



The Factories (Goa Amendment) Act, 2020

Act 20 of 2020

Amendment appended: 17 of 2023

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Panaji, 12th October, 2020 (Asvina 20, 1942)

SERIES I No. 28

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Law
Legal Affairs Division

Notification

7/12/2020-LA

The Factories (Goa Amendment) Act, 2020 (Goa Act 20 of 2020), which has been passed by the Legislative Assembly of Goa on 27-07-2020 and assented to by the President of India on 24-09-2020, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary (Law).

Porvorim, 12th October, 2020.

The Factories (Goa Amendment) Act, 2020

(Goa Act 20 of 2020) [24-9-2020]

AN

ACT

further to amend the Factories Act, 1948 (Central Act 63 of 1948), as in force in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Seventy-first Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Factories (Goa Amendment) Act, 2020.

(2) The provisions of section 2 and section 4 of this Act shall be deemed to have come into force on the 7th day of July, 2020 and the provisions of section 3 shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Factories Act, 1948 (Central Act 63 of 1948), as in force in the State of Goa (hereinafter referred to as the “principal Act”), in clause (m),—

(i) in sub-clause (i), for the words “ten or more workers”, the words “twenty or more workers” shall be substituted;

(ii) in sub-clause (ii), for the words “twenty or more workers”, the words “forty or more workers” shall be substituted.

3. *Insertion of new section 5A.*— After section 5 of the principal Act, the following section shall be inserted, namely:—

“5A. *Power to exempt 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 purposes 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 from the date of commencement of the Factories (Goa Amendment) Act, 2020.”.

4. *Amendment of section 85.*— In section 85 of the principal Act, in sub-section (1), in clause (i), for the words “ten” and “twenty”, the words “twenty” and “forty” shall be respectively substituted.

5. *Repeal and Savings.*— (1) The Factories (Goa Amendment) Ordinance, 2020 (Ordinance No. 9 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Secretariat, CHOKHA RAM GARG, IAS
Porvorim, Goa. Secretary to the
Dated: 12-10-2020. Government of Goa
Law Department
(Legal Affairs).

Notification

7/17/2020-LA

The Industrial Disputes (Goa Amendment) Act, 2020 (Goa Act 19 of 2020), which has been passed by the Legislative Assembly of Goa on 27-07-2020 and assented to by the President of India on 24-09-2020, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary (Law).

Porvorim, 12th October, 2020.

The Industrial Disputes (Goa Amendment)
Act, 2020

(Goa Act 19 of 2020) [24-9-2020]

AN

ACT

further to amend the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947), as in force in the State of Goa.

BE it enacted by the Legislative Assembly of Goa in the Seventy-first Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Industrial Disputes (Goa Amendment) Act, 2020.

(2) It shall be deemed to have come into force on the 26th day of June, 2020.

2. *Amendment of section 2A.*— In section 2A of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), as in force in the State of Goa (hereinafter referred to as the “principal Act”),—

(i) in sub-section (3), for the words “three years”, the words “one year” shall be substituted;

(ii) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) Notwithstanding anything contained in sub-sections (1), (2) and (3), no such dispute or difference between that workman and his employer connected with, or arising out of, such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute if such dispute is not raised before conciliation officer within a period of one year from the date of such discharge, dismissal, retrenchment or termination:

Provided that an authority, as may be specified by the State Government, may condone the delay beyond such period of one year if the applicant workman satisfies the authority that he had sufficient cause for not raising the dispute within the period of one year.”.

Panaji, 18th April, 2023 (Chaitra 28, 1945)

SERIES I No. 2

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

EXTRAORDINARY

No. 3

GOVERNMENT OF GOA

Department of Law

Legal Affairs Division

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Notification

7/11/2019-LA

The Factories (Goa Amendment) Act, 2019 (Goa Act 17 of 2023), which has been passed by the Legislative Assembly of Goa on 01-08-2019 and assented to by the President of India on 25-03-2023, is hereby published for the general information of the public.

D. S. Raut Desai, Joint Secretary (Law).

Porvorim, 18th April, 2023.

The Factories (Goa Amendment) Act, 2019

(Goa Act 17 of 2023) [25-03-2023]

An

Act

further to amend the Factories Act, 1948 (Central Act 63 of 1948), as in force in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Seventieth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Factories (Goa Amendment) Act, 2019.

(2) It shall come into force at once.

2. *Amendment of section 65.*— In section 65 of the Factories Act, 1948 (Central Act 63 of 1948), as in force in the State of Goa (hereinafter referred to as the “principal Act”),—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The Chief Inspector may, by written order, exempt, on such terms and conditions as may be prescribed, any or all of the adult workers in any factory or group or class or description of factories from any or all of the provisions of sections 51, 52, 54 and 56 on the ground that the exemption is required to enable the factory or factories to deal with an exceptional press of work.”;

(ii) in sub-section (3),-

(a) in clause (iii), for the word “sixty”, the word “seventy-two” shall be substituted;

(b) in clause (iv), for the word “seventy-five”, the words “one hundred and twenty-five” shall be substituted.

3. *Amendment of section 66.*— In section 66 of the principal Act, in sub-section (1), in clause (b), for the existing proviso, the following proviso shall be substituted, namely:—

“Provided that the State Government may, by notification in the Official Gazette, in respect of any factory or group or class or description of factories, vary the limits laid down in clause (b), and also specify the conditions for ensuring the safety of women who work in any factory or manufacturing process between the hours of 7 p.m. and 6 a.m.”.

4. *Insertion of new section 92A.*— After section 92 of the principal Act, the following section shall be inserted, namely:—

“92A. *Compounding of certain offences.*— (1) The State Government may, by notification in the Official Gazette, prescribe fine in respect of the offences specified in the Fourth Schedule which shall not be more than the fine specified under section 92, and the Chief Inspector or the Inspector may compound such offence before or after institution of the prosecution for such amount:

Provided that, the offence to be compounded does not involve any contravention of any of the provisions of this Act or of any rules made thereunder resulting in an accident causing death or serious bodily injury or dangerous occurrence:

Provided further that, the State Government may, by notification in the Official Gazette, amend the Fourth Schedule by way of addition, omission or variation of any offence specified in the said Schedule.

(2) Where an offence has been compounded under sub-section (1),—

(i) before the institution of the prosecution, the offender shall not be liable to prosecution in respect of such offence;

(ii) after the institution of the prosecution, such compounding shall be brought by the Chief Inspector or the Inspector in writing, to the notice of the court in which the prosecution is pending and on such notice of the compounding of offence being given, the offender shall be discharged.”

5. *Amendment of section 105.*— In section 105 of the principal Act, in sub-section (1), for the expression “an Inspector” the expression “the Chief Inspector” shall be substituted.

6. *Amendment of section 106.*— In section 106 of the principal Act, for the expression “three months”, the expression “six months” shall be substituted.

7. *Insertion of new Schedule* – After Third Schedule appended to the principal Act, the following Schedule shall be inserted, namely:—

“THE FOURTH SCHEDULE
(See section 92A)
List of compoundable offences

Sr. No.	Section, rules and orders issued thereunder	Nature of offence
1	2	3
1.	Section 11 – Cleanliness	Not maintaining cleanliness as per the provisions.
2.	Section 18 – Drinking water	Not providing and maintaining arrangements for drinking water as per the provisions.
3.	Section 19 – Latrines and urinals	Not providing latrine and urinal accommodation as per the provisions.
4.	Section 20 – Spittoons	(a) Not providing the spittoons as per the provisions. (b) Spitting in contravention of sub-section (3) of section 20.

1	2	3	1	2	3
5.	Section 42 – Washing facilities	Not providing and maintaining washing facilities as per the provisions.	16.	Section 61 – Notice of periods of work for adults	Not complying with the provisions.
6.	Section 43 – Facilities for storing and drying of wet clothing	Not providing facilities as per the provisions.	17.	Section 62 – Register of adult workers	Not maintaining register as per the provisions.
7.	Section 44 – Facilities for sitting	Not providing facilities as per the provisions.	18.	Section 63 – Hours of work to correspond with notice under section 61 and register under section 62	Not complying with the provisions.
8.	Sub-sections (1), (2) and (3) of section 45 – First-aid appliances	Not providing and maintaining first-aid appliances as per the provisions.	19.	Section 64 – Power to make exempting rules	Not complying with the rules framed under section 64.
9.	Section 46 – Canteens	Not providing and maintaining canteen as per the provisions.	20.	Section 65 – Power to make exempting orders	Not complying with the orders issued under section 65.
10.	Section 47 – Shelters, rest rooms and lunch rooms	Not providing and maintaining shelters, rest rooms and lunch rooms as per the provisions.	21.	Section 79 – Annual leave with wages	Not complying with the provisions.
11.	Section 48 – Crèches	Not providing and maintaining crèches as per the provisions.	22.	Section 80 – Wages during leave period	Not complying with the provisions.
12.	Section 50 – Power to make rules to supplement this Chapter	Not complying with the rules framed under section 50.	23.	Section 81 – Payment in advance in certain cases	Not complying with the provisions.
13.	Sub-section (2) of section 53 – Compensatory Holidays	Not displaying the notice and not maintaining the register for compensatory holiday.	24.	Section 82 – Mode of recovery of unpaid wages	Not complying with the provisions.
14.	Sub-section (5) of section 59 – Extra wages for overtime	Not maintaining the prescribed registers.	25.	Section 83 – Power to make rules	Not maintaining registers as per rules and not complying with the provisions.
15.	Section 60 – Restriction on double employment	Allowing a worker a double employment on any day.	26.	Section 84 – Power to exempt factories	Not complying with the conditions specified in the exempting order.
			27.	Section 93 – Liability of owner of premises in certain circumstances	Not complying with the provisions contained in sub-section (1) and clauses (i) and (vi) of sub-section (3).

OFFICIAL GAZETTE — GOVT. OF GOA
(EXTRAORDINARY No. 3)

SERIES I No. 2

18TH APRIL, 2023

1	2	3	1	2	3
28.	Section 97 – Offences by workers	Not complying with the provisions.	32.	Section 111A – Right of workers, etc.	Denial of rights of workers.
29.	Section 108 – Display of notices	Not complying with the provisions.	33.	Section 114 – No charge for facilities and conveniences	Demanding charge from worker for providing any facility under the Act.”.
30.	Section 110 – Returns	Not complying with the provisions.			
31.	Section 111 – Obligation of workers	Not complying with the provisions.	Secretariat, Porvorim-Goa. Dated: 18-04-2023.		SANDIP JACQUES Secretary to the Government of Goa, Law Department (Legal Affairs).

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Printed and Published by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE – Rs. 4.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—21/160—04/2023.