

## **Manual - II**

### **The Powers and Duties of the Officers and Employees :**

#### **Chief Officer**

1. Implementation of Maharashtra Shops & Establishment ( Regulation of Employment and Service Condition) Act, 2017 with the help of facilitators appointed in 24 BMC Ward Offices and arrange Banned Plastic Actions.
2. To supervise the work of staff —viz. Deputy Chief Facilitators, Senior Facilitators, Facilitators, Head Clerks, Clerks, Senior Shop Attendants, Naik, Shop Attendants and Peons i. e. all indoor and outdoor staff in the department.
3. To implement the decisions and directives issued by Labour Ministry and the Commissioner of Labour, Maharashtra.
4. To maintain liaison with the Government — viz. Mantralaya, Commissioner of Labour and other Government Departments and furnish periodical reports required by these Departments and to coordinate various programs assigned by these authorities.
5. To carry out the orders and administer the working of the Department, under the supervision of the Municipal Commissioner (M.C.) , Addl. Municipal Commissioner (A.M.C.), Deputy Municipal Commissioner etc.
6. To visit various ward offices of Shops and Establishment Department and inspect the working of staff and maintenance of registers and records kept by them.
7. To Co-ordinate working of the department with other Municipal Departments.
8. To attend to members of the public and trade organizations, trade unions, who seek advice on Labour laws, attend to the complaints and arrange for their investigations and actions, through concerned staff.
9. Under Ease of Doing Business to work effectively regarding decisions taken by DIPP and put up proposals to the Superior for further recommendation.
10. Updation of online system from time to time from IT department as per the orders received from Superior Authorities.
11. To carry out the work given by the Superior Authorities from time to time.

### **Deputy Chief Facilitator:**

1. The Dy. Chief Facilitators are responsible to the Chief Officer and Officers above him, for effective enforcement and implementation of the Maharashtra Shops & Establishment ( Regulation of Employment and Service Condition) Act, 2017 . Child Labour (Prohibition and Regulation) Act 1986 and other Labour Management Act's handed over for implementation to Brihanmumbai Mahanagarpalika from Government of Maharashtra through the 24 ward offices and manned by senior facilitators and submit the report. To supervise the work of employees working in Shops and Establishment department in ward offices.
2. The Dy. Chief Facilitator has to scrutiny of offence sheets put up by facilitators.
3. To attend complaints marked by C.O.S.E. and submit report to C.O.S.E.
4. The Dy. Chief Facilitator have to co-ordinate and ensure smooth working between the Ward Offices and Head Office, in respect of various statistical and other information sought by Government and Municipal Agencies.
5. To assist the Chief Officer in day to day administration of the department, by the attending Head Office and to represent the Chief in his duties connected with Government other Municipal Departments whenever asked.
6. To solve the administrative as well as executive difficulties put before him by Senior Facilitators of the Wards.
7. To attend the various meetings as and when directed by C.O.S.E.
8. To attend the Legal matters and matters related to Legal department.
9. To attend matters related to Labour department.
10. Nodal Officer for prohibited plastic action
11. Regulation of child labour mass rates .
12. Work related ease of doing business.
13. Work related to information technology department
14. work as public information officer .
15. To Supervise the work related to LAQ Adhivession .
16. To Supervise the work related to Election
17. To Supervise the work related to Right to service act and 17 manuals etc.
18. To work as a edition officer ( Sanskaran Adhikari)
19. To Supervise control over the work inword outword and peon .
20. To Supervise the work of head clerk (establishment) and head Clerk (General )
21. To scrutinize the pension claims of retired employees in SAP system
22. Any other work assigned him from time to time by C.O.S.E.

### **Senior Facilitator :**

Implementation of Maharashtra Shops & Establishment ( Regulation of Employment and Service Condition) Act, 2017 and other Labour Management Act's as per supervision and directions laid down by Chief Officer at ward level. Senior Facilitator is the Head of the Section in the Ward so far Shops and Establishment is concerned to solve the administrative as well as executive difficulties.

1. To verify documents attached with Online Form A & Form I received at ward level.
2. To attend table work comprising of writing of Monthly Abstracts, Court Registers, Information Sheets, Court Case Reports etc.
3. To investigate complaints received in the ward offices & comply.
4. To visit the establishments in respect of complaints received, with the permission of Assistant Commissioner.
5. To attend various courts, for filling the cases, as also for conducting them.
6. To exercise supervision and control as a representative of C.O.S.E. over the Facilitators, Senior Shop Attendant and Shop Attendants present in the ward.
7. To assign the work to the Facilitators under him in the matter of complaints, right to information, audit notes and routine check as also to solve their practical difficulties and maintain office record.
8. To prepare various reports within time limit as per the demand of Chief Officer.
9. Maintenance of following registers :-
  - 1) Complaint Register
  - 2) Court Register
  - 3) Offence Sheet Register
  - 4) Stock Register
10. To work as a Public information officer in ward office
11. To keep liaison between Ward Office and Head Office.
12. To complete the work assigned by the Superiors from time to time.

### **Facilitator :**

1. To verify documents attached with Online Form A & Form I received at ward level.
2. To attend the table work comprising of writing of monthly abstracts, Offence Sheet Register, Court Register, Information Sheets etc.
3. To attend various courts for filling the cases and also for conducting them.

4. To visit the establishments in respect of complaints received, with the permission of Assistant Commissioner.
5. To visit the establishments in respect of compliance of audit notes, with the permission of Assistant Commissioner.
6. To complete the work assigned by the Superiors from time to time.

**Head Clerk ( Establishments ) :-**

1. To Exercise supervision and control the work of the staff working under them and co-ordinate their work with the work of other section of the office.
2. The H.C. (Establishment) is responsible to Dy. Chief Facilitator. He is responsible for all the papers pertaining to the Establishment section and also looks after the work of Dispatch Section.
3. To scrutinize the drafts put up by the Clerks in Establishment Section and submit the same for C.O.S.E.'s approval.
4. To carry out such jobs relating establishment matters in respect of staff working in Head Office as well as in 24 wards. To ensure timely submission of Effective Reports.
5. To prepare proposals for appointments and promotions as well as continuation of temporary posts.
6. To prepare Establishment Budget proposals.
7. To supervise/do the submission of claims related to N.C.P.F., Pension etc. of the retired employees.
8. (A) To supervise the recovery of Income Tax. (B) To supervise the recovery of excess payment as and when arrears.
9. To remit the cash to C.A.'s Office received in connection with establishment matters.
10. To prepare and issue the draft memo to the employees in case of unauthorized absence and other lapses on their part.
11. To supervise the submission of various reports to Govt. and M.C. , C.A., L.O. higher authorities etc.
12. He/She is responsible for verification of the following documents which are prepared by his/her subordinates as per Service Record maintained in this office.
  - (i) Verification of Increment Certificates,
  - (ii) Verification of Leave as certified,
  - (iii) Verification of Pay Fixation Statements as prepared,
  - (iv) Verification of Certificates to be issued to the employee or other authorities as and when necessary.

- 13.To prepare office orders regarding placement and transfer of employees.
- 14.To charge payment and to dispose of other establishment matters as per Effective Report.
- 15.To keep overall watch on the registers pertains to Establishment section such as Outdoor Duty Register, PF Advance Register, Education Allowance Register, Bill Register etc.
- 16.As per SAP system supervise the attendance muster and make necessary corrections and maintain it.
- 17.To maintain Service Record of the employees with the help of subordinates.
- 18.Attendance of outdoor employees to be updated in SAP system and inform the same to HR accordingly.
- 19.To check claims in relation to L.T.A. prepared by establishment clerk.
- 20.To maintain C. H. Sheets of the employees working under Shops and Establishment Department.
- 21.To obtain sanction of temporary posts and maintain register of temporary posts.
- 22.To check the disposal of each and every paper received in this office in time.
- 23.To assist Public Information Officer ( Deputy Chief Facilitator) in collecting the information related to establishment in connection with the applications received under R. T. I.Act, 2005.
- 24.To attend any other work related to Establishment Section as and when arises as assigned by the superior.
- 25.To implement accordingly as per the circulars regulated by various departments of BMC.
- 26.To supervise the work of classification of record as per Classification of Record Booklet 2015.

#### **Head Clerk ( General ):**

1. To exercise supervision and control work of the staff working under him/her and co-ordinate their work with the other section of the office.
2. To keep up-to-date impress cash account.
3. To prepare draft budget proposals for revenue expenditure.
4. To look after the maintenance of the office.
5. To exercise supervision and control over the work of Accounts Clerk and Correspondence Clerk.
6. To check monthly, quarterly and annual reports submitted to the Labour Commissioner regarding the enforcement of the Maharashtra Shops and Establishment (Regulation of

Employment and service condition) Act 2017 and other labour laws are assigned by state govt. for implementation are prepared by Correspondence Clerk.

7. To maintain Dead Stock Register and the stock of valuable property in custody.
8. To arrange for indents to be placed with the Municipal Printing Press and other suppliers approved and non-scheduled according to the exigencies of the department.
9. Certification of the bills for the supply is received.
10. To attend to the correspondence received from various parties and from the Wards and to supervise the draft replies the draft reports etc. to be submitted to the authorities such as Commissioner of Labour, Dy. Commissioner of Labour, Government, M. C., D.M.C's., C.A. and Asstt. Accountant for C.A.'s office in wards.
11. To attend to the audit note and co-ordinate the reports of M.C.A.'s audit notes received from wards.
12. To maintain proper supervision over the correspondence clerk particularly for the complaints received the replies, put up etc.
13. To put up proposals for purchase of Dead Stock Articles required by the H.O. and the Wards.
14. To pursue the proposal put up to C.A. and chasing the orders with the M.M.P. and C.S.
15. To assist Dy. Chief Facilitator, Shops & Establishments in collecting and preparing the information in connection with the applications received under Right to Information Act, 2005 in Chief Facilitator, Shops & Establishments' Head office regarding policy / Act enforcement matter.
16. Any other work assigned by Superiors.

#### **Establishment Clerk :-**

1. To dispose the routine papers. It includes the leave questions, Increment questions, P.F. Advance cases, vehicle advance cases, Pay Fixation cases, P.T. cases, Cases of furnishing service particulars, cases of unauthorized absence, noting of punishment/ reward or such other orders, issuing Employment, Salary or such certificates, cases of registration of Nomination and declaration forms, previous charge certificates, cases of refund and adjustment claims, issuing letters to ex-employees, comply with the queries raised by the Accounts Units, issuing reminders in cases of delay in action.
2. Prepare monthly pay-sheets and to attend the allied work related to that pay sheets. It includes submission of Input with necessary format to A.O. Computer Cell. Collection of output as per scheduled program, Submission of pay sheet code wise Pay Bills with necessary remarks and appended statements to the concerned Accounts Units. It also includes preparation of S.P.S. for L.T.A. Encashment, A.L.S. and S.P.S. for Encashment / L.T.A. after retirement, preparation

of L.T.A. returns and arrears sheets for arrears payments.

3. To prepare effective register in the prescribed register and to attend the Account Units in that respect as and when called for.
4. To deal with the work of calculation and deduction of Income Tax with overall watch on the investment made by the employees.
5. To get the leave papers and increments etc. filed in the personal files of the employees, to get the same audited by C.A.'s respective staff.
6. To maintain different registers, such as Income Tax register, P.F. Advance Recovery Register, Festival Advance Recovery Register, Increment Register, Leave Register, some register for temporary posts.
7. To furnish the information to M.C.'s Office, L.O.'s Office, P.O. (D.P.A.R.) office, C.A.'s office or such other offices on various matters so called for from time to time.
8. To communicate with the other departments in the matter of promotions, reversion, seniority, confirmation, whereabouts of service other cases of employees.
9. To communicate with the Govt. offices, other offices as and when necessary.
10. Preparation of reports.
11. To maintain different establishment files.
12. To deal with the cases of scholarship and preparation of bills in that respect.
13. To deal with the work of Department Examination.
14. To deal with the work of preparation of Pension/P.F. Claims of retired employees.
15. To assist Asstt. P.I.O. / P.I.O. in collecting and preparing information in connection with the applications under Right to Information Act, 2005 received in Chief Facilitator, Shops & Establishments Head Office.
16. To attend any other related to Establishment Section as and when arises.
17. To maintain the muster as per SAP system.

### **Correspondence Clerk :-**

1. To register all the papers concerning with correspondence section in the Worksheet maintained. To put outward mark against the relevant Nos. as entered in worksheet while sending these papers for outward disposal.
2. Compilation and subsequently preparation of the following various reports
  - (i) Preparation of Quarterly reports under Maharashtra Shops and Establishment ( regulation of Employment and service condition ) Act 2017 and other labour laws.
  - (ii) Annual reports under Maharashtra Shops and Establishment (Regulation of Employment and service condition) Act 2017 and other labour laws to be sent to the Commissioner of Labour within time limit.

(iii) Annual Administration Report under Maharashtra Shops and Establishment ( regulation of Employment and service condition ) Act 2017 and other labour laws to be sent to M.C. and such higher authorities.

3. To prepare information on various matters which is called for from time to time by the commissioner of labour, Municipal Commissioner or such higher authorities.

4. Maintenance of record - (i) To maintain 'A' class records. ( ii) To maintain office copies file for day to day correspondence made with various authorities / parties etc. (iii) To maintain the file for work of Facilitatorial staff, abstracts and other papers.

5. To take entries in relevant Register for the complaints received from outside parties etc.

6. To draft letters to be issued to the Commissioner of Labour, Unions, various municipal authorities, Councilors and outside parties.

7. To draft replies for Short Notice Questions, Interpellations etc.

8. To assist Asstt. P.I.O. / P.I.O. in collecting and preparing information in connection with the applications under Right to Information Act,2005 received in Chief Facilitator, Shops & Establishments Head Office.

9. To attend any other work in relation to correspondence section entrusted from time to time by the superiors.

#### **Duties of Account Clerk :-**

1) To prepare Impress claims.

2) To issue following books and registers to Wards as per their demand. a) Receipt Books b) Registration Certificate Books c) Remittance Report Books d) Monthly Abstracts Books e) Court Register f) Offence - Sheet Register g) Complaint Register h) Work-sheet i) 'C' Registers.

3) To issue stationery to the Ward as per their demand.

4) To attend Municipal Printing Press for stationery purpose.

5) To attend office of Controller of Store and purchase stationery.

6) To purchase stationery from open market after taking N.O.C. from C.S. when no schedule contractor would available.

7) To prepare expenditure budget.

8) To prepare revenue Income Budget.

9) To prepare revised Income Budget.

10) To maintain Liability and Tabulation Register.

11) To maintain Main Cash Book.

12) To issue clothing, umbrellas, napkins, chapels and other articles to Peons and Shop Attendant.



13) To assist Asstt. P.I.O. / P.I.O. in collecting and preparing information in connection with the applications under Right to Information Act, 2005 received in Chief Facilitator, Shops & Establishments Head Office.

#### **Duties of Naik:**

1. To attend the work assigned by C.O.S.E. such as sending visitors in the chamber one by one.
2. To supervise and control the work of other Peons working in the C.O.S.E. Head Office.
3. To attend the cabin calls of Dy. C.O.S.Es. and Dy. Chief Officers
4. To attend other staff members as and when necessary.
5. To attend the work assigned to him by his superiors from time to time.

#### **Duties of Sr. Shop Attendant:**

1. The duties of Sr. Shop Attendants will be that of Shop Attendant and in addition he will have to supervise and control the work of other Shop Attendants working in the Ward. He will be responsible for the overall of the Shop Attendants working in the Ward.
2. He will accompany the Sr. Facilitators in the field.
3. Sr. Shop Attendant who will ensure that summons is served on the party in time
4. He will ensure that the dockets of the registered establishments maintained at Ward level are up-to-date with 'E' form in it.

**Duties of Shop Attendant:** Peons working in the Ward Offices are to be treated as Shop Attendants.

#### **Indoor work:**

1. Dockets of Registration Certificates to be sorted out and to be arranged in chronological order.

#### **Out-door Work:**

1. To accompany the Facilitatorial staff at odd hours for checking provisions of the Maharashtra Shops and Establishment ( regulation of Employment and service condition ) Act 2017
2. To accompany the Facilitators in the Metropolitan Magistrate Courts and give evidence in the contested matters.
3. Service of summons and execution of warrants.
4. To do work during the office hours in Ward Officers.
5. Such other work as entrusted by Facilitators and Sr. Facilitators.

**Duties of Peon:**

1. One of the peons is directed to attend his office duties early in the morning so as to enable the Sweeper to clean the office. This peon must see that the Sweeper has cleaned the office properly and at the same time he must assured that all the office in the morning and he must not allowed any other person to handle any office paper before office hours. He has to clean the furniture and to look after the arrangement of the drinking water.
2. He has to attend dispatch duty of Head Office, Mantralaya, Commissioner of Labours' Office as well as any other dispatch work assigned to him from time to time.
3. Other two peons have to attend dispatch duty of Eastern Suburbs and Western Suburbs as assigned each of them.
4. To operate cyclostyle machine and remove Xerox copies whenever necessary.
5. Peons working in Head Office have to work assigned to them from time to time by their superior.