

**To allow the records relating to workers to be maintained in electronic format as well as in the form of documents**

Government of Maharashtra  
Industry, Energy and Labour Department  
Government circular No. FAC-2014/Chapter. No. 24/Desk-4  
Mantralaya, Mumbai-400032  
Date: 8<sup>th</sup> April, 2015

**Circular**

The Factories Act, 1948 is a Central Government Act and is enforced by the State Governments in their States. The main purpose of this Act is to take care of the safety, health and welfare of the workers working in the factory and also to ensure the overall welfare of the workers.

The factory inspectors have to visit the establishments/ factories from time to time to check whether the interests of the workers are being compromised by conducting regular and quality inspections of all the establishments registered as per the provisions of the Factories Act, 1948. As per The Maharashtra Factories Rules, 1963; Rules 96, 99, 105 and 106 inspectors have the right to inspect the records of paid leave, adult worker's attendance sheet, over time work slip at the time of visit or demand at any time.

In the present computer era, records of establishments/ factories are kept in electronic format in most of the establishments/ factories so that they can be maintained for a longer time. But, the Factories Act, 1948 and the Maharashtra Factories Rules, 1963 do not have the provision to keep records of factory management in electronic format. Therefore, it has come to the notice of the government that it is not possible for the management to provide the required records in the document/ hardcopy format at the time of the visit of the factory inspector to such factories.

In this era of globalization, with the increasing importance and uses of computers many Establishments/Factories felt the need to preserve the all documents in the digital format. Due to this the possibility of immediate availability of the records in the document format is very low in some factories.

Hence, it is necessary to take measures to avoid this difficulty of factories. Thus, it was under consideration of the Government to allow the records related to workers to be preserved in electronic/digital format, though such provision is not there in the Factories Act, 1948 and the Maharashtra Factories Rules, 1963.

In addition, as per Section 51 of the Maharashtra Shops and Establishments Act, 1948, it is mandatory for the owner/employer to provide the shop inspector with the register and records for inspection. In the same way for The Minimum Wages Act, 1948; The payment of Wages Act, 1936; The Equal Remuneration Act, 1976; The Payment of Bonus Act, 1965 and The Maternity Benefit Act, 1961 As per the provisions of various laws and the rules framed under it enforced by the labour department, it is necessary to provide the relevant records to the Inspector during the time of inspection. Therefore, it was under the consideration of the government to grant permission to Owner/Establishments/Employer to preserve documents in electronic format if they feel the need to do so.

In view of the above considerations, the Government has now decided to abide and with strict adherence to the provisions of The Factories Act, 1948, The Maharashtra Factories Rules, 1963, Sections 96, 99, 105 and 106 and the Maharashtra Shops and Establishments Act, 1948; Minimum Wages Act, 1948; The Payment of Wages Act, 1936; Equal Remuneration Act, 1976; The Bonus Act, 1965 and The Maternity Benefits Act, 1961, a hard copy of such records will be made available to the inspectors as well as the workers on request at the time of visit to the factory / establishment or at any other time. Such establishments are **allowed to compile and save such records in electronic/ digital format.**

This Government Circular is available on the website of the Government of Maharashtra, [www.maharashtra.gov.in](http://www.maharashtra.gov.in) and its code number is 201503241504480010. This circular is being issued with digital signature.

By the order and name of the Governor of Maharashtra,

(Keshav S. Jadhav)

Desk Officer, Government of Maharashtra

Copy to,

1. Secretary to Hon'ble Governor

2. Principal Secretary to Hon'ble Chief Minister
3. Chief Secretary, Maharashtra State, Mantralaya, Mumbai
4. Principal Secretary (Labour), Industry, Energy and Labour Department.
5. Principal Secretary (Industry), Industry, Energy and Labour Department.
6. Principal Secretary (Energy), Industry, Energy and Labour Department.
7. Directorate General, Information Directorate with request to give wide promotion to this Government Resolution.
8. Joint Secretary (Labour), Industry, Energy and Labour Department
9. All Joint Secretary/ Deputy Secretary /Under Secretary/ Desk Officer Industry, Energy and Labour Department.
10. All Departments of Mantralaya.
11. Labour Commissioner, Mumbai
12. Director, Industrial Safety and Health, Mumbai.
13. All Additional/ Joint/ Deputy/ Assistant Director, Directorate of Industrial Safety and Health
14. All Additional/ Joint/ Deputy/ Assistant Commissioner/ all Government Labour Officers
15. Select File (Labour-4)

\*\*\*This is the translation of GR dated 8<sup>th</sup> April, 2015 of Industry, Energy and Labour Department. For better clarification/ understanding please refer the original GR attached herewith. \*\*\*