

Factories (Punjab) Exempting Rules, 2000

PUNJAB

India

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Rule FACTORIES-PUNJAB-EXEMPTING-RULES-2000 of 2000

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Factories (Punjab) Exempting Rules, 2000Published vide Punjab Notification No. 21/35/99-2Lab-2/4461, dated 3.1.2001Department of Labour and Employment (Labour-II Branch)No. 21/35/99-2Lab-II/4461. - With reference to Government of Punjab, Department of Labour and Employment Notification No. 21/35/99-2 Lab- II/3656, dated 14th October, 1999 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, 2000.(2)They shall extend to the whole of the State of Punjab.(3)They shall come Into force on and with effect from the date of their publication in the Official Gazette 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 sub-section (2) of Sections;(c)"Manager" means the person responsible to the occupier for the working of the factory for the purpose of the Act;(d)"Section" means a Section of the Act;(e)"Head of the Department" means an officer holding independent charge of any department In any factory; and(f)"Inspector" means the Inspector appointed under sub-section (1) of Section 8.

3. Persons holding position of supervision or management or confidential position etc. [Section 64].

- 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 Senior-Vice President, 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 Welfare Officer or Labour Welfare Officer; (v) Heads of Departments; (vi) Superintendent Engineer; (vii) Executive Engineer or Assistant Engineer; (viii) Secretary or Personal Assistant to the persons, listed above at serial numbers (i) to (vii); (ix) Sub-Station Engineer; (x) Junior Engineer, Head Electrician, Sub-Station Operator or Sub-Station Assistant; (xi) Supervisor or Foreman; (xii) Head Store Keeper or Store Keeper; (xiii) Head Time Keeper or Time Keeper; (xiv) Store Purchase Officer; and (xv) any other person employed as such and so declare - 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 provision of the sections specified in column 4 subject to the conditions, if any specified in column 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 section 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.

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	Sections 51, 52, 54,	(i) No worker shall be employed for more

	beconsidered to be urgent repairs, namely :-	55,56 and 61	thanfifteen hours on any one day or thirty-nine hours during anythree consecutive days or seventy hours during each period ofseven consecutive days commencing from his first employment onsuch repairs;
	(a) repairs to any part of the machinery plant or 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;		
64(2)(b) and 64(3)	(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 or 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 furnances 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 Millss	Work in connection with roll changing	Sections 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.
	(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 services during normal working		(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 be are engaged on urgent repairs.

		hours; and	
		(c) repairs in connection with a change of motive power for example, from steam to electricity or viceversa, when such work cannot possibly be done without stoppage of the normal manufacturing process; and	(iii) Exemption from the provisions of section 54 shall apply only in the case of male adult workers; (iv) No worker shall be employed for more than 14 consecutive days without a rest of 24 hours.
		Explanations :	
		(d) "Periodical cleaning" is not included in the terms "examining" or "repairing".	
64(2)(c) and 64(3)	All factories	(i) Work performed by workers on lighting, ventilating and humidifying apparatus;	A notice describing the system of work, change of shifts and grant of weekly holidays, shall be sent to the Inspector and the Chief Inspector in advance and no change shall be made without prior intimation to the Inspector and the Chief Inspector and further subject to the provisions of Sections 61 and 63;
		(ii) Work performed by fire pump men; and	
		(iii) Workers engaged in loading or unloading or transporting raw materials or finished	A notice describing the system of work, change of shifts and grant of weekly holidays, shall be sent

		articles in factories where such work is intermittent		to the Inspector and Chief Inspector in advance and no change shall be made without prior intimation to the Inspector and the Chief Inspector and further subject to the provisions of sections 61 and 63,
64(2)(d) and 64(3)	(1) All factories	Work relating to continuous process declared as such by Chief Inspector	Sections 51, 52, 54, 55, 56 and 61	In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed or 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 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 male adult workers only.
	(2) Oil tank installations	Work connected with pumping operations	Sections 51, 52, 55, 56 and 61	In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work

(3) Hydro or Thermal
Power generating or
transforming stations

Continuous work for
generating or
transfor-electricity
ming

Sections 51,
52, 54,
55, 56 and
61

thewhole or part of a
subsequent shift :

Provided that,-

(i) the next shift of the
worker shall
notcommence before a
period of sixteen hours
has elapsed;

(ii) within
twenty-favour hours of
thecomencement of
the subseunt shift, a
notice shall be sent
tothe Inspector
describing the
circumstances under
which theworker is
required to work in the
subsequent shift; and

(iii) the exemption
shall be restricted to
the male adultworkers
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In the absence of a
worker who has failed
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shift worker shall be
allowed to work
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subsequent shift :

Provided that, -

(i) the next shift of the
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has elapsed;

(ii) within twenty-four
hours of
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the subsequent shift, a
notice shall be sent
tothe Inspector
describing the

			<p>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 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>
(4) Sugar factories	<p>(i) Work relating to the extractions of juice from the cane, clarification, evaporation or boiling of juice;</p> <p>(ii) Curing of massecuite; and</p> <p>(iii) Bagging</p>	<p>Sections 51, 52, 54, 55, 56 and 61</p>	
(5) Distilleries	<p>Work relating to fermentation and distillation</p>	<p>Sections 51, 52, 54, 55, 56 and 61</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>
(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>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 work. 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</p>

(7) Hydrogeneration of oil factories	Work of refining bleaching filtering, deodourising generation of Hydrogen, compression of gases and filling of cylinders	Sections 52, 54 and 55	<p>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 shift; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
(8) Paper factories	Work on choppers, kneaders digestors, strainers, washers, beaters, paper making machines, pumping plant, reelers and cutters	Sections 52, 54 and 55	<p>In the absence 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>

(9) Rubber tyres
factories

Work on curing

Sections 51,
54, 55 and
56

(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 under which the worker is required to work in

			the subsequent shift; and (iii) the exemption shall be restricted to themale adult workers only. In the absence of a worker who has failed toattend to his duty, a shift worker shall be allowed to work thewhole or part of a subsequent shift :Provided that - (i) the next shift of the worker shall notcommence before a period of sixteen hours has elapsed; (ii) within twenty-four hours of thecommencement of the subsequent shift, a notice shall be sent tothe Inspector, describing the circumstances under which theworker is required to work in the subsequent shift; and (iii) the exemption shall be restricted to themale adult workers only. In the absence of a worker who has failed toattend to his duty, a shift worker shall be allowed to work thewhole or part of a subsequent shift; Provided that ,-
(10) Municipal, Public and Railway Water andSewarage Pumping Stations	All workers engaged in continuous process work	Sections52 and 55	
(11) Tanneries	Work of Soaking, liming washing, bathing,tanning and drying of hide a kips and skins	Sections52 and 55	

(12) Bricks

Work in kiln burners

Sections 52
and 56

(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 under which the worker is required to work in the subsequent shift; and

(13) Roller Flour Mills	All work	Sections 52 and 56	<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 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</p>
(14) Soap	Working on soap boiling and soap drying pans	Sections 52 and 55	<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</p>

(15) Textile Dyeing Factories	Work connected with dyeing, bleaching, finishing and printing	Sections 51, 52, 54, 55 and 56	<p>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 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</p>
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(16) Rayon Soilk	All work connected with manufacture of rayon and cellulose/acetate producer, gas, acetic acid, aldehyde cellulose dope	Sections 51, 52, 54, 55 and 56	<p>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 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 a period of sixteen hours</p>
(17) Glass Factories	Moulding and blowing	Sections 52 and 55	<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</p>

(18) Enamelling Work	Work in furnace enamelling	Sections 52 and 55	<p>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 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</p>
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64(2)(d) and 64(9)	(19) Fruit, Vegetables and Canning Factories	All work engaged in continuous process work	Sections 51, 52, 54, 55, 56 and 61	only. 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.
64(2)(f) and 64(3)	(20) Rice Mills	Work of persons engaged in building, drying, lifting and storing of paddy in rice mills	Section 55	Exemption from the provisions of section 61 of the Act, will apply in so far as it relates to the specifications of the period of rest intervals in the notice of work.
64(2)(1) and 64(3)	(21) News Papers Printing Press	Break down of machinery	Sections 51, 54, 56 and 61	(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 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

64(2)(i) and 64(3)	(22) All factories	Loading and un-loading of railway vagons,lorries and trucks	Sections 51, 52,54, 55 and 61	<p>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.</p> <p>(3) A notice describing the system of work, change of shifts and grant of 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 twentyfour 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</p>
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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 refreshment or meals at the place of his employment in a room or 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 the 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 on in any particular week shall be paid in accordance with the provisions of Section 59.

64(2)(k) and (23) All factories
64(3)

Any work which
notified by the State
Government in

Sections 51,
52, 54,
56 and 61

(i) The spread over
shall not exceed,
twelve hours on any

Official Gazette as a
work of national
importance

day;

(ii) Notice shall be
given to the
Inspectors concerned
within twenty four
hours of the occurrence
when ever 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 or rest intervals
in the notice of work
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(2) Every such worker
shall be allowed
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light refreshments or
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his employment in a
room or a place
specially provided for
the purpose and
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manner that it may not
cause inconvenience to
the work at the same
time may not
require stopping of any
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process or normal
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factory.

(3) Every worker shall
be allowed at least
one weekly holidays 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 weeks, shall be paid in accordance with the provisions of Section 59.