

Achievement of Labour Department:-

The Labour department is charged with the responsibility of enforcement of 21 Central Labour Laws and 03 state enactments for regulating the working conditions of workers and their welfare in public/private organized sector. The department is headed by the Labour Commissioner with Deputy Labour Commissioners functioning as divisional heads. The department has its offices at Delhi and Chandigarh as well. These offices look after welfare of labourers of J&K who go to these places for work. These are functioning under the control of Deputy Labour Commissioners and Assistant Labour Commissioners respectively.

Through Implementation/Enforcement of Labour laws following physical and financial achievements have been made by the department during the period 2009-10 to 07/2017.

A) Non-Revenue Acts:-

Employee's Compensation Act, 1923

The Act provides for payment of compensation to workers in case of his/her accidental injury or to dependents in case of death while in employment. Assistant Labour Commissioner concerned is notified as commissioner under this Act. The employer deposits the amount in the court. Achievements made under this Act are given as under:-

Year	Pending at the beginning	Cases received	Cases settled	Cases Pending	Compensation got paid (Rs. In lacs)
2009-10	835	253	255	833	437.323
2010-11	833	278	289	822	532.049
2011-12	822	241	237	826	658.19
2012-13	826	250	222	854	718.908
2013-14	854	223	400	677	727.764
2014-15	677	276	477	476	1166.36
2015-16	476	312	788	453	1094.05
2016-17	453	330	239	544	1013.347
2017-18(07/2017)	544	181	115	610	372.224

Payment of Wages Act, 1936

The Act provides relief for a workman who is not paid wages in time or is paid less by the employer than that fixed under contract. He can lodge a claim before the authority under the Act (ALC) and get his grievances redressed. Achievements made under this Act are given as under:-

Year	Pending at the beg	Cases received	Cases settled	Cases pending	Compensation got paid (Rs. in lacs)	Inspections conducted	Prosecutions launched	Prosecutions settled	Fine imposed
2009-10	397	175	154	418	54.169	1349	277	226	2.453
2010-11	418	179	185	412	34.794	972	80	220	2.229
2011-12	412	182	170	424	100.99	1481	138	122	1.405
2012-13	424	251	227	448	72.462	2391	225	138	1.22
2013-14	448	306	326	428	52.858	3012	372	385	4.241
2014-15	428	302	439	291	39.315	2819	342	309	4.65
2015-16	291	396	335	352	74.251	3687	393	310	4.10
2016-17	352	336	197	491	56.4223	2752	284	270	3.994
2017-18(07/2017)	491	119	165	445	28.364	759	161	156	1.647

Industrial Disputes Act-1947:-

The Act provides for machinery and procedure for investigation and settlement of Industrial Disputes. Any worker who has a grievance with his employment, condition of his employment or who has been terminated from service can apply to ALC concerned who is the conciliation officer under the Act. The conciliation officer can settle the case at his level and in case of failure he can refer the case to the Labour Court/ Industrial Tribunal through failure report to the Govt. Achievements made under this Act are given as under:-

Year	Cases Received	Cases Settled	Cases Pending
2009-10	16	12	11
2010-11	18	19	10
2011-12	19	17	12
2012-13	23	21	14
2013-14	29	27	16
2014-15	27	29	14
2015-16	28	29	13
2016-17	39	31	21
2017-18(07/2017)	27	32	16

Minimum Wages Act-1948:-

The Act provides for fixation of minimum wages payable to skilled, semi-skilled and un-skilled workers employed in scheduled employment. The notification in this connection has been revised vide SRO 03 dated 04-01-2013. The minimum wages fixed in this SRO is Rs. 225, Rs. 175, Rs 150 and Rs 200 per day in respect of skilled, semi-skilled and un-skilled workers and ministerial/ supervisor/ Accounts workers respectively. Performance under the Act is as follows:-

Year	Cases Received	Cases Settled	Cases Pending	Amount got paid (Rs. in lacs)	Inspections conducted	Prosecution launched	Prosecution Settled
2009-10	19	8	35	0.725	1532	74	155
2010-11	18	12	41	0.050	1078	36	99
2011-12	03	22	22	1.28	1306	46	39
2012-13	07	14	15	7.95	1937	71	51
2013-14	07	07	15	0.84	2778	135	101
2014-15	13	11	17	0.00	2535	223	148
2015-16	16	06	27	0.00	3054	315	219
2016-17	0	9	18	0.00	2608	174	138
2017-18(07/2017)	02	02	18	0.00	755	121	55

Payment of Gratuity Act, 1972:-

The Act provides that a workman who has put in minimum five years service in factory/ establishments is entitled to payment of gratuity at 15 days for every year of service. Achievements made under this Act are given as under:-

Year	Cases Received	Cases Settled	Cases Pending	Compensation got paid (Rs. in lacs)	Inspections conducted
2009-10	72	98	93	34.361	7
2010-11	75	63	105	53.72	42
2011-12	50	55	100	46.97	107
2012-13	139	105	134	116.674	50
2013-14	203	141	196	50.341	119
2014-15	318	289	225	370.543	68
2015-16	284	290	219	232.26	377
2016-17	133	145	195	165.1614	225
2017-18(07/2017)	101	78	218	88.78	77

Payment of Bonus Act 1965:-

The Act provides for payment of Bonus to the workmen from his employer minimum at 8.33% and maximum at 20% of his total yearly wages. Performance under the Act is as follows:-

Year	Inspections Conducted	Prosecutions Launched	Prosecutions Settled	Prosecution pending at the end	Fine imposed (Rs. in Lacs)
2009-10	83	01	01	14	0.005
2010-11	135	04	04	14	0.003
2011-12	239	10	02	22	0.014
2012-13	249	06	06	22	0.43
2013-14	410	01	07	16	0.002
2014-15	499	00	01	15	0.001
2015-16)	534	09	08	16	0.00
2016-17	504	0	0	16	0.00
2017-18(07/2017)	128	0	0	16	0.00

Child Labour (Prohibition and Regulation) Act: 1986:-

The Child Labour (P&R) Act 1986 puts total ban on engagement of child Labour below the age of 14 years in any hazardous process/occupation. The Act provides for regulation of employment of children in non-hazardous process/occupation.

The Govt. has constituted District Level Advisory Boards vide Govt. order No. 16-Lab of 1997 dated 05-03-1997 for eradication of Child Labour. A monitoring cell in Labour Department has been constituted vide Govt. order No. 18-Lab of 1997 dated 05-03-1997 and a State Level Monitoring Committee under the chairmanship of Hon'ble Minister of State for Labour & Employment vide Govt. order No. 33-Lab of 1997 dated 29-04-1997 to ensure eradication of Child Labour.

The Govt. has issued SRO 94 dated 06-03-1997 giving inspection powers to Block Development Officers, Tehsildars, Village Level Workers, Asstt. Labour Commissioners, Inspector of Factories and Labour Officers to ensure implementation of various provision of Child Labour (Prohibition and Regulation) Act 1986. The committees are headed by the Dy. Commissioner of the

district. District Level Child Labour Rehabilitation-Cum-Welfare Fund is also in place in each District created vide Govt. Order No. 17-Lab of 1997 dated 05-03-1997 to provide financial assistance to families of children withdrawn from hazardous occupation/processes. The fund is headed by the Dy. Commissioner of the district.

There, is however, a threat from migratory Labour who come from outside states. These are poor and willingly let their children work in Dhabas, at construction places, as house hold servants etc. This is a challenge and the department has been requesting the general public through press clips in news papers/ pamphlets and other means to help stop this menace. A mechanism of weekly feedback stands already devised by the department with detailed instructions/guidelines that are periodically reviewed. The department is issuing public awareness/Add. Columns are being got published in news papers and talk shows conducted through Radio /Doordarshan. Awareness camps through pamphlet/signboards were conducted in recent past for the proper implementation of various provisions of Child Labour (Prohibition and Regulation) Act 1986.

The details of inspection/ prosecutions launched and convictions made by the court of law under this act during the last three years are as under:-

Year	Inspection conducted	Prosecution launched	Prosecutions settled			Prosecution at the end
			Total	Con.	Acq.	
2009-10	3949	05	62	30	32	112
2010-11	2868	35	19	7	12	128
2011-12	4331	13	30	25	05	111
2012-13	3423	22	09	06	03	124
2013-14	3494	37	23	17	06	138
2014-15	2960	20	08	02	06	150
2015-16	3769	13	42	21	21	121
2016-17	2530	09	11	8	3	107
2017-18(07/2017)	778	2	5	4	1	67

B) Revenue Acts:-

J&K Shops and Establishment Act-1966.

The Act provides to regulate working conditions of employees working in shops and related establishments, their leave, wages, hours of work etc. It also regulates opening, closing and weekly off days of shops etc. Labour Inspector has been declared as Inspector under this Act. Performance under the Act is given as under:-

Year	Regd during year	Total No of shops/E stt Regd.	Employees covered during year	Total No. of employees covered	Revenue realized (Rs.in lacs)	Inspections conducted	Pros. launched	Prosecution settled	Fine imposed (Rs. in lacs)
2009-10	6253	198406	5745	73911	108.758	16248	1231	3069	4.683
2010-11	7459	205865	5564	79475	112.82	15199	1186	1511	5.504
2011-12	13790	219655	9255	88730	169.412	13681	1062	787	2.472
2012-13	24612	244267	12920	101650	180.129	13965	853	1097	3.8015
2013-14	22459	266726	17423	119073	202.71	17680	1681	2078	5.381
2014-15	17640	284366	13070	132143	229.91	17716	1313	1266	3.501
2015-16	22264	306630	25724	157867	262.346	19387	2605	2762	8.06
2016-17	15796	320148	11822	169822	224.6906	13098	936	1281	3.413
2017-18(07/2017)	7451	327599	5368	175190	131.968	5465	148	484	0.82

Note: - In District Kupwara shops numbering to 2278 stands closed / shifted due to road widening in March 2015.

Inter State Migrant Workmen's (Regulation of Employment and Conditions of Service) Act 1979.

The Act applies to every establishment in which 5 or more Inter State Workmen are employed.

Performance under the Act is as follows:-

Year	Total Regd at the beg	P/E Regd	Total P/E Regd	Revenue realized in lacs	Inspections conducted	Fine imposed (Rs. in lacs)
2009-10	202	19	221	0.060	123	0.061
2010-11	221	15	236	0.108	86	0.005
2011-12	236	62	298	0.539	136	0.015
2012-13	298	36	334	0.323	205	0.00
2013-14	334	98	432	0.7105	287	0.112
2014-15	432	16	448	0.35	209	0.056
2014-15	448	13	461	0.164	378	0.03
2016-17	458	6	464	0.0835	391	0.025
2017-18(07/2017)	464	0	464	0.006	114	0.00

Note: - As reported by DLC Kashmir that due to clerical mistake, there is only one principal employer instead of four.

Contract Labour (Regulation and Abolition) Act-1970

The Act provides for regulation of employment and conditions of services of the contract Labour in certain establishment in the given circumstances and the matter connected thereto. Performance under the Act is as follows:-

Year	P/E Regd.	Total Regd.	Contractors Licensed	Inspections conducted	Revenue realized (Rs. in lacs)	Prosecution launched	Prosecution settled	Fine imposed (Rs. in lacs)
2009-10	14	632	129	406	0.532	240	32	0.101
2010-11	27	659	129	308	0.733	9	87	0.305
2011-12	64	723	240	610	1.118	21	15	0.08
2012-13	98	821	269	831	1.3553	34	16	0.03
2013-14	58	879	387	866	2.378	45	47	0.548
2014-15	61	940	218	681	1.436	45	30	0.127
2015-16)	54	994	318	799	2.615	59	49	0.192
2016-17	83	1077	491	897	2.052	40	60	0.58
2017-18(07/2017)	28	1085	234	348	0.74	22	35	0.055

Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act-1996:-

The Building and Other Construction Workers (Regulation of employment and conditions of services Act 1996 provides for registration of building workers and ensuring them fixed hours for normal working, their safety, health care, fixing responsibility of employers, penalties on violation etc. Performance under the Act is as follows:-

Year	Indu./Units regd.	Total Indu./Units regd.	Revenue Realized(Rs. in lacs)
2009-2010	26	128	0.16
2010-2011	41	169	0.148
2011-2012	415	584	1.272
2012-2013	365	949	1.9295
2013-14	394	1343	1.226
2014-15	222	1565	1.614
2015-16	239	1804	1.338
2016-17	167	1971	1.106
2017-18(07/2017)	37	1957	0.238

Motor Transport Workers Act-1961:-

The Act provides for welfare of Motor Transport Workers and regulation of conditions of their services i,e welfare, health and hours of work etc. Achievements made under this Act are given as under:-

Year	Transport U/T registered	Total Regd.	Revenue realized (Rs. in lacs)	Inspections conducted	Prosecution launched	Prosecution settled	Fine imposed (Rs. in Lacs)
2009-10	84	1632	0.487	219	21	4	0.00
2010-11	41	1673	1.529	227	1	26	0.033
2011-12	114	1789	2.217	268	1	4	0.01
2012-13	193	1982	2.493	327	10	2	0.006
2013-14	176	2158	2.2698	589	12	09	0.033
2014-15	57	2269	2.223	514	07	06	0.014
2015-16	153	2422	2.678	599	47	23	0.068
2016-17	166	2588	2.312	513	10	7	0.0195
2017-18(07/2017)	100	2752	0.686	217	0	1	0.003

Trade Unions Act-1926

The Act provides for registration of Unions of employees working in Industries, organized and unorganized sector. (Except Govt. Departments). Achievements made under this Act is given as under:-

Year	Registered	Total Regd.	Membership	Revenue realized (Rs. in lacs)
2009-10	25	1473	1346	0.125
2010-11	16	1489	560	0.08
2011-12	33	1522	1249	0.165
2012-13	30	1552	1331	0.145
2013-14	37	1589	1284	0.185
2014-15	33	1622	1105	0.165
2015-16	34	1656	1155	0.165
2016-17	19	1675	816	0.095
2017-18(07/2017)	6	1681	212	0.03

Factories Act 1948:-

It provides for registration of factories by the Chief Inspector of Factories (Labour Commissioner). Factories running on power with 10 or more workers and non power units with 20 workers are to be registered. Performance under the Act is as follows:-

Year	Total Reg. at the beg.	Factories Regd. during the year	Total factories Regd. at the end	Inspections conducted	Revenue realized in lacs. (Rs. in lacs)
2017-18(07/2017)	1715	8	1723	261	5.27