



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 137 Shillong, Wednesday, September 10, 2025 19th Bhadra, 1947 (S. E.)

PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 10th September, 2025.

No.LB.85/LA/2025/3. – The Factories (Meghalaya Amendment) Bill, 2025 introduced in the Meghalaya Legislative Assembly on the 10th September, 2025 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE FACTORIES (MEGHALAYA AMENDMENT) BILL, 2025

A

BILL

to amend the Factories Act, 1948 in its application to the State of Meghalaya.

Whereas, it is expedient further to amend the Factories Act, 1948 (Central Act LXIII of 1948). Hereinafter, referred to as the Principal Act, in its application to the State of Meghalaya for the purposes hereinafter appearing;

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-Sixth Year of the Republic of India, as follows:-

1. **Short title and commencement:-** (1) This Act may be called the Factories (Meghalaya Amendment) Act, 2025.
(2) It shall come into force at once.
2. **Amendment of Section 8:-** In Section 8 of the Principal Act, in sub-section (5):-
after the words appearing "...or any purposes of this Act," the words "and empanel third party agencies" shall be added; and after the words appearing "...it may assign to them respectively." the words "subjected to terms and conditions to be imposed by the State Government" shall be added;
3. **Amendment of Section 54:-** In Section 54 of the Principal Act,-
(i) the existing provision shall be numbered as sub-section (1); and
(ii) after sub-section (1) so numbered, the following new sub-section (2) shall be inserted, namely:-
"(2) The State Government may by notification in the Official Gazette, extend the daily maximum hours of work specified in this section up to ten hours inclusive of interval for rest in any day, subject to a maximum of forty eight hours in any week as specified in Section 51, in respect of any group or class or description of factories on such conditions as it may deem expedient, subject to the written consent of such worker for such work, and the remaining days of the said week for the worker shall be paid holidays."
4. **Amendment of Section 55. -** In Section 55 of the Principal Act, after sub-section (2), the following new sub-section (3) shall be inserted, namely:-
"(3) The State Government may by notification extend the total number of hours of work of a worker without an interval to six hours in respect of any group or class or description of factories on such conditions as it may deem expedient due to the provision of flexibility in working hours as specified in sub-section (2) of Section 54."
5. **Amendment of Section 56. -** In Section 56 of the Principal Act, -
(i) the existing provision shall be numbered as sub-section (1); and
(ii) after sub-section (1) so numbered, the following new sub-section (2) shall be inserted, namely:-
"(2) The State Government may by notification in the Official Gazette increase the spread over up to twelve hours inclusive of his intervals for rest in respect of any group or class or description of factories on such conditions as it may deem expedient, due to the provision of flexibility in working hours as specified in sub-section (2) of Section 54."
6. **Amendment of Section 59. -** In Section 59 of the Principal Act, for the existing sub-section (1), the following shall be substituted, namely:-
"(1) Where a worker works in any factory.-
(i) for more than nine hours in any day or for more than forty eight hours in any week, working for six days in any week;
(ii) for more than ten hours in any day or for more than forty eight hours in any week, working for five days in any week;
(iii) for more than eleven and a half hours in any day working for four days in any week, or works on paid holidays
he shall in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages."

7. Amendment of Section 65. - In Section 65 of the Principal Act, in sub-section (3), -

- (i) in clause (iv), for the words appearing "seventy five" the words "one hundred and forty four hours" shall be substituted;
- (ii) after clause (iv) the following new clause (v) shall be inserted, namely:-

"(v) a worker shall be required to work overtime subject to the written consent of such worker for such work."

8. Amendment of Section 66. - In Section 66 of the Principal Act, -

The following shall be substituted, namely:-

"66.Special provisions relating to employment of women,-

(1) **Employment of Women,-** Women shall be entitled to be employed in all factories for all types of works under this Act and they may also be employed, with their consent before 6 a.m. and beyond 7 p.m. subject to such conditions relating to safety, holidays and working hours or any other condition to be observed by the occupier, as may be prescribed by the State Government."

(2) **Adequate safety of employment of women in dangerous operation,-** Where the State Government considers that the employment of women is dangerous for their health and safety, in a factory or class of factories or in any particular hazardous or dangerous processes in such factory or class of factories, due to the operation carried out therein, State Government may in the prescribed manner, require the employer to provide adequate safeguards prior to the employment of women for such operation.

9. Amendment of Section 87. - In Section 87 of the Principal Act, in clause (b), -

for the words appearing "women" the words "**pregnant woman or women or lactating mother**" shall be substituted;

STATEMENT OF OBJECTS AND REASONS

The Factories Act, 1948 is a Central Legislation enacted by the Parliament under Entries 24 and 36 of List III (Concurrent List) of the Seventh Schedule to the Constitution of India. The Factories Act, 1948 seeks to regulate the conditions of labour in factories, with a focus on ensuring the safety, health, welfare of workers.

Over time, the Factories Act, 1948 has been amended at both the Central and State levels to align with emerging industrial practices, technological advancements and evolving socio-economic conditions. Several State Governments have also undertaken amendments to the factories Act, 1948 to promote the ease of doing business, while balancing the interests of employers and workers.

In the context of Meghalaya, there is a growing demand to foster a more inclusive, progressive, and flexible work environment, particularly in light of recent developments in the labour sector and the economic priorities of the State. It has been felt that certain provisions of the factories Act, 1948 in their current form, may not fully address the operational needs of modern day industries or the aspirations of the local workforce.

Therefore, in line with the labour reforms proposed under Ease of Doing business Initiative, it is proposed to amend Section 8, 54, 55, 56, 59, 65, 66 and 87 of the factories Act, 1948 in their application to the State of Meghalaya. These sections pertain to third party inspection, daily working, hours, rest intervals, spread-over of working hours, overtime wages, special provisions relating, to employment of women and restriction of pregnant woman or women or lactating mother from working in dangerous operations, which are critical in ensuring, both worker welfare and operational flexibility, for industries.

The proposed amendments aim to strike a balance between safeguarding, the rights of workers and promoting industrial growth by enabling adaptable work arrangements suited to the local context.

Hence, this Bill.

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ANDREW SIMONS,
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Meghalaya Legislative Assembly.