

**GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE LABOUR COMMISSIONER
(ADMINISTRATION BRANCH)
5, SHAM NATH MARG, DELHI-54**

No.F.JLC/WD/2016/Lab /27/7

Dated: 29/11/16.

CIRCULAR


It is to bring to the notice of all the concerned that the Hon'ble Metropolitan Magistrate has observed that prosecution filed by the Labour Inspectors under various Labour laws are not being properly represented in the court by the Department at the time of hearing.

The court has further observed that the summons sent by the court are routinely returned without informing the present posting of the complainant i.e. Labour Inspector (DASS CADRE).

To avoid such a situation in future the following procedure is laid down:-

1. All the districts shall maintain a register wherein all the complaints filed under the provisions of Contract Labour (Regulation & Abolition) Act and other Labour Laws are entered into alongwith the name of the Inspecting Officers/Inspectors with residential address as well as the date of filling the complaint before the court. A copy of the complaint so filed by the inspectors, shall be properly serial numbered and placed in a separate dossier maintained at District Level.
2. The Dte. of Prosecution may be approached to provide services of APP for Patiala House and KarKardooma Courts to pursue the prosecution complaints filed by the district officers.
3. The Admin Branch will update its record to maintain a proper online data base of transfer/posting of inspectors alongwith their residential address.
4. In case it is not possible to provide address of transferred, Inspecting Officers/Labour Inspector, the summons will be received by the present Labour Inspector, who will attend court on the date of hearing and may provide address of the transferred Labour Inspector to the Court.
5. The complainant Inspecting Officers/Labour Inspector if feels that there is a requirement of Govt. Counsel to represent Department in the court, he will put up proposal to the Concerned Distt In-Charge for the appointment of the Govt. Counsel, who in turn will send proposal to HQ for the appointment of Govt. Counsel.

The issues with the prior approval of the Competent Authority.


(NITA SHARMA)
DY. LABOUR COMMISSIONER
(HOO/ADMN.)