

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

No. LE/DMN/BRAP-206/2020/345

Date : 6 -10-2020

Read : Business Reforms Action Plan , 2020 (Reform No. 206) issued by
Department for Promotion of Industry and Internal Trade & Industry,
New Delhi,


ORDER

In pursuance of the reforms proposed by the Department for Promotion of Industry and Internal Trade & Industry, New Delhi, it is hereby mandated that the inspection (except in case of complaint based inspections) shall be limited to the checklist by the Central Inspection Framework under the following Acts:-

1. The Equal Remuneration Act, 1976
2. The Minimum Wages Act, 1948
3. The GDD Shops and Establishments Act, 1973
4. The Payment of Bonus Act, 1965
5. The Payment of Wages Act, 1936
6. The Payment of Gratuity Act, 1972
7. The Contract Labour (Regulation and Abolition) Act, 1970
8. The Factories Act, 1948
9. The Boilers Act, 1923
10. The Maternity Benefit Act, 1961
11. The Water (Prevention and Control of Pollution) Act, 1974
12. The Air (Prevention and Control of Pollution) Act, 1981
13. The Environment (Protection) Act, 1986
14. The Labour Welfare Fund Act (Not applicable)

It is also mandated as under: -

1. Inspection Report to be submitted within 48 hours of inspection to CIS
2. The same Inspector will not inspect the same establishment twice consecutively
3. Allow users to view and download submitted inspection reports of at least past three years


(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

CHECK LIST FOR INSPECTION PROCEDURE UNDER FOLLOWING LAWS:

1. Equal Remuneration Act, 1976
2. Maternity benefit Act, 1961
3. Minimum Wages Act, 1948
4. Goa, Daman & Diu Shop & Establishment Act, 1973
5. Payment of Bonus Act, 1965
6. Payment of Wages Act, 1936
7. Gratuity Payment Act, 1972
8. Contract Labor (Regulation and Abolition) Act, 1971 (For employer)
9. Contract Labor (Regulation and Abolition) Act, 1970 (For contractors)

Name of the Act	Equal Remuneration Act, 1976		
Objectives	An Act to provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination, on the ground of sex, against women in the matter of employment and for matters connected therewith or incidental thereto.		
Effectiveness	This Act will come into effect for such institute and Employment which has been notified by issuing Notification from time to time by the Central Government.		
1. General Information			
(a)	Name of the institute		
(b)	Address of the institute		
(c)	Name and address of the Employer/ owner/Partner/Director of the institute		
(d)	E-mail id and telephone number of the institute		
(e)	Employed Labourer : Male....., Female , children		
2. Responsibilities of the Employer and points to be observed in the Inspection			
1. Following Registers and Records are being maintained :-			
(a)	Are male and female labourers are being paid equal wages for equal work ?	Yes	No
(b)	Is discrimination made on the basis of sex ?	Yes	No
(C)	Is Register maintained ?	Yes	No

Name of the Act	Maternity benefit Act, 1961	
Objectives	An Act to regulate the employment of women in certain establishments for certain period before and after child-birth and to provide for maternity benefit and certain other benefits.	
Effectiveness	<p>To every establishment being a factory mine or plantation including any such establishment belonging to Government and to every establishment wherein persons are employed for the exhibition of equestrian acrobatic and other performances.</p> <p>To every shop or establishment within the meaning of any law for the time being in force in relation to shops and establishments in a State, in which ten or more persons are employed or were employed on any day of the preceding twelve months.</p>	
1. General Information		
(a)	Name of the institute	
(b)	Address of the institute	
(c)	Name and address of the Employer/ owner/Partner/Director of the institute	
(d)	E-mail id and telephone number of the institute	
(e)	Employed Labourer : Male....., Female , children	
2. Responsibilities of the Employer and points to be observed in the Inspection		
1.	Number of female labourers eligible for maternity benefit during last 03 years	
2.	Whether work has been taken from female labourers in the period of 06 weeks prior to the delivery or 06 weeks prior to the expected delivery ?	Yes / No
3.	Whether eligible female labourers have been paid maternity benefit ?	Yes / No
4.	Is Muster Roll maintained ?	Yes / No
5.	Whether the summary of the Act been displayed ?	Yes / No
6.	Whether single Integrated Return have been submitted ?	Yes / No

Name of the Act	Minimum Wages Act, 1948		
Objectives	An Act to provide for fixing minimum rates of wages in certain employments WHEREAS it is expedient to provide for fixing minimum rates of wages in certain employments.		
Effectiveness	This Act is effective for scheduled employments declared by the U.T. of Daman & Diu and DNH. Minimum rates of wages are declared by this Administration including 72 scheduled employments (Part I & II) under this Act by this U.T.		
1. General Information			
(a)	Name of the institute		
(b)	Address of the institute		
(c)	Name and address of the Employer/ owner/Partner/Director of the institute		
(d)	E-mail id and telephone number of the institute		
(e)	Employed Labourer : Male....., Female, children		
2. Responsibilities of the Employer and points to be observed in the Inspection			
1.	Whether labourers are being paid at the minimum rates of wages fixed by the U.T. of Daman & Diu and DNH Government?	Yes	No
2.	Whether wages are being paid on stipulated time ?	Yes	No
3.	Whether weekly holiday is being given ?	Yes	No
4.	Whether payments are being made at over-time rate as per the rules for work done for extra time ?	Yes	No
5. Whether Registers / Records are being maintained : -			
(a)	Attendance Register	Yes	No
(b)	Pay acquaintance Register	Yes	No
(c)	Overtime Register	Yes	No
(d)	Penalty Register	Yes	No
(e)	Deduction Register	Yes	No
6. Whether Registers are being kept at Work Place ?			
7.	Whether following notices have been displayed : -	Yes	No
(a)	Display of minimum wages rates	Yes	No
(b)	Name and address of the concerned Inspector	Yes	No
(c)	Weekly holidays	Yes	No
(d)	Duration of labourers work	Yes	No
(e)	Display of main provisions of Acts and Rules	Yes	No
(f)	Date and Notice of Payment of wages	Yes	No
8.	Whether salary slips are being issued to the labourers ?	Yes	No
9.	Integrated single Return has been submitted in the prescribed time	Yes	No

Name of the Act	Goa, Daman & Diu Shop & Establishment Act, 1973
Objectives	To provide for the regulation of conditions of work and employment in shops, commercial establishments, restaurants, theatres and other establishments and for matters connected therewith.
Effectiveness	This Act is applicable for shops and commercial institutes, wherein office,

godown, hotel and restaurant, recreation Places, cinema halls, guest houses and religious institutes are included. This Act is also applicable for all those workshops and small Industries in which provisions of Factory Act, 1948 are not applicable.

1. General Information

(a)	Name of the Institute	
(b)	Address of the Institute	
(c)	Name and address of the Employer/owner/Partner/Director of the Institute	
(d)	E-mail id and telephone number of the Institution	
(e)	Employed Labourer : Male....., Female, children	

2. Responsibility of the Employer and main points to be inspected

1.	Shops / institute are registered ? If yes, the registration No.	Yes / No
2.	Is Registration Number renewed for the current year ?	Yes / No
3.	Is the visitors Book submitted in the work place at the time of inspection ?	Yes / No
4.	Is the shop/ Institute got open during the weekly holidays ?	Yes / No/ Not applicable
5.	Is the shop/Institute got open after/before prescribed time ?	Yes / No/ Not applicable
6.	Whether the following proforma displayed in the Institute ?	
	(a) Registration Certificate	Yes / No
	(b) Notice for Closed Days of the Institute	Yes / No
	(c) Notice of hours of work for employed persons	Yes / No
	(d) Notice for weekly holiday for employed persons	Yes / No
7.	Pay on vacation Register is kept ?	Yes / No

Name of the Act	Payment of Bonus Act, 1965	
Objectives	An Act to provide for the payment of bonus to persons employees in certain establishments on the basis of profits or on the basis of production or productivity and for matters connected therewith.	
Effectiveness	This Act is applicable in every Factory and every other establishment in which twenty or more persons are employed on any day during an accounting year.	
1. General Information		
(a)	Name of the Institute	
(b)	Address of the Institute	
(c)	Name and address of the Employer/owner/Partner/Director of the Institute	
(d)	E-mail id and telephone number of the Institution	
(e)	Employed Labourer : Male....., Female , children	
2. Responsibility of the Employer and main points to be inspected		
1.	Establishment year of the Institute /Factory	
2.	Year of Regular Production in the Institute / Factory	
3.	Accounting year of the Institute / Factory	
4.	Date of Payment of Bonus amount	
5.	Amount of profit in the accounting year as per balance sheet of the Institute / Factory	
6.	Marked the received surplus amount ?	
7.	If yes, the above marked amount is correct ?	Yes / No
8.	Percentage of payment of Bonus amount	Yes / No
9.	Whether the Payment of ex-gratia amount is made ?	
10.	Total number of labourers to whom the bonus is paid	Yes / No
11.	Total number of labourers to whom the bonus is not paid	
12.	The following Registers have been placed :-	
	(a) Allocable Surplus calculation Register	Yes / No
	(b) Register showing set-on and setoff of Allocable Surplus	Yes / No
	(c) Payment of Bonus Register	Yes / No
13.	Whether the Institute has submitted the integrated single Report ?	Yes / No

Name of the Act	Payment of Wages Act, 1936		
Objectives	An Act to regulate the payment of wages of certain classes of employee persons. WHEREAS it is expedient to regulate the payment of wages to certain classes of employed persons.		
Effectiveness	It applies in the first instance to the payment of wages to persons employed in any factory to persons employed otherwise than in a factory upon any railway by a railway administration or either directly or through a sub-contractor, by a person fulfilling a contract with a railway administration and to persons employed in an industrial or other establishment specified in sub-clauses (a) to (g) of Clause (ii) of Section 2.		
1. General Information			
(a)	Name of the Institute		
(b)	Address of the Institute		
(c)	Name and address of the Employer/ owner/Partner/Director of the Institute		
(d)	E-mail id and telephone number of the Institute		
(e)	Employed Labourer : Male....., Female, children		
2. Responsibility of the Employer and main points to be inspected			
1. The following Registers and records have been supplied : -			
(a)	Attendance Register	Yes	No
(b)	Pay acquaintance Register	Yes	No
(c)	Advance Register	Yes	No
(d)	Deduction Register	Yes	No
(e)	Penalty Register	Yes	No
The following Notices have been displayed			
(a)	Display of Wages Rate	Yes	No
(b)	Display of Day of wages Payment	Yes	No
(c)	Display of Summary forms of Acts and Rules	Yes	No
3.	Whether the employed labourers/staffs have been paid payment /wages till the prescribed date ?	Yes	No
4.	Whether any unauthorized deduction have been made in respect of any labourer/staff ?	Yes	No
5.	The integrated single returns have been submitted in the prescribed time ?	Yes	No

Name of the Act	Gratuity Payment Act, 1972
Objectives	An Act to provide for a scheme for the payment of gratuity to employees engaged in factories, mines, oilfields, plantations, Ports, railway companies, shops or other establishments and for matters connected therewith or incidental thereto.
Effectiveness	Every factory, mine, oilfield, plantation, port and railway company. Every Shop or establishment within the meaning of any law for the time being in force in relation to shops and establishments in a State. In which ten or more persons are employed or were employed on any day of the preceding twelve months. Such other establishments or class of establishments in which ten or more employees are employed or were employed on any day of the preceding twelve months as the Central Government may by notification specify in this behalf.

1. General Information

(a)	Name of the institute	
(b)	Address of the institute	
(c)	Name and address of the Employer/ owner/Partner/Director of the institute	
(d)	E-mail id and telephone number of the institute	
(e)	Employed Labourer : Male....., Female , children	

2. Responsibilities of the Employer and points to be observed in the Inspection

1. Following Registers and Records are being maintained :-

(a)	Whether information was given to the Information Controller officer ?	Yes / No
(b)	Whether notice was displayed in the name of the Authorized person ?	Yes / No
(c)	Whether the summary of the Act and Rules been displayed ?	Yes / No
(d)	Whether the nomination forms have been filled by the employed persons and collected from them ?	Yes / No
(e)	Whether the gratuity has been paid to any employee ?	Yes / No
(f)	If yes, whether the payment has been made as per rules ?	Yes / No

Name of the Act	Contract Labor (Regulation and Abolition) Act, 1971 (For employer)
Objectives	An Act to regulate the employment of contract labour in certain establishments and to provide for its abolition in certain circumstances and for matters connected therewith.
Effectiveness	To every establishment in which twenty or more workmen are employed or were employed on any day of the preceding twelve months as contract labour.

1. General Information

(a)	Name and address of the institute of the Chief employer	
(b)	Name of the institute of the contractor	
(c)	Address of the institute of the contractor	
(d)	Name and address of the Employer/ owner/Partner/Director of the Institution	
(e)	E-mail id and telephone number of the institute	
(f)	Employed contract laborer : Male....., Female, children	

2. Responsibilities of the Employer and points to be observed in the Inspection

1. Following Registers and Records are being maintained :-

1.	Number of Contractor working in the institute	Yes / No
2.	Number of laboures employed on contract in the institute	Yes / No
3.	Whether the registration under the act has been done by the institute ? If yes, the registration number.....	Yes / No
4.	Whether the register of the contractors has been kept in the institute ?	Yes / No

Whether the following notices have been displayed :-

1.	Pay rate	Yes / No
2.	Working hours	Yes / No
3.	Pay duration	Yes / No
4.	Date of giving pay	Yes / No
5.	Date of giving Overtime Pay	Yes / No
6.	Name and address of the Inspector	Yes / No
7.	Whether the laboures of the contractor are paid before the authorized representative of the chief employer ?	Yes / No
8.	Whether the institute has submitted the integrated single return?	Yes / No

Name of the Act	Contract Labor (Regulation and Abolition) Act, 1970 (For contractors)	
Objectives	An Act to regulate the employment of contract labour in certain establishments and to provide for its abolition in certain circumstances and for matters connected therewith.	
Effectiveness	To every contractor who employs or who employed on any day of the preceding twelve months twenty or more workmen.	
1. General Information		
(a)	Name and address of the institute of the Chief employer	
(b)	Name of the institute of the contractor	
(c)	Address of the institute of the contractor	
(d)	Name and address of the Employer/ owner/Partner/Director of the institute	
(e)	E-mail id and telephone number of the institute	
(f)	Employed contract laborer : Male....., Female , children	
2. Responsibilities of the Employer and points to be observed in the Inspection		
1. Following Registers and Records are being maintained :-		
1.	Number of laborers working in the employment of the Contractor	Yes / No
2.	Whether license is necessary to be obtained by the contractor ?	Yes / No
3.	If yes, whether license has been obtained ?	Yes / No
4.	License Number.....	Yes / No
5.	Registration Number of the institute of the Chief employer	Yes / No
6.	Whether the register of the contractors has been kept in the institution ?	Yes / No
7.	Whether the following notices have been displayed :-	
	(a) Pay rate	Yes / No
	(b)Working hours	Yes / No
	(c)Pay duration	Yes / No
	(d)Date of giving pay	Yes / No
	(e) Name and address of the Inspector	Yes / No
	(f) Date of giving Overtime Pay	Yes / No
11	Whether the contractor has submitted the integrated return ?	Yes / No
12	Whether the concerned record of payment to the laboures been verified by the representative by the contractor of the chief employer ?	Yes / No