

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 12th April, 2023 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 8 of 2023

A Bill to amend the Factories Act, 1948, in its Application to the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Factories (Tamil Nadu Amendment) Act, 2023

Short title, extent and Commencement.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force at once.

Central Act
LXIII of
1948.

2. After section 65 of the Factories Act, 1948, the following section shall be inserted, namely:-

Insertion of new section 65-A.

“65-A. Power to exempt in special cases.- Notwithstanding anything contained in section 64 or section 65, the State Government may, by notification in the Official Gazette exempt, subject to such conditions and restrictions, if any, and for such period or periods as may be specified in the notification, any factory or group or class or description of factories, from any or all of the provisions of sections 51, 52, 54, 55, 56 or 59 of this Act or the rules made thereunder.”

STATEMENT OF OBJECTS AND REASONS.

The Occupational Safety, Health and Working Conditions Code, 2020 (Central Act 37 of 2020) has been enacted by the Government of India in September 2020. It is yet to be brought into force by notification, by the Government of India. The said Code subsumes 13 Central labour enactments including the Factories Act, 1948 (Central Act 63 of 1948) relating to occupation, safety, health and working conditions of workers.

2. Tamil Nadu is the hub of major manufacturing companies and it has the highest number of factories and industrial workers in the country. Representations are being received from many industries and industry associations by the State Government, to bring out working hour reforms, by making statutory provision for flexible working hours, citing the number of benefits it could bring for workers especially to women employees, the industry and the economy as a whole. Section 127 of the said Central Code enables the State Government, by notification, to provide, among others, for flexible working hours including overtime and spread over hours inclusive of rest intervals, subject to such conditions and restrictions and for such period as deemed fit, in relation to any factory or class of factories. The said Central Code having not yet been brought into force by the Government of India, in the interest of workers and the industries, with a view to provide flexible working hours in factories, the State Government have decided to amend the Factories Act, 1948 (Central Act 63 of 1948), in its application to this State.

3. The Bill seeks to give effect to the above decision.

C. V. GANESAN,
*Minister for Labour Welfare and
Skill Development.*

Secretariat,
Chennai-600 009,
12th April 2023.

K. SRINIVASAN,
Secretary.