

*THE*  
INFORMATION HANDBOOK  
*UNDER*  
**THE RIGHT TO INFORMATION ACT, 2005**

ISSUED BY:-

**THE OFFICE OF THE  
LABOUR COMMISSIONER  
MEGHALAYA**

## P R E F A C E

The Right to Information Act, 2005 received the assent of the President of India on June 15, 2005. The Act provides for right to Information for people to secure access to information under the control of public authority with an object to promote transparency and accountability in the working of all public authorities. Section 4 (1) of the Act casts an obligation upon the Public authorities to maintain all its records duly catalogued in a manner and a form which facilitates the right to information. Against this backdrop, an attempt has been made in this Information Handbook/Manual to place before the public all the records maintained by the Office under the Labour Commissioner, Meghalaya.

I, therefore, have great pleasure and satisfaction in making his Information Handbook/Manual available to the public particularly to those interested in and working for the welfare and development of the workers. My satisfaction lies in the fact that despite constraints both in terms of manpower and infrastructure, this humble attempt has nevertheless fructified.

Suggestions for improvement and for rectification of errors and omissions will be gratefully accepted.

Shillong,  
The 20<sup>th</sup> September, 2005.

(Smt.R.Lyngdoh, MCS),  
Labour Commissioner, Meghalaya,  
Shillong

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THE  
INFORMATION HANDBOOK  
UNDER  
THE RIGHT TO INFORMATION ACT, 2005  
OF THE OFFICE OF THE  
LABOUR COMMISSIONER, MEGHALAYA.

CHAPTER – I  
INTRODUCTION

The Right to Information Bill that would usher in a new era in the process of Governance, performance and efficiency was passed by the Lok Sabha on 11<sup>th</sup> May, 2005 and received the assent of the President of India on 15<sup>th</sup> June, 2005. “The legislation would ensure that the benefits of growth flow to all sections, eliminate corruption and bring the concerns of the common man to the heart of all processes of governance. It is not a draconian law for paralyzing the Government but is an instrument for improving Government – citizen interfacing, resulting in a friendly, caring and effective functioning” said the Hon’ble Prime Minister Dr.Manmohan Singh in a debate at Lok Sabha.

The Right to Information Act, 2005 states that it is “An act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

Whereas the Constitution of India has established democratic Republic;

And whereas democracy required an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold governments and their instrumentalities accountable to the governed;

And whereas revaluation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information.

And whereas it is necessary to harmonise these conflicting interests while preserving the paramountcy of the democratic ideal;

Now therefore, it is expedient to provide for furnishing certain information to citizens who desire to have it.

Hence the objective/purpose of this Handbook is to meet the requirements of the Act and the obligations cast upon the office of the public authority under the Labour Commissioner, Meghalaya particularly to the information under clause (b) of section 4 (1) of the Act to provide as much information suo metu to the public at regular intervals through various means of communications so that the information can be easily accessible to the public.

This Handbook will therefore be useful to the Public/citizens, NGOs who desire to have the information. Government Departments will also find the handbook useful in their day – to – day office works.

An attempt has also been made to organize the information in this handbook from all the records available at the Directorate, publications of the Ministry of Labour Govt. of India and others and hence this manual does not claim any originality.

Some of the important Definitions used in the handbook are: -

- (1) Information” under Section 2 (f) of the Right’ to Information Act, means any material in any form, including records, documents, names, e – mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.
- (2) “records” under section 2 (i) of the Right to Information Act includes –
- (a) any document, manuscript and file;
  - (b) any microfilm, microfiche and facsimile copy of a document;
  - (c) any reproduction of image or images embodied in such microfilm (whether enlarged or not);  
and
  - (d) any other material produced by a computer or any other device;
- (3) “right to information” under Section 2 (j) of the Right to Information Act means the right to information accessible under the control of any public authority and includes the right to –
- (a) inspection of work, documents, records;
  - (b) taking notes, extracts or certified copies of documents or records;
  - (c) taking certified samples of material;
  - (d) obtaining information in the form of diskettes, floppies tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;.
- (4) “State Public Information Officer” under Section 2 (m) of the Right to Information Act means the State Public Information Officer designated under sub– section (1) and includes a States Assistant Public Information Officer designated as such under sub – section (2) of Section 5.

Any information relating to the subjects covered in the handbook as well as other information, relating to the subjects can be had from the Public Information Officer, Shri.K.C.Chyne, Joint Labour Commissioner at the officer of the Labour Commissioners, Meghalaya, Shillong – 793001. Or the Labour Inspectors and Assistant Public Information Officer at District Offices. Besides, for getting the information not available in the handbook, the public can contact the Public Information Officer and Assistant Public Information Officers at the Districts.

For getting the information not available in the handbook, the public should apply in writing in English or in the official language of the area to the Public Information Officer, specifying the particulars of the information sought for and the fees shall will be, charged from people living below the poverty line.

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## PARTICULARS OF ORGANISATION, FUNCTIONS AND DUTIES

### 2.1. Objective/Purpose.

Labour is a concurrent subject under the Constitution of India and both the Central and State Governments are competent to enact legislations subject to certain matters being reserved for the Centre. The Central Government is responsible for laying down the norms and standards on matters like Industrial relations, cooperation between Labour and management, regulation of wages, conditions of work and safety, Labour welfare, social security of workers etc which appear in the Union and Concurrent lists of the 7<sup>th</sup> Schedule of the Constitution, the implementation of Labour policy is the responsibility of the State Governments. As such the objective/purpose of the Labour Commissioner's organisation is for handling of industrial relations, enforcement of various Labour Laws, promotion of Labour Welfare and providing social security to the workers.

### 2.2. Mission/Vision

- Expeditious implementation of various Labour Laws for the benefits of all classes of the Labour Community of the State in matters relating to regulation of wages, conditions of work, health, safety, labour welfare, social security etc and also to maintain industrial relations and harmony to keep up the production level of the State.
- Rationalization of the existing Labour Laws in tune with the future labour market needs.
- Ensure welfare of Child Labour, Women Labour, Unorganised Labour and other deprived sections of the society.
- Protection and promotion of interests of all the workers and improvements in the work culture and productivity.

### 2.3. History of the Labour Commissioner's organisation

With the bifurcation of the State of Assam and the creation of the state of Meghalaya in 1972, the Directorate under the Labour Commissioner started from a scratch with personnels from the Govt. of Assam coming on deputation to Meghalaya in 1973. One post of Labour Commissioner and two posts of Labour Inspectors were initially created for the two districts of the State namely United Khasi & Jaintia Hills and the Garo Hills at Shillong and Tura respectively. In 1974 one post of Assistant Labour Commissioner now designated as Deputy Labour Commissioner was created and filled up through Meghalaya Public Service Commission. In 1976 one post of Labour Inspector (Hqr) was created for the Directorate and with the creation of Jaintia Hills District, one post of Labour Inspector was created in 1977. In 1979 two more posts of Labour Inspectors were created for the West Khasi Hills District, Nongstoin and the East Garo Hills District, Williamnagar. Since then the status of the Organisation under the Labour Commissioner has not changed much except with the creation of two posts of Labour Inspectors one each for the two newly created Districts at Ri Bhoi District, Nongpoh and South Garo Hills, Baghmara and one post of Labour Inspector for the Sub – Divisional office at Khliehriat, Jaintia Hills.

### 2.4. Duties

The main duties of the organisation under the Labour Commissioner are to conciliate the Labour disputes and to maintain industrial relations and harmony to keep up the production level of the State, to enforce all the provisions of Labour laws and implementation of Welfare schemes. The Labour Commissioner's office is also charged with the responsibility of looking onto welfare of the unorganised labour community including Child and Women Labour, Bonded Labour, contract Labour, Inter – State Migrant Labour etc. The Labour Commissioner is the Registrar under the Trade Unions Act, 1926, the Certifying officer under the Industrial Employment (Standing Orders) Act, and is the

Appellate Authority under various Labour Laws. The duties of the officers and advisory rather than executive because they have to play neutral roles so that they can enjoy the confidence of both employers and workers.

## 2.5. Main activities/functions of the Labour Commissioner's Organisation

The subjects dealt with by this office are

- (1). Matters relating to administration, implementation etc of Labour Acts and Rules (both Central and States) in the State.
- (2). Maintenance of Industrial Relations and harmony.
- (3). Reference of Industrial Disputes to the Labour Court/Industrial Tribunal and publication of Awards.
- (4). Fixation of Minimum Wages for the workers employed in the scheduled employments.
- (5). Providing safety, health and welfare measures for labourers.
- (6). Providing social security of Labour.
- (7).Registration of shops/commercial establishments/establishments of amusement/Motor Transport undertakings, Principal employers/Contractors etc.
- (8). Registration of Trade Unions.
- (9). Payment of Wages, Bonus, Gratuity to Workers/Employees.
- (10). Abolition of Bonded Labour, Contract Labour and Child Labour in hazardous occupations.
- (11). Collection of Labour Statistics and conducting of surveys relating to Labour.
- (12). Implementation of policy relating to special target groups such as women & Child Labour.
- (13). Providing free and basic training to the workers and their family members in the trade of sewing, knitting and embroidery through the Labour Welfare Centres.
- (14). Implementation of International Labour Organisation (ILO) matters, decisions of the Indian Labour Conference (ILC) concerning the State, and implementation of various directives of the Supreme Courts relating to Child Labour, Bonded Labour etc.

## 2.6 List of services being provided.

The activities or services provided by this Organisation has been stated above. However, these are of list of various Labour Laws which are implemented and enforced by the office for the welfare of all workers working both in the organized and unorganised: -

1. The Industrial Disputes Act, 1947.
2. The Minimum wages Act, 1948.
3. The payment of wages Act, 1936.
4. The payment of Bonus Act, 1965.
5. The payment of Gratuity Act, 1972.
6. The Contract Labour (Regulation & Abolition) Act. 1970.
7. The Inter – State Migrant workmen (Regulation of Employment and Conditions of Service) Act, 1979.
8. The Trade Unions Act, 1926.

9. The Child Labour (Prohibition & Regulation) Act, 1986.
10. The Bonded Labour System (Abolition) Act, 1976.
11. The Meghalaya Shops & Establishments act.
12. The Motor Transport Workers Act, 1961.
13. The Equal Remuneration Act, 1975.
14. The Maternity Benefit Act, 1961.
15. The Workmen's Compensation Act, 1935.
16. The Industrial Employment (Standing Orders) Act, 1945.
17. The working Journalists and other Newspaper Employees (Conditions of Service) and Misc. Provisions Act, 1955.
18. The Sales Promotion Employee (Conditions of Service) Act, 1975.
19. The Plantation Labour Act, 1951.
20. The Cine Workers and Cinema Theatre workers (Regulation of Employment) Act, 1981.
21. The Beedi and Cigar Workers (Condition of Employment) Act, 1966.
22. The Labour Laws (Exemption from furnishing Return and maintaining Register by certain Establishment) Act, 1988.
23. The Building and other Construction Workers' (Regulation of Employment and conditions of Service) Act, 1996.
24. The Building and other construction Workers' Welfare Cess Act, 1996.

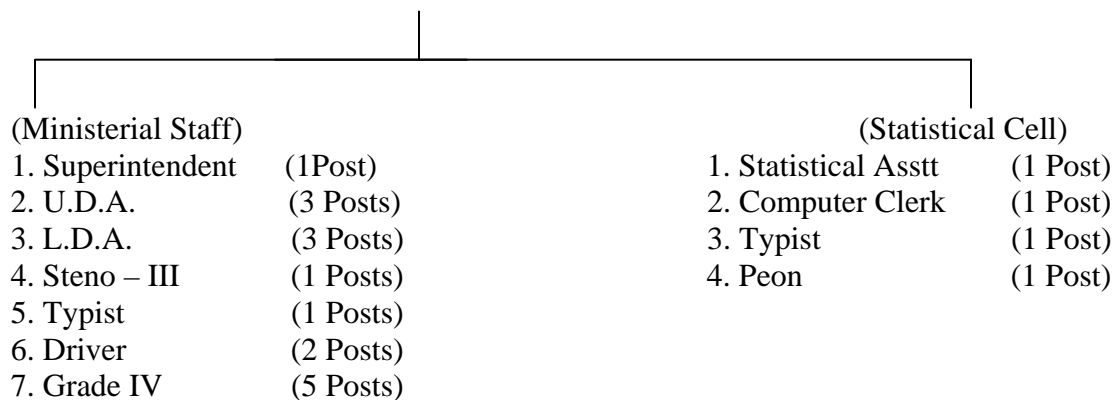
A brief write up of the above Acts has been given at Manual – 3.

## 2.7 ORGANISATIONAL STRUCTURE DIAGRAM

The organizational set – up of the office of Labour Commissioner, Meghalaya along with the No. of posts (both officers & staff) is given below: -

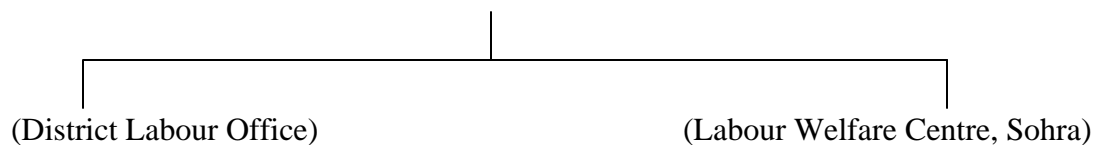
### HEAD QUARTER/DIRECTORATE LEVEL

Labour Commissioner	—	1 (one) post.
Joint Labour Commissioner	—	1 (one) post.
Deputy Labour Commissioner	—	1 (one) post.
Labour Inspector (Hqr)	—	1 (one) post.



## 1. DISTRICT LEVEL EAST KHASI HILLS : : SHILLONG

Labour Inspector – (1 Post)



- |                         |       |                               |       |
|-------------------------|-------|-------------------------------|-------|
| 1. U.D.A.               | (1)   | 1. Labour Welfare Organiser – | (1)   |
| 2. LDA – Cum – Typist – | (1)   | 2. Instructor                 | — (2) |
| 3. Peon                 | — (1) | 3. L.D.A.Cum – Typist         | — (1) |
| 4. Chowkider            | — (1) |                               |       |

2. WEST KHASI HILLS :: NONGSTOIN

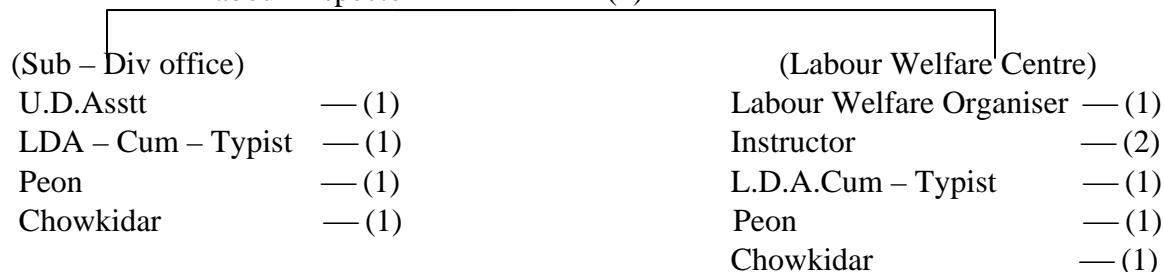
- Labour Inspector – (1)
- |                         |       |
|-------------------------|-------|
| 1. LDA – Cum – Typist – | (1)   |
| 2. Peon                 | — (1) |
| 3. Chowkidar            | — (1) |

3. JAINTIA HILLS:: JOWAI  
DISTRICT LABOUR OFFICE :: JOWAI

- |                  |       |
|------------------|-------|
| Labour Inspector | — (1) |
| LDA-Cum-Typist   | — (1) |
| Peon             | — (1) |
| Chowkidar        | — (1) |

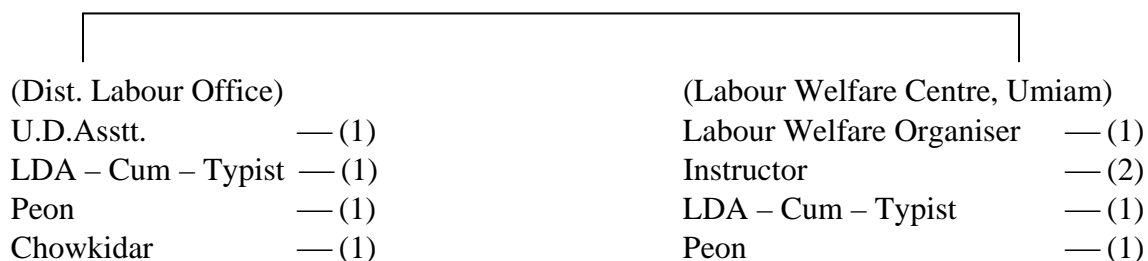
SUB-DIVISION OFFICE :: KHLIEHRIAT

Labour Inspector — (1)



4. RI BHOI DISTRICT :: NONGPOH

Labour Inspector — (1)



LABOUR WELFARE CENTRE :: BYRNIHAT

Labour Inspector	— (1)
Labour Welfare Organiser	— (1)
Instructor	— (2)
LDA – Cum – Typist	— (1)
Peon	— (1)
Chowkidar	— (1)

5. WEST GARO HILLS : : TURA

Labour Inspector	— (1)
U.D.Asstt.	— (1)
L.D.A.Cum – Typist	— (1)
Peon	— (1)
Chowkidar	— (1)

6. EAST GARO HILLS : : WILLAMNAGAR

Labour Inspector	— (1)
------------------	-------

(District Labour Office)

(L.W.C.Mendipathar)

L.D.A.Cum – Typist	— (1)	Labour Welfare organiser	— (1)
Peon	— (1)	Instructor	— (2)
Chowkidar	— (1)	LDA – Cum – Typist	— (1)
		Peon	— (1)
		Chowkidar	— (1)

7. SOUTH GARO HILLS : : BAGHMARA

Labour Inspector	— (1)
LDA – Cum – Typist	— (1)
Peon	— (1)
Chowkidar	— (1)

2.8. Expectation

The organisation of the Labour Commissioner expect the public particularly its clients namely the workers working in the unorganised sector, the organized sector, women labour, Agricultural labour, etc to utilize the service of the office in order to enable it to protect and safeguard their interests. It also expects the public particularly the employers of shops, Industrial establishments, etc to implement and enforce all the provisions of various Labour Laws, without compelling this office to resort to legal action, to enable it to discharge its functions and duties in a more efficient and effective manner thereby heralding greater service to the public.

2.9. The organisation under the Labour Commissioner has been set up to implement and enforce the various labour laws which are directly concerned with the public. It seeks public participation as –

- (i) Establishing contacts and holding of consultations with a view to maintain harmonious relations between the employers and workers.
- (ii) Bring to the notice of the management the grievances of workers, individual as well as collective, with a view to securing their expeditious redressal.
- (iii) Study and understand the point of view of labour in order to help the Management to shape and formulate labour policies and to interpret these policies to the workers in a language they can understand.

- (iv) Advise on fulfillment by the employers of obligations, statutory or otherwise concerning the application of provisions of various labour laws.

2.10. Mechanism available for monitoring the service delivery and public grievance resolution

The office of the Labour Commissioner, Meghalaya as well as the District Labour Office at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Baghmara, Williamnagar and the Sub – Divisional Labour office at Khliehriat have been set up for monitoring the service delivery and for effective redressal of grievances/complaints of the public/workers.

2.11. Addresses :

Head office

1. Office of the Labour Commissioner,  
Meghalaya,  
Lower Lachumiere,  
Shillong – 793001.

DISTRICT LEVEL

1. District Labour Office,  
East Khasi Hills,  
Shillong.
2. District Labour Office,  
West Khasi Hills,  
Nongstoin.
3. District Labour office,  
Jaintia Hills,  
Jowai.
4. District Labour office,  
Ri Bhoi District,  
Nongpoh.
5. District Labour office,  
West Garo Hills,  
Tura.
6. District Labour office,  
East Garo Hills,  
Williamnagar.
7. District Labour office,  
South Garo Hills,  
Baghmara.
8. Sub – Divisional Labour office,  
Jaintia Hills, Khliehriat.

- 2.12. Working Hours : The working hours are as determined by Government from time to time. At the time of publication of the manual, the working hours are 10.A.M to 5.P.M. on all working days in the summer time. During winter, the working hours are from 10.A.M. to 4.30.P.M.

CHAPTER 3  
(MANUAL 2)

POWER AND DUTIES OF OFFICERS AND EMPLOYEES

DIRECTORATE LEVEL

1. Designation : Labour Commissioner

Administrative : The Labour Commissioner is the Head of the Department and  
Power Charged with the responsibilities of administering and implementing  
All the provisions of Labour Acts and Rules. As such, he has full  
Administrative powers under his organisation.

Financial : As head of the office he has some financial powers but his powers  
Power Are limited according to the Govt. rules.

Duties : 1. The Labour Commissioner is responsible for overall control and  
Efficient administration of his Organisation.  
  
2. He advises the Govt. on all important policy decisions and  
Important matters concerning his subject.

2. Designation : Joint Labour Commissioner

Administrative : The Joint Labour Commissioner is the senior most officer of the  
Power office. In the absence of the Labour Commissioner will perform his duties.

Financial : No financial powers except that he is the Drawing and Disbursing Officer (DDO) and can pass  
salaries Bill of the Staff and other sanction orders passed by the Govt. of the Labour Commissioner.

Duties : As senior most Officer of the Organisation under the Labour Commissioner his duties are vast.

1. He advises the Labour Commissioner on all matters concerning the office.
2. He deals with urgent important receipts himself and prepare at his level all important notes on various subjects, notes on the minutes of the meeting held, notes on the enforcement of various Labour Laws, cabinet memorandum, framing of Acts & Rules, preparing of affidavits of Supreme Court/High Court etc., before sending to Labour Commissioner.
3. He assists the Labour Commissioner in the day to day office works and is responsible for prompt disposal of works.

3. Designation : The Deputy Labour Commissioner

Administrative : The Deputy Labour Commissioner assists the Labour  
Power Commissioner and Joint Labour Commissioner.

Financial : No financial powers except he is self Drawing and Disbursing  
Power Officer.

Duties : As the second senior most Officer, he assists the Labour Commissioner and Joint Labour Commissioner in the day to day Office works in all matters and offers views and comments from His level.

4. Designation : The Labour Inspector (Hqr)

Administrative Powers : No administrative powers.

Financial Powers : No financial powers except he is self Drawing and Disbursing Officer.

Duties : Like the Deputy Labour Commissioner, he assists the senior most Officers in matters relating to Inspections under various Labour Laws and Collection of statistics.

5. Designation : Superintendent

Administrative powers : Nil

Financial Powers : Nil

Duties : 1. He is responsible for maintenance of discipline and punctuality in attendance of the staff.  
2.To maintain an upto date distribution list of work among the Assistance and make arrangement for the disposal of work entrusted to another Assistant during, absence.  
3.To scrutinize the notes and drafts of assistant along with his remarks or suggestions before sending to Officers.  
4.To deal with such cases himself as may be allotted by higher Officers.

6. Designation : U.D.A.

Administrative : Nil Powers

Financial Powers : Nil

Duties : 1. To examine promptly all receipts made over him.  
2. To point out any mistake or draw attention where necessary to the Procedure/Rules etc.  
3. To put up simple draft.  
4. Prepare summary of facts in a nets sheet.

7. Designation : L.D.A.



Administrative : Nil  
Powers

Financial : Nil  
Powers

Duties : Same as U.D.Assistant a nave, but the L.D.Assistant is dealing only Simple subject/matters like entry of all receipts in the Receipt Registers, distribute the receipts to the dealing Assistants etc.

8. Designation : Typists

Administrative : Nil  
Powers

Financial : Nil  
Powers

Duties : To type all matters marked to him.

9. Designation : Peon

Administrative : Nil  
Powers

Financial : Nil  
Powers

Duties : 1. He should assist in any office work as may be required.  
2. His main duties are to sent the letters to all concerned promptly.

DISTRICT LEVEL

1. Designation : Labour Inspector

Administrative : As Head of an Office he is responsible for all matters relating to his  
Powers Office within his jurisdiction.

Financial : He is the Drawing and Drawing Officer only.  
Powers

Duties : 1. To implement and enforce all the provisions of various Labour  
Laws within his jurisdiction.  
2. To attend meeting and other executive matters within his District.

2. Designation : UDD.A/L.D.A - Typist/Peon

Duties : Same as in the Directorate Level.

3. Designation : Chowkidar

Duties : 1. He is responsible for the safety and custody of the Govt. property.  
2. He should open or close the office before or after office hours.

LABOUR WELFARE CENTRE

4. Designation : Labour Welfare Organiser.

Duties : He is responsible for the Centre to see that it is properly  
Functioning and to make public awareness about the programmes  
In the centre.

5. Designation : Instructor

Duties : Their duties are to teach the trainees in the Centre in the trades of  
Sewing, knitting and embroidery.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of        THE INDUSTRIAL DISPUTES ACT. 19 &  
The document :       THE MEGHALAYA INDUSTRIAL DISPUTES RULES.

Type of the  
Document        :                      Act/Rules

Brief Write – up on the Document :

The objective of the Industrial Disputes act is to improve the service conditions of industrial labour so as to provide for them the ordinary amenities of life and by the process, to bring about Industrial peace which would in its turn accelerate productive activity resulting in its prosperity. The prosperity of the country in its turn, helps to improve the conditions of labour. The Act is not intended only to make provision for investigation and settlement of industrial disputes but also to serve industrial peace so that it may result in more production and improve the national economy. In the present socio – political economic system it is intended to achieve co – operation between the capital and labour which has been deemed to be essential for maintenance of increase production and industrial peace. The act provides to ensure fair terms to workmen and to prevent disputes between the employer and the employees so that the large interest of the Public may not suffer.

Copy can be            1. The Office of the Labour commissioner,  
Obtained from :        Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2.The District Labour Office at Shillong, Jowai, Nongstoin, Tura,  
Williamnagar Baghmara & Sub Divisional office, Khliehriat.

Fee charged        :        As prescribed.

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THE INDUSTRIAL DISPUTES ACT, 1947  
(Central act NO.14 of 1947)

The objective of the Act is given in the first page. The Act extends to the whole of India. The Act of 1947 was a comprehensive measure adopted by the Central Government with a view to improving Industrial relations. The Act introduced the principle of compulsory arbitration and prohibited strikes without notice in Public utility services. It also provided, for the first time two new institutions viz (i) works committees consisting of representatives of employers and employees in undertakings employing 100 or more workers and (ii) Labour Court/Industrial Tribunal for the adjudication of industrial disputes. The main provisions of the Act relate to (i) works committees (ii) conciliation and adjudication machinery (iii) strikes and lockout and (iv) lay – out, retrenchment and closure.

The State Government of Meghalaya has adopted the Assam Industrial Disputes Rules, 1958 under Section 79 of the North – Eastern Areas (Re – organisation) Act, 1971 (Central Act No.81 of 1971) side the Meghalaya Adoption of Laws and Orders, 1974.

The state Government of Meghalaya has also declared the Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hq) as conciliation officers under the Act. Besides, the State Govt. has also constituted the Labour Court under section 7 of the Industrial Act, 1947 at Shillong vide Govt. Notification NO. LABOUR – 43/74/74 Dt.3<sup>rd</sup> July, 1993 and Industrial

Tribunal under Section 7 A of the said Act at Shillong vide Govt. Notification No. LABOUR – 43/74/75 Dt. 3<sup>rd</sup> July, 1993.

The District and Session Judge, Shillong is the presiding officer of both the Labour Court and the Industrial Tribunal appointed by Govt. vide Notification NO. LABOUR – 43/74/74 Dt. 3.7.1993.

There is no pending cases in the Labour court/Industrial Tribunal at present.

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CHAPTER – 4  
(MANUAL – 3)

NO.2

RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS FOR  
DISCHARGING FUNCTIONS

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NAME/TITLE OF  
THE DOCUMENT : THE MINIMUM WAGES ACT, 1948 AND THE  
MEGHALAYA MINIMUM WAGES RULES.

TYPE OF THE  
DOCUMENT : ACT/RULES

Brief Write – up on the Document:

In a developing economy like India about 90 percent of the workers work in the informal sector, having no collective bargaining power. This makes it difficult to leave the wages to be determined entirely by the interplay of market forces and intervention on the part of the Govt. becomes imminent. It is with this objective of protecting the vulnerable/less privileged/ignorant strata of the society from exploitation by the capitalist class that Govt. of India enacted the Minimum Wages Act, 1948.

The Act provides for fixation/revision of minimum rates of wages in sweating employments by involving the authority of the state Government. The minimum rates of wages helps in reducing the inequalities in the standard of living of different social groups of workers by statutorily prescribing minimum wage rates.

Copy of the above Act/Rules  
Can be obtained from : (1) Office of the Labour  
Commissioner, Meghalaya,  
Lower Lachumiere,  
Shillong – 793001.

Or

: (2) The District Labour office  
at Shillong, Jowai, Nongpoh,  
Nongstoin, Tura, Williamnagar  
Baghmara and Sub – Divisional  
Labour office, Khliehriat.

Fee charged by the  
Department : As prescribed by Govt. from time to time.

ANNEXURE

THE MINIMUM WAGES ACT. 1948  
(Central Act No.XI of 1948)

- I. The Minimum wages Act, 1948 provide for the creation and maintenance of machinery at Central and State Levels regulating fixation/revision of minimum rates of wages of workers employed in 'Sweated industries'. The main object of this legislation is two fold. While it assures the beneficiaries of a 'suitable standard of living' in terms of 'basic needs' (by prescribing a floor below which the income of the active labour force is not to sink). It also regulates the working conditions in the same set of Industrial/employments.

The Act is applicable throughout India and the Act requires the appropriate Govt. to fix and revise the minimum rates of wages payable to employees by the Private/Govt. employers in certain employments specified in the Schedules (Part – I and Part – II) appended to the Act.

No amendment has been made to the Central Act by the State of Meghalaya.

The State of Meghalaya has adopted the Assam Minimum Wages Rules, 1952 under Section 79 of the North – Eastern Areas (Re – Organisation) Act, 1971 (Central Act No. 81 of 1971) vide the Meghalaya Adoption of laws and orders, 1974.

- II. The Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Inspectors under Section 19 of the Act, besides, all the Deputy Commissioner, Additional Deputy Commissioner, Sub – Divisional officers (Civil) have been declared as Claims Authorities under Section 20 of Act. The duty of the Inspectors under the Act is to ensure that the minimum wages as fixed by Govt. are properly implemented by the employers and to take legal action for the defaulting employers. His avers are given in Section 19 (2) of the Act.
- III. So far Meghalaya is concerned, the State Govt. has already fixed/revised the rates of Minimum Wages in 24 Schedule employments namely (1) Agriculture (2) Construction and Maintenances and Buildings including Public Health Engineering etc. (3) Stone crushing and Breaking operations (4) Construction, Generation and Distribution of Powers water Supply, land development excavation and reclamation (5) Sericulture and weaving (6) Fruit Preservation (7) Soil Conservation (8) Animal husbandry & Vety (9) Forest (10) Local Authority (11) Public Motor Transport, (12) Saw mill (13) Plywood Industry, (14) Motor work shops (15) Furniture Industry (16) Bakery (17) Shops and Establishment (18) Printing Press (19) Sales, distribution and handling of petroleum products (20) Steel fabrication and concrete produces including brick making (21) Tailoring (22) Wax and Candle Industry (23) Hotels and Restaurants (24) Mines & Minerals.

The present rates fixed by the Govt. are Rs.70/- per day for unskilled labour, Rs.75/- per day for semi – skilled labour and Rs.85/- per day for skilled labour and was effective from 1.4.2003.

The revised rates are all inclusive of Dearness Allowance but exclusive of other concession, if any enjoyed by the employees. The task an hours of work is 8 hours a day and 48 hours a week. The rates of wages of evvertime work shall be double the ordinary rates of wages.

The rates are uniformly applicable throughout the whole state and there is also no difference between wages for men and women employees and amongst adult and child employees.

The above rates have been fixed/revised by the State Govt.on the recommendation of the Minimum wages state Advisory and employees. The Rates have been arrived by the Committee on the basis of the prevailing consumer Price

Index, prevailing rates of wages in other States basic heads of the workers and his family, capacity to pay by the employers etc.

Under Section 3 (1) (b), the State Govt. should revise the Minimum wages so fixed not exceeding five years from the date of last effective date.

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CHAPTER – 4  
(MANUAL – 3)

No.3

## RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS FOR DISCHARGING FUNCTIONS

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Name/Title of                      THE PAYMENT OF WAGES ACT, AND THE MEGHALAYA  
The document    :                      PAYMENT OF WAGES RULES

<u>Type of the Document:</u>	<u>Act/Rules</u>
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Briefs Write – up on the Document :

The Payment of Wages Act regulates the payment of wages to certain classes of persons in Industry and its importance cannot be under – estimated. The Act not only guarantees, payment of wages in time and without deductions except these authorized under the Act. The Act provides for the responsibility for payment of wages, fixation of wage period, time and mode of payment of wages, permissible deduction as also casts upon the employer a duty to seek the approval of the Government for the acts and permission for which fines may be imposed by him and also sealing of the finds, and also for a machinery to hear and decide complaints regarding the deduction from wages or in delay in payment of wages, penalty for malicious and vexatious claims.

Copy of the above  
Act/Rules can be  
Obtained from :

1. The Office of the Labour Commissioner,  
Meghalaya, Lower Lachumiere, Shillong – 793001  
Ph No. 2223445/2504228
2. The District Labour office at Shillong, Jowai, Nongpoh,  
Nongstoin, Tura, Williamnagar, Baghmara, Sub – Divisional  
Labour office, Khliehriat.

Fee charged by                      As prescribed from time to time.  
The Department :

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THE PAYMENT OF WAGES, ACT, 1936  
(Central Act No. 4 of 1936)

- I. The Act aims at ensuring regular and prompt payment of wages and to prevent the exploitation of wage earners by providing arbitrary fine and deductions from their wages.

The Act applies to the whole of India. The Act does not apply to persons where wage is Rs. 1600/- or more per month. The Act has gradually been made applicable to workers employed in construction Industry, air transport services, motor transport services, mines, plantations, oil fields, wharfs, jetties and workshop or establishments in which articles are produced, manufactured and establishments declared as Factories under Section 85 of the Factories Act, 1948.

The State of Meghalaya has adopted the Assam Payment of Wages Rules, 1937 vide Meghalaya Adoption of Laws and Orders, 1974.

- II. The Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Labour Inspectors in the Districts have been declared as Inspectors under Section 14 of the Act. Besides all the Deputy Commissioners, Additional Deputy Commissioners, Sub – Divisional officers (Civil) have been declared as Appellate Authority under the Act. The duty of the Inspectors is to properly implement the provisions of the Act and his powers are given under Section 14 (4) of the Act.

- III. Under the Act, wages must be paid by the employers (Section 6)

- (i) before the expiry of the 7<sup>th</sup> day after the last day of the wage period.
- (ii) in current coin or currency notes and by cheques or by crediting the wages in the employees' bank account.
- (iii) on a working day.
- (iv) no wage – period should exceed one month.

Under the Act, deductions from wages which are allowed under Section 7 are fines, deduction for the actual period of absence, deduction for damage or loss of goods, deduction for house – accommodation etc.,

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## No.4

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Fee charged by the Department : As prescribed from time to time.

THE PAYMENT OF GRATUITY ACT, 1972

(Central Act. No.39 of 1972).

- I. The payment of Gratuity Act, 1972 was enacted to introduce a scheme for payment of Gratuity for certain employees employed in shops, Industrial and Commercial establishments as a measure of social security.

The Act extends to whole of India and it applies to (i) every factory, mine , plantation etc. (ii) every shops and Establishments Act or (iii) other establishments as may notified in which 10 or more employees are employees. The Act was amended in May, 1994 scaping the eligibility wage ceiling for the application of the law and enhancing the ceiling of Gratuity payment from Rs. 50,000 to Rs. 1,00,000. All the employees including managers and supervisors have been made legally entitled to gratuity.

The provisions of the payment of Gratuity Act have been extended to the employees employed in the Societies/trusts employing 10 or more persons. On completion of five years of service the employees are entitled to payment of gratuity at the rate of 15 days wages for every completed year of service or part thereof in excess of six months subject to the maximum of Rs. 3.50 lakhs. The current maximum limit is applicable from 24.9.1997.

- II. The State of Meghalaya has framed its own State Rules, the payment of Gratuity (Meghalaya) Rules, 1977 vide Govt. Notification No. Labour.27/77 Dt. 20.9.1977. The Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Labour Inspectors in the Districts have been declared as Inspectors under Section 7 of the Act. Their powers under the Act are given under Section 7-B. The Joint Labour Commissioner has also been declared as the Controlling Authority under the Act.

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CHAPTER – 4  
(MANUAL – 3)

NO.5

## RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS FOR DISCHARGING FUNCTIONS

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<u>NAME/TITLE OF</u>	<u>THE PAYMENT OF BONUS ACT, 1965</u>
<u>THE DOCUMENT :</u>	<u>&amp; THE PAYMENT OF BONUS RULES.</u>

**TYPE OF DOCUMENT** : Act/Rules.

### Brief Write – up on the Document :

The payment of Bonus Act, 1965 was enacted to provide for the bonus to persons employed in Factories and to every other establishments in which 20 or more persons are employed on a day during an accountable years. It also deals with matters connected with bonus of employees.

The Act prescribes eligibility of persons to receive bonus, their disqualification for the same, time limit for its payment and the application of provisions to certain cases in establishment of public sector. The Act made provision for auditing accounts, inspections maintenance of records.

Copy of the Act/Rules  
Can be obtained from :

1. The Office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.  
Ph No. 2223445 & 2504228

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Williamnagar Divisional Labour office, Khliehriat. Baghmara and Sub –

Fee charged by the Department : As prescribed.

THE PAYMENT OF BONUS ACT, 1965  
(Central Act NO. 21 of 1965)

The Act extends to the whole of India and applies to all factories as defined in Section 2 (m) of the Factories Act, 1948 and to all other establishments in which 20 or more persons are employed on any day during an accounting year.

The State Government is empowered to appoint Inspectors for the purpose of enforcement of the Act. The Government has appointed Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Labour Inspector in the Districts as Inspectors under the Act.

According to Section 38 of the Act, the Central Government has to make rules for the purpose of the Act and as such the Central Rules viz the payment of Bonus Rules, 1975 has been used by the State of Meghalaya.

According to Section 12 of the Act, the bonus payable to employees whose salary or wage exceeds Rs. 2,500 per man sem has to be calculated as if his salary or wage were Rs. 2,500 per men sem. The above wage ceiling under Section 2 (13) and Section 12 of Act respectively were last revised vide payment of Bonus (Amendment) Ordinance, 1995 promulgated on 9<sup>th</sup> July 1995 and made effective from 1<sup>st</sup> April, 1993.

The following categories of persons will be entitled to bonus –

- (a) Skilled or unskilled or manual labour
- (b) Managerial staff
- (c) Supervisory staff
- (d) Administrative staff
- (e) Technical staff and
- (f) Clerical staff

The Act will not apply to the following classes of employees – employed by LIC, Red Cross Society, Reserve Bank of India, Indian Finance Corporation of India, Employed through contractors on building operations etc.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS FOR  
DISCHARGING FUNCTIONS

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NAME/TITLE OF  
THE DOCUMENT : THE TRADE UNIONS ACT, 1926 AND  
THE MEGHALAYA TRADE UNIONS REGULATIONS

Type of the  
Document : Act/Rules/Regulations

Brief write – up on the document :

The purpose of the Trade Unions Act was to give the Trade Unions a legal status. The constitution of India recognizes the right of a citizen to form a Union since the right to form and continue a trade Union is a fundamental right guaranteed under Article 19 (1) (C) of the Constitution of India which can only be subjected to reasonable restriction in the public interest as provided by Article 19 (1) (6) of the Constitution. Provision is also made in the Trade Unions Act, in order to operate as a trade Union.

Copy of the Act/Rules/  
Regulations can be  
Obtained from

1. The office of the Labour  
Commissioner, Meghalaya, Lower  
Lachumiere, Shillong – 793001  
Ph No. 2223445 or 2504228

Or

2. The District Labour Offices at Shillong, Jowai,  
Nongpoh, Nongstoin, Tura, Williamnagar      Baghmara and Sub –  
Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :

As prescribed.

THE TRADE UNIONS ACT, 1926  
(Central Act NO. 16 of 1926)

The Act mainly seeks to confer a legal and cooperate status on registered trade Unions. The Act provides immunity from civil and criminal liability to trade unions executives and members for bonafide Trade Unions activities. The Act applies to whole of India.

The main provisions of the Trade Unions Act, 1926 relate to (1) Registration of Union (ii) rights to and privileges and (iii) obligations and liabilities of registered Trade Unions. For registration, the Act provides that any seven or more members of a Trade Union can apply to the Registrar for registration of the Union.

The Act lays down the purpose for which the general funds of a registered trade union can be utilized. It is open to the Unions to constitute a separate political fund for the promotion of civil and political interest of its members.

The Act is administered by the State Governments which are required to appoint Registrars of Trade Unions to look after the proper compliance of the provisions of the Act. In the State of Meghalaya, the Labour Commissioner is the Registrar under the Act.

So far about                      nos. of trade Unions have been registered under the Act in the State covering about                      nos of workers.

The Government of Meghalaya has adopted the Assam Trade Unions Regulations 1927 vide the Meghalaya Adoption of Laws and Orders 1974.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS, FOR  
DISCHARGING FUNCTIONS

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NAME/TITLE OF THE INDUSTRIAL EMPLOYMENT  
THE DOCUMENT: (STANDING ORDERS) ACT, 1946 & RULES.

Type of the  
Document: Act/Rules

Brief write up on the document:

The Industrial Employment (Standing Orders) Act, 1946 aims at having uniform standing orders providing for the matters enumerated in the schedule to the Act, that it was not intended that there should be different conditions of service for those who are employed before and those employed after the standing orders came into force, they bind all those presently in the employment of the concerned establishment as well as those who are appointed thereafter.

Copy of the above Act/Rules  
Can be obtained from : 1. The Office of the Labour Commissioner,  
Commissioner, Meghalaya, Lower  
Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin,  
Tura, Williamnagar Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department : As prescribed.



## THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS)

ACT, 1946

(Central Act NO.20 of 1946)

1. The Industrial Employment (Standing Orders) Act, 1946 came into force on April 23, 1946. The Standing orders define with sufficient precision the conditions of employment for information of workmen. The Act applies to the whole of India. The Act applies to every industrial establishment which means :

I. tramway service or Motor Transport service engaged in carrying passengers/goods, air transport service, mine, quarry or oil field, plantation etc.

The Act does not however apply to workmen who are governed by the Fundamental/Supplementary Rules, Civilians in Defence services. The provisions of the Act also apply to newspaper establishments wherein 20 or more employees are employed.

The main objectives of the Act besides maintaining harmonious relationship between the employees, and the employees are to regulate the conditions of recruitment, discharge, disciplinary action, leave, holidays etc of the workers employed in Industrial establishment.

The State Government of Meghalaya has adopted the Assam Industrial Employment Standing Orders Rules, 1947 vide Meghalaya Adaptation of Laws and Orders 1974.

The Labour Commissioner is the certifying officer under the Act for the State of Meghalaya.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND  
RECORDS FOR DISCHARGING FUNCTIONS

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Name/Title of  
The document                      THE MEGHALAYA SHOPS & ESTABLISHMENTS ACT, 2003  
    & THE MEGHALAYA SHOPS & ESTABLISHMENTS RULES,  
    2004.

Type of the                                      Act/Rules  
Document :

Brief Write – up on the Document :

The Shops and Establishments Act is a State Legislation and almost every State/Union Territory Government has enacted its Shops and Establishments Act and has framed rules for its enforcement.

The legislation is in effect the exercise of social control over the manner in which business should be carried out and regulated in the interest of health and welfare not merely of those employed in it but of all those engaged in it. In fact the ratio of the legislation is also social interest in the health of the workers who forms an essential part of the community and in whose welfare, the community is vitally interested.

Copy of the Act/Rules  
Can be obtained from :                      1. The office of the Labour Commissioner  
    Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar                      Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :                                      As prescribed

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THE MEGHALAYA SHOPS AND ESTABLISHMENTSACT. 2003

(Megh. Act. No.4 of 2004).

The main objective of the shops and Establishments Act is to regulate the working and employment conditions of workers in shops and Establishments including commercial Establishments which are not covered by the Factories Act or any other Act regulating the employment conditions. The Act generally provides for the working hours, rest interval every time, holiday, leave, termination of service, maintenance of shops and establishments and other rights and obligations of the employers and employees.

The Govt. of Meghalaya has recently framed the new Meghalaya Shops and Establishments Act which was passed by the Legislative Assembly in the Budget Session held in March, 2004. The Act received the assent of Governor on the 2<sup>nd</sup> April, 2004. Prior to this the State of Meghalaya has adopted the Assam Shops and Establishments Act, 1948 vide Meghalaya Adoption of laws and orders, 1974.

The new Act extends to the whole of Meghalaya and the Act come into force in the whole State of Meghalaya on the 15<sup>th</sup> July 2004 vide Govt. Notification No.LBG – 86/LA/2003/201 Dt. 13.7.2004.

The Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Labour Inspectors in the Districts have been declared as Inspectors under Section 19 of the Act vide Govt. Notification No.LBG – 132/82/256 Dt. 18.3.2004. The Labour Commissioner is also the registering officer by virtue of Section 3 of the said Act.

Public notice had also been issued by the office of the Labour Commissioner directing all shop owners, owners of commercial establishments etc., to which the Act apply to register their establishments. The process of registering is in progress.

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CHAPTER – 4  
(MANUAL – 3)

NO.9

## RULES, REGULATION, INSTRUCTIONS, MANUAL AND RECORDS FOR DISCHARGING FUNCTIONS

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Name/Title of The document : THE INTER – STATE MIGRANT WORKMEN  
(REGULATIONS OF EMPLOYMENT AND CONDITIONS  
OF SERVICE AND THE MEGHALAYA RULES

<u>Type of the Document :</u>	<u>Act/Rules</u>
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Brief write – up on the document :

The Inter – State Migrant workmen (Regulation of Employment and conditions of service) Act. 1979 came into force with effect from the 2<sup>nd</sup> October, 1980. The Act is intended to safeguard the interests of the workmen who are recruited by contractors from one State for service in an establishment situated in another State and to guard against the exploitation of such workmen by the contractors.

Copy of the Act/Rules  
Can be obtained from : 1. The Office of the Labour Commissioner,  
Commissioner, Meghalaya, Lower  
Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Williamnagar Baghmara and Sub – Divisional Labour office, Khliehriat.

Fee charged by the  
Department : As prescribed.

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THE INTER – STATE MIGRANT WORKMEN (REGULATION OF  
EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979  
(Central Act No.30 of 1979)

The Act regulates the employment of Inter – State Migrant workmen and also provides for their conditions of service and for matter connected therewith. It extends to the whole of India and applies to every establishment in which five or more Inter – State Migrant workmen are employed or were employed on any day of the preceding twelve months. It also applies to every contractor who employees or were employed five or more Inter – State Migrant workmen on any day of the preceding twelve months.

The Act provides for registration of certain establishments, prohibition against employment of Inter –State Migrant workmen, registration, licensing of Contractors, duties and obligations of contractors, wages and other conditions of service of such workmen, appointment of inspection staff etc.

According to Section 2 (e), Inter –State Migrant workmen means any person who is recruited by or through contractor in one State under an agreement or other arrangement for employment in an establishment in another State, whether with or without the knowledge of the Principal employer in relation to such establishment.

The Govt. of Meghalaya has framed its own State Rules known as the Meghalaya Inter – State Migrant workmen Rules 1985 and the rate of registration and licensing has also been amended on the recommendation of the working committee constituted by Govt. to tackle the problem of influx of foreign nationals and outsiders into the State, from various staggered rates to Rs. 1 per head per day and the validity period of the certificate/license is 179 days at a time.

The Labour Commissioner, Meghalaya is the registering and Licensing Officer for the whole State of Meghalaya. The Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Labour Inspectors in the district as well as Extra Assistant Commissioners in the Deputy Commissioners officer have been declared ad Inspectors under the Act.

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CHAPTER – 4  
(MANUAL –3)

NO.10

RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND  
RECORDS FOR DISCHARGING FUNCTIONS

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Name/Title of                      THE MOTOR TRANSPORT WORKERS' ACT 1961  
The document :                & THE MEGHALAYA MOTOR TRANSPORT WORKERS  
   RULES.

Type of the  
Document                      :                      Act/Rules.

Brief write – up on the Document :

The object of the Act is to provide for the welfare of Motor Transport workers and to regulate the conditions of their work. It applies to every Motor transport undertaking employing 5 or more motor transport workers. However, in the State of Meghalaya the Act has been made to apply to every motor transport undertaking employing less than five of workers. The main provision of the Act, inter – alia, relate to (i) welfare and health (ii) hours of work (iii) employment of young persons and (iv) wages , payment of every time and leave etc., The State of Meghalaya as adopted the Assam Motor Transport Workers Rules, 1962 vide Meghalaya adaptation of laws and orders 1974. The Labour Commissioner Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Labour Inspectors in the Districts have been declared as Inspectors under the Act.

Copy of the Act/  
Rules can be  
Obtained from

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar                      Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :                      As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

Name/Title of  
The Document : THE CHILD LABOUR (PROHIBITION AND  
REGULATION) ACT, 1986 AND THE RULES

Type of the  
Document : Act/Rules

Brief write – up on the document :

The main object of the Act is to prohibit the engagement of children (who have not completed his fourteenth year of age) in certain employments and to regulate the conditions of work of children in certain employments. The Act envisages that no child shall be employed or permitted to work in any of the occupations set forth in part A and B of the Schedule to the Act.

The Act provided that no child shall be permitted or required to work between 7 P.M. and 8 A.M. and shall not be permitted to work every time. The period of work on each day shall be as fixed that no period shall exceed three hours and that no child shall work for more than 3 hours before he has had an interval for rest for at least one hour. The Act also provides for the health and safety of the children.

Copy of the Act/  
Rules can be  
Obtained from

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :

As prescribed.

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## NO.12

As prescribed.





## RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS FOR DISCHARGING FUNCTIONS

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Name/Title of	<u>THE CONTRACT LABOUR (REGULATION AND ABOLITION</u>
<u>The document :</u>	<u>ACT, 1970 AND THE CONTRACT LABOUR (REGULATION</u> <u>AND ABOLITON) MEGHALAYA RULES.</u>

<u>Type of the Document</u>	<u>Act/Rules</u>
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Brief write – up on the document :

The object of the Act is to regulate the employment of Contract Labour in certain establishments and to provide for its abolition in certain circumstances. It extends to the whole of India. The Act applies to every Establishment or contractor employing contract labour. The Act also applies to establishments of the Govt. and Local authorities as well.

The main provisions of the Act relate to (1) Setting up of Advisory Board (2) registration of establishments employing contract labour and licensing of contractors (3) welfare and health of Contract labour and (4) penalties and procedure.

The Labour Commissioner is the Registering and Licensing officer for the whole State of Meghalaya while the Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hqr) and all the Labour Inspectors in the District have been declared as Inspectors under the Act.

The State of Meghalaya has also adopted the Contract Labour (regulation and Abolition) Assam Rules, 1971 vide the Meghalaya Adaptation of laws and orders, 1974.

Copy of the Act/  
Rules can be  
Obtained from

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Williamnagar Baghmara and Sub – Divisional Labour office, Khliehriat.

Fee charged by the  
Department : As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of THE EQUAL REMUNERATION ACT, 1976 AND RULES  
The document :

Type of the  
Document : Act/Rules

Brief write – up on the document :

The main object of this Act is 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 there with or incidental there to. The Act extends to whole of India. Under this Act, no employer shall pay to any worker employed by him in an establishment or employment, remuneration whether payable in cash or in kind at rates less favourable than those at which remuneration is paid by him to the workers of the opposite sex in such establishment or employment for performing the same work or work of similar nature. Under this Act, no discrimination is to be made while recruiting men and women workers for the same or similar nature of work.

The office of the Labour Commissioner  
Rules can be Copy of the Act/ 1.  
Obtained from Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department : As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of  
The document : THE WORKMEN'S COMPENSATION ACT, 1923 AND  
RULES

Type of the  
Document : Act/Rules

Brief write – up on the document :

The object of the Act is to impose an obligation upon the employers to pay compensation to workers for accidents arising out of and in the course of employment. The scheme of the Act is not to compensate the workman in lieu of wages but to pay compensation for the injury caused. The Act extends to the whole of India and applies to any person who is employed otherwise in a clerical capacity, in Factories, Mines, Plantations, Construction, maintenance and repairs of roads, electricity generation, cinemas etc., other hazardous occupations and employments specified in Schedule II to the Act. All the District Magistrate in the State have been declared as Commissioners for workmen's compensation. The functions of the Commissioners include (i) Settlement of disputed claims (ii) disposal of cases of injuries involving death etc.

Copy of the Act/  
Rules can be  
Obtained from

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Williamnagar, Baghmara and Sub – Divisional Labour office, Khliehriat.

Fee charged by the  
Department :

As prescribed.

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NO.17

RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of                    THE SALES PROMOTION EMPLOYEES (CONDITIONS  
The document :                OF SERVICE) ACT, 1976 AND RULES

Type of the  
Document :                                Act/Rules

Brief write – up on the document :

The main object of this Act is to regulate certain conditions of services of sales promotion employees in certain establishments. The Act in the first instance applies to every establishment engaged in pharmaceutical industry. However, the Central Govt. by notification can apply the provisions of the Act to any other establishment engaged in the notified industry. The provisions of other labour Acts like the workmen's Compensation Act, 1923; the Industrial Disputes Act, 1947; the Minimum wages Act, 1948, the Payment of Bonus Act, 1965; the Payment of Gratuity Act, 1972 have been made applicable to Sales promotion employees. In addition to casual leave or other kinds of leave the sales promotion employee will also entitled to earned leave on full wages.

The Joint Labour Commissioner, Deputy Labour Commissioner Labour Inspector (Hqr) and all the Officers in the districts are the Inspectors under the Act.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Williamnagar Baghmara and Sub – Divisional Labour office, Khliehriat.

Fee charged by the  
Department :

As prescribed.

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NO.18

RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of  
The document : THE WORKING JOURNALISTS AND OTHER  
NEWSPAPER EMPLOYEES (CONDITIONS OF  
SERVICE) AND MISC. PROVISIONS ACT,  
1955 AND RULES.

Type of the  
Document : Act/Rules

Brief write – up on the document :

The object of the Act is to regulate conditions of service for working journalists and other persons employed in newspaper establishments. It extends to the whole of India. The provisions of other Labour Laws like the Industrial Disputes Act, 1948, the payment of Gratuity Act etc have been made applicable to working journalists. The Act provides for hours of work; fixation or revision of rates of wages by the Board. The Joint Labour Commissioner, Deputy Labour Commissioner, Labour Inspector (Hq) and all the Officers in the Districts have been declared as Inspectors under the Act.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :

As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of            THE PLANTATIONS LABOUR ACT, 1951 AND  
The document :        THE MEGHALAYA PLANTATIONS LABOUR RULES

Type of the  
Document :                            Act/Rules

Brief write – up on the document :

The Plantation Labour Act was enacted in 1951 to secure welfare of Labour in Plantations and to prevent their exploitations by regulating their conditions of work. The Act applies to the whole of India. It was amended in 1981 to extend the provisions of the Act to such land, which was used or intended to be used for growing tea, coffee, rubber, etc which admeasure 5 hectares or more and employed 15 or more persons on any day of the preceding 12 months. The main provisions of the Act, inter – alia relate to welfare, health, housing, hours of work, leave, wages etc.

The Government of Meghalaya has adopted the Assam Plantation Labour Rules 1956 vide the Meghalaya Adaptation of the Laws and Orders, 1974.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Williamnagar Baghmara and Sub – Divisional Labour office, Khliehriat.

Fee charged by the  
Department :

As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of  
The document : THE LABOUR LAWS (EXEMPTION FROM  
FURNISHING RETURNS AND MAINTAINING  
REGISTERS BY CERTAIN ESTABLISHMENTS)  
ACT, 1988.

Type of the  
Document : Act/Rules

Brief write – up on the document :

It is an Act to provide for the exemption of employers in relation to establishments employing a small number of persons from furnishing returns and maintaining registers under certain labour laws. The Acts extends to the whole of India. Under Section 4 of the said Act, it is not necessary for an employer in relation to any small establishment (employing not less than 10 and not more than 19 workers) or very small establishment (not more than 9 workers are employed) to furnish the returns or to maintain the registers required to be furnished or maintained under the Scheduled Act, provided that such employer (i) furnishes, in lieu of such returns, a core Returns in Form A (ii) maintains, in lieu of such registers, registers in Form as B, C, D in the case of small establishments and Form E in the case of very small establishments.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :

As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of            THE BEEDI AND CIGAR WORKERS  
The document :        (CONDITIONS OF EMPLOYMENT) ACT, 1966  
                                 AND RULES.

Type of the  
Document        :                    Act/Rules

Brief write – up on the document :

The object of the Act is to regulate the condition of work in beedi and cigar manufacturing establishments and to provide for the welfare of workers employed therein. It extends to the whole of India. Under the Act an Industrial premises is defined as a place or premises including precincts thereof in which or in any part of which an Industry or manufacturing process connected with the making of beedi or cigar or both is carried or with or without the aid of power.

The main provisions of the Act relate to (i) health and welfare (ii) hours of work and wages for over time (iii) employment of young persons and women and (iv) leave and holidays.

The Government of Meghalaya has adopted the Assam Beedi and Cigar Workers (Conditions of Employment) Rules, 1968 vide the Meghalaya Adaptation of Laws and Orders, 1974.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar                    Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :

As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of                    THE CINE WORKERS AND CINEMA THEATRE  
The document :                WORKERS (REGULATIONS OF EMPLOYMENT)  
   ACT, 1981

Type of the  
Document                        :                    Act/Rules

Brief write – up on the document :

The object of the Cine – workers and Cinema Theater Workers (Regulations of Employment ) Act, of 1981 is to ensure that the cine – workers are protected for exploitation as regard the term and conditions of employment without imposing on this creative industry too harsh a set of regulations. Cine – Worker means an individual (a) who is employed, directly or through any contractor or other person in or in connection with the production of a feature film to work as an artist (including actor, musician or dancer) or to do any work, skilled, unskilled, manual, supervisory, technical, artistic or otherwise. The Act prohibited the employment of cine – worker with out agreement.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura, Williamnagar                    Baghmara and Sub – Divisional Labour office, Khliehriat.

Fee charged by the  
Department :

As prescribed.

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RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of  
The document : THE BUILDING AND OTHER CONSTRUCTION  
WORKERS (REGULATIONS OF EMPLOYMENT  
AND CONDITIONS OF SERVICE) ACT, 1996  
AND RULES.

Type of the  
Document : Act/Rules

Brief write – up on the document :

The Act came into force with effect from 1.3.1996. The legislation seeks to provide for regulation of employment and conditions of service of the building and other construction workers including fixing of hours of work, wages and overtime, dispute resolutions welfare amenities like drinking water, latrines, urinals crèches, first aid and canteens etc. compulsory temporary living accommodation to all building workers within or near the work site have been provided for. On safety aspects. Constitution of safety committee in larger establishments, provisions of notification of fatal accidents etc have been provided for.

Framing of rules by the State of Meghalaya is under process.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :

As prescribed.

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CHAPTER – 4  
(MANUAL – 3)

NO.24

RULES, REGULATIONS, INSTRUCTIONS, MANUAL AND RECORDS  
FOR DISCHARGING FUNCTIONS

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Name/Title of                    THE BUILDING AND OTHER CONSTRUCTION  
The document :                WORKERS WELFARE CESS ACT, 1996 AND RULES.

Type of the  
Document                :                    Act/Rules

Brief write – up on the document :

It is an Act to provide for the levy and collection of a cess on the cost of construction incurred by employers with a view to augmenting the resources of the Building and Other Construction Workers' Welfare Boards constituted under the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. Under the Act, there shall be levied and collected a cess for the purposes of the Act at such rate not exceeding two percent but not less than one percent of the cost of construction incurred by an employer, as the Central Government may by notification in the Official Gazette from time to time specify.

Copy of the Act/  
Rules can be  
Obtained from :

1. The office of the Labour Commissioner  
Meghalaya, Lower Lachumiere, Shillong – 793001.

Or

2. The District Labour Offices at Shillong, Jowai, Nongpoh, Nongstoin, Tura,  
Williamnagar                Baghmara and Sub – Divisional Labour office,  
Khliehriat.

Fee charged by the  
Department :

As prescribed.

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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 IMPLEMENTATION THEREOF.

FORMULATION OF POLICY

5;1 Whether there is any provision to seek consultation/participation of public or its representatives for formulation of policies? If there is, please provide details of such policy in following format.

SL NO.	Subject/Topic	Is it mandatory to ensure public Participation (Yes/No)	Arrangements for seeking public participation
1.	Framing of State Act/ Rules under various Labour laws.	Yes	For every Act/Rule to be framed or amended, It is mandatory to invite Objections or suggestions From the public or persons Likely to be affected to be Notified in the Meghalaya Gazette before taking into Consideration the proposed Framing or amendment.
2.	Fixation/Revision of The rates of Minimum Wages under the Minimum Wages Act, 1948.	Yes	Representatives of the Public NGOs particularly those represent the Employees and the workers have been included in the Advisory Board to decide the fixation/revision of the rates.

Contd/.....

## IMPLEMENTATION OF POLICY

5.2 Whether is there any provision to seek consultation/participation of public or its Representatives for implementation of policies? If there is, please provide details of Provisions in the following format.

SL NO.	Subject/Topic	Is it mandatory to ensure public Participation.	Arrangement for seeking public Participation.
1.	Implementation of Labour policies In the form of Various labour Laws.	Yes, since implementation of the labour laws affected the public particularly the employers and the workers.	The Field Officers should seek public participation and Establish contact, Hold consultations and Also promote public Relation between the Employers and workers For successful Implementation of the Labour policies in the Form of labour laws.

A STATEMENT OF THE CATEGORIES OF DOCUMENTS THAT ARE HEAD BY IT OR UNDER ITS CONTROL.

6.1 Use the format given below to give the information about the official documents. Also mention the place where the documents are available for e.g. at Secretariat level, Directorate level, others (Please mention the level in place of writing others).

SL NO.	Category of the document.	Name of the document And its introduction in One line.	Procedure to obtain the Document.	Held by/under control of.
1.	Act/Rules	<u>The Industrial Disputes Act, 1947 and Rules</u> . An Act to improve the service conditions of labour so as to provide for them the ordinary amenities of life and to bring industrial peace.	Application should be made in writing in English or in the official language of the area to the PIO Or APIOs. Specifying the information sought for Fees shall also be paid as Prescribed	Held by the Office of the Labour Commissioner Meghalaya (Directorate Level) or by the District Labour Office at Shillong/Jowai/ Nongpoh/ Nongstoin/ Tura/ Williamnagar/ Baghmara/ Sub - Divisional Labour Office, Khliehriat.
2.	– do -	<u>The Minimum Wages Act, 1948 and Rules</u> . It provides for fixing minimum wages in certain employments		
3.	– do -	<u>The Payment of Wages Act, 1936 and Rules</u> . It regulate the payment of Wages to certain classes of employed persons.		
4.	–do-	<u>The Payment of Bonus Act, 1965 and Rules</u> . It is an Act to provide for the payment of bonus to persons employed in certain establishments.		
5.	– do -	<u>The Payment of Gratuity Act, 1972 and Rules</u> . It is an act to provide for a scheme for the payment of gratuity to employees employed in certain establishments.		
6.	– do -	<u>The Contract Labour (Regulation and Abolition) Act, 1970 &amp; Rules</u> . It is an Act to regulate the employment of contract labour.		

SL NO.	Category of the document.	Name of the document And its introduction in One line.	Procedure to obtain the Document.	Held by/under control of.
7.	Acts/Rules	<u>The Industrial Employment (Standing Orders) Act, 1947 and Rules.</u> An Act to require employers in industrial Establishments to define conditions of Employment under them.	-do-	-do-
8.	-do-	<u>The Inter-State Migrant Workmen (Regulation of employment and conditions of service) Act, 1979 and Rules.</u> An Act to regulate the employment of Inter-State Migrant Workmen.	-do-	-do-
9.	-do-	<u>The Trade Unions Act, 1926 and Regulations.</u> An Act to provide for the Registrations of Trade Unions.	-do-	-do-
10.	-do-	<u>The Child Labour (Prohibition and Regulation) Act, 1986 and Rules.</u> An Act to prohibit or regulate the Engagement of children in certain Establishment.	-do-	-do-
11.	-do-	<u>The Bonded Labour System(Abolition) Act,1976 and Rules.</u> An Act to provide for the abolition of Bonded Labour	-do-	-do-
12.	-do-	<u>The Meghalaya Shops and Establishments 2003 and Rules.</u>	-do-	-do-
13.	-do-	<u>The Motor Transport Workers Act,1961 And Rules.</u> An Act to provide for the Welfare of Motor Transport Workers and To regulate the conditions of work	-do-	-do-
14.	-do-	<u>The Maternity Benefits Act, 1961 and Rules.</u> An Act to regulate the employment of Women and to provide for maternity Benefit.	-do-	-do-
15.	-do-	<u>The Equal Remuneration Act, 1976 and Rules.</u> An Act to provide for the payment of Equal remunerations to men and women For same and similar nature of work.	-do-	-do-



16.	Acts/Rules	<u>The Workmen's Compensation Act, 1923 and Rules.</u> An Act to provide for the payment of Compensation by the employers to the Workers in case of injury/accident.	-do-	-do-
17.	-do-	<u>The Working Journalists and Other Newspaper Employees (Conditions of Service) and Misc. Provisions Act, 1955 And Rules.</u> An Act to or regulate the conditions of Service of working journalists and others.	-do-	-do-
18.	-do-	<u>The Sales Promotion Employees (Conditions of services) Act, 1976 and Rules.</u> An Act to regulate the service conditions of Sales promotion employees.	-do-	-do-
19.	-do-	<u>The Plantation Labour Act, 1951 and Rules.</u> An Act to provide for the welfare and Regulation of conditions of work of labour In plantations.	-do-	-do-
20.	-do-	<u>The Cine – workers and Cinema theatre workers (Regulation of Employment) Act, 1981.</u> An Act to regulate the Employment of Cine Workers and Cinema theatre workers.	-do-	-do-
21.	-do-	<u>The Beedi &amp; Cigar Workers (Conditions of employment) Act, 1966 and Rules.</u> An Act to provide for the welfare of the Workers in beedi & cigar establishments.	-do-	-do-
22.	-do-	<u>The Labour Laws (Exempting from furnishing returns and maintaining of registers by certain establishments) Act, 1988.</u> An Act to provide of employers of small and very small establishments from Furnishing returns and maintaining Registers.	-do-	-do-
23.	-do-	<u>The Building and other Construction workers (Regulation of Employment and conditions of service) Act, 1996 and Rules.</u> An Act to regulate the employment and Conditions of service of Building and Other construction workers.	-do-	-do-

24.	Acts/Rules	<u>The Building and other Construction Workers Welfare Cess Act, 1996.</u> An Act to collect Cess for the Welfare of the Building and other construction workers.	-do-	-do-
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MISCELLANEOUS

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25.	Rules	The Meghalaya Labour Service Rules, 2000. This rule provides for recruitment of conditions Of service of the officers under the Labour Commissioner.	-do-	-do-
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CHAPTER – 7  
(MANUAL – 6)

A STATEMENT OF BOARDS, COUNCIL, COMMITTEES AND OTHER  
BODIES CONSTITUTED AS ITS PART

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- 7.1 There is no Board, Council, Committee or other bodies constituted under the Organisation of Labour Commissioner, Meghalaya. However, under Section 5 of the Minimum wages Act, 1948 the State Government should appoint a Committee/Board known as the Minimum Wages State Advisory Board. The function of the Board is to hold enquiries and advise the Government regarding fixation and revision of Minimum wages. It is constituted only when the rates of minimum wages are required to be fixed/revised normally for a period of 3 years.

The role of the Board is advisory in nature. The Commissioner & Secretary, Labour Department is the Chairman of the Board while the Labour Commissioner is the Member Secretary. Other members comprise of Government Departments like Director of Economics and Statistics, Employers' representatives namely Chief Engineer, Public Works Department (R&B), Meghalaya, Director of Agriculture, Managing Director, Meghalaya Transport Corporation, Chief Executive officer, Municipality Shillong, President Frontier Chamber of Commerce, Managing Director, Meghalaya plywood's Pvt. Ltd, Manager, Ri Khasi Press and Employees' representatives namely, General Secretary, Shillong Municipality, Shillong, President INTUC, General Secretary Meghalaya Power Workers' Union, General Secretary AITUC, General Secretary Garo Hills PWD Labour Union, General Secretary, Shillong Municipal Employees' Association, General Secretary, Meghalaya PWD Muster Roll Workers' Union and Independent Members namely Secretary, Law Department, Director of Industries, Meghalaya.

The Board has no office/branches as the Board was constituted only for the propose of fixation/revision of the rates of minimum wages and meetings were generally held in the Conference Hall of the main Secretariat building, meetings were generally held during the period of fixation/revision of the rates of minimum Wages and the minutes of the meetings prepared are available to the public. The representatives of the public mentioned above can participate in the meeting.

Under Section 6 (1) of the Equal Remuneration Act, 1976, the State Government of Meghalaya has also constituted the State Advisory Committee consisting of the following members namely :-

Commissioner & Secretary, Labour Department as Chairman Labour Commissioner as Member Secretary and members consisting of Director of health Services, Director of Public Relations, Director of Industries, Director of Agriculture, Director of Employment & Craftmen Training, Chief Engineer, PWD (Roads), Secretary, MSEB, Chairman state Social Welfare Advisory Board, Joint Director of Social Welfare, Nursing Superintendent, Directorate of Health Services, Ganesh Das Hospital, Matron K.J.P. Hospital, Headmistress Tura Christian Girls' High School. The terms of reference of the State Advisory Committee is to advise the State Government with regard to the extent to which women may be employed in the scheduled employments.

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CHAPTER – 8  
(MANUAL – 7)

THE NAMES, DESIGNATIONS AND OTHER PARTICULARS OF THE PUBLIC INFORMATION OFFICERS

NAME OF THE PUBLIC AUTHORITY : : OFFICE OF THE LABOUR COMMISSIONER, MEGHALAYA.

**I. DEPARTMENT APPELLATE AUTHORITY:**

Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			
1.	Smt.Ripnar Lyngdoh, MCS	Labour Commissioner	0364.	2223445	—	—	—	Office of the Labour Lower Lachumiere Meghalaya Shillong – 793001.

**II. PUBLIC INFORMATION OFFICER :**

Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			
1.	Shri.K.C.Chyne	Joint Labour Commissioner	0364.	2504228	2560847.	—	—	Office of the Labour Commissioner Lower Lachumiere Meghalaya Shillong – 793001.

**III. ASSISTANT PUBLIC INFORMATION OFFICERS :**

Sl.No	NAME	Designation	S.T.D	Ph.No.		Email	Address
				Office	Home		
1.	District Labour Office – Shillong.						
1.	Shri. R.W.Wahlang.	Labour Inspector.	—	—	—	—	District Labour Office, Lachumiere, Shillong.
	District Labour Office – Nongpoh						
1.	Shri. B.Khongsngi.	Labour Ispector.	—	—	—	—	District Labour Office, Ri – Bhoi District, Nongpoh.

Sl.No	NAME	Designation	S.T.D	Ph.No.		Email	Address
				Office	Home		

District Labour Office – Tura

- |    |                 |                  |        |         |   |   |
|----|-----------------|------------------|--------|---------|---|---|
| 1. | Smt. F.K.Marak. | Labour Inspector | 953651 | 232262. | — | District Labour Office,<br>West Garo Hills, Tura. |
|----|-----------------|------------------|--------|---------|---|---|

District Labour Office – Williamnagar

- |    |                  |                  |        |        |   |  |
|----|------------------|------------------|--------|--------|---|--|
| 1. | Smt. R.Ch.Marak. | Labour Inspector | 953658 | 220668 | — | District Labour Office,<br>West Garo Hills,<br>Williamnagar. |
|----|------------------|------------------|--------|--------|---|--|

District Labour Office – Baghmara

- |    |                 |                  |   |   |   |   |
|----|-----------------|------------------|---|---|---|---|
| 1. | Shri. C.Sangma. | Labour Inspector | — | — | — | District Labour Office,<br>South Garo Hills,<br>Baghmara. |
|----|-----------------|------------------|---|---|---|---|

District Labour Office – Jowai

- |    |                |                  |        |        |   |  |
|----|----------------|------------------|--------|--------|---|--|
| 1. | Smit. M.Thabah | Labour Inspector | 953652 | 223774 | — | District Labour Office,<br>Jaintia Hills, Jowai. |
|----|----------------|------------------|--------|--------|---|--|

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CHAPTER – 9  
(MANUAL 8)

PROCEDURE FOLLOWED IN DECISION MAKING PROCESS

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9.1 — The Minister incharge of the Department is responsible for policy decisions. He is advised and assisted by Commissioner and Secretary of the Department. The Commissioner and Secretary is the Administrative Head and takes decision on all matters of policy and administration. The Rules of Executive Business of the Govt. regulate the manner in which transaction of business of Govt. should be carried out. While the Labour Commissioner will provide technical advice to the Commissioner & Secretary and is responsible for execution and implementation of policies/decisions laid down by the Administrative Department.

9.2— The Commissioner & Secretary will take all important decisions of the Department as per the existing Acts/Rules. For instance to fix/revise the Minimum rate of wages under the Minimum wages Act, the State Govt. will constitute the Minimum Wages State Advisory Board, the rates suggested by the Board will be invited objections/suggestions upon from the Public and the Govt. will finally fix/revise the rates.

9.3 — The existing arrangement to communicate any decision to the Public is being made through Publication in the meghalaya Gazette or by execution and implementation of the decisions through the field Officers of the Directorate.

9.4 — The Commissioner & Secretary at the Secretarial level will be assisted by Deputy Secretary, Under Secretary and Financial Adviser who will give their opinions and seek advise from other Departments before making any decision. The Labour Commissioner will be advised and assisted by his Officers who also offer technical devise to the decision to be arrived at.

9.5 — The Commissioner & Secretary at the Secretariat level is the final authority that accords the decision.

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CHAPTER – 10  
(MANUAL – 9)  
DIRECTORY OF OFFICERS AND EMPLOYEE

10.1 Please provide Information District – wise in following Format

Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			

I. EAST KHASI HILLS DISTRICT  
DIRECTORATE LEVEL  
OFFICER LEVEL

1. Smit.R.Lyngdoh,Mcs	Labour Commissioner	0364	2223445	—	—	—	Lachumiere, Meghalaya Shillong – 793001.
2. Shri.K.C.Chyne	Joint Labour Commissioner	0364	2504228	2560847	—	—	-do-
3. Shri.H.Kharmujai	Labour Inspector	—	—	—	—	—	-do-

EMPLOYEES – Establishment

1. Shri.B.Diengdoh	Superintendent	—	—	—	—	—	-do-
2. Smti.B.Nongkynrih	U.D.Assistant	—	—	—	—	—	-do-
3. Smti.P.Khyriem	U.D.Assistant	—	—	—	—	—	-do-
4. Smti.W.Diengdoh	U.D.Assistant	—	—	—	—	—	-do-
5. Smti.A.Kharsyntiew	L.D.Assistant	—	—	—	—	—	-do-
6. Shri.T.Lyngdah	L.D.Assistant	—	—	—	—	—	-do-
7. Shri.C.Giri	L.D.Assistant	—	—	—	—	—	-do-
8. Shri.P.S.Kharlong	Stenographer	—	—	—	—	—	-do-

Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			

9. Smit.B.Diengdoh.	Typist	—	—	—	—	—	—	Lachumiere, Meghalaya Shillong – 793001.
10. Shri.B.Kharsati.	Driver	—	—	—	—	—	—	-do-
11. Shri.K.Rynjah	Driver	—	—	—	—	—	—	-do-
12. Shri.P.Sehklet	Duftry	—	—	—	—	—	—	-do-
13. Shri.C.Khyriem	Peon	—	—	—	—	—	—	-do-
14. Shri.N.Lyngdoh	Peon	—	—	—	—	—	—	-do-
15. Shri.S.Marak	Peon	—	—	—	—	—	—	-do-
16. Shri.D.Langstieh	Peon	—	—	—	—	—	—	-do-
17. Shri.P.Sariang	Part time Driver	—	—	—	—	—	—	-do-
18. Smti.M.Marak	Bungalow Peon	—	—	—	—	—	—	-do-
19. Smti.A.Nongrum	Part time Cleaner	—	—	—	—	—	—	-do-
20. Smit.A.Shabong	Part time Chowkider	—	—	—	—	—	—	-do-

EMPLOYEES – STATISTICAL CELL

1. Shri.J.M.Kharkenger	Statistical Assistant	—	—	—	—	—	—	-do-
2. Shri.R.Nonglait	Computer Clerk	—	—	—	—	—	—	-do-
3. Smti.M.Chyne	Typist	—	—	—	—	—	—	-do-
4. Shri.K.Mukhim	Peon	—	—	—	—	—	—	-do-



Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			

DISTRICT LEVEL  
EAST KHASI HILLS DISTRICT  
OFFICER

1. Shri.R.W.Wahlang.	Labour	—	—	—	—	—	Lachumiere, Meghalaya Shillong – 793001.
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EMPLOYEES

1. Smti.S.Chen.	U.D.Assistant	—	—	—	—	—	-do-
2. Shri.K.Rynjah	LDA- Cum - Typist	—	—	—	—	—	-do-
3. Shri.B.Denmon	Peon	—	—	—	—	—	-do-
4. Shri.B.Rangslang	Chowkidar	—	—	—	—	—	-do-

LABOUR WELFARE CENTRE : : : SOHRA

1. Smti.Damera.R.Rani	Labour welfare Organiser	—	—	—	—	—	Labour Welfare Centre, Sohra.
2. Smti.W.Khongwir	Instructor	—	—	—	—	—	-do-
3. Shri.S.Marwein	Instructor	—	—	—	—	—	-do-
4. Smti.R.Kharkengor	LDA-Cum- Typist	—	—	—	—	—	-do-
5. Shri.J.Sohtun	Peon	—	—	—	—	—	-do-
6. Shri.Aibor Chyne	Chowkidar	—	—	—	—	—	-do-



Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			

EMPLOYEES

1. Smti.H.Passah	U.D.Assistant	—	—	—	—	—	—	Sub Divisional Labour Office, Jaintia Hills, Jowai.
2. Shri.D.Khongthengkut	LDA-Cum-Typist	—	—	—	—	—	—	-do-
3. Smti.P.Samgma	Peon	—	—	—	—	—	—	-do-
4. Shri.E.Shadap	Chowkidar	—	—	—	—	—	—	-do-

LABOUR WELFARE CENTRE : : KHLIEHRIAT  
EMPLOYEES

1. Shri.J.Suja	Labour welfare Organiser	—	—	—	—	—	—	Labour Welfare Centre, Khliehriat.
2. Smti.Merina Nongtdu	Inspructor	—	—	—	—	—	—	-do-
3. Smti.Hazel Rymbai	Instructor	—	—	—	—	—	—	-do-
4. Smti.Jeyney Rymbai	LDA-Cum-Typist	—	—	—	—	—	—	-do-
5. Shri.Teilang Nongtdu	Peon	—	—	—	—	—	—	-do-
6. Vacant								

IV. RI BHOI DISTRICT : : NONGPOH  
OFFICER

1. Shri.B.Khongsngi	Labour Inspector	—	—	—	—	—	—	District Labour Office, Ri Bhoi District, Nongpoh.
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EMPLOYEES

1. Smti.B.Kynshikhar	U.D.Assistant	—	—	—	—	—	—	District Labour Office, Ri Bhoi District, Nongpoh
2. Smti.J.Langstieh	LDA-Cum-Typist	—	—	—	—	—	—	-do-
3. Shri.D.Marak	Peon	—	—	—	—	—	—	-do-
4. Shri.P.Lyngdoh	Chowkidar	—	—	—	—	—	—	-do-

Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			

LABOUR WELFARE CENTRE : : UMIAM

EMPLOYEES

1. Shri.M.Lyngdoh	Labour welfare Organiser	—	—	—	—	—	—	Labour Welfare Centre, Umiar.
2. Smti.E.Haejon	Inspructor	—	—	—	—	—	—	-do-
3. Smti.E.Nongbri	Instructor	—	—	—	—	—	—	-do-
4. Smti.B.Thabah	LDA-Cum- Typist	—	—	—	—	—	—	-do-
5. Shri.S.Kharkamni	Peon	—	—	—	—	—	—	-do-

LABOUR WELFARE CENTRE : : BYRNIHAT

OFFICER

1. Shri.G.W.Sohtun	Labour Inspector	—	—	—	—	—	—	Labour Welfare Centre, Byrnihat.
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EMPLOYEES

1. Vacant	Labour welfare Organiser	—	—	—	—	—	—	-do-
2. Smti.A.Thangkhiew	Instructor	—	—	—	—	—	—	-do-
3. Smit.B.Nongpoh	Instructor	—	—	—	—	—	—	-do-
4. Shri.L.Lamin	LDA-Cum- Typist	—	—	—	—	—	—	-do-
5. Smti.M.Kharkongor	Peon	—	—	—	—	—	—	-do-
6. Shri.F.Maiong	Chowkidar	—	—	—	—	—	—	-do-

V. WEST GARO HILLS DISTRICT : : TURA

OFFICER

1. Smti.F.K.Marak	Labour Inspector	—	—	—	—	—	—	District Labour Office, Tura.
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EMPLOYEES

1. Smti.I.N.Marak	U.D.Assistant	—	—	—	—	—	—	-do-
2. Smti.P.K.Marak	LDA-Cum- Typist	—	—	—	—	—	—	-do-

Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			

3. Smti.R.G.Momin	Peon	—	—	—	—	—	—	-do-
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4. Shri.R.N.Marak	Chowkidar	—	—	—	—	—	—	-do-
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**VI. EAST GARO HILLS DISTRICT : : WILLIAMNAGAR**  
**OFFICER**

1. Smti.R.C.Narak	Labour Inspector	—	—	—	—	—	—	District – Labour Office, Williamnagar.
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**EMPLOYEES**

1. Shri.M.N.Areng	LDA-Cum-Typist	—	—	—	—	—	—	-do-
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2. Shri.S.Kongwang	Peon	—	—	—	—	—	—	-do-
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3. Shri.L.D.Marak	Chowkidar	—	—	—	—	—	—	-do-
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**LABOUR WELFARE CENTRE : : MENDIPATHAR**  
**EMPLOYEES**

1. Smti.T.P.Marak	Labour welfare Organiser.	—	—	—	—	—	—	Labour Welfare Centre, Mendipathar.
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2. Shri.J.Sangma	Instructor	—	—	—	—	—	—	-do-
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3. Shri.Trystane Momin	Instructor	—	—	—	—	—	—	-do-
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4. Smti.C.W.Momin	LDA-Cum-Typist	—	—	—	—	—	—	-do-
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5. Shri.Arseng ch.Samgna	Peon	—	—	—	—	—	—	-do-
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6. Shri.S.T.Samgna	Chowkidar	—	—	—	—	—	—	-do-
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**VII. SOUTH GARO HILLS DISTRICT : : BAGHMARA**  
**OFFICER**

1. Shri.C.B.Sangma	Labour Inspector	—	—	—	—	—	—	District Labour Office, Baghmara.
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**EMPLOYEES**

1. Shri.A.R.Marak	U.D.Assistant	—	—	—	—	—	—	-do-
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2. Shri.B.N.Marak	LDA-Cum-Typist	—	—	—	—	—	—	-do-
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Sl.No	NAME	Designation	S.T.D	Ph.No.		Fax	Email	Address
				Office	Home			

3.	Shri.D.A.Sangma	Peon	—	—	—	—	—	-do-
4.	Shri.B.N.Sangma	Chowkidar	—	—	—	—	—	-do-

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CHAPTER – 11  
(MANUAL – 10)

THE MONTHLY REMUNERATION RECEIVED BY EACH OF ITS OFFICER AND  
EMPLOYEES INCLUDING THE SYSTEM OF COMPENSATION AS PROVIDED IN  
REGULATIONS

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Name	Designation	Monthly Remuneration	Compensation/ compensatory Allowance.	The procedure to determine the demuneration as given In the regulation.
2	3	4	5	6

DIRECTORATE LEVEL

* Smti.R.Lyngdoh	Labour Commissioner	24840	—	As per Govt. Rules/Orders.
* Shri.K.C.Chyne	Joint Labour Commissioner	19263	H.A.O 130 p.m	
* Shri.H.Kharmujai	Labour Inspector	13528		
* Shri.B.Diengdoh	Superintendent	14082	—	
* Smti.B.Nongkynrih	U.D.Assistant	12923	—	
* Smti.P.Lhyriem	U.D.Assistant	10873	—	
* Smti.W.Diengdoh	U.D.Assistant	10873	—	
* Smti.A.Kharsyntiew	L.D.Assistant	9395	—	
* Shri.T.Lyngrah	L.D.Assistant	8138	—	
* Shri.C.Giri	L.D.Assistant	7985	—	
* Shri.P.S.Kharlong	Steno	12276	—	
* Smti.B.Diengdoh	Typist	6758	—	
* Shri.B.Kharsati	Driver	7934	—	
* Shri.K.Rynjah	Driver	6674	—	
* Shri.P.Sohkhlet	Duftry	8505	—	
* Shri.C.Khyriem	Peon	7590	—	
* Shri.N.Lyngdoh	Peon	7590	—	
* Shri.S.Marak	Peon	6826	—	
* Shri.D.Langstieh	Peon	6389	—	
* Shri.J.M.Kharko— ngor	Statistical Assistant	11915	—	
* Shri.R.Nonglait	C/Clerk	8590	—	
* Smti.M.Chyne	Typist	7414	—	
* Shri.K.Mukhim	Peon	7590	—	
* Shri.P.Sariang	Part time Cleaner	2550	—	
* Smti.M.Marak	Bungalow Peon	2400	—	
* Smti.A.Nongrum	Part time Cleaner	1800	—	
* Smti.A.Shabong	Part time Chowkidar	300	—	

Name	Designation	Monthly Remuneration	Compensation/ compensatory Allowance.	The procedure to determine the demuneration as given In the regulation.
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DISTRICT LEVEL

District Labour Office. Shillong

* Shri.R.W.Wahlang	Labour Inspector	12652	—	As per Govt. Rules/Orders.
* Smti.S.D.Chen	U.D.Assistant	12896	—	
* Smti.B.Sehlang	L.D.A-Cum-Typist	8134	—	
* Shri.B.Denmon	Peon	5514	—	
* Shri.O.Rangllang	Chowkider	8008	—	

Labour Welfare Centre. Sohra

* Smti.D.R.Rani	Organiser	9832	—	
* Smti W.Khengwir	Instructor	8413	—	
* Shri.S.Marwein	Instructor	7120	—	
* Smti.R.Kharkonger	L.D.A-Cum-Typist	7237		
* Smti.J.Sohtun	Peon	5356	—	
* Shri.Aibor Chyne	Chowkidar	5551	—	

District Labour Office. Nongstoin

* Labour Inspector				
* Smti.S.M.Marbamiang	L.D.A-Cum-Typist	6741	—	
* Shri.W.Lyngdoh Mawnai	Peon	5479	—	
* Shri.R.Thongni	Chowkider	5766	—	

District Labour Office . Jowai

* Smti.M.Thabah	Labour Inspector	12354	—	
* Smti.V.Dahling	L.D.A-Cum-Typist	6510	—	
* Shri.Y.Nonghulee	Peon	5260	—	
* Smti.H.Ryngkhlem	Chowkider	4705	—	

District Labour Office . Tura

* Smti.F.K.Marak	Labour Inspector	15585	—	
* Smti.I.N.Marak	U.D.Assistant	12341	—	
* Smti.P.K.Marak	L.D.A-Cum-Typist	6326	—	
* Smti.R.G.Momin	Peon	5204	—	
* Shri.R.N.Marak	Chowkidar	4770	—	

District Labour Office, Williamnagar

* Smti.R.C.Marak	Labour Inspector	9825	—	
* Shri.M.N.Marak	L.D.A-Cum-Typist	7184	—	
* Shri.S.Kengwang	Peon	7177	—	
* Shri.L.D.Marak	Chowkidar	5397	—	



Name	Designation	Monthly Remuneration	Compensation/ compensatory Allowance.	The procedure to determine the demuneration as given In the regulation.
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District Labour Office. Nongpoh

* Shri.B.Khongsngi	Labour Inspector	10236	—	
* Smti.B.Kynshikhar	U.D.Assistant	10480	—	
* Smti.J.Langstish	L.D.A-Cum-Typist	7353	—	
* Shri.D.Marak	Peon	7290	—	
* Shri.P.Lyngdoh	Chowkider	5326	—	

District Labour Office. Bashmara

* Shri.C.B.Sangma	Labour Inspector	9616	—	
* Smti A.R.Marak	U.D.Assistant	9129	—	
* Shri.B.N.Marak	L.D.Assistant	7048	—	
* Shri.D.A.Sangma	Peon	5640	—	
* Shri.B.N.Sangma	Chowkidar	5540	—	

Labour Welfare Centre. Mendipathar

* Smti.T.P.Marak	Labour Welfare Organiser	9544	—	
* Shri.J.Sangma	Instructor	7032	—	
* Shri.Taystone Momin	L.D.A-Cum-Typist	7136	—	
* Shri.Arseng Ch.Sangme	Peon	5563	—	
* Shri.S.F.Sangma	Chowkider	5321	—	

Labour Welfare Centre. Umiam

* Shri.M.Lyngdoh	Labour Welfare Organiser	8111	—	
* Smti.E.Hujon	Instructor	8327	—	
* Shri.E.Nongbri	L.D.A-Cum-Typist	6611	—	
* Shri.S.Kharkamni	Peon	5014	—	

Labour Welfare Centre . Byrnihat

* Shri.G.W.Sohtun	Labour Inspector	9750	—	
* Labour Welfare Organiser		7886	—	
* Smti.A.Thangkhiew	Instructor	6651	—	
* Smti.B.Nongpoh	Instructor	6651	—	
* Shri.L.Lamin	L.D.A-Cum-Typist	5982	—	
* Smti.M.Kharkongor	Peon	4984	—	
* Shri.F.Maiong	Chowkidar	4888	—	

Name	Designation	Monthly Remuneration	Compensation/ compensatory Allowance.	The procedure to determine the demuneration as given In the regulation.
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Labour Welfare Centre . Khliehriat

* Shri.J.Suja	Labour Welfare Organiser	7934		
* Smti.M.Nongtdu	Instructor	6823		
* Smti.Hazel Rymbai	Instructor	6823		
* Smti.J.Rymbai	L.D.A-Cum-Typist	6229		
* Shri.T.Nongtdu	Peon	4948		
* Chowkidar		4948		

Sub – Divisional Khliehriat

* Shri.R.Lynthong	Labour Inspector	9792		
* Smti.H.Passah	U.D.Assistant	10839		
* Shri.O.Khongtyngkut	L.D.A-Cum-Typist	6230		
* Shri P.Sangma	Peon	5140		
* Shri.E.Shadap	Chowkidar	4677		

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CHAPTER – 13  
(MANUAL – 12)

THE MANNER OF EXECUTION OF SUBSIDY PROGRAMMES

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- 13.1 There is no subsidy programme excuted by the office of the Labour Commissioner, Meghalaya, Shillong.

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CHAPTER – 14  
(MANUAL – 13)

PARTICULARS OF RECIPIENTS OF CONCESSIONS, PERMITS  
OR AUTHORIZATION GRANTED BY IT

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- 14.1 The Office of the Labour Commissioner, Meghalaya did not executed any Programme relating to concessions, permits or authorization granted by it.

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CHAPTER – 15  
(MANUAL – 14)

NORMS SET BY IT FOR THE DISCHARGE OF ITS  
FUNCTIONS

15.1

Implementation of various labour laws, mentioned in earlier chapters is the main function of the Organisation under the Labour Commissioner. Under the Industrial Disputes Act, 1947 where any Industrial dispute exists or is apprehended, the Officers in the Districts who are appointed as Conciliation Officers under the Act should for the purpose of bringing about or settlement of the dispute, investigate without delay the dispute and all matters affecting the merits and the right settlement thereof. Where a settlement is arrived at, a memorandum of settlement should be prepared and signed by the parties to the dispute. Where no settlement is arrived at, the Conciliation Officer should refer the case along with a failure report to the Labour Commissioner, for forwarding the same to Govt. for its examination and reference to Labour Court of Industrial Tribunal. However, in respect of establishments where its branches spread throughout the State, settlement of the disputes will be done at the level of the Labour Commissioner, or Joint Labour Commissioner.

For implementation of the provisions of other labour laws, the officers as the Inspectors under the Acts should see that the provisions are properly implemented by the employers of the establishments. In case of violation of the provisions of the Acts, the Inspectors should initiate legal action by way of prosecution/claim application etc. Show cause notice should be served on the employer so that he cannot complain of being taken unaware by institution of legal proceedings. Where the liability is disputed on legal or other ground, the prosecuting Officer will refer the matter to the Labour Commissioner so that the grounds on which the employer's liability is disputed could be fully examined before deciding on legal action. The labour Commissioner will refer the matter to Govt. for its approval and examination by Law Department.

For registration of Shops/Commercial Establishments Motor Transport Undertakings, Principal Employees and Contractors under the Inter – State Migrant Workmen Act or the Contract Labour Act, application forms will be made as per prescribed forms under the Acts. The District Officers will be forwarded the forms to the Labour Commissioner for granting Certificates/Licenses. The Labour Commissioner's Office on receipt of the application forms will see whether the applications conform the relevant provisions of the Acts and Rules, grant a Certificate/license and maintain registers showing the particulars in relation to which Certificates/licenses have been issued.

The Office of the Labour Commissioner as Head of office should be well acquainted with the powers delegated to him under the Delegation of Financial Powers Rules and these delegated under the departmental orders. The Labour Commissioner should seek the advice of FAO attached to the office before sanctioning any amount. Under the Organisation of the Labour Commissioner the Joint Labour Commissioner in the Districts the Labour Inspectors are the Drawing and Disbursing Officers. Preparation of Budget, surrender of savings etc., will be done at the Directorate Level on the basis of the information sent by the District Offices.

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CHAPTER – 16  
(MANUAL – 15)

INFORMATION AVAILABLE IN AN ELECTRONIC FORM.

- 16.1            At present, the information relating to various Schemes under the organisation of the Labour Commissioner, Meghalaya have not been made available through electronic format.

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CHAPTER – 17  
(MANUAL – 16)

PARTICULARS OF THE FACILITIES AVAILABLE TO  
CITIZENS FOR OBTAINING INFORMATION

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- 17.1. Means, methods or facilities available to the public adopted by the Department for Dissemination of information are: -

Inspection of records in the office System of issuing of copies of documents. Printed Manual available.

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CHAPTER – 18  
(MANUAL – 17)

18.1 OTHER USEFUL INFORMATION  
FREQUENTLY ASKED QUESTIONS AND THEIR ANSWERS  
BY PUBLIC.

1. What is the objective of the Right to Information Act, 2005 ?

- It is an Act to provide for setting out the practical regime of right to information for Citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority.

2. When does the Act was passed and come into force ?

- The Act was passed by the Lok Sabha on 11<sup>th</sup> May 2005 and received the assent of the President of India on the 15<sup>th</sup> June 2005. It comes into force on the 12<sup>th</sup> October 2005 (120<sup>th</sup> day of its enactment on 15<sup>th</sup> June 2005).

3. What does information mean ?

- Under Section 2 (f) of the Act, information means any material in any form, including Records, documents, memos, e – mails, opinions, advices, press release, circulars, orders, Logbooks, contracts reports, papers, samples, models, data material held in any electronic form and information relating to any private under any other law for the time being in force;

4. What does Right to Information mean ?

- Under Section 2 (j) of the Act, information means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right To :-
  - (i) inspection of work, document, records;
  - (ii) taking notesmextracts or certified copies of documents or records;
  - (iii) taking certified samples of material;
  - (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device.

5. Who shall have the Right to Information ?

- All citizens shall have the Right to Information (Section 3).



6. What are the obligations of public authority ?

- Obligations are given in Section 4 of the Act, the Public Authority shall within 120 days From enactment maintain all its records duly catalogued and indexed in a manner and the form which facilitates the Right to Information.

7. Who are the Appellate authority, Public Information Officers and Assistant Public Information Officers under the organisation of Labour Commissioner ?

- Labour Commissioner is the Appellate Authority under the Act. While the Joint Labour Commissioner is the Public Information Officer and all the 7 (seven) labour Inspectors in The District Headquarter as Assistant Public Information Officers. Notifications are annexed at APPENDIX I – A, B, C.

8. What is the Application Procedure for requesting information ?

- 1. Apply in writing or through electronic means in English or Hindi or in the official language of the area to the Public Information Officer, specifying the particulars of the information sought for.
  2. Reason for seeking information are not required to be given.
  3. Pay fees as may be prescribed (if not belonging to the below poverty line category)

9. What is the time limit to get the information ?

- 1. 30 days from the date of application.
  2. 48 hours for information concerning the life and liberty of a person.
  3. 5 days shall be added to the above response time, in case the application for information is given to Ass stant Public Information officer.
  4. If the interests of a third party are involved then time limit will be 40 days (maximum period + time given to the party to make representation). Failure to provide information within the specified period is a deemed refusal.

10. What is the fee ?

- 1. Application fees as prescribed by the Rules framed under the Act.
  2. If further fees are enquired, then the same must be intimated in writing with calculation details of how the figure was arrived at.
  3. Applicant can seek review of the decision on fees charged by the PIO by applying to the appropriate Appellate Authority;
  4. No fees will be charged from people living below the poverty line.

5. Applicant must be provided information free of cost if the PIO fails to comply with the prescribed time limit.

Any other questions relating to the functions of the Public Authority under the Labour Commissioner can be consulted from the Labour Commissioner's office or the District Labour Offices.

18.2 RELATED TO SEEKING INFORMATION :-

- Application form – The applications should be made in plain paper by writing in English Or in the official language of the area to the PIO or APIOS.
- Fee as may be prescribed under the Rules.
- The information request in writing should be addressed to the PIO that is the Joint Labour Commissioner, Meghalaya, Shillong, Lower Lachumiere. The subject should clearly Specify the particulars of the information sought for. The public or any individual who Desire to have the information should sign the information request in writing along with Date, full name and addresses.
- Right of the citizen in case of denial of information and procedure to appeal :-  
Any person who does not receive a decision or is aggrieved by the decision of the PIO, Should prefer an appeal as the Appellate Authority to the State Information Commission Under Section 9 of the Act. Section 20 of the Act provides the penalties for refusal to give The information.

18.3. WITH RELATION TO TRAINING IMPARTED TO PUBLIC AUTHORITY :-

- Under the organisation of the Labour Commissioner, Meghalaya there are 5 (five) Labour Welfare Centres one each at Sohra, Mendipathar, Khliehriat, Umiam and Byrnihat. These Centres provide free and basic training in the trades of sewing, knitting and embroidery to the workers and their family members.
- The training is meant for short duration of 6 months to 1 (one) year.
- The objectives of the training is bring about upliftment of the economic status of the workers and their family members thereby imbiding into them the spirit of confidence, trust and cooperation in the society.
- Physical and financial targets —  
It is estimated about 60 trainees each year will be imparted training in each of these Centres. But due to the Lack of infrastructure and others, most of these Centres are not properly functioning. Steps are however being taken to provide more funds for these Centres.

- All workers and their family members with or without any qualification can attend the training.
- No grant or scholarship will be given and no fee will no charged for the training.
- The workers or their family members can contact or had the information regarding the training from the above Centres.
- The trainee can attend the training at any time of the year, subject to availability of seats and training materials.
- Certificate will be given at the completion of the course.
- The Labour Welfare Organiser in the Centre is responsible for creating public awareness about the training programme.

18.5 WITH RELATION TO REGISTRATION ON PROCESS – THE FOLLOWING ARE REQUIRED TO REGISTER UNDER THE OFFICE OF THE LABOUR COMMISSIONER MEGHALAYA ::

1. Registration of Establishments namely shops, commercial establishment or an establishment for public entertainment or amusement Under Section 3 of the Meghalaya Shops and Establishments Act 2003.
  2. Registration of Principal Employers and Contractors under the Inter State migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979.
  3. Registration of Motor Transport Undertakings Under Section 3 of the Motor Transport Workers Act 1961.
  4. Registration of Principal Employers and Contractors Under the Contract Labour (Regulation and Abolition) Act, 1970.
- The objectives of registration of the above establishments, motor transport undertakings, Principal employers and contractors is for proper implementation of the Labour Acts.
  - The applications for registration or for renewal of registration should be made to the Labour Commissioner, Meghalaya or the Labour Inspectors in the Districts.
  - The fees payable for registration or for renewal of registration shall be as such as may be prescribed under the Rules.
  - The certificates issued by the Labour Commissioner will remain valid for a period of one year in the case of Establishments under the Shops and Establishment Act, 2005, Principal Employers/Contractors under the Inter – State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979 and the Contract Labour (Regulation and Abolition) Act, 1970 and 3 years in the case of Motor Transport Undertakings.

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**GOVERNMENT OF MEGHALAYA  
LABOUR DEPARTMENT**

**NOTIFICATION**  
**Dated, 12<sup>th</sup> Sept' 2005.**

**No LBG 57/2005/57** : In terms of section 2 (h) (d) of the Right to Information Act, 2005, the Following are “ Public Authorities” there under :-

1. Labour Department.
2. Directorate of Employment & Craftsmen Training, Meghalaya, Shillong
3. Office of the Labour Commissioner, Meghalaya, Shillong.
4. Chief Inspectorate of Boilers & Factories, Meghalaya, Shillong.
5. Directorate of Meghalaya Civil Task Force, Meghalaya, Shillong.
6. Office of Administrative Medical Officer, (ESI) Scheme, Shillong.

Sd/-

Commissioner & Secretary to the Govt of Meghalaya,  
Labour Department.

**M.NO. LBG 57/2005/57 – A**

**Dated, Shillong, the 12<sup>th</sup> Sept' 2005**

Copy forwarded to :-

1. Labour Department.
2. Director of Employment & Craftsmen Training, Meghalaya, Shillong.
3. Labour Commissioner, Meghalaya, Shillong.
4. Chief Inspector of Boilers & Factories, Meghalaya, Shillong.
5. Commandant Civil Task Force, Meghalaya, Shillong.
6. Administrative Medical Office, (ESI) Scheme, Meghalaya, Shillong.

By Order etc.....

Deputy Secretary to the Govt. of Meghalaya,  
Labour Department

**GOVERNMENT OF MEGHALAYA  
LABOUR DEPARTMENT**

**NOTIFICATION**

**Dated, 12<sup>th</sup> Sept' 2005.**

**No LBG 57/2005/61** : In exercise of the power conferred Sub – Section (1) of Section 19 of the Right to Information Act, 2005, the Governor of Meghalaya is pleased to designate the Labour Commissioner as Appellate Authority in respect of Labour Commissioner under Labour Department.

Labour Commissioner,  
Meghalaya, Shillong.

Appellate Authority

Sd/-

Commissioner & Secretary to the Govt of Meghalaya,  
Labour Department.

**M.NO. LBG 57/2005/57 – A**

**Dated, Shillong, the 12<sup>th</sup> Sept' 2005**

Copy forwarded to :-

1. P.S. to Minister In – Charge Labour Department.
2. P.S. to Addl. Chief Secretary to the Govt. of Meghalaya.
3. P.A. to Comm. & Secy to the Govt. of the Meghalaya, Labour.
4. P.A. to Comm. & Secy to the Govt. of Meghalaya, Information & Public Relation.
5. Director of Employment & Craftsmen Training, Meghalaya, Shillong.
6. Labour Commissioner, Meghalaya, Shillong.
7. Chief Inspector of Boiler & Factories, Meghalaya, Shillong.
8. Commandant of Meghalaya Civil Task Force, Meghalaya, Shillong.
9. Administrative Medical Officer, Meghalaya, Shillong.
10. Under Secretary to the Govt. of Meghalaya, Information & Public Information.
11. Under Secretary to the Govt. of Meghalaya, National Informatic Centre.
12. Director of Printing & Stationery, Meghalaya, Shillong.

By Order etc.....

Deputy Secretary to the Govt. of Meghalaya,  
Labour Department

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE LABOUR COMMISSIONER  
MEGHALAYA : : : SHILLONG

NOTIFICATION

Dated Shillong, the 15<sup>th</sup> September, 2005.

No LC/RTIA - 20/2005/4664 :- In exercise of the power conferred under Sub – Section (1) of Section 5 of the Right to Information Act, 2005 (Central Act No. 22 of 2005), it is hereby designated the following Officer as Public Information Officer in respect of the Office of the Labour Commissioner, Meghalaya under Labour Department.

Joint Labour Commissioner  
Meghalaya, Shillong.  
Office of the Labour Commissioner  
Lower Lachumiere  
Shillong – 793001  
Ph.No – 0364 – 2504228

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Public Information Officer.

(Smt.R.Lyngdoh, MCS),  
Labour Commissioner.  
Meghalaya, Shillong.

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Memo.No.LC/RTIA – 20/2005/4665 – 79

Dated Shillong, the 15<sup>th</sup> September, 2005.

Copy for information to :-

1. The Private Secretary to the Minister of Labour, Govt. of Meghalaya.
2. The Private Secretary to the Additional Chief Secretary, to the Govt. of Meghalaya.
3. The Commissioner & Secretary to the Govt. of Meghalaya, Labour Department.
4. The Commissioner & Secretary to the Govt. of Meghalaya, Information & Public Relations Department.
5. The State Informatics Officer, National Informatics Centre, Shillong.
6. Director of Information & Public Relations, Meghalaya, Shillong.
7. The Director of Printing and Stationery, Meghalaya, Shillong.
8. All Labour Inspectors.

(Smt.R.Lyngdoh, MCS),  
Labour Commissioner.  
Meghalaya, Shillong.

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GOVERNMENT OF MEGHALAYA  
OFFICE OF THE LABOUR COMMISSIONER  
MEGHALAYA : : : SHILLONG

NOTIFICATION

Dated Shillong, the 15<sup>th</sup> September, 2005.

No LC/RTIA - 20/2005/4680 :- In exercise of the power conferred under Sub – Section (2) of Section 5 of the Right to Information Act, 2005 (Central Act No. 22 of 2005), it is hereby designated the following Officer as Assistant Public Information Officer in respect of the Office of the Labour Commissioner, Meghalaya under Labour Department.

- |                                   |   |                                 |
|-----------------------------------|---|---------------------------------|
| 1. Labour Inspector, Shillong     | — | For East Khasi Hills, District. |
| 2. Labour Inspector, Nongstoin    | — | For West Khasi Hills District.  |
| 3. Labour Inspector, Jowai        | — | For Jaintia Hills District.     |
| 4. Labour Inspector, Nongpoh      | — | For Ri Bhoi District.           |
| 5. Labour Inspector, Williamnagar | — | For East Garo Hills District.   |
| 6. Labour Inspector, Tura         | — | For West Garo Hills, District.  |
| 7. Labour Inspector, Baghmara     | — | For South Garo Hills District.  |

(Smt.R.Lyngdoh, MCS),  
Labour Commissioner.  
Meghalaya, Shillong.

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Memo.No.LC/RTIA – 20/2005/4665 – 79

Dated Shillong, the 15<sup>th</sup> September, 2005.

Copy for information to :-

1. The Private Secretary to the Minister of Labour, Govt. of Meghalaya.
2. The Private Secretary to the Additional Chief Secretary, to the Govt. of Meghalaya.
3. The Commissioner & Secretary to the Govt. of Meghalaya, Labour Department.
4. The Commissioner & Secretary to the Govt. of Meghalaya, Information & Public Relations Department.
5. The State Informatics Officer, National Informatics Centre, Shillong.
6. Director of Information & Public Relations, Meghalaya, Shillong.
7. The Director of Printing and Stationery, Meghalaya, Shillong.
8. All Labour Inspectors.

(Smt.R.Lyngdoh, MCS),  
Labour Commissioner.  
Meghalaya, Shillong.

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