

- the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979;
- the Payment of Gratuity Act, 1972;
- the Contract Labour (Regulation and Abolition) Act, 1970;
- the Employees' Provident Funds and Miscellaneous Provisions Act, 1952; and
- the Employees' State Insurance Act, 1948.

From the second year onwards, up to 3 year from the setting up of the units, such start-ups are required to furnish self-certified returns and would be inspected only when credible and verifiable complaint of violation is filed in writing and approval has been obtained from the higher authorities.

The advisory to State Governments is not to exempt the Start-ups from the ambit of compliance of these Labour Laws but to provide an administrative mechanism to regulate inspection of the start-ups under these labour laws, so that Start-ups 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.

Industrial Disputes Act

1375. SHRI TIRUCHI SIVA: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the 1982 amendment to the definition of industry under Section 2(j) of the Industrial Disputes Act incorporated the essential aspects put forth in the Supreme Court judgment in Bangalore Water Supply vs. A. Rajappa and whether this amendment has been enforced;

(b) if so, the details thereof; and

(c) if not, the reasons therefor and whether Government is considering any further amendments to the definition of industry?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) to (c) Yes, Sir. The definition of industry under Section 2(j) of the Industrial Disputes Act, 1947 incorporated the essential aspects put forth in the Supreme Court judgment in Bangalore Water Supply vs. A. Rajappa. The definition of 'industry' under Section 2(j) of the Industrial Disputes Act, 1947 amended in 1982 has not been enforced so far as the matter is pending before the Hon'ble Supreme Court of India.