and of the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959. The Labour Wing of the department is primarily responsible for implementation /enforcement of Labour Laws and maintaining Industrial Peace. The Factory Wing is looking after the Registration of Factories, welfare & safety of workers working in such Factories. The Employment Wing gives Employment Assistance, primarily to the youth.

The names of the Labour Acts are as under:-

1. Bonded Labour System(Abolition) Act, 1976
2. Contract Labour(Regulation and Abolition)Act, 1970
3. Child Labour(Regulation and Prohibition)Act, 1986
4. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.
5. Cine Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981
6. The Building and other construction workers Cess Act, 1996
7. Employees Provident Fund and Miscellaneous Provisions Act, 1952.
8. Employees State Insurance Act, 1948.
9. Equal Remuneration Act, 1976.
10. Factories Act, 1948.
11. Industrial Dispute Act, 1947.
12. Industrial Employment (Standing Orders) Act, 1946.
13. Interstate Migrant Workman (Regulation of Employment and Conditions of Service) Act, 1979.
14. The Labour Laws (Exemption from furnishing Returns and Maintaining Registers by certain Establishments) Act, 1988.
15. Maternity benefit Act, 1961.
16. Minimum Wages Act 1948
17. Motor Transport Workers Act, 1961.
18. Payment of Bonus Act 1965,
19. Payment of Gratuity Act, 1972.
20. Payment of Wages Act 1936,
21. Plantation Labour Act, 1951.
22. Sales Promotion Employees (Conditions of Service) Act, 1976.
23. Trade Unions Act, 1926.

24. Working Journalists and other Newspapers Employees (Condition of Service and Miscellaneous provisions) Act, 1955
25. Workman Compensation Act, 1923.
26. Boilers Act,1923

STATE ACTS

1. Himachal Pradesh Shops & Commercial Establishments Act,1969
2. H.P.Industrial Establishments (National & Festivals Holidays, Casual & Sick leave) Act,1969

(II) Powers and duties of Officers and Employees:

Labour Commissioner- cum Director of Employment is also the Chief Inspector of Factories, Registrar of Trade Unions, Chief Inspector of Shops and Conciliation Officer under Industrial Disputes Act, 1947.

The Directorate monitors the working of the field offices .Registration of Factories is done under the Factories Act,1948 and disputes are referred to the two Labour Courts -cum-Industrial Tribunals in H.P. at Shimla and Dharamshala under the Industrial Disputes Act,1947, Registration of Trade Unions is done under the Trade Union Act,1926 Registration of Motor Transport is done under Motor Transport Act Prosecution sanctions are given to the field functionaries to launch prosecution against the defaulters under various Labour Laws.

Employment Assistance is provided to Physically Handicapped and sponsoring of skilled registrants to private sector, inspection of sub-ordinate offices and Establishments in Private and Public Sector.

POWER & DUTIES:

Labour Commissioner:

Labour Commissioner is functioning as Chief Inspector of Factories, Shops and Commercial Establishments Act, 1969 .The Labour Commissioner is also functioning as Conciliation Officer under the Industrial Disputes Act, 1947 and Registrar Trade Unions under the Trade Unions under the Trade Unions Act, 1926. The Labour Commissioner also functions as Inspector under the various Labour laws. The Certifying Officer under Industrial Employees (Standing Order) Act.

Joint Labour Commissioner:

The Joint Labour Commissioner is functioning as Additional Chief Inspector of Factories under the Factories Act,1948.The Certifying Officer under Industrial Employees(Standing Orders)Act, Appellate Authority under the Payment of Gratuity Act and also functioning as Inspector under various Labour laws and also functioning as conciliation officer under the Industrial Disputes Act,1947 for whole H.P.

Deputy Labour Commissioner:

The Deputy Labour Commissioner is functioning as Deputy Chief Inspector of Factories under the Factories Act, 1948, Appellate Authority under the Contract Labour Act(R&A)Act,1970, Registering Officer under the Motor Transport Worker Act,1961 and also functioning as Inspector under the various Labour laws and also functioning as conciliation officer under the Industrial Disputes Act,1947 for whole H.P.

Labour Officers & Labour Inspectors:

Labour Officers and Labour Inspectors are also Conciliation Officers for Industrial Disputes .Labour Officers act as controlling authority to decide claims of gratuity under Payment of Wages Act,1970.Registration Officers and licensing officer under Contract -Labour Act(R&A)Act,1970 and Inter State Migrant Workmen(RECS)Act .Where there are more than 200 workers and Labour Officer is not posted in the District, there District Employment Officers discharge the duty of Conciliation Officer to try and resolve Industrial Dispute arising between management and workers. They also carry out Inspection of Public and Private Sector Units. Labour Officers and Labour Inspectors ensure implementation of Labour Acts including the shops registration, implementation of Minimum Wages and forwarding of cases regarding violation of provision of payment of wages ,Gratuity, Bonus to Directorate for obtaining prosecution sanctions.

Assistant Director of Factories:

Assistant Director of Factories looks after Registration of Factories and Safety & welfare of workers working therein.

EMPLOYMENT SECTION

At the Directorate Labour Commissioner-cum-Director of Employment is assisted by Deputy Director Employment and by Employment Market Information Officer, State Vocational Guidance Officer, Officer in Charge (Placement), (Special Employment Exchange for Physically Handicapped) and Employment Officer (Central Employment Cell).

Regional Employment Officers and District Employment Officers give Vocational Guidance, Career Counseling and Employment Assistance for jobs in Private Sector and Govt. Sector as well as for self employment, to such persons who are residing in their territorial jurisdiction. They also inspect subordinate Employment Exchanges. Private and Public sector establishments in their districts are also inspected by them and Employment Officers, Superintendent Grade-II and Statistical Assistants. In charges of Sub Office Employment Exchanges are also carrying out these functions except that of inspection. The two UEIGBs at

HPU Shimla and Chaudhery Sarwan Kumar Himachal Pradesh Agriculture University Palampur are giving vocational guidance mainly to the respective University students.

(III) Procedure followed in decision making process including channels of supervision and accountability:

All offices are working independently but under administrative control of next higher office. They can also be inspected by superior departmental officers .The office of Assistant Director of Factories Una , all University Employment Information Guidance Bureaus , Regional Employment Exchanges, District Employment Exchanges and office of Labour Officers are audited by A.G.Office from time to time.

(IV) The norms set by discharge of its function:

Registration and renewal of registration in Employment Exchange is done on the same day and sponsoring of registrants is also done within scheduled time (Generally four weeks).

(V) The rules, regulations, instructions, manuals and records held by it or under its control:

Being a regulatory department it ensures the implementation of the Acts (and Rules) as mentioned at Sr. No. I hereinabove as also all Rules and instructions of Himachal Pradesh Govt. applicable on the Departments.

(VI) Statement of the categories of the documents:

A statement of the categories of the documents that are held by it or under its control. Files related to ensuring the implementation the Acts & Rules mentioned against Sr.No.(V)hereinabove. Also files related to Budget, Plan, and Annual Administrative Report etc.

(VII) The particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or administration thereof;

- a) State Committee on Employment notified on 30.1.2006 comprising of Hon'ble Employment Minister as Chairman, 16 Members and Director of Employment as Member Secretary includes representatives of Employers workers as well as public representatives.
- b) District Committee on Employment notified on 30.1.2006 comprising of respective DCs as Chairman,10 members and respective REOs/DEOs as Member Secretary including representatives of employers, workers and public representatives.
- c) Minimum Wages Advisory Board constituted on 1.9.2003 comprising of Chairman, 37 members and member Secretary and constituted a committee on 30.1.2004 comprising of Chairman, 11 members and member Secretary.

Himachal Pradesh

Directorate of Labour & Employment.

- d) Expert Committee under Building and Construction Act constituted on 24 Sep,2003 comprising of Chairman,9 members and member secretary
- e) Regional Board for H.P. Region under ESI Act,1948 which consist of a Chairman,Vice-Chairman,3 members, Ex-Officio member,2 Employees Representative,6 Employers Additional Representative and member Secretary.
- f) Regional Committee for State of H.P. under Employee Provident Fund Scheme, 1952 which consists of Chairman. 2 official members, 5 members of employers representative, 5 members of Employees representatives
- g) Three local committees under Regional Board constituted under ESI(Gen)Regulation,1950 consisting following members: Chairman, Member ,Labour Inspector, Medical Officer, Incharge 4 members of Factory & Branch Manager, ESI Corporation.
- h) State level Tripartite Committee which consist of Chaiman, Vice-Chairman, 14 members and Member Secretary.
- i) State Advisory Contract Labour Board consisting Chairman,7 members, Member Secretary.
- j) State Labour Welfare Board consisting Chairman (Chief Minister)112 Members and Member Secretary.
- (VIII)** A statement of the board, councils committees and other bodies consisting of two or more persons constituted as its part of or for the purpose of its advice, and as to whether meetings of those boards ,councils ,committees and other bodies are open to the public or the minutes of such meetings are accessible for public.

As mentioned against item no (vii) hereinabove meetings are not open to public as such However, due care has been taken to involve all the stake holders.

(IX) A Directory of Officers and Employees:

| | Name of the PIO/APIO | Designation | Office Telephone Nos. |
|----|-----------------------|--|-----------------------|
| 1. | Sh.Kashmir Chand, IAS | Labour Commissioner-cum-Director of Employment, H.P . Appellate Authority. | 0177-2025085 |
| 2 | Sh.S.C.Awasthi | Joint Labour Commissioner, Directorate | 0177-2624157 |
| 3. | Sh.R.K.Sandhu | Deputy Labour Commissioner, Directorate. | 0177-2624305 |
| 4 | Sh.Manoj Tomar | Deputy Director Employment, Directorate | 0177-2624305 |
| 5 | Smt.Nirmala Sharma | District Employment Officer, Shimla | 0177-2658174 |
| 6 | Mr.K.K.Sharma | District Employment Officer, Mandi | 01905-235508 |

Himachal Pradesh

Directorate of Labour & Employment.

| | | | |
|-----|--------------------------|--|--------------|
| 7 | Sh.Joginder Singh Patial | District Employment Officer, Kangra | 01892-224892 |
| 8. | Mr.D.K.Manta. | District Employment Officer, Solan | 01792-223746 |
| 9 | Sh.R.S.Rawat | Officiating District Employment Officer, Sirmour | 01702-222274 |
| 10. | Ms.Vandna Vaidya | District Employment Officer, Bilaspur | 01978-222450 |
| 11. | Sh.Prem Singh | District Employment Officer, Kullu | 01902-222522 |
| 12 | Sh.R.C.Katoch | District Employment Officer, Una | 01975-226063 |
| 13. | Sh.Y.R.Dhiman | District Employment Officer, Hamirpur | 01972-222318 |
| 14. | Km.Shakuntla Sharma | Officiating District Employment Officer, Chamba | 01899-222209 |
| 15. | - | CDPO L&S(Holding the Charge of District Employment Exchange, Keylong | 01900-222252 |
| 16. | -- | GM,DIC Holding the Charge of District Employment Exchange Rekong-Peo | 01786-222291 |
| 17 | Sh.R.P.Rana | Labour Officer, Shimla | 0177-2624706 |
| 18 | Sh.R.S.Siphayia | Labour Officer, Rampur | 01782-234286 |
| 19 | Sh.J.S.Negi | Labour Officer, Dharamshala | 01892-223745 |
| 20. | Sh.T.R.Azad | Labour Office, Solan | 01792-235542 |
| 21. | Sh.S.K.Kaushal | Labour Office, Mandi | 01905-225329 |

- (X) The monthly remuneration received by each of its officers and employees including the system of compensation as provided in its regulations.

| Post | Pay Scale |
|--|-------------|
| Labour Commissioner-cum-Director of Employment, IAS. | 15100-18300 |
| Assistant Director of Factories | 12000-16350 |
| Joint Labour Commissioner | 10025-15100 |
| Deputy Labour Commissioner | 7880-11660 |
| Deputy Director of Employment | 7880-11660 |
| District Employment Officers | 7880-11660 |
| Regional Employment Officers | 7220-11660 |
| Superintendent Grade-I | 7220-11660 |
| Labour Officers | 7000-10980 |
| Employment Officers | 7000-10980 |
| Legal Assistant | 6400-10640 |

| | |
|---------------------------|--|
| Superintendent Grade-II | 6400-10640 |
| Personal Assistant | 6400-10640 |
| Senior Scale Stenographer | 5800-9200 |
| Statistical Assistant | 5800-9200 |
| Senior Assistant | 5800-9200 |
| Labour Inspectors | 5480-8925 |
| Computer Operator | 5000-8100 |
| Junior Assistant | 4400-7000 |
| Junior Scale Steno | 4400-7000 |
| Driver | 3330-6200 plus 300 spl.pay. |
| Steno-typist | 3330-6200 |
| Clerk | 3120-5160 with initial start of 3220/- |
| Daftri | 2720-4260 |
| Class-IV | 2520-4140 (Initial 2620/-) |
| Frash | 2520-4140 (Initial 2620/-) |

(XI) The budget allocated to each of its agency, indicating the particulars of all plans ,proposed expenditures and reports on disbursement s made;

Standard Object of Expenditure wise budget is allocated to each Drawing and Disbursing Officer and expenditure is regularly monitored.

(XII) the manner of execution of subsidy programmes, including the amount allocated and the details beneficiaries of such programmes;

Not Applicable.

(XII) particulars of recipients of concessions, permits or authorization granted by it;

Not Applicable.

(XIII) details in respect of the information available to or held by it, reduced in an electronic form;

Registration record of Regional Employment Exchange Shimla, Registration record of Central Employment Cell at Directorate , Salary disbursement at Directorate.

(XIV) The particulars of facilities available to citizens for obtaining information, including the working of a library or reading room, if maintained, for public use.;

The offices of the department are open to citizens for obtaining information on all working days , especially on all working Mondays when officers are available for meeting the citizens.

(XV) the names ,designations and other particulars of the Public Information Officers;

Name of Department: Labour & Employment, Himachal Pradesh

Detail of PIO, APIO & Appellate Authority

| A | Name of the PIO | Designation | Complete Office Address | Office Telephone Nos. | E-Mail Address | Jurisdiction/Units under his control for which he will be rendering information to applicants. |
|-----------|--|---|--|-----------------------|---|--|
| 1 | Sh.S.C.Awasthi. (for Labour Wing) | Joint Labour Commissioner | Directorate of Labour & Employment. New Himrus Building,H.P.Shimla-1 | 2624157 | i)lep-hp@nic.in ii) lande-hp@nic.in iii)lande@sancharnet.in | Whole of H.P. for Labour Wing. |
| 2 | Sh.Manoj Tomar. (For Employment Wing) | Deputy Director Employment | -D0- | 2624305 | -Do- | Whole of H.P. for Employment Wing. |
| B. | Name of the APIO | | | | | |
| 1 | Smt.Nirmal Sharma. | District Employment Officer | Regional Employment Exchange ,The Mall Shimla-171001 | 2658174 | NA | For Employment Wing in the District. |
| 2. | Ms.Vandna Vaidya | District Employment Officer | District Employment Exchange ,Bilaspur. | 235508 | N.A. | -Do- |
| 3 | Sh.Joginder Singh Patial | District Employment Officer | Regional Employment Exchange, Dharamsala. | 224892 | N.A. | -Do- |
| 4. | Sh.D.K.Manta. | District Employment Officer | District Employment Exchange,Solan | 223746 | N.A. | -Do- |
| 5 | Sh.R.S.Rawat | Officiating District Employment Officer | District Employment Exchange Nahan | 222274 | N.A. | -Do- |
| 6. | Sh.Krishan Kumar Sharma | District Employment Officer | Regional Employment Exchange Mandi. | 222450 | N.A. | -Do- |
| 7. | Sh.Prem Singh | District Employment Officer | District Employment Exchange Kullu. | 222522 | N.A. | -Do- |
| 8. | Sh.R.C.Katoch | District Employment Officer | District Employment Exchange, Una | 226063 | N.A. | -Do- |
| 9. | Sh.Y.R.Dhiman | District Employment Officer | District Employment Exchange, Hamirpur | 222318 | N.A. | -Do- |
| 10. | Km.Shakuntla Sharma | Officiating District Employment Officer | District Employment Exchange, Chamba. | 222209 | N.A. | -Do- |
| 11. | - | CDPO L&S(Holding the Charge of District Employment Exchange, Keylong. | District Employment Exchange, L&S | 222252 | N.A. | -Do- |
| 12. | -- | GM,DIC Holding the Charge of District Employment Exchange. | District Employment Exchange, Kinnaur | 222291 | N.A. | -Do- |

| | | | | | | |
|-----------|--|--|--|----------|---|---|
| 13 | Sh.R.P.Rana | Labour Officer | Labour Office, Himrus Bhawan,H.P.Shimla-1 | 2624706` | N.A. | APIO for Labour Wing in the Zone comprising of District Shimla (except Rampur Sub Division). |
| 14 | Sh.R.S.Siphayia | Labour Officer | Labour Office, Rampur | 223745 | N.A. | APIO for Labour Wing in the Zone comprising of District Sirmour, Solan(except |
| 15 | Sh.J.S.Negi | Labour Officer | Labour Office, Dharamshala. | 234286 | N.A. | APIO for Labour Wing in the Zone comprising of District Rampur,Spiti Sub Division and Rampur SubDivision. |
| 16. | Sh.T.R.Azad | Labour Officer | Labour Office, Solan | 235542 | N.A. | APIO for Labour Wing in the Zone comprising of District Mandi, Kullu, Sub Division Lahul, Udaipur, District Bilaspur. |
| 17. | Sh.S.K.Kaushal | Labour Officer | Labour Office, Mandi | 225329 | N.A. | APIO for Labour Wing in the Zone comprising of District Kangra, Hamirpur, Chamba. |
| C: | Name of the Appellate Authority | | | | | |
| 1) | Sh.Kashmir Chand, IAS | Labour Commissioner-cum-Director of Employment, H.P | New Himrus Bhawan, Shimla | 2625085 | i)lep-hp@nic.in ii) lande-hp@nic.in iii)lande@sancharnet.in | Whole of H.P. |

- (XVI) such other information may be prescribed;
and thereafter update those publications every year.

Annual Administration Report is issued every Financial Year.

Labour Commissioner-cum-
Director of Employment, H.P.
2006.

Endst.No:Shram(Prastha)11/05 Dated Shimla

Copy forwarded to the following for information and necessary action:

1. The Secretary (Labour & Employment) to the Govt. of H.P.Shimla-2
2. The Pr. Secretary (AR) to the Government of H.P.Shimla-2.
3. All the Head of Departments in Himachal Pradesh.
4. All the concerned officers in the Labour & Employment Department, H.P.
5. All Officers in the Directorate of Labour & Employment, H.P.
6. All the Deputy Commissioners in H.P.
7. The Director, Information and Public Relation, Himachal Pradesh.
8. The Controller, H.P. Govt. Printing Press, Shimla-5 for publication in official Gazette.
9. Notice Board.

Labour Commissioner-cum-
Director of Employment, H.P.