

The Orissa Factories (Exemption) Rules, 1983

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Rule THE-ORISSA-FACTORIES-EXEMPTION-RULES-1983 of 1983

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The Orissa Factories (Exemption) Rules, 1983Published vide Notification No. S.R.O. 44/84, dated 3rd January, 1984, Orissa Gazette Extraordinary No. 751/5.5.1984Notification No. S.R.O. 44/84, dated 3rd January, 1984. - In exercise of the powers conferred by Section 64, read with Section 112, the State Government do hereby make the following rules, the same having been previously published as required by Section 115 of the said Act, namely :

1.

These rules may be called the Orissa Factories (Exemption) Rules, 1983.

2.

In these rules-(a)the "Act" means the Factories Act, 1948;(b)"Section" means a section of the Act;(c)the words and expressions used but not defined in these rules shall have the same meaning as assigned to them, in the Act.

3.

(1)The following persons employed in a factory shall, under Subsection (1) of Section 64, be deemed to be persons holding positions of supervision or management, namely :(a)Manager;(b)any other person who, in the opinion of the Chief Inspector, holds position of supervision or management.(2)All persons who, in the opinion of the Chief Inspector, holds confidential positions shall be deemed to have been employed in a confidential position in the factory.(3)A list showing the names and designations of all persons defined under Sub-rule (1) shall be maintained and shall be made available in every factory for examination by the inspector.(4)Adult workers engaged in factories, specified in Column (3) of the Schedule given below, on the work specified in Column (4) of the said Schedule shall be exempted from the provisions of the section specified in Column (5),

subject to the conditions, if any, specified in Column (6) of the said Schedule :Provided that no female adult worker shall be required or allowed to work for more than nine hours in any day.

Schedule

Sl. No.	Section of the act empowering grant of exemption	Class of factory	Nature of exempted work	Extent of exemption	Conditions
1	2	3	4	5	6
1.	64 (2)(a) and 64(3)	All Factories	Urgent repairs	Sections 51, 52, 54, 55, 56 and 61	<p>(a) Within 24 hours of the commencement of the work on urgent repairs, written notice to the Inspector of Factories describing briefly the nature of urgent repairs and the probable period of their duration shall be sent.</p> <p>(b) If the Inspector is of opinion that any work being carried on in a factory as "urgent repairs" is not "urgent repairs*" the Inspector shall serve on the Manager an order to that effect and the Manager shall in respect of such work not allow</p>

any worker to
work in
contravention
of the provisions
of Sections 51,
52, 54, 55 and
56 and
shall comply
with Section 61.

(c) No worker
shall be
employed on
such work for
more than-

(i) ten
consecutive days
without a
holiday for a
whole day,

(ii) fifteen hours
on any one day;

(iii) thirty-nine
hours during
any
three consecutive
days; or

(iv) sixty-six
hours during
each period
of seven
consecutive
days; and

(d) a statement
showing the
total number
of hours worked
each day in the
week by each
worker shall be
sent to the
Inspector within
thirty-six hours
after the

					completion ofthe work.
2.	64(2)(b) and 64 (3)	All factories other than those on continuous process	1. Work in the machine shop, the smithy or thefoundry or in connection with the mill gearing, the electricdriving or lighting apparatus, the mechanical or electricallights or the steam or water pipe or pumps of a factory. 2. Work-of examining or repairing any machineryor other part of the plant which is necessary for carrying onthe work in factory. 3. Work in boiler houses and engine rooms, suchas lighting fires in order to raise steam or generate gaspreparatory to the commencement of regular work in the factory.	Sections 51, 54, 55, 56 and 61	The limits of work inclusive of overtime shallnot exceed those mentioned in Sub-section (4) of Section 64.
3.	62(2)(c) and 64 (3)	All factories	Work performed by drivers, on lighting,ventilating and humidifying apparatus. Work performed by firepump-men.	Sections 51, 54, 55, 56, 56 and 61	The limits of work inclusive of overtime shallnot exceed those mentioned in Sub-section (4) of Section 64.
4.	64 (2)(d) and 64 (3)	Oil tank installation	Work performed by workers in connection withpumping operations	Section 51, 52, 54, 55, 56 and 61	The limits of work inclusive of overtime shallnot exceed those mentioned in Sub-section (4) of Section 64.

5.	64(2)(b)	Ditto	Work performed by furnacement and firemen	Sections 51, 54, 55 and 56	Ditto
6.	64 (2)(d)	Public electricity supply factories generating electricity in any manner and those engine rooms and boiler departments generating electricity in any manner for their own use employing workers on shift	Operation maintenance of (i) Prime movers and auxiliaries, generators, transformers and switch gears; (ii) Boilers and auxiliaries.	Sections 51, 52, 54, 55 and 56	(a) The workers shall be allowed to work on shifts of not longer than eight hours durations (b) No such worker shall be employed more than fourteen consecutive days without a compensatory rest period of at least twenty hours at one time. (c) No such worker shall be employed so as to work in excess of any of the limits specified in Sub-section (4) of Section 61 : Provided that in the absence of a worker who has failed to report for duty, a shift worker may be allowed to work to whole or part

of a subsequent shift on condition that -

(i) the next shift of the shift worker shall not commence before a period of 15 hours has elapsed after the specified stopping time of the shift to which the worker belongs;

(ii) the circumstances under which the worker is required to work in the subsequent shift shall be noted immediately in the remarks column of the register of adult workers.

(d) No worker shall be allowed to work more than 56 hours in any one week except when employed as in proviso to Clause (c) above, but he shall not be allowed to work for more than 64 hours in any one week.

7.	64(2)(d)	Electrical receiving stations and substations or in any factory the department of the factory receiving and distributing electrical energy for the use of the factory	Operation and maintenance of transformer and their auxiliaries including receiving and distribution, switch-gear, lighting arresters, synchronous and other condensers and rotary and static condensers.	Sections 51, 52, 55 and 56	No worker shall be allowed to work more than 56 hours in any one week except when employed as in the proviso to Clause (c) above, but he shall not be allowed to work for more than 64 hours in any one week.
8.	64(2)(d)	Distilleries	Work on the extraction for sugar from various bases, fermentation of sugar juice and distillation of fermented wash	Sections 51, 52, 55 and 56	No worker shall be allowed to work more than 56 hours in any one week except when employed as in the proviso to Clause (c) above, but he shall not be allowed to work for more than 64 hours in any one week.
9.	64(2)(d)	Sugar Factories	Operation beginning with receiving and weighing of cane and ending with bagging of sugar where there is vacuum pan system	Ditto	Ditto
10.	64(2)(d)	Iron and Steel Factories	Operation of blast furnaces, steel melting furnaces L.T.D., LD. Converters, rolling mills and such other work which must proceed concurrently with such operations and must be for technical reason	Ditto	Ditto

			carried on continuously throughout the day		
11.	64(2)(d)	Coke-oven Plants	Operation of coke-ovens	Ditto	Ditto No worker shall be allowed to work more than fifty-six hours in any one week except when employed as in proviso to Clause (c) above, but he shall not be allowed to work for more than 64 hours in any one week
12.	64(2)(d)	By product Plants	Recovery and treatment of by-products	Sections 51, 52, 55 and 56	
			Work performed by male adult workers on bamboo preparing plant, digester, strainers and washers, beaters, papermaking machines, super calendar, acid plant, soda recovery plant, pumping plant, electrolysis plant and bleaching plant, work of lime reburning, gas producer plant, fibre recovery and water clarifier		
13.	64 (2)(d)	Paper Factories		Ditto	Ditto
14.	64 (2)(d)	Cement Factories	All works on continuous process units	Sections 51, 52, 54, 55 and 56	Ditto
15.	64(2)(d)	Aluminium Factories	Ditto	Ditto	Ditto
16.	64(2)(d)	Refractories and Potteries	Workers or polishers in all potteries, mixing, moulding, drying, setting and operations of kinds including	Sections 51, 52, 54, 55 and 56	No worker shall be allowed to work more than fifty-six hours in any one

			gasproducer		week except when employed as inproviso to Clause (c) above, but he shall not be allowed to workfor more than 64 hours in any one week
17.	64(2)(d)	Chemical Factories	All works on continuous process	Ditto	Ditto
18.	64(2)(d)	Vegetable oil hydrogeneration factories	The work viz., refining, bleaching, filteringgeneration of hydrogen, hydrogenerating deodourising processesalso compression of oxygen and the cylinder filling	Ditto	Ditto
19.	64(2)(d)	Ice Factories	Work on the manufacturing/handling of ice	Ditto	Ditto
20.	64(2)(d)	Glass Factories	Work of charging and attending to the post ortanks, attending sheet glass, making machines and fullyautomatic other glass making machines and firing the furnace	Ditto	Ditto
21.	64(2)(d)	Oxygen Factories	Engine and plant drivers, oilers and filling ofcylinders	Sections 51, 52, 54, 55 and 56	No worker shall be allowed to work more thanfifty-six hours in any one week except when employed as inproviso to Clause (c) above, but he shall not be allowed to

					workfor more than 64 hours in any one week.
22.	64(2)(d)	Acetyline Factories	Generation of gas filling of cylinders	Ditto	Ditto
23.	64(2)(d)	Water works and pumping stations	All works	Ditto	Ditto
24.	64(2)(d)	Ferro-alloys Factories	Operation on electric furnaces	Ditto	Ditto
25.	64(2)(d)	Oil Mills	All works on continuous process	Section 55	The workers shall be allowed to work on shiftsof not longer than 8 hours' durations.
26.	64(2)(d)	Flour Mills	All works	Ditto	Ditto
27.	64(2)(d)	Rubber Type Factories	All works on curing process	Sections 55 and 56	The limits of work inclusive of overtime shallnot exceed those mentioned in Sub-section (4) of Section 64.
28.	64(2)(i) and 64(3)	Newspaper Printing Factories	Workers engaged in printing of newspapers whoare held up on account of breakdown of machinery	Sections 51, 61	Ditto
29.	64(2)(i) and 64(3)	All Factories	Loading and unloading of Railway Wagons,trucks, or lorries	Sections 51, 52, 54, 55, 56 and 61	The limits of work inclusive of overtime shallnot exceed those mentioned in Sub-section (4) of Section 64.
30.	64(2)(b) and 64(3)	Ordinance Factories and the work connected withtesting of its	The work viz., firing gun recovery of firedshells and demolition of blind	Sections 51, 52, 55, 56 and 61	Ditto

products

31.	64(2)(h)	All factories other than those on continuous process	Workers engaged in engine rooms and boilerhouses, workers attending to power plant machinery and transmission machinery	Section 52	No worker shall be employed on such work for more than ten consecutive days without a holiday for a whole day The limits of work inclusive of overtime shall not exceed those mentioned in Sub-section (4) of Section 64.
32.	64 (2)(k)	Printing Presses	Printing of Ballot Papers for Parliament and Assembly Elections	Section 51, 52, 54, 55 and 56	

Explanation - "Urgent repair" means -(a) Breakdown repairs to the motive powers or plant and machinery of a factory which is not carried out expeditiously as would involve danger to human life or safety or delay in resumption of the main manufacturing process; (b) Breakdown repairs carried out in general engineering works or foundries to the motive power or plant of other factories, collieries, railways dock yards, harbours, tramways, motor transport, gas works, electrical generating and pumping stations which are necessary to enable such concerns to maintain their services or resume their main manufacturing process with as little delay as possible; (c) Breakdown repairs to ships and air crafts which are essential to enable them to leave port as proper time or continue their normal operation in a sound condition; (d) Repairs in connection with a change of motive power for example from steam to electricity or vice versa when such repairs cannot be done without stoppage of the main manufacturing process. Note - Periodical cleaning is not included within the meaning of the term "examination" or "repairing".