

220/CFB/2016

No.LEO/Start-Ups Labour Laws/Reforms/2016/443098  
Administration of UT of Daman & Diu  
Department of Labour & Employment  
Daman.

Dated: 17/10/2016

To  
Shri S. K. Tripathi  
Under Secretary  
Government of India  
Ministry of Labour & Employment  
Shram Shakti Bhawan  
New Delhi.

- Ref: 1. Z-13025/39/2015-LRC dated 20<sup>th</sup> July, 2016.  
2. Z-13025/39/2015-LR Cell dated 3<sup>rd</sup> June, 2016.

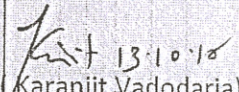
Sub: Start-up India action Plan – Enhancing the Start-up eco-system in India.

Sir,

Kindly refer to the subject cited above and to inform that the UT Administration of Daman & Diu has already issued the resolution for self certification in respect of six labour laws on 19.07.2016 vide No.LEO/Start-Ups Labour Laws/Reforms/2016/90 dated 19.07.2016 (copy enclosed) and complied with the request of Govt. of India on the above subject.

Encl: As above.

Yours faithfully,

  
(Karanjit Vadodaria)  
Dy Labour Commissioner  
Daman & Diu

U.T. Administration of Daman & Diu  
Department of Labour & Employment,  
Daman

No. LEO/Start –Ups Labour Laws/Reforms/2016/90

Dated: 19/7/2016.

Read: 1) D.O. No. Z-13025/39/2015-L.R.Cell dated 12/01/2016 from the Secretary, Govt. of India, Ministry of Labour & Employment, Shram Shakti Bhavan, New Delhi.

2) Resolution No. LEO/Labour Laws/2014/26 Dated: 05.01.2015

**RESOLUTION**

With the objective of creating a conducive environment for Start Ups in the U.T. of Daman & Diu and Dadra & Nagar Haveli are to incentivize the entrepreneurs in setting up new start – up ventures and catalyze the creation of employment opportunities through them, various incentives and ease in regulatory compliance provisions are being conceptualized. Start- ups are defined by the Department of Industrial Policy and Promotion (DIPP) as an entity incorporated or registered in India not prior to five years with annual turnover not exceeding Rs. 25 Crores in preceding financial year, working towards innovation, development, deployment or commercialization of new products, process or services driven by technology or intellectual property.

Now for further promoting the Start –ups, as defined above, the U.T. Administration of Daman & Diu and Dadra & Nagar Haveli is pleased to introduce 'Start up Labour Reforms' for the U.T. of Daman & Diu and Dadra & Nagar Haveli as below:-

(1) The following Labour Laws may be allowed for Self Certification for the entrepreneurs in setting up new Start up ventures

- (1) The Industrial Disputes Act, 1947
- (2) The Trade Unions Act, 1926
- (3) The Building and Other Constructions Workers' (Regulation of Employment and Conditions of Service) Act, 1996.
- (4) The Industrial Employment (Standing Orders) Act, 1946.
- (5) The Inter- State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
- (6) The Payment of Gratuity Act, 1972.
- (7) The Contract Labour (R & A) Act, 1970.
- (8) The Employees' Provident Funds and Miscellaneous Provision Act, 1952
- (9) The Employees' State Insurance Act, 1948

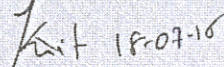
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18-07-16

(2) Further for the first year of setting up of the Start –ups such establishments may not be inspected under any of the following 4 Labour Laws (1) The Building and Other Construction Workers' (RE & CS) Act 1996, (2) Inter State Migrant Workmen (RE & CS) Act, 1979, (3) Payment of Gratuity Act, 1972 and (4)The Contract Labour (R & A) Act, 1970R &A) Act, 1970 and further they may be asked to submit an online self declaration instead.

(3) Start – Ups may be allowed to submit self –certified returns under aforesaid acts from the second year onwards, upto three years from the setting up of the unit Inspections may be carried out only when credible and verifiable complaint of violation is filed in writing and the approval has been obtained from at least one level senior to the inspection officer.

The above will be effective from the date of issue of Notification. This is issued with the approval of Honorable Administrator, Daman & Diu and Dadra & Nagar Haveli vide diary No.95347 dated 29/06/2016.

By Order and in the name of  
the Administrator of Daman & Diu  
and Dadra & Nagar Haveli.

  
(Karanjit Vadodaria)  
Deputy Secretary (Labour)

- Copy to: 1) The P.S to Hon'ble Administrator, Daman & Diu and DNH.  
2) The P.A to Development Commissioner, Daman & Diu.  
3) The Secretary(Labour), Daman  
4) The Collector, Daman.  
5) The Collector, Diu.  
6) The President, Industries Association, Daman/Diu.  
7) The Publicity officer for wide publicity.  
8) The Deputy Director of Planning & Statistics, Government of Printing Press, Daman for  
with a request to publish the said declaration in the Official Gazettee.  
9) All Head of Offices, Daman & Diu.  
10) The Labour Inspector, Daman/Diu.  
11) The Assistant Director (O.L), for Hindi Translation.



**No. A.47012/4/2014-LE&IT**  
**GOVERNMENT OF MIZORAM**  
**LABOUR, EMPLOYMENT & INDUSTRIAL TRAINING DEPARTMENT**  
**MIZORAM SECRETARIAT, AIZAWL -796001.**

Dated Aizawl, the 13<sup>th</sup> December, 2016.

To,

Shri R.K Gupta,  
Joint Secretary,,  
Ministry of Labour & Employment,  
Govt. of India,  
Shram Shakti Bhawan,  
Rafi Marg, New-Delhi 110119.

*JSC (RKG)*  
*DSC (AT) OT*  
*US (S/KT)*  
*4/11/17*  
*SO (LR)*

**Subject:** *ATR on startups for Labour Laws.*

Sir,

In inviting a reference to your letter D.O.No.2-13025/39/2015-LR cell dated 6th September, 2016, I am directed to inform you that all Registering officers & Inspectors under the various labour laws enforced in our state viz. Building & other Construction Act, Inter-state Migrant Workmen Act, Contract Labour Act etc have been informed to take necessary action under their jurisdiction as under:

- 1) For the first year of setting up of the start-ups such establishments may not be inspected under the labour laws mentioned above( viz BOCW Act, ISMW Act, and Contract Labour Act etc). These start-ups may be asked to submit an online self- declaration instead.
- 2) Start -ups may be allowed to submit self - certified returns (as is being done under Shram Suvidha portat under these Acts for the Central Sphere) under aforesaid Act. From the second year onwards, upto three year from the setting up of the unit, such star-ups may be taken up for inspection only when very credible and verifiable complaint of violation is filed in writing and the approval has been obtained from at least one level senior to the inspecting officer.

Yours faithfully,

*[Signature]*  
*13/12/16*

( H.MALSAWMI )

Under Secretary to the Govt. of Mizoram,  
Labour, Employment & Industrial Training Deptt.  
Ph. No. 0389-2334431.

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|---------------------------------|
| Office of Joint Secretary (RKG) |
| Dy/FIS No. 290656               |
| Date 4/01/17                    |

