

Brief Notes on Factories Act 1948

- Who is a worker?
 - a person employed in any manufacturing process or cleaning or any work incidental to manufacturing process. It includes persons employed through contractor. [section 2(l)].
- Who is the occupier?
 - the person who has ultimate control over the affairs of factory. It includes a partner in case of firm and director in case of a company. In case of Government company, 'occupier' need not be a director. In that case, person appointed to manage affairs of the factory shall be occupier'. [section 2(n)]. Name of 'occupier' of the factory should be informed to Factories Inspector. The 'occupier' will be held responsible if provisions of Factories Act are not complied with. He has to give notice 15 days before he begins to occupy the premises as a factory, giving details as prescribed in section 7.
- Duties of the occupier...
 - The occupier shall ensure, as far as possible, health, safety and welfare of workers while they are working in factory. [section 7A].
- Restrictions on employment of women?
 - A woman worker cannot be employed beyond the hours 6 a.m. to 7.00 pm. State Government can grant exemption to any factory or group or class of factories, but no woman can be permitted to work during 10 PM to 5 AM. Shift change can be only after weekly or other holiday and not in between. [section 66].
- Record of the workmen...
 - A register (muster roll) of all workers should be maintained. No worker should be permitted to work unless his name is in the register. Record of overtime is also required to be maintained. [section 62].
- Earned leave to the worker...

- A worker is entitled in every calendar year annual leave with wages at the rate of one day for every 20 days of work performed in the previous calendar year, provided that he had worked for 240 days.
 - Child worker is entitled to one day per every 15 days. While calculating 240 days, earned leave, maternity leave upto 12 weeks and lay off days will be considered,
- Leave to worker...
- Leave can be accumulated upto 30 days in case of adult and 40 days in case of child. Leave admissible is exclusive of holidays occurring during or at either end of the leave period. Wage for period must be paid before leave begins, if leave is for 4 or more days. [section 81]. Leave cannot be taken for more than three times in a year.
- Child below age of 14 cannot be employed. [section 67]. Child above 14 but below 15 years of age can be employed only for 4.5 hours per day or during the night. [section 71]. He should be certified fit by a certifying surgeon. [section 68]. He cannot be employed during night between 10 pm to 6 am. [section 71]. A person over 15 but below 18 years of age is termed as adolescent'. He can be employed as an adult if he has a certificate of fitness for a full day's work from certifying surgeon.
- Notice of abstract of Factories Act.
- A notice containing abstract of the Factories Act and the rules made thereunder, in English and local language should be displayed. Name and address of Factories Inspector and the certifying surgeon should also be displayed on notice board. [section 108(1)].
- Notice of accidents...
- Notice of any accident causing disablement of more than 48 hours, dangerous occurrences and any worker contracting occupational disease should be informed to Factories Inspector. [section 88]. Notice of dangerous occurrences and specified
- HEALTH PROVISIONS...
- Chapter III of Factories Act contain details rearding health of workers. Let us discuss these provisions...
- CLEANLINESS....
- Section 11 – the working conditions should be clean and safe.

- Clean the floor once a week at least
- White wash every 14 weeks
- Paint / varnish every 5 years
- Daily sweeping
- Register of coloring must be maintained (as per factories act)
- Disposal of wastes and effluents...
 - There should be proper arrangements or disposal of wastes and effluents.
 - (sec. 12)
 - Follow stage govt. rules...
- Ventilation and temperature....
 - Proper level of ventilation temperature and humidity must be maintained.
 - Make provisions for reducing excess heat.
- Dust and fumes....
 - Effective measures should be taken to minimise dust.
 - (section 14)
- Artificial Humidification
 - Sec. 15 : if you maintain artificial humidification (like in textile units), keep it in limits.
- Overcrowding ...
 - Section : 16 : 14.2 cubic space per worker. While calculating this space, space above the worker beyond 4.2 meters will not be taken into account.
- Lighting ...
 - Section 17 : there should be adequate and sufficient lighting. There should be natural lighting as far as possible.
- Drinking water...
 - Section 18 : there should be drinking water (wholesome water)
 - They should be at convenient location, marked as drinking water. They should be at least 6 meters away from washer room / rest room
 - If >250 workers are working, then have cool water facility also.
- Latrines and Urines...
 - Sect. 19

- There should be separate – for male and female.
- Proper cleaning should be there.
- Spitoons...
 - Section 20 :
 - There should be sufficient number of spitoons.
- SAFETY OF WORKERS..
 - CHAPTER IV DEALS WITH SAFETY OF WORKERS...
- Fencing of machinery...
 - Section (21)
 - Every dangerous parts must be securely fenced.
- Machines in motions...
 - Section 22 : there should be examination of machines in motion. They should be properly examined.
 - No women or child should be allowed to work on prime mover etc. when it is in motion.
- Employment of young persons on dangerous machines...
 - Sec. 23: no young person should be allowed to work on dangerous person (unless he has been trained, and is under supervision).
 - Young person = 14 to 18.
- Striking gears..
 - Section 24 : there should be suitable striking gears etc. to switch off the power,, so that if there is any emergency, we may be able to solve the problem.
- Self acting machines...
 - Section 25 : make sure that no person should walk in a space where self action machines are in motion.
- Casing of new machines...
 - Section 26 : there should be casing of new machines, its dangerous parts etc.
- Cotton openers...
 - Section : 27 : women and children are not allowed to work on cotton openers.
- Hoists and lifts...

- Section 28: every hoist and lift should be in good condition, and properly checked. The maximum load it can carry – must be clearly mentioned. The gates should be locked by interlocking / safe method (it should not open in between).
- These should be thoroughly examined every 12 months
- ☐ Revolving machines...
 - Section 30 :
 - Maximum safe speed must be mentioned for each machine. The maximum speed about revolving machine must be mentioned.
- ☐ Pressure plant...
 - Section 31 : there should be safe working pressure on pressure plants.
- ☐ Stairs etc.
 - Section 32 : safety etc. should be of sound construction
- ☐ Pits etc.
 - Section : 33 : pits, stumps etc. should be covered and safe.
- ☐ Excessive weight..
 - Section 34 : no person should be employed to hold more weight than the person can hold.
- ☐ Eyes..
 - Section: 35 : give goggles if workers have to work on something stretching to the eyes.
- ☐ Dangerous fumes etc...
 - Section 35 says that don't employ workers in places where dangerous flame / fumes could be there.
- ☐ Portable electric light...
 - Sect : 36A : It should not be above 24 volts
- ☐ Explosives...
 - Section : 37 : take all measures for safety and to avoid explosions.
- ☐ Precaution in case of fire
 - Section 38 : there should be separate exit for cases of fire.
 - There should be fire extinguishers etc.
- ☐ Role of inspector...

- Section 39, 40 and 40A talk about various roles that have been assigned to the inspector. He may call for details regarding building, machines etc.
- Safety officer
 - If 1000 or more workers are employed, appoint a separate safety officer.
- WELFARE PROVISIONS...
 - There are a number of provisions in the factories act regarding welfare facilities for the workers. ...
- Washing facilities...
 - Sec. 42 : there should be washing facilities in every factory for the workers – separate for male and female workers - properly screened.
- Facility for storing and drying of cloth...
 - Sect. 43 : there should be facility so that worker can place their cloth not worn during the manufacturing process.
 - There should be facility so that worker can dry their cloth.
- Facilities for sitting...
 - If the worker can do the work by sitting, - there should be sitting arrangement for the worker (section 44). ...
- FIRST AID
 - Sec. 45: there should be at least 1 first aid box for every 150 workers. It should have the prescribed contents. A responsible person should hold a certificate on first aid treatment.
 - An ambulance room should be there if the number of workers is more than 500.
- CANTEEN
 - If the number of workers is more than 250, the govt. may make rules for canteen. The govt. may make rules regarding foodstuff, construction, furniture, equipment of the canteen. Sec. 46
- Shelter, rest room, lunch room...
 - When 150 workers are working, there should be rest rooms, lunch room, etc. Such places should be having drinking water facilities etc.
- CRECHES ...

- If the number of women workers is more than 30, then you have to have creches.
There should trained incharge of the creches

□ WELFARE OFFICER

- Sec. 49: if the number of workers is 500 or more, there should be a welfare officer to look after the welfare of the workers.

□ Working hours...

- For adults : (sec. 51) : 48 hours per week.

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(NOTE: This information is given for the limited purpose)