

<b>RTI REQUEST DETAILS</b>		
<b>Registration No. :</b>	CSLTD/R/E/24/00055	<b>Date of Receipt :</b> 12/11/2024
<b>Type of Receipt :</b>	Online Receipt	<b>Language of Request :</b> English
<b>Name :</b>		<b>Gender :</b>
<b>Address :</b>		
<b>State :</b>		<b>Country :</b>
<b>Phone No. :</b>		<b>Mobile No. :</b>
<b>Email :</b>		
<b>Status(Rural/Urban) :</b>		<b>Education Status :</b>
<b>Is Requester Below Poverty Line ? :</b>		<b>Citizenship Status</b>
<b>Amount Paid :</b>	10 )	<b>Mode of Payment</b> Payment Gateway
<b>Does it concern the life or Liberty of a Person ? :</b>	No(Normal)	<b>Request Pertains to</b> :
<b>Information Sought :</b>	Copy of Agreement between unions and management regarding CSL Workmen Pension scheme 2016	
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>		



CSL/SEC/CS/CORRESP/RTI/2024/7

November 30, 2024

## **Sub: Information Under Right to Information Act**

Dear Sir,

1. Please refer your RTI request no. CSLTD/R/E/24/00055 dated November 12, 2024. The reply to the information sought under the said request is given below:

- (i) Copy of Agreement between unions and management regarding CSL Workmen Pension scheme 2016.

### **Reply**

A copy of Memorandum of Settlement dated April 07, 2016 entered between Cochin Shipyard Limited (CSL) and Trade Unions representing workmen regarding the implementation of Defined Contributory Pension Scheme for regular workmen of CSL is placed at **Annexure I**.

2. If you are not satisfied with the above reply, you may prefer an appeal within 30 days from the date of receipt of this letter to Shri Bejoy Bhasker, Director (Technical) & Appellate Authority, Cochin Shipyard Limited, Administrative Building, Cochin Shipyard Premises, Perumanoor, Kochi – 682 015.

Thanking You,



Yours faithfully,

**Syamkamal N**

**Company Secretary & CPIO**



**FORM – H**

MEMORANDUM OF SETTLEMENT ARRIVED AT UNDER SEC. 12(3) ON 7.4.2016 IN THE INDUSTRIAL DISPUTE BETWEEN THE MANAGEMENT OF COCHIN SHIPYARD LIMITED (CSL) , KOCHI, KERALA AND ITS WORKMEN REPRESENTED BY 1) COCHIN SHIPYARD EMPLOYEES' ORGANISATION (INTUC), 2) COCHIN SHIPYARD EMPLOYEES' FEDERATION (CITU), 3) COCHIN SHIPYARD EMPLOYEES' UNION, 4) SHIPYARD EMPLOYEES SANGH (BMS) AND 5) COCHIN SHIPYARD EMPLOYEES ASSOCIATION REGARDING INTRODUCTION OF DEFINED CONTRIBUTORY PENSION SCHEME FOR REGULAR WORKMEN OF CSL.

No:8(90)/2015.B.1 date : 07.04.2016

**Parties present.****Representing the Employer****Cochin Shipyard Limited**

1. Shri D Paul Ranjan, Director (Finance)
2. Shri Sunny Thomas, Director (Technical)
3. Shri K J Ramesh, Chief General Manager (HR)
4. Shri M D Varghese, General Manager (IR&Admn)
5. Shri V J Jose, Dy General Manager (Finance)
6. Shri T I Babu, Dy General Manager (IR)

**Representing the Workmen/ Union****Cochin Shipyard Employees' Organisation****(INTUC)**

- Shri R.Chandrasekharan, President.  
Shri John Varughese K, Vice president  
Shri Satheesh Kumar S, Vice president  
Shri Francis Simon K, Joint Secretary  
Shri Sajeev P, Joint Secretary  
Shri Gireesh M, Treasurer

**Cochin Shipyard Employees' Federation****(CITU)**

- Shri N Satheesh, Working President  
Shri Aniju P, Secretary  
Shri Sajeevan T K, Vice President  
Shri Ratheesh M, Vice President  
Shri Vineeth, Joint Secretary  
Shri Prachakaran A, Joint Secretary  
Shri K.P Velayudhan, Treasurer

**Cochin Shipyard Employees' Union****(INDEPENDENT)**

- Shri O C Baburajan, Vice President  
Shri C J Jackson, Vice President  
Shri A K Kishore, General Secretary  
Shri Thasieek T K, Joint Secretary  
Shri R Kunjunn Pillai, Treasurer

**Shipyard Employees Sangh (BMS)**

- Shri V.Radhakrishanan, President  
Shri Vijayakumar, Working President.  
Shri K N Sasikumar, Vice President.  
Shri K R Suresh, Vice President  
Shri T S Rajeev, Joint Secretary  
Shri S O Shibu, Joint Secretary  
5. Shri Abhilash A, Treasurer

**Cochin Shipyard Employees Association**

- Shri Dinesh P, Jt. Secretary  
Shri Peter T C, Committee Member.

CSFO  
CSEU  
CSEA  
SES

7/4/16

सौ. रानी अपराजिता श्रीराम  
Smt. Rani Aparajita Sriram  
कोचीन शून्य आयोग (केन्द्रीय)  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
कोचीन / COCHIN  
दूरभाष / Tel. No: 0484-2428440



SHORT RECITAL OF THE CASE

The General Manager (IR&ADMN.), Cochin Shipyard Limited, Cochin request for intervention vide their letter dated 08.03.2016 for an amicable settlement on their proposed introduction of a defined contributory pension scheme for regular workmen of CSL drafted through bilateral discussions but could not be resolved fully by mutual discussions. Management stated that during bilateral discussions the parties pointed out that employees of CPSEs do not enjoy an enterprise based superannuation pension scheme. Employees who retire from the services of their respective organizations with more than three decades or above service and meet with stoppage of hitherto enjoyed regular income in terms of regular wages and other service benefits; find it extremely difficult to make their both ends meet during post retirement period of their life. On the other hand, their counter parts in the Government Sector stand to enjoy the fruits of employer sponsored superannuation pension scheme, be it defined contributory or defined benefit scheme. Thus, provision for a regular source of income in the form of monthly pension has been and is one of the most strongly felt needs of all categories of employees of CPSEs.

Management further states that Government of India, vide DPE OMs issued in connection with the Pay Revision of Officers and Non-unionized Supervisors of CPSEs effective from 01.01.2007, enabled qualified CPSEs to evolve suitable superannuation pension scheme for their officers and non-unionized supervisors subject to certain broad parameters and conditions. Taking cues from the said pay revision orders, all trade unions of CSL who are signatories to the existing Long Term Settlement dated 31.03.2010 reserved their right to demand for pension scheme for CSL workmen during the currency of the LTS. (Ref: Clause 23.5 of LTS). Also, Government of India vide an explanatory Office Memorandum of DPE dated 24.01.2013 clarified that for workmen of CPSEs, superannuation benefits would depend upon the settlement arrived at between the Management and the Trade Unions of respective CPSEs provided it does not clash with that of executives and non-unionized supervisors. The general conditions promulgated by the DPE in regard to the superannuation benefits of officers and supervisors are, among others, sustainability of the CPSE, defined contributory model, minimum 15 years of service in the CPSE, for superannuation cases only, insurance linkage etc. These conditions are also to be borne in mind while evolving similar superannuation benefit scheme for workmen. The management also informed that, invoking the aforementioned clause 23.5 of the LTS dated 31.03.2010 all recognized trade unions of the Company raised demand in 2012 for a superannuation pension scheme for workmen covered under Industrial Disputes Act 1947.

Joint discussions were held on 28.3.2016 and finally matter was seized into conciliation proceedings on 07.4.2016. During conciliation proceedings, after protracted discussions, an amicable settlement under section 12(3) of the Industrial Disputes Act, 1947 was arrived at on the following terms:

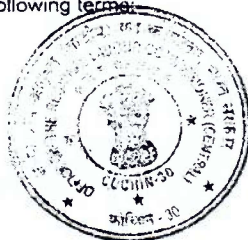


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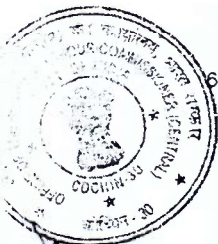
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7/4/16

सौ. रानी अपराजिता श्रीराम  
Smt. Rani Aparajita Sriram  
क्षेत्रीय श्रम आयुक्त (केंद्रीय)  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
कोचीन/COCHIN  
दूरभाष / Tel. No. 0484-2433140

TERMS OF SETTLEMENT

Parties agreed that:

1. As part of the existing Long Term Settlement dated 31.03.2010, Management agreed to introduce a defined contributory pension scheme [Annexure] for regular workmen who were and are on the permanent rolls of CSL as on 01.04.2007 and onwards.
2. The said pension scheme would be subject to general and specific guidelines, orders etc. issued in this regard by the Government or such other competent authority/agencies, from time to time.
3. The said pension scheme being a defined contributory one, Company or Government gives no assurance for any guaranteed and continued contribution by the Company or Government to the scheme or any guaranteed pension to anyone under the scheme. However, at the given financial and sustainability status of CSL, management agreed to contribute to the said pension scheme at the rate of 10% of the wages (Basic Pay plus Dearness Allowance) actually drawn by the eligible workmen from 01.04.2007 to 31.03.2016. From financial year 2016-17 onwards, continuance of the management contribution and its rate would be subject to Company posting an average reported Profit After Tax (PAT) of Rs 50 crores or more during the immediate preceding five Financial Years. In the event of Company posting a lower PAT than the minimum stated above, continuance of management contribution and its rate would be decided by the Company, after informing the same to its recognized Trade Unions.
4. As a special case, those employees who resigned from the permanent services of CSL after 15 years of continuous service in CSL as per the terms of his/her employment and duly relieved by the company, are eligible for the employer's and employee's contribution in his/her accumulated pension corpus. Such accumulated amount would be payable to him/her only after attaining the age of superannuation applicable to him/her, had he/ she continued in service in CSL. Workmen agreed that this exemption for resigned workmen shall not be quoted as precedent for any purpose in future.
5. The said pension scheme/fund would be managed by a ~~Trust~~ <sup>Trust</sup> created for the purpose by the C&MD of the Company as ~~per the scheme promulgated herewith.~~ <sup>per the scheme promulgated herewith.</sup>
6. Reciprocating to the employee friendly gesture of introducing the said pension scheme for workmen of CSL, workmen agreed to extend full and unconditional support to all bona-fide decisions, measures and steps taken by the management solely or in settlement with workmen, in the best interest of the Company.
7. Workmen agreed that all their demands and requests pertaining to the pension scheme for workmen stated in the existing LTS dated 31.03.2010 stand settled fully and finally and that during the currency of the existing LTS dated 31.03.2010 there shall be no demand from their side involving financial or other liability to the Company or for any further increase in wages or allowances or alterations of any terms and conditions of service of workmen.



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 SES  
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7/19/16



Both the parties agreed to implement the above terms of settlement and report implementation of the settlement by 31<sup>st</sup> July 2016.

**SIGNATORIES TO THE SETTLEMENT**

Representing the Employer  
Cochin Shipyard Limited

*[Signature]*  
[D Paul Ranjan]  
*[Signature]*  
[Sunny Thomas]  
*[Signature]*  
[K J Ramesh]  
*[Signature]*  
[M D Varghese]  
*[Signature]*  
[V Jose]  
*[Signature]*  
[T I Babu]

Representing the Workmen  
1.Cochin Shipyard  
Employees' Organization

*[Signature]*  
[R.Chandrasekharan]  
*[Signature]*  
[John Varughese K]  
*[Signature]*  
[Satheesh Kumar S.]  
*[Signature]*  
[Francis Simon K]  
*[Signature]*  
[Sajeev P]  
*[Signature]*  
[Gireesh M]

3. Cochin Shipyard Employees' Union

*[Signature]*  
[O C Baburajan]  
*[Signature]*  
[C J Jackson]  
*[Signature]*  
[A K Kishore]  
*[Signature]*  
[Thasleekh T K]  
*[Signature]*  
[R Kunjunn Pillai]

4. Shipyard Employees Sangh

*[Signature]*  
[V Radhakrishnan]  
*[Signature]*  
[Vijayakumaran. N]  
*[Signature]*  
[K N Sasikumar]  
*[Signature]*  
[K R Suresh]  
*[Signature]*  
[S Rajeev]  
*[Signature]*  
[S C Shibu]  
*[Signature]*  
[Abhilash A]

2. Cochin Shipyard  
Employees' Federation  
(CITU)

[N Satheesh]  
[Aniju P]  
[Sajeewan T K]  
[Ratheesh M]  
[Vineeth V R]  
[Prabhakaran A]  
[K P Velayudhan]

Not signed  
*[Signature]*

5. Cochin Shipyard Employees Association

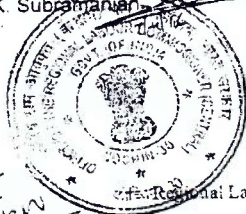
[Dinesh P]  
[Peter T.C]

युक्त को प्रतियों सत्यापित किये  
सत्र प्रमाणित की जाती है।  
Verified and certified to be  
true copies of the original

*[Signature]*  
Smt. Rani Aparajita Sriram  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
कोच्चिन / COCHIN  
दूरभाष / Tel. No: 0484-2428440

Witness

- 1. George T.D
- 2. K.K. Subramanian



BEFORE ME

*[Signature]*  
[Rani Aparajita Sriram]  
Conciliation Officer &

सौ. रानी अपराजिता श्रीराम  
Smt. Rani Aparajita Sriram  
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दूरभाष / Tel. No: 0484-2428440

Regional Labour Commissioner (Central) Cochin, Kerala

**COCHIN SHIPYARD LIMITED WORKMEN PENSION SCHEME.**

1 Title

The Scheme will be called "COCHIN SHIPYARD LIMITED WORKMEN PENSION SCHEME".

2 Coverage

The Scheme would cover all regular workmen on the permanent rolls of CSL as on 01/04/2007 and onwards.

3 Defined Contribution Plan

The Scheme is based on the principle of Defined Contribution Plan, wherein a dedicated pension corpus made of contributions at prescribed rate from the defined source would determine the individual pension benefits from time to time. There would be no pre-guaranteed or pre-assured pension deriving out of the scheme regardless of the accumulation of contributed fund in the pension corpus. From 01.04.2007 and until further review by the Company, the rate of contribution by the Company to the Scheme is 10% of monthly basic wages and dearness allowance drawn by the individual employees of the Company during the relevant period. The individual pension corpus of the member / beneficiary shall consist of the total contribution from the Company in respect of the eligible employee and employee's contribution, if any, on the date of his superannuation/separation from the services of the Company.

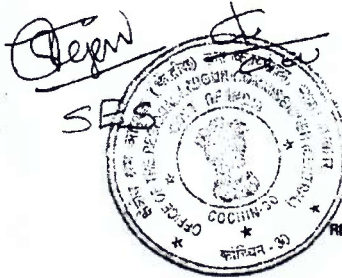
Eligibility for the employer's contribution into the Individual Terminal

4 Pension Corpus

The following categories of employees are eligible for the employer's contribution of the individual terminal pension corpus at the time of his/her superannuation or cessation of employment in the Company due to reasons other than termination and resignation:

- 4.1 All regular employees of the Company, who superannuate their service in the Company, i.e. on attaining the age of retirement, on or after 01/04/2007, with

*Francis Simon K*  
FRANCIS SIMON K  
CSEO



*[Signature]*  
CSEA *[Signature]* CSL

*[Signature]*  
7/4/16  
Smt. Rani Aparajita Sriyam  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
COCHIN  
ഇന്ത്യ / COCHIN  
സംഖ്യ / No. 0484-2428440



minimum 15 years of service in the Company.

- 4.2 All regular employees of the Company who died while in service or declared permanently disabled persons by the competent authority on or after 01.04.2007, regardless of their period of service in the Company.
- 4.3 All regular employees of the Company who opted Company approved VRS or VPRS on or after 01.04.2007, with minimum 15 years of service in the Company
- 4.4 Past services rendered in other PSUs or Government Establishments prior to joining CSL service would be reckoned for minimum eligibility service of 15 years
- 4.5 The period of unauthorized / unregularised absence will not qualify for eligibility and contribution to the scheme.
- 4.6 An employee whose services are severed on account of resignation, termination, dismissal/ removal from service will not be eligible for Pension Corpus. However, if any employee resigns under due notice and terms of employment in CSL and joins another CPSE which has similar superannuation pension scheme, he or she is permitted to transfer the entire accumulated fund in his/her individual pension corpus fund to his new employer's pension scheme. In case the new PSU/Government Employer does not have any such pension scheme, the accumulated amount in his/her account would be retained in his individual pension account at CSL until the age of superannuation in his/her new PSU/Government Employment or formation of a similar pension scheme by h/s/her new PSU/Government and disburse the accumulated pension corpus accordingly.

As a special case those employees who resign from the permanent services of CSL after 15 years of continuous service in CSL as per the terms of his/her employment and duly relieved by the company are eligible for the employer's and employee's contribution in his/her accumulated pension corpus. Such accumulated amount would be payable to him/her only after attaining the age of superannuation applicable to him/her, had he/she continued in service in CSL.

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Smt. Rani

*[Handwritten signature]* CSRO

*[Handwritten signature]* SES

*[Handwritten signature]* CSRU

*[Handwritten signature]* CSRA



*[Handwritten signature]* 7/4/16  
सौ. रानी अपरजिता श्रीराम  
Smt. Rani Aparajita Sriram  
क्षेत्रीय श्रम आयोग (केंद्रीय)  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
कोच्चिन / COCHIN  
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In cases of death/total permanent disablement of the eligible employee after his/her resignation from CSL, the accumulated pension corpus in his/her account will be paid to the nominee/s or the resigned employee as the case may be without reference to the notional date of his/her superannuation from CSL service.

- 4.7 Any undistributed employer's contribution accumulated in the pension corpus of any individual employee on account of his/her non-eligibility for the same shall remain in the suspense account of the scheme which may be appropriated for any common benefit of all eligible beneficiaries of the scheme at the discretion of the Board of Trustees of the Trust duly approved by the Settler.
- 4.8 An employee against whom a disciplinary proceeding, by issue of charge memo for major penalty, has been initiated and is pending on the date of superannuation will not be eligible for Pension corpus till conclusion of disciplinary proceedings and exonerated of the charges leveled against him/her.
- 4.9 An employee against whom criminal prosecution for moral turpitude is pending on the date of superannuation will not be eligible for Pension corpus unless otherwise exonerated by the relevant Court of Law.
- 4.10 An employee or his/her family residing in Company quarters or in Company leased/hired accommodation and does not vacate the accommodation as per rules on superannuation will be eligible for Pension Corpus only on vacation of the quarter or termination of lease without any liability to the Company.
- 4.11 An employee or his/her family residing in Company quarters and not vacating the same beyond the permissible period of four/six months will be eligible for Pension Corpus only on conclusion of eviction proceedings under applicable Act and payment of all dues to the Company.
- 4.12 An employee or his family member who does not clear the dues of the Company on superannuation or death will be eligible for Pension Corpus only after clearing dues of the Company.

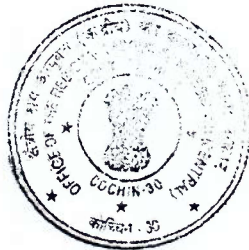
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सौ. रानी अपराजिता श्रीराम  
Smt. Rani Aparajita Sriram  
क्षेत्रीय श्रम आयोग (केंद्रीय)  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
कोचीन / COCHIN  
दूरभाष / Tel. No: 0484-2426440



5.0 **Operation of the Scheme**

5.1 C&MD of CSL as the Settler would cause to institute a dedicated Trust by name CSL Workmen Pension Trust. The Trust would consist of required number of Trustees decided and nominated by the C&MD of CSL from time to time. The Trust shall be responsible for the management of the pension scheme and its fund. The Trust shall receive Company's contribution and employees' voluntary contribution, if any, and facilitate purchase of suitable pension product by the eligible employees/nominees from the pension providers approved by the Company

5.2. If the accumulated individual pension corpus at the time of his/her superannuation or other approved separation from service is less than Rs.2 lakhs the concerned employee / nominee is free to draw the entire accumulations in her/ her credit at the relevant point in time [ subject to income tax] or supplement the same with his / her voluntary contribution in order to purchase a suitable pension product of his / her choice.

5.3 Responsibility of the Company or the Trust ceases on purchase of the suitable pension product by the individual eligible employee or payment of the accumulated individual terminal corpus (less than Rs 2,00,000/-) as the case may be.

6 **Company's Contribution / Inflow**

6.1 On approval and implementation of the scheme, the dedicated Trust would maintain Account for each eligible employee in respect of whom the contribution is transferred by the Company every month.

6.2 The Company shall contribute to the Trust an amount at the rate of 10% of the Basic Pay + DA per month actually drawn by the individual employee on the rolls of the Company as on 1.04.2007 and until 31.03.2016. From financial year 2016-17 onwards, continuance of the company contribution at the above rate shall be subject to the condition that Company recorded an average PAT of Rs 50 crores or more during the immediate past five reported financial years. In the event of Company not making the benchmark average PAT of Rs 50 crores, the said rate would be suitably modified or Company's contribution would be discontinued as the case may be at the sole discretion of the Company, which will be informed to the recognized trade unions of the Company.

6.3 Company's contribution to the Trust at the above rate shall be made by the Company latest by the 07<sup>th</sup> of every month in respect of the immediate preceding month.

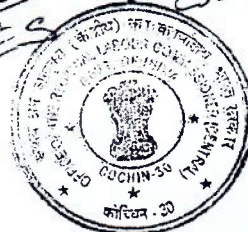


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*Smt. Rani*  
7/19/16

ਸ੍ਰੀ. ਰਾਣੀ ਅਪਰਾਜਿਤਾ ਸ਼ੀਰਾਮ  
Smt. Rani Aparajita Sriram  
ਕੇਂਦਰੀय श्रम आयोग (केन्द्रिय)  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
കോച്ചിൻ / COCHIN

- 6.4 Eligible employees have the option to supplement their individual pension corpus by either contributing monthly at the rate pre-decided by the employee limited to the rate of the prevailing management contribution to the pension corpus by way of monthly salary deduction or contributing lump sum supplementary amount to their terminal pension corpus while purchasing suitable pension product at the time of their superannuation. Such option has to be exercised by the employee on an annual basis effective from 01<sup>st</sup> of April every year and valid for minimum one year.
- 6.5 In case of wages getting revised from a retrospective date due to Wage Revision, the effective date for Company's contribution to the Trust on revised wages for calculation of individual Pension Corpus will be as per the terms and conditions of the LTS applicable from time to time.

7 **General Conditions**

- 7.1 On announcement of the Scheme, every employee on the rolls of the Company shall appoint one or more members of his/her family as Nominee/s to receive the benefits under the scheme, in the event of the decease of the eligible employee. Similarly, every individual on joining the Company as a regular employee eligible for membership in the scheme shall submit the prescribed nomination form duly filled and signed by him/her. If a member acquires family after the date of nomination, the earlier nomination shall become invalid and he/she will have to give a fresh nomination within 30 days (from the date of acquiring the family) time.
- 7.2 Income tax or any other taxes/charges applicable, if any, on the individual pens on corpus and or the monthly pension arising thereon will be met by the concerned beneficiary of the scheme. Individual pension corpus and monthly pension, if any will be payable to the beneficiaries of the scheme in Indian Rupees only.

8 **Delegation of Powers**

- 8.1 Any interpretation / clarifications regarding the Scheme, issued by the CMD, CSL, shall be final and binding.
- 8.2 CMD of CSL has the full powers to approve any modifications / amendments in the Pension Scheme in future, necessitated on account of any statutory requirements/provisions, Government orders, Government Guidelines and or on account of other compelling reasons like poor financial performance of the Company etc. Recognized Trade Unions of the Company shall be kept informed of such decision.

9 **Applicable Law**

- 9.1 This Scheme shall be construed and interpreted in accordance with and governed by the applicable Laws of India and shall be subject to the exclusive jurisdiction of Courts at Cochin, India.

*h*  
CMD (P)  
CSL

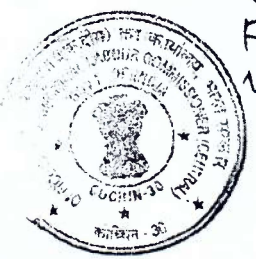
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FRANCIS SIMONK,  
~~VICE~~ JOINT SECRETARY



*Jelli*  
7/4/16

സ്മ. റണി അപ്പരാജി സിരേം  
Smt. Rani Aparajita Sireem  
കേരള മധ്യ മാനവത (കേന്ദ്രീയ)  
REGIONAL LABOUR COMMISSIONER (CENTRAL)  
കൊച്ചി / COCHIN  
ഫോൺ / Tel. No: 0484-2423440

