



The Factories (Bihar Amendment) Act, 2020

Act 16 of 2020

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बिहार गजट

असाधारण अंक

बिहार सरकार द्वारा प्रकाशित

27 कार्तिक 1942 (श10)

(सं0 पटना 896) पटना, बुधवार, 18 नवम्बर 2020

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अधिसूचना

18 नवम्बर 2020

सं० एल0जी0-01-09/2020/6332/लेज—बिहार विधान मंडल द्वारा यथापारित का निम्नलिखित अधिनियम, जिसपर महामहिम राष्ट्रपति दिनांक 20 अक्टूबर 2020 को अनुमति दे चुके हैं, इसके द्वारा सर्वसाधारण की सूचना के लिये प्रकाशित किया जाता है।

बिहार-राज्यपाल के आदेश से,
पी०सी०चौधरी,
सरकार के सचिव ।

18 नवम्बर 2020

सं० एल०जी०-०१-०९/२०२०/६३३३/लेज—बिहार विधान मंडल द्वारा यथापारित और महामहिम राष्ट्रपति द्वारा दिनांक 20 अक्टूबर 2020 को अनुमत कारखाना (बिहार संशोधन) अधिनियम, 2020 का निम्नलिखित अंग्रेजी अनुवाद बिहार राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है, जिसे भारतीय संविधान के अनुच्छेद-348 के खंड (3) के अधीन उक्त अधिनियम का अंग्रेजी भाषा में प्राधिकृत पाठ समझा जायेगा।

बिहार-राज्यपाल के आदेश से,
पी०सी०चौधरी,
सरकार के सचिव।

(BIHAR ACT 16, 2020)
THE FACTORIES (BIHAR AMENDMENT) ACT, 2020
(An Act further to amend the Factories Act, 1948)

Whereas, the Covid-19 pandemic has deteriorated the Industrial and Economic activities in the State of Bihar and for providing impetus to the Industrial and Economic activities in the State, it is important to provide new opportunities for Industrial investment in the State;

And whereas, the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Be it enacted by the Legislature of the State of Bihar in the Seventy First year of the Republic of India as follows :-

1. Short title, extent and commencement.—

- (1) This Act may be called the Factories (Bihar Amendment) Act, 2020.
- (2) It shall extend to the whole of the State of Bihar.
- (3) It shall come into force at once.

2. Amendment of the factories act, 1948 .—

- (1) In the Factories Act, 1948, in section 2, in clause(m) will be substituted as follows
 - (i) in sub-clause (i), for the word "ten", the word "twenty" shall be substituted; and
 - (ii) in sub-clause (ii), for the word "twenty", the word "forty" shall be substituted.
- (2) In the Factories act, 1948, in section 5, the following section shall be inserted namely:-
"5-A (Power to exempt new factories in public interest)- Where the State Government is satisfied in the public interest that it is necessary to create more economic activities and employment opportunities, it may, by notification in the official Gazette, exempt, subject to such conditions as it may think fit, any new factory or class or description of new factories which are established and whose commercial production start, from all or any of the provisions of this Act for a period of one thousand days from the date on which such commercial production start."

Explanation.— For the purpose of this section the expression "New Factory or class or description of new factories" means such factory or class or description of factories which are established and whose commercial production start within a period of one thousand days after the commencement of the Factories (Bihar Amendment) Act, 2020.

- (3) In the Factories Act, 1948, in the Clause (i) of sub section 1 of Section-85 of the Act, for the word "ten", the word "twenty" and for the word "twenty", the word "forty" shall be substituted.

3. Validation.—Notwithstanding amendment in Clause (m) of section 2, section 5 and in the Clause (i) of sub section-1 of Section-85 of the Act, anything done and decision and action taken

prior to it shall be deemed to have been validly done or taken and shall not be questioned on the ground of amendment of Clause (m) of section 2, section 5 and in the Clause (i) of sub section-1 of Section-85 of the Act.

4. Repeal and Savings.—

- (i) The Factories (Bihar Amendment) Ordinance, 2020. (Bihar Ordinance No-08-2020) is hereby repealed.
- (ii) Notwithstanding such repeal, any thing done or any action taken in exercise of any power conferred by or under the said ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act were in force on the days on which such thing was done or action taken.

By Order of the Governor of Bihar,
P.C.Choudhary,
Secretary to the Government.

अधीक्षक, सचिवालय मुद्रणालय,
बिहार, पटना द्वारा प्रकाशित एवं मुद्रित।
बिहार गजट (असाधारण) 896-571+400-डी0टी0पी0।
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