

L. C. BILL No. IV OF 2025.

A BILL

*further to amend the Maharashtra Private Security Guards
(Regulation of Employment and Welfare) Act, 1981.*

5 WHEREAS it is expedient further to amend the Maharashtra Private
Mah. Security Guards (Regulation of Employment and Welfare) Act, 1981 for the
LVIII of purposes hereinafter appearing; it is hereby enacted in the Seventy-sixth Year
1981. of the Republic of India as follows :—

10 **1.** This Act may be called as the Maharashtra Private Security Guards Short title.
(Regulation of Employment and Welfare) (Amendment) Act, 2025.

2. In section 2 of the Maharashtra Private Security Guards (Regulation of Amendment
Mah. Employment and Welfare) Act, 1981 (hereinafter referred to as “the principal of section 2
LVIII of Act”), for clause (4), the following clause shall be substituted, namely :— of Mah.LVIII
1981. of 1981.

“(4) “establishment” means an establishment as defined in clause (4) of section 2 of the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017;”.

Mah.
LXI of
2017.

Amendment
of section 3
of Mah.
LVIII
of 1981.

3. In section 3 of the principal Act, in sub-section (2), for clause (c), the following clause shall be substituted, namely :—

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“(c) for regulating the recruitment and entry into the Scheme of Security Guards and the registration and cancellation of registration of Security Guards and principal employers and including the maintenance of registers and waiting list of Security Guards, removal or restoration, either temporarily or permanently, of names from the registers and waiting list 10 and the imposition of fees for registration;”.

Amendment
of section 15
of Mah.
LVIII
of 1981.

4. In section 15 of the principal Act,—

(1) after sub-section (1), the following sub-section shall be inserted, namely :—

“(1A) Notwithstanding anything contained in this Act, if the Advisory Committee is not functional for any reason, then the State Government may issue notification or take decision for implementation of the provisions of this Act without advise or consultation of the Advisory Committee.”;

(2) for sub-section (6), the following sub-section shall be substituted, namely :—

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“(6)(a) The term of office of members of the Advisory Committee, other than the members representing the State Government, shall be five years from the date of publication of notification of their names in the *Official Gazette*. Such members shall hold office during the pleasure of the Government.

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(b) The State Government shall fill the vacancy of members other than the members representing the State Government at the earliest and in any case before expiry of six months from the date of occurrence of such vacancy.”.

Amendment
of section 18
of Mah.
LVIII
of 1981.

5. In section 18 of the principal Act, in the *Explanation*, for the word “fourteen” the word “eighteen” shall be substituted.

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STATEMENT OF OBJECTS AND REASONS

The Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981 (Mah. LVIII of 1981) (hereinafter referred to as “the said Act”) is enacted for regulating the employment of Private Security Guards employed in factories and establishments in the State of Maharashtra and for making better provisions for their terms and conditions of employment and welfare through the establishment of a Board therefor, and for matters connected therewith.

2. The term “establishment” is defined as establishment as defined in clause (8) of section 2 of the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) in the said Act. Due to repeal of the said Shop Act 1948 by the Maharashtra Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017 (Mah. LXI of 2017), the said definition is proposed to be amended to incorporate the reference of the term “establishment” as defined in the new Shop Act 2017.

3. Section 15 of the said Act provides that the State Government may constitute an Advisory Committee to advise upon such matters arising out of the administration of the said Act or any schemes made thereunder as the State Government may refer to it for advice. The Advisory Committee consist of representatives of principal employers, Security Guards, members of State Legislature and members representing the State Government. The term of members other than members representing the State Government is ordinarily three years. In order to facilitate functioning of the Advisory Committee, the Government considers it expedient to amend the said section to provide that the State Government shall fill the vacancy of members other than the members representing the State Government at the earliest and in any case before the expiry of six months from the date of occurrence of such vacancy.

It is noticed that, if the Advisory Committee is not functional for some time due to any reason, then the State Government cannot implement various provisions of the said Act or make or vary schemes for want of consultation of the Advisory Committee. Therefore, the Government considers it necessary to amend section 15 of the said Act with a view to provide that Government may issue notifications or take decisions thereunder until the Committee becomes functional.

Therefore, section 15 of the said Act is proposed to be amended suitably.

4. Section 18 of the said Act provides for prohibition of employment of child *i.e.* a person who has not completed fourteen years of age as a Security Guard. The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986) prohibits employment of adolescent *i.e.* a person who has completed his fourteenth year of age but has not completed his eighteenth year, in hazardous occupations. In various labour laws the age limit of child has been increased to eighteen years. On the similar lines with a view to prohibit employment of the children below eighteen years of age as a Security Guard, the Government considers it expedient to increase the said age limit of child from fourteen years to eighteen years.

5. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 18th March, 2025.

AKASH FUNDKAR

Minister for Labour.

**ANNEXURE TO THE L.C. BILL NO. IV OF 2025— THE
MAHARASHTRA PRIVATE SECURITY GUARDS (REGULATION OF
EMPLOYMENT AND WELFARE) (AMENDMENT) BILL, 2025.**

*[Extracts from the Maharashtra Private Security Guards
(Regulation of Employment and Welfare) Act, 1981]*

(Mah. LVIII of 1981)

1.		**	**	**	
2.	(a)	**	**	**	Definitions.
	(1-a)	**	**	**	
	(2) & (3)	**	**	**	
	(4)	"establishment" means an establishment as defined in clause (8) of section 2 of the Bombay Shops and Establishments Act, 1948;			
	(5) to (11)	**	**	**	
3.	(1)	**	**	**	Scheme for ensuring regular employment of Security Guards.
	(2)	In particular, a Scheme may provide for all or any of the following matters, that is to say,—			
	(a) to (b)	**	**	**	
	(c)	for regulating the recruitment and entry into the Scheme of Security Guards and the registration of Security Guards and principal employers and including the maintenance of registers, removal or restoration, either temporarily or permanently, of the names from the registers, and the imposition of fees for registration;			
	(d) to (n)	**	**	**	
	(3) & (4)	**	**	**	
4. to 14.		**	**	**	
15.	(1) & (5)	**	**	**	Advisory Committee.
	(6)	The term of office of members of the Advisory Committee shall be such as may be prescribed.			
	(7)	**	**	**	
16. to 17.		**	**	**	
18.		No child shall be required or allowed to work as a Security Guard.			
		<i>Explanation.</i> —"Child" means a person who has not completed fourteen years of age.			
19. to 31.		**	**	**	Prohibition of employment of children.

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. C. BILL No. IV OF 2025.]

**[A Bill further to amend the Maharashtra
Private Security Guards (Regulation of
Employment and Welfare) Act, 1981.]**

**[SHRI AKASH FUNDKAR,
Minister for Labour.]**

**JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Council.**