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**GOVOVERNMENT OF ARUNACHAL PRADESH**

**LABOUR AND EMPLOYMENT DEPARTMENT**

**ITANAGAR**

NO.LAB(W)49/2020 Dated Itanagar the \_\_\_\_\_\_\_July,2020

**NOTIFICATION**

The Government of Arunachal Pradesh is pleased to formulate **“Self Certification Scheme”** for establishments in the State to liberalise the enforcement of labour laws and promote Ease of Doing Business in the State by way of simplification and creating a business friendly environment.

The Scheme shall consist of the following provisions:

1. **INTRODUCTION:-** This Self Certification Scheme aims at making the employer or entrepreneur a conscious and truthful citizen and law abiding person who is willing to take care of all interests of the workers and employees by following all the labour laws as applicable and enable the Department of Labour and Employment to effectively protect the interests of the workers as well as the employers and entrepreneurs and create a friendly and safe environment for the workers and harmonious relationship between the Employer and the Employees. It is also the endeavor of the Government to increase transparency in the system of inspections so as to enable the Establishment to focus on the core issues of the business.
2. **OBJECTIVE:-** The objectives of this Self Certification Scheme is to reduce visits of Government officials for inspection of those units who opt for this Scheme however without compromising on the safety, health, social, security and welfare of the workers as provided under the various labour enactments.
3. **SCOPE OF THE SCHEME:-** This scheme is open to all establishments which opt to join the scheme in prescribed format, which are covered.
4. **PROCEDURE:** - This scheme shall be optional and any employer or entrepreneur can opt for this scheme and apply to the office of Labour Commissioner, Government of Arunachal Pradesh in the prescribed proforma. Any discrepancy in the application or enclosures shall be communicated to the applicant within 30 days from the receipt of the application. In case no discrepancy is so communicated, the applicant shall be deemed to have been enrolled under the Self-Certifications Scheme.
5. **VALIDITY OF SCHEME:-** Once opted for the scheme the same shall be valid for five years. After the successful compliance under the Self-Certification for five years, the occupier / employer shall have option either to remain covered under the Self-Certification scheme or opt out of the scheme. The option must be exercised in written before the concerned authority of Labour Department. In case the employer/entrepreneur/occupier successfully completes five years under the scheme and during any inspection carried out, if no violation of the Act is detected, the security so deposited shall be refunded. No interest shall be payable on the security so deposited.
6. **Registration Fee** :- Every Occupier/Proprietor/Partner/Director/Employer/ Principal Employer/ Contractor who intends to opt for Self-Certification scheme shall pay a One-time Registration fee, as prescribed below , in favour of Labour Commissioner , Govt. of Arunachal Pradesh through Treasury Challan or Demand Draft .

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| SL.No. | No. of Workers | Processing fee (Rs.) |
| 1. | 1 to 20 | 2000 |
| 2. | 21 to 50 | 4000 |
| 3. | 51 to 100 | 6000 |
| 4. | 101 and above | 10,000 |

The registration fee shall be deposited under head of account “0230”- Labour & Employment- 00- 101- Receipt under Labour Laws”

1. **LABOUR LAWS FOR WHICH THE SCHEME IS VALID:-** This Self- Certification scheme shall be valid for following Acts and Rules made there under as applicable to the concerned employer/entrepreneur/occupier:-
2. The Payment of Wages Act, 1936 and rules framed there under.
3. The Minimum Wages Act, 1948 and rules framed there under.
4. The Contract Labour (Regulation & Abolition) Act, 1970 and rules framed there under.
5. The Maternity Benefit Act,1961 and rules framed there under.
6. The Payment of Bonus Act, 1965 and rules framed there under.
7. The Payment of Gratuity Act, 1972 and rules framed there under.
8. The Equal Remuneration Act, 1976 and rules framed there under.
9. The Inter-State Migrant Workmen (RECS) Act, 1979 and rules framed there under.
10. The Beedi & Cigar Workers (Conditions of Employment) Act, 1966 and the rules framed there under.
11. The Motor Transport Workers Act, 1961 and rules framed there under.
12. The Child Labour (Prohibition & Regulation) Act, 1986 and rules framed there under.
13. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) 1996 and rules made there under.
14. **HOW TO APPLY:-** Under the Self-Certification scheme, the Application for inclusion shall be addressed to the Labour Commissioner, Government of Arunachal Pradesh, Itanagar. The date shall mean the date on which application is received in the Office of the Labour Commissioner.

The Occupier / Partner / Proprietor / Director / Employer / Principal Employer / Contractor who intends to avail the Scheme shall fill the prescribed Form as per Annexure I along with documents as prescribed in Annexure II.

An undertaking, as at Annexure III, on a non judicial Stamp paper of Rs. 50 will be furnished by the applicant along with the application for enrolment under the scheme.

1. **INSPECTION PROCEDURE UNDER THE SCHEME:-** Under the Self-Certification Scheme, not more than 20% of the units/establishments so covered under the scheme shall be picked up randomly for inspection once in a year and which shall be carried out only once regarding the implementation of all the labour enactments to which this scheme applies. Once inspected the same units /establishments is not likely to be inspected during the operative period of 5 years of the scheme. However, on specific complaints, accidents, dangerous occurrences, violation of labour laws, Inspection shall be conducted only after authorization from Labour Commissioner, Government of Arunachal Pradesh.

The Establishments which do not desire to opt for the Scheme shall continue to be inspected as per the Labour Department inspection policy.

1. **FILLING OF SELF CERTIFICATION - CUM - CONSOLIDATEED ANNUAL RETURNS:-** After getting enrolled in the scheme the concerned occupier/ proprietor/partner/director/principal employer /contractor shall file Self Certification cum Consolidated annual returns in the format prescribed in annexure- IV along with required supporting documents with copy to the concerned District Labour Officers. This return shall be filled on or before 30th April of each financial year on any working day. On failure to submit the return within the prescribed time limit, the occupier / proprietor / partner / director / employer / principal employer / contractor will cease to be member under the Self Certification scheme.
2. **CLARIFICATION AND INTERPRETATION:** In case of any doubt or dispute regarding the provision of this Scheme, only State Govt. shall be competent to clarify or interpret these and such clarification or interpretation shall be final binding upon all concerned.
3. **POWER TO AMEND & REPEAL ANY OR ALL PROVISIONS:** Notwithstanding anything contained in any of the provision of this Self certification Scheme, the state government may, at any time;

a) Make any amendment to this Scheme or repeal it, but this Scheme already extended or covered for any such establishment shall not be affected by any such amendment for appeal.

b) Issue guidelines or instruction for facilitate implementation, to remove anomalies and to clarify.

1. This notification shall come into force with immediate effect.

Sd/-Naresh Kumar,IAS

Chief Secretary,

Govt. of Arunachal Pradesh,

Itanagar.

Memo No. LAB (W)49/2020 Dated Itanagar the \_\_\_\_\_\_\_July,2020.

Copy to:

1. The PPS to Hon’ble Chief Minister, Govt. of Arunachal Pradesh, Itanagar for his kind information.
2. The Director General Labour/Labour Welfare Ministry of Labour & Employment , Govt. of India ,Sharma Shakti Bhawan, New Delhi.
3. The Under Secretary to the Chief Secretary, Govt. of Arunachal Pradesh, Itanagar for kind information.
4. All the Heads of Department, Govt. of Arunachal Pradesh.
5. All Deputy Commissioners, Arunachal Pradesh for kind information please.
6. The Director of Printing, Govt. of Arunachal Pradesh, Papu Nallah, Naharlagun for information with request to published in next gazette notification and supplies us 100 copies for office use.
7. The Labour Commissioner, Govt. of Arunachal Pradesh, Itanagar for kind information.
8. All District Labour Officers, Arunachal Pradesh, Itanagar for kind information please.
9. Office copy

(Pranav Tayal)

 Secretary (Labour & Employment)

 Govt. of Arunachal Pradesh

Itanagar