

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 2494  
TO BE ANSWERED ON 08.08.2018**

**SELF CERTIFICATION RETURNS BY MSMEs UNDER COMPLIANCE TO  
LABOUR LAWS**

**2494. DR. K.V.P. RAMACHANDRA RAO:**

**Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:**

- (a) whether it is a fact that several Micro, Small and Medium Enterprises (MSMEs) were permitted to self certify their returns under compliance to labour laws;**
- (b) if so, the details thereof;**
- (c) how many MSMEs have furnished these self certifications during last year, State-wise;**
- (d) whether there are any complaints against the violations in this self certification and whether any action has been taken on erring enterprises; and**
- (e) the manner in which Government is ensuring the correctness of these returns and protect the rights of workers working in these enterprises?**

**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI SANTOSH KUMAR GANGWAR)**

**(a) & (b): Ministry of Labour & Employment has issued advisories to the States/UTs/Central Labour Enforcement Agencies for formulating a simplified inspection scheme taking into account the self-certification for regulating the inspection under various labour laws for Start-ups and Micro, Small and Medium Enterprises (MSMEs).**

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**(c): Such data is not maintained centrally. However, Start-Ups have been advised to use the Shram Suvidha Portal for submitting Self-declaration. As on 06.08.2018, 48 Starts-UPs have submitted self-declaration so far on the Shram Suvidha Portal.**

**(d) & (e): The advisories to States/Union Territories/Central Labour Enforcement Agencies are not to exempt the Start-ups and MSMEs from the ambit of compliance of the these Labour Laws but to provide an administrative mechanism to regulate inspection of the Start-Ups and MSMEs, so that Start-ups and MSMEs are encouraged to be self-disciplined and adhere to the rule of law. These measures intend to avoid harassment of the entrepreneurs by restricting the discretion and arbitrariness. Punitive action shall, however, be taken whenever there is a violation of these labour laws. The enforcement of each labour Act is done as per the provisions of that Act, by taking into consideration the definitions and provisions under that Act.**

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