

Government of Himachal Pradesh
Department of Labour & Employment.

No. Shram(F)1-1/2015.

Dated Shimla-171002 04 February, 2017

NOTIFICATION

The Governor, Himachal Pradesh in pursuance to "Chief Minister's Startup/Innovation Projects/New Industries Scheme" notified by the Industries Department vide Notification No. Ind-II(F) 12-3/2015, dated 15.11.2016 is pleased to introduce the concept of Self Certification & provisional registration as per para 6.5 of the said scheme in the following manner:-

1. All the new enterprises in the State will be required to submit only self-certified documents online or manually. The Department will issue provisional registration within 15 days from the submission of the documents. Self-certification will reduce the regulatory burden on startups. Startups shall be allowed to self-certify compliance with labour laws and environment laws and any other statutory/mandatory laws.
2. No inspections by the officers of the Labour Department will be done for 3 years without the permission of Head of the Department. Startups may be inspected only on receipt of complaint of violation, filed in writing and approved by at least one Senior Level Officer to the Inspecting Officer. The format developed by the Ministry of Labour & Employment, Govt. of India for self-declaration are to be used by the startups during the first year under the following labour laws:
 - a. The Industrial Disputes Act, 1947.
 - b. The Trade Unions Act, 1926.
 - c. The Building and other Constructions Worker (Regulation and Employment and Conditions of Service) Act 1996.
 - d. The Industrial Employment (Standing Orders) Act, 1946.
 - e. The Inter-State Migrant Workmen (Regulation of Employment and conditions of Service) Act, 1979
 - f. The Payment of Gratuity Act, 1972
 - g. The Contract Labour (Regulation and Abolition) Act, 1970.
 - h. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952.
 - i. The Employees' State Insurance Act, 1948.

3. For the first year of setting up of the Start-ups such establishments may not be inspected under any of the 4 Labour Laws i.e. i) The Building and other Constructions Worker (Regulation and Employment and Conditions of Service) Act 1996, ii) The Inter-State Migrant Workmen (Regulation of Employment and conditions of Service) Act, 1979, iii) The Payment of Gratuity Act, 1972 & iv) The Contract Labour (Regulation and Abolition) Act, 1970. These start-ups may be asked to submit an online self-declaration instead.
4. Start-ups may be allowed to submit self-certified returns (as is being done under Shram Suvidha Portal under these Acts for the Central sphere) under aforesaid Acts. From the second year onwards, up to three years from the setting up of the unit such start-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.
5. Approved formats shall be used by the Start-up during the first year for making self-declaration under above mentioned labour laws which are annexed at Annexure A, B, C, & D respectively of this Notification.

By order

R.D.Dhiman

Pr. Secretary (Lab. & Emp.) to the
Government of Himachal Pradesh

Endst. No. As Above. Dated Shimla-2, the 04th February, 2017.

1. The Secretary to the Governor, Himachal Pradesh, Shimla.
2. The Pr. Private Secretary to the Hon'ble Chief Minister, Himachal Pradesh.
3. The Sr. Spl. Private Secretary to the Industries Minister, H.P.
4. The Secretary, Govt. of India, Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi.
5. All the Addl. Chief Secretaries/Pr. Secretaries/Secretaries to the Government of Himachal Pradesh, Shimla
6. The Pr. Accountant General, Himachal Pradesh, Shimla-3
7. The Labour Commissioner, H.P. Shimla-1.
8. All Heads of the Departments in Himachal Pradesh
9. All Deputy Commissioners in Himachal Pradesh.
10. The Director Industries, HP Udyog Bhawan, Bemloe, Shimla-1 along with copy of the Scheme.
11. The Controller, Printing & Stationery, HP, Shimla-5 for publication in the Rajpatra.


(Ved Prakash)

Under Secretary (Lab. & Emp.) to the
Government of Himachal Pradesh.

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