



## news flash September 2020



### **Update on relaxations for increase in working hours for factories**

#### **Background**

In a bid to boost the Indian economy, multiple states had permitted factories to extend the working hours of their workforce for a fixed period of time. Instead of the usual 48 hours a week, workers in factories were permitted to work between 60 and 72 hours in a week and would be entitled to pay for the additional time period of work. We had previously circulated a newsflash on this topic on 17 June 2020 which can be found [here](#).

The States which had extended the working hours were:

Maharashtra	Gujarat
Karnataka	Madhya Pradesh
Uttar Pradesh	Rajasthan
Odisha	Haryana
Punjab	Goa
Assam	Uttarakhand
Himachal Pradesh	Tripura

These notifications were meant to extend working hours for a period of 3 months only and not in perpetuity.

As mentioned in our previous newsflash, the below mentioned states withdrew these relaxations:

- a. Uttar Pradesh
- b. Karnataka
- c. Rajasthan

#### **Further Developments**

Further to our previous newsflash, a few states have issued fresh notifications extending the period of relaxation on working hours in factories as follows:

<b>State</b>	<b>Notification No.</b>	<b>Valid till</b>
Gujarat	GHR/2020/92/FAC/142020/346/M3 dated 20 July 2020	19 October 2020
Dadra and Nagar Haveli and Daman and Diu	LE/LIDMN/BRAP/238/2020/171 dated 23 July 2020	22 September 2020
Himachal Pradesh	Shram (A)4-3/2017-Loose-I dated 13 August 2020	19 October 2020
Assam [Specifically, for tea factories]	Memo No. IF/210/3395-445 dated 18 August 2020	31 October 2020

The above mentioned states have continued the relaxations increasing the working hours for the workers to not more than 10-12 hours a day and not more than 60-72 hours a week. The relaxations pertaining to working hours are subject to certain conditions such as payment of wages for overtime (either proportional or as per the Factories Act, 1948), lunch breaks/ interval of rest, spread over, condition of female working hours, etc.

### **ALMT Analysis**

In states which have extended the relaxations, workers in factories will be permitted to continue working for longer time periods till the new period of relaxation continues. Interestingly, other than the initial three withdrawal orders, no further withdrawal orders have been issued. Hence, it appears that workers in the other states are required to work longer hours so long as they are being adequately compensated.

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For further clarification and details on the above, you may write to the Exchange Control team comprising of among others Ms. Kruti Desai (Partner) at [kdesai@almtlegal.com](mailto:kdesai@almtlegal.com), Ms. Amishi Vira (Associate) at [avira@almtlegal.com](mailto:avira@almtlegal.com) and Mr. Meherdad Kavarana (Paralegal) at [mkavarana@almtlegal.com](mailto:mkavarana@almtlegal.com).