

The key amendments in brief has been provided below:

1. Amendments to the Maharashtra Industrial Relations Act

- **Amendment of Section 104-** In this section, for the words **“with imprisonment of either description for a term which may extend to three months, or with fine or with both”**, the words **“with a fine which shall not be less than five lakhs rupees but which may extend to ten lakhs rupees”** shall be substituted.

Hence, imprisonment has been removed and fine has been increased.

- **Amendment of Section 106-** In this section of the act, in sub-section (2), for the words, letters and figures **“with imprisonment which may extend to three months or for every day on which the contravention continues with fine which may extend to Rs. 5,000 or with both”**, the words **“with a fine of five lakhs rupees and for every day on which the contravention continues with a fine of five thousand rupees”** shall be substituted.

Hence, fine has been increased and additional fine per day will be payable on top of this, if the contravention continues.

2. Amendments to the Maharashtra Labour Welfare Fund Act

- **Amendment of Section 17A-**

(1) for clauses (a) and (b), the following clauses shall be substituted, namely:-

“(a) for the first offence, with fine which may extend to one lakh rupees;

Hence, imprisonment penalty has been removed and fine has been increased from

Rs. 300

(b) for the second or subsequent offence, with fine which may extend to two lakh, rupees.”

Hence, imprisonment penalty has been removed and fine has been increased from

Rs. 1000

(2) In the proviso, for the words **“fifty rupees”** the words **“five thousand rupees”** shall be substituted.

Minimum fine has been increased.

- **Insertion of Section 17C-** In this section, compounding of offences, penal actions taken for offence committed, power of Welfare Commissioner to compound an offence and to control and supervise the State government, application for the compounding of offences etc. has been inserted.

Note: No offence punishable under the provisions of this Act shall be compounded except under and in accordance with the provisions of this section.

Refer Notification for more details

3. Amendments to the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969.

- **Amendment of Section 3-** For sub-section 3, the following sub-section shall be substituted, namely:-
- i. a first contravention of any provision thereof shall, on conviction, be punished with fine which may extend to such amount as may be specified (but in no case exceeding five lakhs rupees);*
 - ii. for second or subsequent contravention of any provision thereof shall, on conviction, be punished with fine, which may extend to such amount as may be specified (but in no case exceeding ten lakhs rupees) ; and*
 - iii. if the contravention is continued after conviction, with a further fine which may extend to five thousand rupees for each day on which the contravention is so continued.*

Hence, imprisonment penalty has been removed and fine has been increased.

- **Amendment of Section 27-** In this section,
(1) for the words **“five hundred rupees”** the words **“five lakhs rupees”** shall be substituted;

General penalty for first offence has been increased.

- (2) for the words **“one hundred rupees”** the words **“five thousand rupees”** shall be substituted.

General penalty for continued offence has been increased.

- **Insertion of new sub-section (1A) under Section 27**
- Any offence of contravention of any of the provisions of any scheme punishable under the scheme, may, on an application of the accused person, either before or after the institution of any prosecution, be compounded by the Chairman of the concerned Board, for a sum of fifty per cent., of the maximum fine provided for such offence, in such manner, as may be prescribed, **Provided that**, such amount of composition shall be credited to the administrative account of the concerned Board established for the purpose of administration of that Board.
 - Nothing contained in sub-section (1) shall apply to an offence committed by a person for the second time or thereafter within a period of three years from the date of commission of a similar offence which was earlier compounded; or of commission of similar offence for which such person was earlier convicted.
 - Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

Note: No offence punishable under the provisions of this Act shall be compounded except under and in accordance with the provisions of this section.

Compounding of offence has been introduced.

4. Amendments to the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981.

➤ **Amendment of Section 3-** For sub-section 3, the following sub-section shall be substituted, namely:-

- iv. *a first contravention of any provision thereof shall, on conviction, be punished with fine which may extend to such amount as may be specified (but in no case exceeding five lakhs rupees);*
- v. *for second or subsequent contravention of any provision thereof shall, on conviction, be punished with fine, which may extend to such amount as may be specified (but in no case exceeding ten lakhs rupees) ; and*
- vi. *if the contravention is continued after conviction, with a further fine which may extend to five thousand rupees for each day on which the contravention is so continued.*

Hence, imprisonment penalty has been removed and fine has been increased.

➤ **Amendment of Section 27-** In this section,

(1) for the words “**five hundred rupees**” the words “**five lakhs rupees**” shall be substituted;

General penalty for first offence has been increased.

(2) for the words “**one hundred rupees**” the words “**five thousand rupees**” shall be substituted.

General penalty for continued offence has been increased.

➤ **Insertion of new sub-section (1A) under Section 27**

- *Any offence of contravention of any of the provisions of any scheme punishable under the scheme, may, on an application of the accused person, either before or after the institution of any prosecution, be compounded by the Chairman of the concerned Board, for a sum of fifty per cent., of the maximum fine provided for such offence, in such manner, as may be prescribed, **Provided that**, such amount of composition shall be credited to the administrative account of the concerned Board established for the purpose of administration of that Board.*
- *Nothing contained in sub-section (1) shall apply to an offence committed by a person for the second time or thereafter within a period of three years from the date of commission of a similar offence which was earlier compounded; or of commission of similar offence for which such person was earlier convicted.*
- *Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.*

Note: *No offence punishable under the provisions of this Act shall be compounded except under and in accordance with the provisions of this section.*

Compounding of offence has been introduced.

5. Amendment to the Maharashtra Workmen's Minimum House-Rent Allowance Act, 1983.

➤ **Amendment of Section 10- In this section,**

(1) in sub-section (1), for the words **“with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both”**, the words **“with fine which may extend to ten lakhs rupees”** shall be substituted;

Hence, imprisonment penalty has been removed and fine has been increased.

(2) in sub-section (2), for the words **“with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both”**, the words **“with fine which may extend to ten lakhs rupees”** shall be substituted.

Hence, imprisonment penalty has been removed and fine has been increased.