



कर्मचारी भविष्य निधि संगठन

(श्रम एवं रोजगार मन्त्रालय, भारत सरकार)

मुख्य कार्यालय : भविष्य निधि भवन,

14, भीकाएजी कामा प्लेस, नई दिल्ली-110066

दूरभाष : 011-26172671, फैक्स : 011-26189910

Employees' Provident Fund Organisation

(Ministry of Labour & Employment, Govt. of India)

Head Office : Bhavishya Nidhi Bhawan,

14, Bhikaiji Cama Place, New Delhi -110 066

Phone : 011-26172671, Fax : 011-26189910

डॉ. वी. पी. जोय, भा.प्र.से.

केन्द्रीय भविष्य निधि आयुक्त

Dr. V. P. Joy, IAS

Central Provident Fund Commissioner

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IS(RMG)
D/L/17*

D.O. No. CAIU/011/ (34)2016/Circulars/Start-ups

August 21st, 2017

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Dear Madam,

श्रम एवं रोजगार मन्त्रालय
Secretary (MOL&E)
329464
FTS No.
21/8/17
Date

Please refer to your D.O. letter No. Z-13025/39/2015-LR Cell dated 04/08/2017 enclosing therewith D.O letter No. Z-13025/39/2015-LR Cell dated 06/04/2017 from Additional Secretary, MOL&E, New Delhi.

2. In this connection, it is informed that in compliance to instructions contained in D.O letter No. Z-13025/39/2015-LR Cell dated 06/04/2017, this office has already issued directions to its field functionaries vide letter no. CAIU/011(34)2016/3806 dated 18/05/2017 (copy enclosed) to comply with the inspection policy vis-à-vis "start-ups".

3. It is also informed that the newly covered start-up establishments submitting returns in the prescribed format electronically by the employers are being accepted. No physical separate documents are being called from the employers.

This is for your kind information.

Best regards,

Yours sincerely,

Joan

(Dr. V.P. Joy)

Smt. M. Sathiyavathy, IAS
Secretary to the Government of India
Ministry of Labour & Employment
Shram Shakti Bhawan
New Delhi - 110 001.

Office of In-charge Secretary (RKG)
329464
22/08/17
Date

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US(Su/T)
24/8/17
SO(LAL)*

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sh. Sathy



कर्मचारी भविष्य निधि संगठन
(भ्रम मंत्रालय भारत सरकार)

Employees' Provident Fund Organisation
(Ministry of Labour, Govt. Of India)

मुख्य कार्यालय/Head Office

भविष्य निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110066

Bhavishya Nidhi Bhawan, 14- Bhikaiji Cama Place, New Delhi - 110066

www.epfindia.gov.in/www.epfindia.nic.in

(CENTRAL ANALYSIS & INTELLIGENCE UNIT)

No.CAIU/011/(34)2016/

Date: 12.05.2017

To

16 MAY 2017

All Additional Central P.F. Commissioners,
All Regional P.F. Commissioner-I,
All Regional P.F. Commissioner-II,

Sub:- Compliance regime for Start-ups-regarding.

Sir,

Please find enclosed herewith a copy of DO letter No. Z-13025/39/2015-LR Cell dated 06.04.2017 received from Shri Heeralal Samariya, Additional Secretary, Ministry of Labour & Employment, New Delhi on the above cited subject.

In terms of directions contained therein for the purpose of EPF & MP Act, 1952, all concerned are required to adhere to the directions mentioned in the said letter.

Yours faithfully,

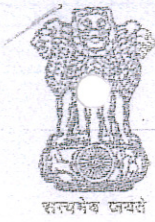
Encl: as above.

(S.C. Goyal)

Addl. Central P.F. Commissioner-II (CAIU)

Copy to:-

PS to CPFC w.r.t. diary No.114819 dated 12.04.2017 for information.



Heeralal Samariya, IAS
Additional Secretary
Tel: 011-23710178
Fax: 011-23736011
E-mail: as-labour@nic.in

श्रम एवं रोजगार मंत्रालय
भारत सरकार
श्रम शक्ति भवन, राफ़ी मार्ग,
नई दिल्ली-110119
MINISTRY OF LABOUR & EMPLOYMENT
GOVERNMENT OF INDIA
SHRAM SHAKTI BHAWAN, RAFI MARG,
NEW DELHI-110119

D.O. No. Z-13025/39/2015-LR Cell
Dated the 6th April, 2017

Dear

As you are aware, Government of India has launched the Start-up India Action Plan for promoting the Start-Up ecosystem in the country to incentivize the entrepreneurs in setting up new start-up ventures and thus catalyze the creation of employment opportunities through them. In this connection, various incentives and ease in regulatory compliance provisions have been conceptualized. Start-ups are defined by Department of Industrial Policy & Promotion (DIPP), as an entity, incorporated or registered in India not prior to five years, with annual turnover not exceeding Rs. 25 crores in any preceding financial year, working towards innovation, development, deployment or commercialization of new products, processes or services driven by technology or intellectual property.

2. Earlier, this Ministry had issued on 12.01.2016, an advisory to all States/UTs and Central Labour Enforcement Agencies for regulating the Labour Laws Inspection System in case of Start-Ups allowing them for self-certify compliance with certain Labour Laws for three years. The Labour Laws to be covered under this are:-

- (1) The Industrial Disputes Act, 1947
- (2) The Trade Unions Act, 1926
- (3) The Building and Other Construction 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 (Regulation and Abolition) Act, 1970
- (8) The Employees' Provident Funds and Miscellaneous Provisions Act, 1952
- (9) The Employees' State Insurance Act, 1948

3. The matter has been reconsidered in the Ministry and it has been now decided to extend this self-certify compliance regime for Start-ups to five years. In view of this, State / UT Governments/Central Labour Enforcement Agencies are advised that:


- (i) For the first year of setting up of the Start-ups such establishments may not be inspected under any of the 6 Labour laws (*viz. BoCW Act, ISMW Act, Payment of Gratuity Act, Contract Labour Act, EPF Act and ESI Act*). These start-ups may be asked to submit an online self-declaration instead.
- (ii) 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, upto five year 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 or from the Central Analysis and Intelligence Unit (CAIU), as the case may be.

..2/-

4. You are requested to direct the concerned Departments in your State/UT to regulate the inspections in the Start-ups, as suggested above, wherever applicable. For submitting self-certification online, the Shram Suvidha Portal of Government of India may be used. Action taken in the matter may also be intimated to this Ministry.

With regards

Yours sincerely,

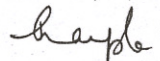

(Heeralal Samariya)

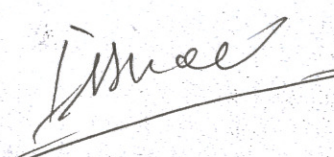
As per list enclosed.

Copy to:

- (1) Shri Deepak Kumar, Director General, Employees State Insurance Corporation, Kotla Road, New Delhi.
- (2) Dr. V.P. Joy, Central PF Commissioner, Employees Provident Fund Organization, Bhikaji Cama Place, New Delhi.
- (3) Shri A.K. Nayak, Chief Labour Commissioner (Central), Ministry of Labour & Employment, Shram Shakti Bhavan, New Delhi.

- with a request to take action for units in Central Sphere.


(R.K. Gupta)
Joint Secretary
10.04.2017

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