

The Factories (Punjab) Exempting Rules, 1993

PUNJAB

India

The Factories (Punjab) Exempting Rules, 1993

Rule THE-FACTORIES-PUNJAB-EXEMPTING-RULES-1993 of 1993

- Published on 1 March 1993
- Commenced on 1 March 1993
- [This is the version of this document from 1 March 1993.]
- [Note: The original publication document is not available and this content could not be verified.]

The Factories (Punjab) Exempting Rules, 1993 Published vide Punjab Government Notification No. GSR 20/C.A.63/48/Sections 64 and 112/93 dated 1-3-1993.No. G.S.R. 20/C.A. 63/48/Sections 64 and 112/93. - With reference to Government of Punjab, Department of Labour and Employment, Notification No. G.S.R. 36/C.A. 63/Sections 64 and 112/92, dated the 25th March, 1992, and in exercise of the powers conferred by Section 64 read with section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, namely:-

1. Short title, extent and duration.

(1)These rules may be called The Factories (Punjab) Exempting Rules, 1993.(2)They shall extend to the whole of the State of Punjab.(3)They shall come into force at once and shall remain in force for a period of five years from the date of their enforcement.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Factories Act, 1948;(b)"Chief Inspector" means the Chief Inspector appointed under Section 8;(c)"Manager" means the person responsible to the occupier for the working of the factory for the purposes of the Act;(d)"Section" means a section of the Act;(e)"Head of Department" means an officer holding independent charge of any department in any factory; and(f)"Inspector" means the Inspector appointed under section 8.

3. Persons holding position of supervision or management or confidential position etc.

(1)The following persons in factories shall be deemed to hold position of supervision or management and to be employed in confidential position :-(i)Managing Director, President, Chief Executive or Vice-President or General Manager;(ii)Deputy General Manager or Manager or Factory Manager;(iii)Deputy Manager or Deputy Factory Manager, Assistant Manager or Assistant Factory Manager;(iv)Chief Welfare Officer or Labour Welfare Officer;(v)Heads of Departments;(vi)Engineer or Assistant Engineer;(vii)Secretary or Personal Assistant to the General Manager, Factory Manager or Deputy Manager or Deputy Manager or Assistant Manager, Engineer or Assistant Engineer;(viii)Sub-Station Engineer;(ix)Line Superintendent or Head Electrician;(x)Supervisor or Foreman;(xi)Head Store-Keeper;(xii)Head Time-Keeper or Time-Keeper;(xiii)Store Purchase Officer; and(xiv)any other person employed as such and is so declared by the Chief Inspector in writing.

4. List to be maintained of persons holding confidential position or position of supervision or management [Section 64].

- A list showing the names and designations of all persons referred to in rule 3 shall be maintained in every factory.

5. Exemption of certain adult workers [Section 64].

(1)Adult workers engaged in factories, specified in column 2 of the Schedule given below on the work specified in column 3 are exempted from the provisions of the sections specified in column 4 subject to the conditions, if any, specified in column 5 thereof.(2)Except in the case of urgent repairs covered by item 1 of the said Schedule in which case conditions (a), (c) and (e) shall not apply, the exemption shall be subject to the following conditions, namely :-(a)in case of exemption from sections 51 and 54, no worker shall work for more than ten hours in a day or sixty hours in a week;(b)in the case of exemption from section 55, sufficient time though not fixed, shall be given for meals to the satisfaction of the Inspector concerned;(c)the total number of hours of overtime worked shall not exceed fifty hours for any one quarter;(d)the payment of wages for overtime work done shall be paid as required by section 59; and(e)the spread over inclusive of intervals for rest shall not exceed twelve hours in any one day.The Schedule(See Rule 5)

Section empowering the grant of exemption	Class of factories	Nature of work	Extent of exemption	Conditions
1	2	3	4	5
64(2)(a) and 64(3)	All factories	Urgent repairs The following shall be considered to be urgent repairs, namely:-(a) repairs to any part of the machinery, plant or	Sections 51, 52, 54, 55, 56 and 61	(i) No worker shall be employed for more than fifteen hours on any one day or thirty-nine hours

structure of a factory which are of such a nature that delay in their execution would involve danger to human life or safety or the stoppage of manufacturing process;

(b) break-down, repairs to motive power transmission or other essential plant of the factories, collieries, railways, tramways, motor transport, gas, electrical generation and transmission, pumping or a similar essential or public utility services carried out in general engineering works and foundries and which are necessary to enable such units to maintain their main manufacturing processes production or service during normal working hours; and

(c) repairs in connection with a change of motive power for example, from steam to electricity or vice versa, when such work cannot possibly be done without stoppage of the normal manufacturing

during any three consecutive days of seventy hours during each period of seven consecutive days commencing from his first employment on such repairs;

(ii) within twenty four hours of the commencement of the work, notice shall be sent to the Inspector describing the nature of the urgent repair stating the names of persons employed and the exact time of commencement of work and the probable period for its completion. A copy of the above notice shall be displayed at a conspicuous place in the factory before the workers are engaged on urgent repairs;

(iii) Exemption from the provisions of section 54 shall apply only in the case of male adult workers (iv) No worker shall

		process; and "Periodical cleaning "is not included in the terms "examining" or "repairing".		be employed for more than 14 consecutive days without a rest of 24 hours.
64(2)(b) and 64(3)	(1) All factories	(i) Work in the machine, smithy or foundry shops in connection with the mill gearing, electric driving or lighting apparatus, mechanical or electrical lifts or steam or water pipes or pumps;	Sections 51, 54, 55, 56 and 61	The exemption shall be granted only in respect of a limited number of persons to be given by the Chief Inspector on application by the Manager through the Inspector concerned.
		(ii) Work of examination or repairing any machinery or part of the plant which is necessary for carrying on the work in the factory; and	Sections 51, 54, 55, 56 and 61	The exemption shall be granted only in respect of a limited number of persons to be given by the Chief Inspector on application by the Manager through the Inspector concerned.
		(iii) Work in engine room, boiler houses and furnaces in rolling mills such as lighting fires, in order to generate steam or gas preparatory to the commencement of regular work in the factory.	Sections 51, 54, 55, 56 and 61.	The exemption shall be granted only in respect of a limited number of persons to be given by the Chief Inspector on application by the Manager through the Inspector concerned.
	(2) Iron, Steel, Brass or Copper Rolling	Work in connection with roll changing	Sections 54, 55, 56 and 61.	The exemption shall be granted

Mills.

only in respect of a limited number of persons to be given by the Chief Inspector on application by the Manager through the Inspector concerned.

A notice describing the system of work, change of shifts and grant of weekly holidays, shall be sent to the Inspector and the Chief

64(2)(c) and
64(3)

All factories.

(i) Work performed by workers on lighting, ventilating and humidifying apparatus;

Sections 51, 54, 55, 56 and 61

Inspector in advance and no change shall be made without prior intimation to the Inspector and Chief Inspector and further subject to the provisions of sections 61 and 63.

(ii) Work performed by fire pumpmen; and (iii) Workers engaged in loading or unloading or transporting raw materials or finished articles in factories where such work is intermittent.

A notice describing the system of work, change of shifts and grant of weekly holidays, shall be sent to the Inspector and Chief Inspector in advance and no changes shall be

				made without prior intimation to the Inspector and the Chief Inspector and further subject to the provisions of sections 61 and 63.
				In the absence of a worker who has failed to attend to his duty, a shift worker be allowed to work the whole or part of a subsequent shift:
64(2)(d) and 64(3)	(1) All factories except those specified below	Work relating to continuous process declared as such by Chief Inspector	Sections 51, 52, 54, 55, 56 and 61	
Provided that,				
-				
				(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;
				(ii) within twenty-four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector describing the circumstances under which the worker is required to work the subsequent shift; and

(2) Oil tank installations	Work connected with pumping operations	Sections 51, 52, 54, 55, 56 and 61	<p>(iii) the exemption shall be restricted to the male adultworkers only.</p> <p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift :</p> <p>Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;</p> <p>(ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector, describing the circumstances under which the worker is required to work in the subsequent shift; and</p> <p>(iii) the exemption shall be restricted to the male adultworkers</p>
----------------------------	--	------------------------------------	--

(3) Hydro or Thermal Power generating or transforming stations	Continuous work for generating or transforming electricity	Sections 51, 52, 54, 55, 56 and 61	<p>only.</p> <p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift :</p> <p>Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;</p> <p>(ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector describing the circumstances under which the worker is required to work in the subsequent shift; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
(4) Sugar factories	(i) Work relating to the extractions of juice from the cane, clarification, evaporation or boiling	Sections 51, 52, 54, 55, 56 and 61	In the absence of a worker who has failed to attend to his duty, a shift

	juice(ii) Curing ofmassecuite; an(iii) Bagging		worker shall be allowed to work the whole or partof a subsequent shift; Provided that, - (i) the next shift of the worker shall not commence before aperiod of sixteen hours has elapsed. (ii) within twenty-four hours of the commencement of thesubsequent shift, a notice shall be sent to the Inspectordescribing the circumstances under which the worker is requiredto work in the subsequent shift; and (iii) the exemption shall be restricted to the male adultworkers only. In the absence of a worker who has failed to attend to hisduty, a shift worker shall be allowed to work the whole or partof a subsequent shift :
(5) Distilleres	Work relating to fermentation and distillation	Sections 51, 52, 54, 55, 56 and 61	

		<p>Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;</p> <p>(ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector describing the circumstances under which the worker is required to work in the subsequent shift; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p> <p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift;</p> <p>Provided that, -</p> <p>(i) the next shift of the worker shall not commence before</p>
(6) Chemical factories	<p>(i) Work connected with burning of sulphur, ammoniation, chlorination, carbonation, preparation and purification of gases; and</p> <p>(ii) Work on reactors</p>	<p>Sections 52, 54 and 55</p>

<p>(7) Hydrogeneration of oil factories</p>	<p>Work of refining, bleaching, filtering, deodourising, generation of hydrogen, compression of gases and filling of cylinders</p>	<p>Sections 52, 54 and 55</p>
---	--	-----------------------------------

a period of sixteen hours has elapsed;

(ii) within twenty-four hours of subsequent shift a notice shall be sent to the Inspector describing the circumstances under which the worker is required to work in the subsequent shift; and

(iii) the exemption shall be restricted to the male adult workers only.

In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift :

Provided that, -

(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;

(ii) within twenty-four hours of the commencement

			of the subsequent shift, a notice shall be sent to the Inspector, describing the circumstances under which the worker is required to work in the subsequent shift; and
			(iii) the exemption shall be restricted to the male adult worker only.
			In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift :
			Provided that, -
			(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;
			(ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector, describing the circumstances
(8) Paper factories	Work on choppers, kneaders, digestors, strainers, washers, beaters, paper making machines, pumping plant, reelers and cutters	Sections 52, 54 and 55	

(9) Rubber tyres factories	Work on curing	Sections 51, 54, 55 and 56	<p>under which the worker is required to work in the subsequent shift; and</p> <p>(iii) the exemption shall be restricted to the male adult worker only.</p> <p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift :</p> <p>Provided that, -</p> <p>(i) the next shift of the workers shall not commence before a period of sixteen hours has elapsed;</p> <p>(ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector, describing the circumstances under which the worker is required to work in the subsequent shift; and</p>
-------------------------------	----------------	-------------------------------	--

			(iii) the exemption shall be restricted to the male adultworkers only.
			In the absence of a worker who has failed to attend to hisduty, a shift worker shall be allowed to work the whole or
(10) Municipal, Public and Railway water and sewerage Pumpingstations	All workers engaged in continuous process work	Sections 52 and 55	partof a subsequent shift : Provided that, -(i) the next shift of theworker shall not commence before a period of sixteen hours haselapsed; (ii) within twenty-four hours of the commencement of thesubsequent shift, a notice shall be sent to the Inspector,describing the circumstances under which the worker is requiredto work in subsequent shift; and (iii) the exemption shall be restricted to the male adultworkers only.

(11) Tanneries, Work
of Soaking, liming,
washing,
bathing, tanning and Sections 52 and 55
drying of hide and
skins

In the absence
of a worker who
has failed to
attend to
his duty, a shift
worker shall be
allowed to work
the whole or
part of a
subsequent
shift :

Provided that, -
(i) the next shift
of the worker
shall not
commence before
a period of sixteen
hours has
elapsed;
(ii) within
twenty-four hours
of the
commencement
of the subsequent
shift, a notice
shall be sent to
the
Inspector, describing
the circumstances
under which the
worker is
required to work
in the subsequent
shift; and
(iii) the
exemption shall
be restricted to
the male
adult workers
only.

(12) Bricks Work on kiln burners

Sections 52 and 56 In the absence of
a worker who has
failed to attend to

			<p>his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift : Provided that, - (i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed; (ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector, describing the circumstances under which the worker is required to work in the subsequent shift; and (iii) the exemption shall be restricted to the male adult workers only.</p>
(13) Roller Flour Mills	All work	Sections 52 and 56	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a</p>

(14) Soap

Working on soap boiling
and soap drying pans

Sections 52 and
55

subsequent shift :
Provided that, -
(i) the next shift
of the worker
shall not
commence before
a period of sixteen
hours has
elapsed;
(ii) within
twenty-four hours
of the
commencement
of the subsequent
shift, a notice
shall be sent to
the
Inspector, describing
the circumstances
under which the
worker is
required to work
in the subsequent
shift; and
(iii) the
exemption shall
be restricted to
the male
adult workers
only.
In the absence of
a worker who has
failed to attend to
his duty, a shift
worker shall be
allowed to work
the whole or
part of a
subsequent shift :
Provided that, -
(i) the next shift
of the worker
shall not

(15) Textile Dyeing
Factories

Work connected with
dyeing, bleaching,
finishing and printing

Sections 51, 52,
54, 55 and 56

commence before
a period of sixteen
hours has
elapsed;
(ii) within
twenty-four hours
of the
commencement
of the subsequent
shift, a notice
shall be sent to
the
Inspector, describing
the circumstances
under which the
worker is
required to work
in the subsequent
shift; and
(iii) the
exemption shall
be restricted to
the male
adult workers
only.

In the absence of
a worker who has
failed to attend to
his duty, a shift
worker shall be
allowed to work
the whole or
part of a
subsequent shift:

Provided that, -
(i) the next shift
of the worker
shall not
commence before
a period of sixteen
hours has
elapsed;

(16) Rayon Silk

All work connected with manufacture of acerone and celluloseacetate producer gas, acetic acid, aldehyde cellulose dope

Sections 51, 52, 54, 55 and 56

(ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector, describing the circumstances under which the worker is required to work in the subsequent shift; and
(iii) the exemption shall be restricted to the male adult workers only.
In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift; Provided that, -
(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;
(ii) within twenty-four hours of the commencement of the subsequent

			shift, a notice shall be sent to the Inspector,des-cribing the circumstances under which the worker is required to work inthe subsequent shift; and
			(iii) the exemption shall be restricted to the male adultworkers only.
			In the absence of a worker who has failed to attend to hisduty, a shift worker shall be allowed to work the whole or partof a subsequent shift ;
(17) Glass factories	Moulding and blowing	Sections 52 and 55	Provided that, - (i) the next shift of the worker shall not commence before aperiod of sixteen hours has elapsed; (ii) within twenty-four hours of the commencement of thesubsequent shift, a notice shall be sent to the Inspector,describing

(18) Enamelling works	Work in furnace enamelling	Sections 52 and 55	<p>the circumstances under which the worker is required to work in the subsequent shift; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only</p> <p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of a subsequent shift :</p> <p>Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed;</p> <p>(ii) within twenty-four hours of the commencement of the subsequent shift, a notice shall be sent to the Inspector, describing the circumstances under which the worker is required to work in the subsequent</p>
-----------------------	----------------------------	--------------------	--

64(2) (d) and 63(3)	(19) Fruit, Vegetables and canning Factories	All workers engaged in continuous process work	Sections 51, 52, 54, 55, 56 and 61	<p>shift; and</p> <p>(iii) the exemption shall be restricted to the male adultworkers only.</p> <p>Exemption from the provisions of section 61 of the Act willapply in so far as it relates to the specifications of theperiods of rest intervals in the notice of work period.</p> <p>Exemption from the provisions of section 61 of the Act, willapply in so far as it relates to the specifications of theperiods of rest intervals in the notice of work period.</p>
64(2)(d) and 64(3)	(20) Rice Mills	Work of persons engaged in boiling, drying, lifting andstoring of paddy in rice mills	Section 55	<p>Exemption from the provisions of section 61 of the Act, willapply in so far as it relates to the specifications of theperiods of rest intervals in the notice of work period.</p>
64(2)(i) and 64(3)	(21) News paper Printing Press	Breakdown of machinery	Sections 51, 54, 56 and 61	<p>(1)(i) The spread over shall not exceed twelve hours on anyday;</p> <p>(ii) Notice shall be given to the Inspector concerned withintwenty-four hours of the occurrence whenever this exemption isavailed of in any</p>

emergency; and
(iii) Exemption from the provisions of section 61 of the Act will apply in so far as it relates to the specifications of the periods of rest intervals in the notice of work periods.

(2) Every such worker shall be allowed adequate time to take light refreshments or meals at the place of his employment in the room or place specially provided for the purpose and arranged in such a manner that it may not cause inconvenience to the worker and at the same time may not require stopping of any plant, machine or process or the normal functioning of the factory.

(3) A notice describing the system of work, change of shifts and grant of

64(2)(j) and 64(3)	(22) All factories	Loading and unloading of railway wagons, lorries and trucks	Sections 51, 52, 54, 55 and 61	<p>weekly holidays shall be sent to the Inspector and the Chief Inspector in advance and no change shall be made therein without the prior intimation to the Inspector and the Chief Inspector and subject further to the provisions of sections 61 and 63.</p> <p>(1) (i) The spread over shall not exceed twelve hours on any day;</p> <p>(ii) Notice shall be given to the Inspector concerned within twenty-four hours of the occurrence whenever this exemption is availed of in any emergency; and</p> <p>(iii) Exemption from the provisions of section 61 will apply in so far as it relates to the specifications of the periods of rest, intervals in the notice of work periods.</p>
-----------------------	--------------------	---	-----------------------------------	---

(2) Every such worker shall be allowed adequate time to take light refreshment or meals at the place of his employment in a room or a place specially provided for the purpose and arranged in such a manner that it may not cause inconvenience to the work and at the same time may not require stopping of any plant, machine or process or normal functioning of the factory.

(3) Every worker shall be allowed at least one weekly holiday in every week on the average and whenever in any week the permitted hours of work daily or weekly exceed, extra wages for overtime on any particular day or in any particular week shall be paid in accordance with the provisions of

64(2)(k) and 64(3)	(23) All factories	Any work which is notified by the State Government in Official Gazette, as a work of national importance	Sections 51, 52, 54, 56 and 61	<p>section 59.</p> <p>(1) (i) The spread over shall not exceed twelve hours on any day; (ii) Notice shall be given to the Inspector concerned within twenty-four hours of the occurrence whenever this exemption is availed of in any emergency; and (iii) Exemption from the provisions of section 61 will apply in so far as it relates to the specifications of the periods of rest, intervals in the notice of work periods.</p> <p>(2) Every such worker shall be allowed adequate time to take light refreshments or meals at the place of his employment in a room or a place specially provided for the purpose and arranged in such a manner that it may not cause inconvenience to the work and at</p>
-----------------------	--------------------	--	-----------------------------------	--

the same time
may not require
stopping of any
plant, machine or
process or normal
functioning of the
factory

(3) Every worker
shall be allowed
at least one
weekly holiday in
every week on the
average and
whenever in any
week
the permitted
hours of work,
daily or weekly
exceed, extra
wages
for overtime on
any particular day
or in any
particular week,
shall be paid in
accordance with
the provisions of
section 59.