

UT Administration of Dadra & Nagar Haveli and Daman & Diu
Department of Labour & Employment
Daman

No. LE/DMN/BRAP-204/2020/346

Date : 6-10-2020

Read : Business Reforms Action Plan , 2020 (Point No. 204) issued by
Department for Promotion of and Internal Trade, Ministry of Commerce
& Industry, New Delhi.

ORDER

In pursuance of the new guidelines proposed by the Department for Promotion of Industry and Internal Trade & Industry, New Delhi, the following Acts have been covered under Online Inspection portal: -

- a) The Inspection under the Equal Remuneration Act, 1976
- b) The Inspection under the Minimum Wages Act, 1948
- c) The Inspection under the Goa, Daman & Diu Shops and Establishment Act, 1973
- d) The Inspection under the Payment of Bonus Act, 1965
- e) The Inspection under the Payment of Wages Act, 1936
- f) The Inspection under the Payment of Gratuity Act, 1972
- g) The Inspection under the Contract Labour (Regulation & Abolition) Act, 1970
- h) The Inspection under the Factories Act, 1948 (For DD & DNH)
- i) The Inspection under the Boilers Act, 1923

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.
 - (i) Low risk establishment/factories employing less than 50 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
 - (ii) Medium risk establishment / factories employing 50 or more but up to 150 workers
 - (iii) High risk establishments employing more than 150 workers

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

- (1) Low Risk: Factories except as specified in clause- 4 (b) (3) employing up to 50 workers are to be inspected only if there are complaints of noncompliance of various Labour laws, accidents and dangerous occurrences. Establishment employing up to 50 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 4 (b) (3) employing more than 50 workers and up to 150 workers. Inspection may be carried out once in 5 years.
- (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 150 or more workers. Inspection may be carried out once in 3 years.

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.

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

- 1) Low risk Establishment i.e Factories mentioned in 4(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.labourddd.in of Labour and Employment Department, U.T Administration of Dadra & Nagar and Daman & Diu as well.



(Danish Ashraf, IAS)
Secretary (Labour)
DNH & DD

To,
All the Labour Inspectors / LEO,
DNH & DD.

Copy to :-

1. The Addl. Commissioner (Labour), DNH / Daman / Diu
2. The Chief Inspector of Factories & Boilers, DNH & DD
3. The Deputy Commissioner (Labour), DNH / Daman / Diu