

GAZETTE

# E X T R A O R D I N A R Y PUBLISHED BY AUTHORITY

No. 221

Imphal, Friday, December 29, 2023

(Pausa 8, 1945)

## GOVERNMENT OF MANIPUR SECRETARIAT : LAW & LEGISLATIVE AFFAIRS DEPARTMENT

## **NOTIFICATION**

Imphal, December 29, 2023

No. 2/38/2020-Leg/L: The following Ordinance promulgated by the Governor of Manipur on 22-12-2023 is hereby published in the Manipur Gazette for general information:

## THE MANIPUR LABOUR LAWS (EXEMPTION FROM RENEWAL OF REGISTRATION AND LICENSE BY ESTABLISHMENTS) ORDINANCE, 2023

(Manipur Ordinance No. 2 of 2023)

#### Promulgated by the Governor of Manipur in the Seventy-fourth Year of the Republic of India.

#### An

#### Ordinance

to provide for the exemption of employer of establishment from renewal of registration of his establishment and renewal of his license under labour laws.

WHEREAS the Manipur Legislative Assembly is not in session and the Governor of Manipur is satisfied that circumstances exist which render it necessary for her to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Manipur is pleased to promulgate the following Ordinance, namely,-

**1.** (1) This Ordinance may be called the Manipur Labour Laws (Exemption from Renewal of Registration and License by Establishments) Ordinance, 2023.

Short title, extent and commencement

Definitions.

(2) It shall extend to the whole of the State of Manipur.

(3) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires,-

(a) "employer" in relation to a Scheduled Act, which defines such expression, has the same meaning assigned to it in that Act, means the person who gets his establishment registered under and/or obtains license under the said Scheduled Act;

- (b) "establishment" has the same meaning assigned to it in a Scheduled Act and includes-
  - (i) an industrial establishment as defined in section 2 of the Payment of Wages Act, 1936 (No. 4 of 1936);
  - (ii) a factory as defined in section 2 of the Factories Act, 1948 (No. 63 of 1948);
  - (iii) a plantation as defined in section 2 of the Plantations Labour Act, 1951 (No. 69 of 1951);
  - (iv) a newspaper establishment as defined in section 2 of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (No. 45 of 1955); and
  - (v) an establishment of contractor to whom a Scheduled Act applies;

(c) "Scheduled Act" means an Act specified in the First Schedule to this Ordinance and as in force on the commencement of this Ordinance in the State of Manipur;

(d) "State Government" means the Government of Manipur.

3. On and from the commencement of this Ordinance, a Scheduled Act shall have the effect subject to the provisions of this Ordinance.

4. On and from the commencement of this Ordinance, it shall not be necessary for an employer, in relation to an establishment to which a Scheduled Act applies, to renew the registration of establishment granted to him under a Scheduled Act or to renew license issued to him under a Scheduled Act:

Provided that such employer shall furnish a Self-Certification in the form specified in the Second Schedule to this Ordinance within the month of January of every year or 30 days of the completion of the relevant work, business or operation.

Savings.

5. The commencement of this Act shall not affect-

(a) the previous operation of any provision of any Scheduled Act or the validity, in-validity, effect or consequence of anything, done or suffered under that provisions, before the relevant period.

Amendment of . certain Labour Laws

Exemption from Renewal of Registration and License required under certain Labour Laws (b) any right, privilege, obligation, or liability already acquired, accrued or incurred under any Scheduled Act, before the relevant period.

(c) any penalty, forfeiture or punishment incurred or inflicted in respect of any offence committed under any Scheduled Act, before the relevant period.

(d) any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment aforesaid.

(e) any such investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment shall be instituted, continued or disposed of, as the case may be, in accordance with a Scheduled Act.

*Explanation:* For the purposes of this section, the expression "relevant period" means the period during which this Ordinance come into force.

6. Any employer who fails to furnish the Self-Certification to be furnished under proviso to section 4 to this Ordinance shall, on conviction, be an offence punishable with fine which may extend to rupees ten thousand:

Provided that any offence under this section shall be compoundable under any law for compounding of offence under labour laws as extended in the State of Manipur from time to time.

Raj Bhavan, Imphal The 22<sup>nd</sup> December, 2023 Sd/-( Anusuiya Uikey ) Governor of Manipur

NUNGSHITOMBI ATHOKPAM, Commissioner (Law) to the Govt. of Manipur.

Penalty

## **First Schedule**

### [See section 2(c)]

- 1. The Contract Labour (Regulation and Abolition) Act, 1970 (No. 37 of 1970);
- 2. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (No. 30 of 1979).
- 3. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996(No. 27 of 1996)

## Second Schedule

[See section 4]

Form for Self-Certification to be furnished by the employer to the Registering Officer or Licensing Officer, as the case may be.

A. In relation to registration of establishment-

- (a) Name and address of the registered establishment.
- (b) Name and address of the employer of the registered establishment.
- (c) Number and date of registration of the establishment.
- (d) Nature of work, business and operation carried on by the registered establishment.

B. In relation to License to the employer-

- (a) Name and address of the establishment
- (b) Name and address of the employer of the establishment.
- (c) Number and date of License granted to the Employer of the establishment.
- (d) Nature of work, business and operation carried on by the establishment.

Certified that the information furnished in this Self-Certification are true to the best of my knowledge and information and that there was no case of violation of any of the provisions of the labour laws applied to me in relation to the work, business and operation carried out in my establishment under the certification.

Date.

### Signature of Employer.