

MANIPUR



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 243

Imphal,

Friday, November 19, 2021

(Kartika 28, 1943)

GOVERNMENT OF MANIPUR
SECRETARIAT : SKILL, LABOUR, EMPLOYMENT &
ENTREPRENEURSHIP DEPARTMENT

NOTIFICATION

Imphal, 19th November, 2021

No. 5/44/2018-L&E(Pt-2): The following draft rules, which the Government of Manipur proposes to make in exercise of the powers conferred by section 133 of the Occupational, Safety, Health and Working Conditions Code, 2020 (No.37 of 2020), are hereby notified as required by sub-section (1) of section 133 of the said Code for information of all persons likely to be affected and the notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of **forty-five days** from the date on which the copies of the Official Gazette in which the rules is published are made available to the public.

Objections and suggestions, if any, may be addressed to the **Secretary (Skill, Labour , Employment & Entrepreneurship), Government of Manipur** , 2nd floor, New Secretariat Building, North Block, Imphal-795001 or by email: bjohnt77@gmail.com / support@manipurlabour.in . The objections and suggestions should be sent in a preformed containing column (1) specifying the name and address of the person or organization, column (2) specifying the chapter and rule or sub-rule which is proposed to be modified, column (3) specifying the revised rule or sub-rule proposed to be submitted and column (4) reasons thereof;

Objections and suggestions, which may be received from any person with respect to the said draft rules before the expiry of the period specified above will be considered by the Government of Manipur.

By orders & in the name of Governor

MAISNAM CHINGLEMBI LUWANG

Under Secretary (Skill, Labour, Employment & Entrepreneurship),
Government of Manipur

**THE OCCUPATIONAL, SAFETY, HEALTH AND WORKING CONDITIONS CODE
(MANIPUR) RULES, 2021**

DRAFT RULES

CHAPTER-I

1. **Short title, extent and commencement:** (1) These rules may be called the Occupational, Safety, Health and Working Conditions Code (Manipur) Rules, 2021.
(2) They shall extend to the whole of Manipur.
(3) They shall come into force from the date of their final publication in the Official Gazette.
2. **Definitions: In these rules, unless the subject or context otherwise requires-**
 - (a) "Central Government" means the Government of India;
 - (b) "Code" means the Occupational, Safety, Health and Working Conditions Code, 2020 (No. 37 of 2020);
 - (c) "Labour & Employment Department" means the Labour & Employment Department, Government of Manipur;
 - (d) "section" means section of the Code; and
 - (e) "State Government" means the Government of Manipur.
3. **Adaptation of central rules:** The Occupational, Safety, Health and Working Conditions Code (Central) Rules, 2020, except its rules 1 and rules 80 to 166 pertaining to mines, is adapted with the conditions that the word or words "Central Government", "Chief Labour Commissioner (Central)", "Joint Secretary, Government of India, Labour & Employment" "Labour Enforcement Officer(C)" and Ministry of Labour & Employment" referred to in the Occupational, Safety, Health and Working Conditions Code (Central) Rules, 2020, the same shall be construed as refereeing to "State Government, "Labour Commissioner, Manipur", "Joint Secretary, Government of Manipur, Labour and Employment", "Labour Inspector" and "Department of Labour and Employment, Government of Manipur" respectively for anything to be prescribed by the State Government under the Code and the matters under section 133 of the Code, which are not covered by rules 3 and 4 of these rules and that word or words "the concerned State Authority and "State Government" have been referred to in the Occupational, Safety, Heath and Working Conditions Code (Central) Rules, 2020 shall be deleted.

CHAPTER-II

REPEAL OF RULES, REMOVAL OF DIFFICULTY AND RESIDUARY PROVISIONS

4. **Repeal and saving(s):** (1) The following rules (including anything done or made thereunder) shall stand repealed from the date of commencement of these rules-
 - (i) The Manipur Factories Rules and
 - (ii) The Manipur Building and Other Construction Workers (Regulation of Employment and

Conditions of Service) Rules.

- (2). Notwithstanding such repeal, anything done or any action taken under the rules so repealed shall be deemed to have been done or taken under the corresponding provisions of this rules.
5. **Removal of difficulty:** The difficulty, if any, in the interpretation and application of any rule of these Rules shall be referred to the State Government for its decision. The decision of the State Government taken by a simple order shall be binding on the matters.
6. **Residuary provisions:** (1) Such matters, with respect to which no expressed provision is made in these rules, shall be referred by the Labour & Employment Department to the State Government for its decision and the decision of the State Government by an orders shall be binding on such matter.
(2). Such decision taken by the State Government on any matter under clause (1) of this rule shall be notified in the official gazette.

Statement in respect of the Draft Occupational, Safety, Health and Working Conditions (Manipur) Rules, 2021

In the Draft Occupational, Safety, Health and Working Conditions (Manipur) Rules, 2021 the rules 2 to 79 and 167 of the Occupational, Safety, Health and Working Conditions (Central) Rules, 2020 are adapted since anything to be prescribed by the Central Government and the State Government under the Industrial Relations Code, 2020 (No. 35 of 2020) are the same and the matters under section 133 of the said Code are the same. The rule 3 of the Draft Rules repeals the Manipur Factories Rules, 19... and the Manipur Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2008. The rules 4 to 5 of the Draft Rules empower the State Government for the removal of difficulty in the interpretation and application of the rules in the Draft Rules and taking decision on the issue referred to it on the matters for which no expressed provision is made in the Draft Rules.

The Draft Rules has no provision creating financial involvement of the State Government.

—