



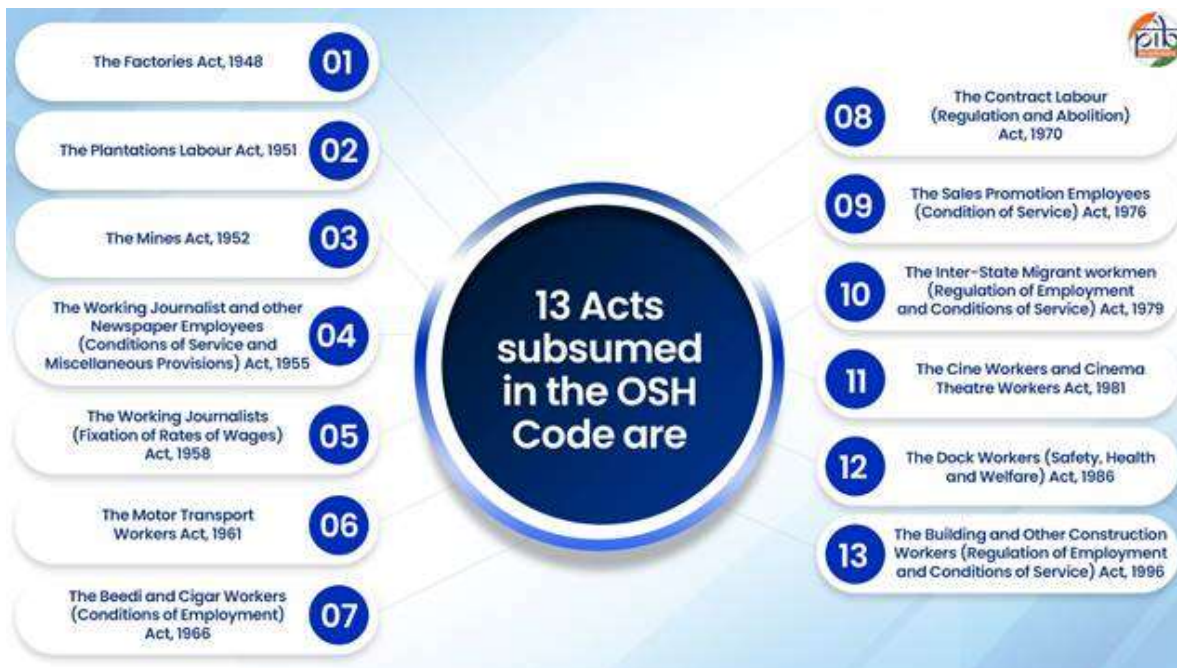
# **THE OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020 (OSH)**

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# THE OSH CODE WILL SUBSUME THE FOLLOWING LABOUR LAWS:





# The Preamble

**An Act to consolidate and  
amend the laws regulating the  
occupational safety, health and  
working conditions of the  
persons employed in an  
establishment and for matters  
connected therewith or  
incidental thereto.**



# The Gazette Notification

## MINISTRY OF LABOUR AND EMPLOYMENT NOTIFICATION

New Delhi, the 21st November, 2025

S.O. 5321(E).—In exercise of the powers conferred by the sub-section (2) of section 1 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020), the Central Government hereby appoints the 21st day of November, 2025 as the date on which the provisions of the said Code, shall come into force.

[F. No. S-65025/2/2025-ISH-II]  
ALOK CHANDRA, Senior Labour and Economic  
Advisor



# The Aspects Covered By The OSH Code

- 01. ANNUAL LEAVES WITH WAGES**
- 02. WORKING HOURS & OVERTIME**
- 03. HEALTH & SAFETY OF WORKERS**
- 04. FUNCTIONING OF FACTORIES VIS A VIS WORKING CONDITIONS**
- 05. CONTRACT LABOUR REGIME**



## **A Big Question**

**But what about the  
Regional Shops and  
Establishments Acts?**



## Effect Of Law And Agreements Inconsistent With Code

120. (1) The provisions of this Code shall have effect **notwithstanding anything inconsistent** therewith contained in any other law for the time being in force or in the terms of any award, agreement or contract of service whether made before or after the commencement of this Code:

Provided that where under **any such award, agreement, contract of service or otherwise** an employee is **entitled to benefits** in respect of any matters which are **more favourable** to him than those to which he will be entitled to **under this Code**, the employee shall **continue to get the former** notwithstanding that he receives benefits in respect of other matters under this Code.



# Important Definitions





## Definition

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# Building And Other Construction Work



“

*(remains same)*

2(h) "building or other construction work" means the construction, alteration, repairs, maintenance or demolition in relation to **buildings, streets, roads, railways, tramways, airfields, irrigation, drainage, embankment and navigation works, flood control works (including storm water drainage works), generation, transmission and distribution of power, water works (including channels for distribution of water), oil and gas installations, electric lines, internet towers, wireless, radio, television, telephone, telegraph and overseas communications, dams, canals, reservoirs, watercourses, tunnels, bridges, viaducts, aqueducts, pipelines, towers, cooling towers, transmission towers** and such other work as may be specified in this behalf by the Central Government, by notification, but does not include building or other construction work which is related to any factory or mine and the building or other construction work where such work is for own residential purposes of an individual or group of individuals for their own residence and the total cost of such work does not exceed rupees fifty lakhs or such higher amount and employing more than such number of workers as may be notified by the appropriate Government.



## Definition

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# Contract Labour

## [S2 (m)]



“

*(remains same)*

### Includes:

- workers hired in or in connection with the work of an establishment/principal employer by or through a contractor, with or without the knowledge of the principal employer.
- Inter-State migrant worker

### Does not include:

- A worker (other than part time employee) who is regularly employed by the contractor for any activity of his establishment; and
- His employment is governed by mutually accepted standards of the conditions of employment (including engagement on permanent basis); and
- He gets periodical increment in the pay, social security coverage and other welfare benefits in accordance with the law for the time being in force in such employment



**Therefore...**

A permanent employee of  
the contractor, getting  
benefits under labour law,  
**will no longer be  
considered as  
'Contract Labour'!**



## Definition

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# Contractor

[S2 (n)]



“

*(remains same)*

"contractor", in relation to an establishment, means a person, who—

(i) undertakes to produce a given result for the establishment, other than a mere supply of goods or articles of manufacture to such establishment, through contract labour; or

(ii) supplies contract labour for any work of the establishment as mere human resource, and includes a sub-contractor



## Definition

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# Core Activity Of An Establishment ➔

*[S(p)]*

“

*(new)*

- Any activity for which the establishment is **set up** and includes any activity which is **essential or necessary** to such activity
- Certain activities are **excluded**, such as
  - Sweeping
  - Security Services
  - Running of Hospitals
  - Construction Work
  - Housekeeping
  - Transport Service etc.



## Definition

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# Employer

[S2(u)]



“

(new)

- A person who employs, whether directly or through any person, or on his behalf, or on behalf of any person, one or more employees in his establishment and where the establishment is carried on.
- Occupier of factory
- Person who has ultimate control over the affairs of the establishment
- Contractor
- Legal representative of deceased employer



## Definition

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# Establishment

[S2(v)]



“

(new)

- A place where any industry, trade, business, **manufacturing or occupation** is carried on in which **ten or more workers** are employed (commercial establishment).
- Factory



## Definition

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# Factory

[S2(w)]



“

(new)

- 20 or more in case of factory with aid of power; 40 or more without aid of power
- Threshold increased
- Manufacturing process is necessary
- Does not including hotel, restaurant or eating place



## Definition

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# Family

[S2(x)]



“

(new)

- Spouse
- Children including adopted children of the worker who are dependent upon him and have not completed the age of 18 years
- Parents, grand-parents, widowed daughter and widowed sister dependent upon such worker
- Persons getting a specified income to be excluded



## Definition

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# Inter-State Migrant Worker

[S2(zgf)]



“

(new)

- Recruited directly by the employer or indirectly through contractor in one State for employment in such establishment situated in another State
- Has come on his own from one State and obtained employment in an establishment of another State (destination State) or has subsequently changed the establishment within the destination State
- Cap of Rs. 18,000/-.



## Definition

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# Occupier

[S2(zs)]



“

(new)

- The person who has ultimate control over the affairs of the factory
- Any one of the individual partners or members of a firm.
- Any one director, except an independent director, in case of a company.



## Definition

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# Wages

## *Meaning and Inclusions*



“

(new)

Means all remuneration whether by way of salaries, allowances or otherwise expressed in terms of money or capable of being so expressed which would, in terms of employment, express or implied where fulfilled, be payable to a person employed in respect of his employment, and includes -

- Basic Pay;
- Dearness allowance; and
- Retaining allowance, if any



## Definition

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# Wages

## *Specified Exclusions*



“

(new)

- a) Statutory bonus payable but not forming part of remuneration
- b) Value of house accommodation and utilities (such as light, water, medical attendance, etc.)
- c) Employer contribution to provident fund/pension together with accretions,
- d) Conveyance allowance or value of travelling concession;
- e) Sum paid to defray special expenses due to nature of work
- f) House rent allowance
- g) Remuneration payable under any award settlement;
- h) Any overtime allowance
- i) Any commission payable
- j) Any gratuity payable on termination;
- k) Any retrenchment comp/benefit payable or ex gratis payment made



## Definition

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# Wages

## *Conditional Exclusions*



“

(new)

- If payments made under sub-clauses (a) to (i)
- exceeds one-half or such other notified percentage of the all remuneration calculated under this clause, then
- amount which exceeds such one-half or other percent, so notified.
- shall be deemed as remuneration & shall accordingly be added under this clause

Conveyance value of travel concession, house rent allowance, remuneration payable under award or settlement and overtime allowance shall be taken for into consideration for the purpose of equal wages to all genders and for the purpose of payment of wages.



## Definition

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# Wages

*Value of remuneration  
in kind*



“

*(new)*

Where an employee is given remuneration in kind

- in lieu of other the whole be part of the wages payable to him
- value of such remuneration as does not exceed 15% of total wages payable to him

Shall be deemed to form part of wages of such employee.



**Worker**

*vs*

**Employee**



## Applicability Of The Code

The Code shall be applicable to all the establishments which **includes**:

- A place where any industry, trade, business, manufacturing or occupation is carried on in which 10 or more workers are employed;
- A motor transport undertaking, newspaper establishment, audio-video production, building and other construction work or plantation, in which 10 or more workers are employed;
- A factory in which 10 or more workers are employed; or
- A mine or port or vicinity of port where dock work is carried out.

The Code **shall not be applicable to** the offices of the Central Government, the State Government and any ship of war of any nationality

**But, if a** contract labour is employed through a contract in the offices of Central or State Government, being the principal employer, then the Code shall be applicable.



## Requirement Of Registration

- The OSH Code **does not require multiple registration** requirements and introduces a **‘one registration’** requirement which requires a new establishment to make an application for registration **within 60 days** from the date of commencement of the Code before a Registering Officer through electronic mode.
- The existing establishments, registered under any other central labour laws, **shall be deemed to be registered** under the Code and shall not be required to obtain fresh registration.



## Requirement Of Registration

### *Contd...*

- **Any change** in Ownership or Management or any other particulars contained in the registration is required to be **electronically intimated** to the Registering Officer **within 30 days** of such change.
- No employer of an establishment shall employ any employee if he **has not registered** with the Code or **has not preferred** for any appeal for cancellation of registration or revocation of registration.
- **No closure without a prior intimation** of 30 days and a certificate that all dues have been paid.



## Employer's Duties

- Ensure **hazard free workplace**  
Compliance of occupational safety and health standards
- Providing **free annual health tests**  
Ensure risk free environment
- Ensure **proper disposal** of hazardous and toxic waste
- Provide **proper Information**, Instruction and Training
- Provide **Notice** of any **dangerous occurrences** and Notice of **certain diseases** to the appropriate authority



# Employee's Duties & Rights

## **DUTIES:**

- Take reasonable self-care
- Compliance safety and health requirements standards
- Cooperation with employer in meeting the statutory obligations
- Report unsafe or unhealthy environment to the employer
- Duty not to misuse or neglect any safety appliances.

## **RIGHTS:**

- Right to obtain information regarding health and safety standards from the employer
- Right to represent if there is inadequate provision for protecting their own safety and health
- Right to report about the existence of any imminent danger



# Occupational Safety & Health Standards

The Central Government shall declare standards on occupational safety and health for workplaces relating to factory, mine, dockwork, beedi and cigar, building and other construction work and other establishments such as

- Physical, chemical, biological any other hazards to be dealt with for the working life of employees to ensure that the employees are safe from such hazards.
- Norms evaluating the hazards that are likely to be caused to the employees and monitoring and estimating the exposure of employees to such hazards and procedures for evaluation of hazards.
- Criteria related to medical examination and for deduction and reporting of occupational diseases to be extended to the employees.
- Matters specified in the second schedule of this Code.



## OSH Advisory Board

The Central Government shall constitute the National Occupational Safety and Health Advisory Board by its notification for advice in the matters relating to;

- Standard rules and regulations related to the Code Implementation of the provisions of this Code, its standards and rules
- Issues of policy and Programme relating to occupational safety and health referred to it from time to time, by the Central Government.
- Any other matter in respect of this code referred to it from time to time, by the Central Government.

The State Government shall constitute the State Occupational Safety and Health Advisory Board by its notification for advice in the matters relating to administration of this code as may be referred to it by the State Government.



# OSH Safety Committee & Safety Officers

The employer shall appoint requisite number of safety officers in every establishment which is a;

- Factory wherein five hundred workers or more;
- Factory carrying on hazardous process wherein two hundred fifty workers or more
- Building or other construction work wherein two hundred fifty workers or more
- Mine wherein one hundred workers or more, are ordinarily employed.



# Health, Safety & Working Conditions

There is a responsibility on part of the employer to maintain the establishment with proper health, safety and working conditions prescribed by the Central Government;

- Cleanliness and Hygiene
- Ventilation, temperature, and humidity
- Environment free from dust, noxious gas, fumes, and other impurities
- Adequate standard of humidification, artificially increasing the humidity of the air, ventilation, and cooling of the air in workrooms
- Potable drinking water
- Adequate standards to prevent over-crowding and to provide sufficient space to employees or other persons, as the case may be, employed therein
- Adequate lighting
- Sufficient arrangement for latrine and urinal accommodation to male, female, and transgender employee separately and maintaining hygiene therein
- Effective arrangements for treatment of wastes and effluents
- Any other arrangement which the Central Government considers appropriate



## Welfare Provisions In the Establishment

The employer shall be responsible to provide and maintain certain welfare facilities in the establishments prescribed by the Central Government;

- Adequate **separate washing room** to male and female
- **Separate bathing places** and locker rooms for male, female, and transgender employees
- A **place for keeping clothing** not worn during working hours and for the drying of wet clothing;
- **Sitting arrangements** for all employees obliged to work in a standing position
- **Canteen** facilities (when 100 or more contract labourers are employed)
- Periodic **medical examinations** for employees working in mines
- Provide adequate **first-aid** boxes or cupboards with contents readily accessible during all working hours



*Contd...*

## Welfare Provisions In the Establishment

- Provide any other welfare provision which the Central Government prescribes for **decent standard of life** of the employees depending on the situation.
- Provision for **ambulance room** in every factory, mine, building or other construction work (which employees more than 500 workers)
- Provide **medical facilities** at the operating centres and halting stations
- Provision of adequate and suitable **separate shelters or rest rooms** for male, female and transgender employees.
- Appointment of **welfare officer** in every factory, mine or plantation which employees **250 or more** workers.
- Provision of **temporary living accommodation**, free of costs to all the building workers.



## Hours of Work & Annual Leave With Wages

- The OSH Code provides that no worker shall be made to work in any establishment for **more than 8 hours in a day** and no worker shall be allowed to work in an establishment for **more than six days** in any one week
- The Code provides that employers may require workers to work **overtime only with the consent** of such worker, and further that the appropriate government may prescribe the hours of overtime work.
- The overtime wage rate is calculated on the **basis of wages** and **not on the ordinary rate** of wages.
- The OSH Code provides that workers in an establishment are entitled to annual leave with wages in a calendar year if such worker has **worked for 180 days or more** in such calendar year and shall be entitled for **one-day leave for every twenty days** of his work.



## Maintenance of Registers, Records & Returns

An employer of an establishment shall maintain a register in prescribed form, electronically or otherwise, containing such particulars of workers as may be prescribed by the appropriate Government.

- Employers must maintain a detailed register, either electronically or in physical form, documenting essential worker information like **work performed, working hours, rest hours, wages, Leave, overtime, attendance, occurrence of danger, and adolescent employment.**
- It's required to **exhibit notices** at workplaces in a specified manner and form, as directed by the appropriate government.
- Employers are obligated to **provide wage slips** to workers, which can be in electronic or in otherwise.
- There is a requirement to **file returns**, either **electronically or otherwise**, to the Inspector-cum Facilitator as prescribed by the appropriate government, within set timeframes.



## **Inspector-cum-Facilitators & Other Authority**

## **Appointment and Duties**

This section-34 code defines the appointment and duties of Inspector-cum-Facilitators, the appointment and powers of Inspector-cum-Facilitators, detailing their roles, inspection schemes, reporting mechanisms, and hierarchy, emphasizing web-based inspection methods and randomised selection of establishments for inspection, and special circumstances.



*Contd...*

## Web Based Inspection Scheme

- The appropriate government may prepare an inspection scheme providing for generating web-based inspection and submission of information electronically, which shall also provide for randomised selection of establishments for inspection [Section34].
- Such in section schemes may also provide for assigning unique numbers to establishments and Inspector-cum facilitators; timely uploading of inspection reports and providing for special inspections. This is vastly different from the regime of physical inspection under the repealed laws, and in fact is similar to the regime proposed under the Code on Wages, 2019.
- This measure has the potential to reduce bureaucratic inefficiencies and will positively impact the ease of doing business.



## **Powers & Authority**

**Powers and duties of an inspector-cum-facilitator as per a specific legal code. The inspector-cum-facilitator has the authority to:**

- Enter any workplace with assistance or experts as needed.
- Inspect premises, machinery, and materials; examine establishments for safety and compliance.
- Investigate accidents, and dangerous occurrences, and take necessary statements.
- Examine crops and workers in plantations and inspect relevant documents.
- Inform and educate employers and workers about compliance with this Code.
- Require the production of workplace documents.
- Search, seize, or copy documents related to any offence under this Code.



*Contd...*

## **Powers & Authority**

- Instruct for premises to be left undisturbed for inspection.
- Take measurements, photographs, and videography for examination or inquiry purposes.
- Collect samples from establishments for testing.
- Direct dismantling or testing of any article likely to cause danger.
- Issue notices relating to safety, health, and welfare.
- Prosecute or defend in court proceedings related to this Code.
- Exercise other prescribed powers and duties.



*Contd...*

## **Powers & Authority**

- Employer required to provide information or documents to the Inspector are legally obligated to comply.
- The section also outlines the role of the District Magistrate in mines and the process for empanelling experts for third-party audits.
- Special powers of the Inspector in factories, mines, dock work, and construction work are detailed, including the ability to halt work in dangerous conditions and ensure worker safety and rights.
- The section also includes provisions for confidentiality and the requirement for employers to facilitate inspections.
- Lastly, it discusses the appointment and duties of medical officers for health supervision in various establishments



## Special Provisions Relating To Employment Of Women

- Previously under Section 66 of the Factories Act which expressly prohibited women from working beyond 7 pm and before 6 am, except in certain cases, i.e., when involved in fish curing and fish-canning factories.
- Under the OSH, Code 2020 stipulates that women will be employed in all under the OSH, Code 2020 stipulates that **women will be employed in all establishments for all types of works**. Women may also be employed **before 6 am and beyond 7 pm**, subject to obtaining their consent and subject to conditions relating to safety, working hours, holidays etc as prescribed by the appropriate government. *(Section 43)*.
- As per the Periodic Labour Force Survey (PLFS) Annual Report 2022-2023 nation like Indian where only 37% of the labour force are women. This evolution is essential for a nation like Indian as it increases the employability of women.



# Regulatory Oversight on Women's Employment in Hazardous Workplaces

**Employer's Compliance-** “Mandated employer compliance with appropriate Government to take prescribed safety measures to protect women in the workforce.”

- The appropriate Government considers that the employment of women is dangerous for their health and safety, in an establishment or class of establishments.
- Hazardous work designation Criteria for classifying establishments or processes as hazardous or dangerous to women's health and safety Prescriptive.
- Prescriptive Measures Government's power to prescribe measures that employers must take to safeguard women prior to their employment in identified hazardous operations



## Special Provisions For Contract Labour

- **Applicability (Section 45):** Applies to the establishments with 50 or more contract laborers and to manpower supply contractors employing 50 or more contract labourers in the last twelve months.
- **Licensing Requirements (Sections 46,47,48):** Mandates contractors to obtain licenses for engaging contract labour. Licenses are subject to specific conditions, including the number of labourers and security deposits.
- **Contractor Responsibilities (Sections 49,50,51):** Contractors are prohibited from charging fees from contract labour. They must notify the designated authority upon receiving workorders and comply with all licensing conditions.
- **Welfare Facilities (Section 53) :** The principal employer is responsible for providing welfare facilities to contract labour.



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## Special Provisions For Contract Labour

- **Wages (Section 55):** Contractors are responsible for timely wage payment, preferably through electronic modes. In case of non-payment, the principal employer is liable to pay wages and can recover the amount from the contractor.
- **Experience Certificate (Section 56):** Contractors must issue experience certificates to contract labour detailing the work performed.
- **Prohibition of Contract Labour in Core Activities (Section 57):** Employment of contract labour is prohibited in core activities of an establishment.
- **However, there are exceptions to section 57:**
  - Contract labor can be engaged if the activity is normally done through contractors.
  - If the activities don't require full-time workers for the majority of working hours or for extended periods.
  - In cases of a sudden increase in work volume that needs to be completed within a specific timeframe.
- **Emergency Provisions (Section 58):** The appropriate Government may exempt any establishment or class of contractors from the provisions of the OSH Code in emergencies.



## Inter State Migrant Workers

- Under the OSH Code an inter-state migrant worker also includes a person recruited directly by the employer, apart from being employed by or through a contractor. It provides for the inter-state migrant worker to obtain employment at an establishment on his own.
- The OSH Code broadens the scope of “Industrial Premise” which includes any place or premises in which not only the industrial and manufacturing process is carried out, but also trade, business, or occupation is being carried out by the establishment.  
[Section 2(1)(zc)]



## Audio-Visual Workers

Under the OSH Code, Audio-Visual workers include actors, musicians, singers, dancers, news readers, anchors, dubbing artists and stunt persons. The code provides that, there shall be no employment of Audio-Visual workers without an agreement in writing in a prescribed form.

## Mines Workers

The OSH Code provides that, every mine shall be under a sole manager. No person below 18 years of age shall be allowed to work in any mine. Proper medical examinations should be conducted to the workers to ensure their fitness to work.



## **Bidi & Cigar Workers**

The OSH Code provides that no employer shall be allowed to use any place or premises as an industrial premises unless the employer holds a valid licence issued under this code for Beedi and Cigar establishments.

## **Building or Other Construction Workers**

The OSH Code prohibits employment of certain persons who are deaf or have a defective vision or any illness, to work in certain building or other construction works.



# The Factories

## Factory Regulations [Sec 79]

- The appropriate Government has the authority to make rules regarding the submission of plans, permissions for site construction, and licensing of factories.
- If there is no communication within 30 days after submitting an application for permission, it is deemed to be granted.
- The refusal of permission can be appealed to the Central Government or State Government, depending on the case.
- Replacement or addition of plant or machinery does not constitute an extension if it does not affect safety or environmental conditions.



*Contd...*

# The Factories

## **Responsibilities of Premises Owner (Sec.80):**

- The owner and occupiers of separate factories in the same premises are jointly responsible for common facilities like safety, hygiene, and emergency preparedness.

## **Extension of Code to Certain Premises (Sec.81):**

- The appropriate Government can declare that the provisions of the Code apply to places where manufacturing processes occur, irrespective of the number of workers.

## **Regulation of Dangerous Operations (Sec.82):**

- Rules can be made for factories involving dangerous processes, including specifying dangerous processes, restricting employment of pregnant women, and providing welfare amenities and safety measures.



# The Factories

*Contd...*

## **Compulsory Disclosure of Information (Sec.84):**

Occupiers of hazardous process factories must disclose information on dangers and health hazards to workers, authorities, and the public.

They must lay down a health and safety policy, provide information on waste disposal, and create on-site emergency plans.

## **Specific Responsibilities of Occupier in Hazardous Processes (Sec.85):**

Occupiers must maintain health records of workers exposed to hazardous substances and appoint qualified personnel for supervision.

## **National Board Inquiry (Sec.86):**

In the case of extraordinary situations in a hazardous process factory, the Central Government can direct the National Board to inquire into health and safety standards.



*Contd...*

# The Factories

## **Emergency Standards (Sec.87):**

- In the absence or inadequacy of safety standards for hazardous processes, the Central Government can direct the laying down of emergency standards.

## **Exposure Limits (Sec.88):**

- Maximum permissible limits of exposure to chemical and toxic substances in manufacturing processes are to be prescribed by the State Government.

## **Worker's Right to Report Imminent Danger (Sec.89):**

- Workers can report imminent danger to their lives or health to the occupier and the Inspector-cum-Facilitator. The occupier must take immediate remedial action.



*Contd...*

# The Factories

## **Appeals (Sec.90):**

- Provisions can be prescribed for the manner and authority for appeals against the orders of the Inspector-cum-Facilitator.

## **Rules by Appropriate Government (Sec.91):**

- The appropriate Government can make rules regarding positions of supervision, exemptions for workers, and conditions subject to exemptions.



## The Plantation

The OSH Code provides that every employer should make provisions in their plantation to provide with necessary housing accommodation including drinking water, kitchen and proper toilet facilities to every worker including their family. In addition to this, creche facilities shall also be provided in the plantation where there are 50 or more workers are employed (including contract workers).



## Offenses & Penalties

OFFENCES ^^	PUNISHMENT	SECTIONS
General Contraventions	Penalties range from Rs. 2 lacs to Rs. 3 lacs, with an additional Rs. 2000 per day for continued contravention	Section 94
Obstructing Inspectors	Penalties include imprisonment up to three months, or a fine up to Rs. 1 lakh, or both. For repeat offenses, the imprisonment may extend to six months, with a minimum fine of Rs. 1 lakh, which may go up to Rs. 2 lakhs.	Section 95
Failure in Record Maintenance	Penalty for a first offense ranges from Rs. 50,000 to Rs. 1 lakh. For repeated offenses, the penalty increases to a range of Rs.50,000 to Rs. 2 lakhs.	Section 96
Contravention of Employment Orders	Penalty of Rs. 50,000 to Rs. 1 lakh. Repeat offenses can result in imprisonment up to three months, or a fine up to Rs. 2 lakhs, or both.	Section 97



## Offenses & Penalties

OFFENCES	PUNISHMENT	SECTIONS
Falsification of Records	Punishable with imprisonment up to three months, or a fine up to Rs. 1 lakh, or both. Repeat offenses can lead to imprisonment up to six months, or a fine between Rs. 1 lakh and Rs.2 lakhs, or both.	Section 98
Offences Relating to Hazardous Processes	Imprisonment up to two years and a fine up to Rs. 5 lakhs. If the violation continues, an additional fine of Rs. 25,000 per day may be imposed. For continued violations beyond one year after conviction, the penalty increases to imprisonment up to three years or a fine of Rs.20 lakhs, or both.	Section 102
Accidents Causing Serious Injury/Death	Imprisonment up to two years or a fine of at least Rs. 5 lakhs for accidents resulting in death, and imprisonment up to one year or a fine between Rs. 2 lakhs to Rs. 4 lakhs for causing serious bodily injury. At least 50% of the fine may be allocated as compensation to the victim or their legal heirs. Repeat offenses attract double the punishment of the first conviction.	Section 103



## Offenses & Penalties

OFFENCES	PUNISHMENT	SECTIONS
Falsification of Records	Imprisonment up to 2 years and fine up to Rs. 5 lakh; minimum fine Rs. 2 lakh	Section 104
Failure to appoint a manager in mine (Sec.67 compliance)	Imprisonment up to 3 months, or fine up to Rs. 1 lakh, or both	Section 105



## Social Security Fund

- The appropriate Government is required to create a social security fund dedicated to the welfare of unorganized workers. This fund will be financed through the amounts collected from the composition of offenses and penalties under specified sections of the governing law.
- Additionally, other sources of funding as designated by the appropriate Government may
- Contribute to the fund. The administration and utilization of the fund are to be carried out as
- Prescribed by the appropriate Government.
- Which may include transferring the fund's amount to other established funds aimed at the welfare
- Of unorganized workers. The term "unorganized worker" is defined as per the Unorganised
- Workers Social Security Act, 2008.



## Miscellaneous Provisions

- The appropriate Government may direct a Chief Inspector-cum-Facilitator or any other officer under the control of the Government concerned or appoint a committee to undertake a survey in such manner as may be prescribed by the appropriate Government on the situation relating to safety or health at work at any workplace or class of workplaces or into the effect of work activity on the health of the employees and other persons within and in the vicinity of the workplace.
- Publication of reports: The appropriate Government may, if it thinks fit, cause to be published any report submitted to it by the National Board or State Advisory Board or any extracts from any report submitted to it under this Code.
- Power of the Central and State govt to make rules.



## Offenses & Penalties

OFFENCES	1 <sup>ST</sup> TIME	MORE THAN ONCE
General penalty for offences (Employer)	2 lacs to 3 lacs	2 to 3 Lacs + 2000 Per day
Punishment for causing obstruction to Chief-Inspector-cum-Facilitator or Inspector-cum-Facilitator, etc.	1 Lac or 3 Months Imprisonment or Both	1 to 2 Lacs or 6 Months Imprisonment or both
Penalty for non-maintenance of register, records and non-filing of returns etc	50000 to 1 lac	50000 to 2 lac
Punishment for contravention of certain provisions	50000 to 1 lac	2 lac or 3 months Imprisonment or Both



## Offenses & Penalties

OFFENCES	1 <sup>ST</sup> TIME	MORE THAN ONCE
Punishment for falsification of records etc.	1 lac or 3 months Imprisonment or Both	1 to 2 lacs or 6 months imprisonment or both
Special provision for contravention of order under section 38	5 Lacs or 2 Years Imprisonment or Both	5 Lacs or 2 Years Imprisonment or Both
Penalty for contravention of the provisions of duties relating to hazardous processes	5 lacs or 2 year imprisonment or Both	5 lacs + 25000 per day to 20 lacs or 3 years imprisonment or both
Penalty for contravention of the provisions of duties relating to safety provisions resulting in an accident	2 lac to 5 lac or 1 or 2 years imprisonment or both	Double than 1st time



# Thank You!