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NOTIFICATION

No.B.12011/1/2017-LESDE/110, the 10thApril, 2019. In order to enhance the Ease of Doing Business in the state of Mizoram and in consonance with the Business Reform Action Plan, prepared by DIPP, Ministry of Commerce & Industries, Govt. of India, the Department of Labour Employment, Skill Development and Entrepreneurship, Mizoram is pleased to issue orders to simplify inspection of establishments under various Labour Laws in the following manner :-

1. In order to make inspection of establishment under Labour Laws more transparent, establishment will be divided into three categories i.e. High Risk, Medium Risk & Low Risk.

Risk Category	Labour	Factories
High Risk	<p>a) Establishments with number of employees/workmen (including directly and indirectly employed) of 100 or more</p> <p>b) Establishments against whom two or more written complaints are received and violations have been detected in respect to violation of labour laws administered by Directorate of Labour.</p> <p style="text-align: center;">OR</p> <p>c) Establishments against whom court case or cases were launched for violation of labour laws in the past and were convicted within last three years.</p>	<p>a) All the factories identified and notified as Major Accident Hazard factories</p> <p style="text-align: center;">OR</p> <p>b) All factories involving processes identified as Hazardous processes under Section 2 (cb) and listed under Schedule (1) of the Factories Act 1948 and having Licence for employing more than 20 (Twenty) workers;</p> <p style="text-align: center;">OR</p> <p>c) All other factories having License for employing more than 100 (One hundred) workers;</p> <p style="text-align: center;">OR</p> <p>d) All factories in which incidents of Dangerous Occurrence (Fire/Collapse of structure etc). Fatal/Serious Accidents may have taken place during the past three years;</p>

The number of the registered establishments/business entities, in the HIGH RISK category, must not exceed 20% of the total registered establishments/business entities.

The parameters for risk assessment would be revised as and when required to maintain the above stated proportion of 20% of the total registered establishments/business entities being in the HIGH RISK category.

<p>Medium Risk</p>	<p>a) Establishments with number of employees/workmen (including directly and indirectly employed) of 10 to 99,</p> <p>b) Establishments against whom written complaints has been received and violations have been detected in respect to labour laws administered by Directorate of Labour, (Apart from those who are already covered under category A)</p> <p style="text-align: center;">OR</p> <p>c) Establishments against whom court case or cases were launched for violation of Labour Laws (Apart from those who are already covered under category A)</p> <p>d) If the number of Contract labourers is more than the number of regular workman in the establishment,</p> <p style="text-align: center;">OR</p> <p>e) Establishments with more than 50 workers but with no operating trade union OR</p> <p>f) Non-Renewal of license or registration issued under ay labour laws or failure or delay in submission of returns under applicable laws.</p> <p style="text-align: center;">OR</p> <p>g) Establishments who failed or appeared to be failed to take registration under any labour law administered by Directorate of Labour.</p> <p style="text-align: center;">OR</p> <p>h) Such other establishment as may be determined by the Directorate of Labour depending upon nature of business and others</p>	<p>All factories not covered under the aforementioned High Risk Factories and having licence for employing 21 to 100 workers</p>
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LOW RISK	<p>a) Establishments with number of employees/workmen (including directly and indirectly employed) of 0 to 9.</p> <p style="text-align: center;">OR</p> <p>b) Such other establishments as may be determined by the Directorate of Labour depending upon nature of business and others</p> <p style="text-align: center;">OR</p> <p>c) Establishments with nature of activity/employment where minimum rate of wages have been fixed by the State Government under the Minimum Wages Act, 1948;</p> <p style="text-align: center;">OR</p> <p>d) Establishment defined as New Start Ups by the department of Industrial Policy & Promotion, Govt. of India (DIPP) for a period of initial three years of establishment</p>	
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a) **The frequency of inspection for business establishment in Mizoram would depend on their risk category, below:**

High risk - frequency of inspections in these establishments will be limited to a once in every four months.

Medium risk - frequency of inspections in this establishment will be limited to once in every eight months.

Low risk - frequency of inspections in these establishment will be limited to once in every three years.

This notification will come into force with immediate effect.

C. Lalpeksanga,
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Labour, Employment, Skill Dev. & Entrepreneurship Deptt.