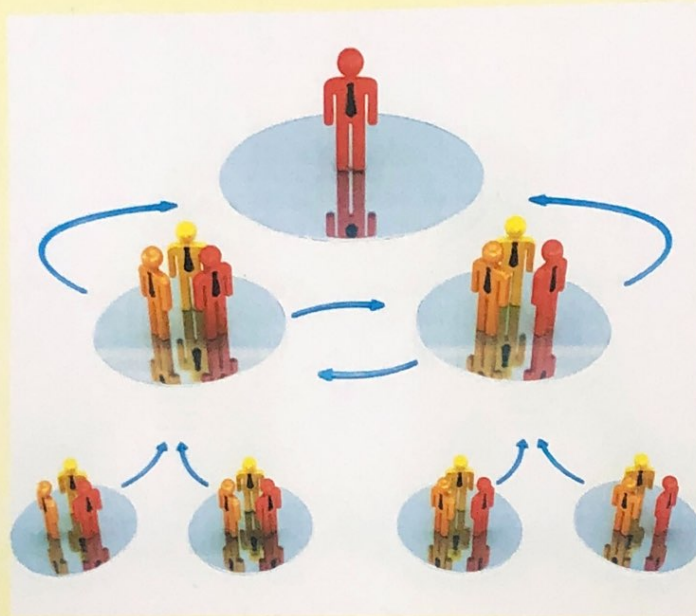


DISHA COLLEGE

DEPARTMENT OF MANAGEMENT

NOTES FILE



SUBJECT NAME- BUSINESS LAW

SUBJECT INCHARGE- Ms. HARMAN JOT KAUR

Factories Act, 1948

→ Factory :- Building where people use machines & physical labour to produce goods.

- passed by the constituent assembly in 1948,
- forced on 1st April, 1949

→ Factories Act :- Factories Act is a social legislation which has been enacted for occupational safety, health & welfare of workers at work places.

This law is being enforced by Inspectors of factories, who worked under the control of labour commissioner.

→ Applicability :-

- ① 10 or more workers employed with the aid of power.
- ② 20 or more than 20 workers are employed in manufacturing process being carried out without the aid of power.

→ Features :-

- ① Approval of factory building plan before construction/extension.
- ② Grant of License and to take action against factories running without obtaining License.
- ③ Renewal of License.
- ④ Inspections of factories - for investigation of complaints, serious / fatal accidents relating to:
Health, Safety, Welfare facilities, Working hours, Employment of young persons, annual leave with wages.

→ Approval, Licensing and Registration of factories -
Section 6 of the Act empowers the state government to make rules for the submission of plans, approval, licensing and registration of factories.

- The application in writing along with the plans and specifications of the factory, for permission, is submitted to the Chief Inspector or the State Government.

→ Provisions regarding the Health of Workers:-
(Sec 11 to 20) To ensure that the conditions under which work is carried on in factories do not affect the health of the workers injuriously.

1) Cleanliness - Sec 11

- Repainted atleast once in five years.
- Washed atleast every period of 6 months.

2) Disposal of wastes and effluents - waste should be effectively disposed off.

3) Ventilation and Temperature - Adequate ventilation by the circulation of fresh air.
- Temperature must be kept at a comfortable levels.

4) Dust and Fume - If the manufacturing process used gives off injurious or offensive dust, must be taken so that they are not inhaled.

5) Artificial humidification - The water used for this purpose must be pure.

6) Overcrowding - There must be no overcrowding.

7) Lighting - factories must be well lightened. Effective measures must be adopted to prevent glare.

8) Drinking water - Arrangements must be made to provide sufficient supply of wholesome drinking water.

9) Urinals:- Sufficient number of urinals, kept clean and separate washrooms for males and females.

★ Provisions regarding the safety of workers:-
Sec 21 to 40A, 40B and 41.

The purpose of securing the safety of workers.

1) Fencing at machinery- All the dangerous machinery must be securely fenced.

2) Work on or near machinery in motion - must be carried out only by specially trained adult male workers wearing tightly fitted clothes.

3) Employment of young person on dangerous machine - No young person shall work at any dangerous machine unless he has been specially instructed as to dangers and precautions.

4) Striking gear and devices for cutting off power - Suitable devices for cutting off power in emergency from running machinery shall be provided.

5) Self acting machines - moving parts of a self acting machine must not be allowed to come within 45 cms of any fixed structure.

6) Casing of new machinery - properly fitting the machinery parts.

7) Women and children near ~~cotton~~ cotton Openers - No woman or child shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work.

8) Hoists, lifts, chains etc, - should be constructed safe.

9) Revolving machinery where grinding is carried on in a permanently fixed place. Safety should be maintained.

10) Pressure plant - where any operation is carried on at a pressure higher than atmospheric pressure.

- 11) Floors, stairs and means of access - All floors, steps, stairs, passage shall be of sound construction and properly maintained
- 12) Pits, sumps, openings in floor etc - must be securely covered and fenced.
- 13) Excessive weights - No workers shall be made to carry to load so heavy as to cause him injury.
- 14) Protection of eyes - Effective screen or goggles shall be provided to protect the eyes.
- 15) Precautions against dangerous fumes - For people entering such spaces with suitable apparatus (equipment)
- 16) Explosive etc - where a manufacturing process produces inflammable gas, precautions must be taken.
- 17) Precaution in case of fire :- fire escapes shall be provided, proper arrangement for fire exits.
- 18) Specifications of defectives etc and safety of buildings and machinery - If any building or machine is in a defective or dangerous condition, the inspector of factories can ask for to adopt safety measures and to hold the test.
- 19) Maintenance of buildings - If the inspector of factories think that any building in a factory, or any part of it requires repairing, it must be given before the specified period.
- 20) Safety officers - The state govt. may notify to the occupier to employ number of safety officers -
 - 1) wherein 1000 or more workers employed.
 - 2) wherein any manufacturing process which involves the risk of bodily injury.
- 21) Rules - The state govt. may make rules for necessary safety.

Provisions Regarding the Welfare of workers:-

- 1) Washing:- Adequate and suitable facilities for washing shall be provided and maintained. Accessible and shall be kept clean.
- 2) Storing & Drying:- The state govt may make rules requiring the provision of suitable facilities for drying & storing clothes.
- 3) Sitting- Sitting facilities must be provided for workers who have to work in a standing position for rest.
- 4) First Aid - First aid boxes must be provided and person in charge trained for first-aid treatment. Factories with more than 500 employees must maintain an ambulance room.
- 5) Canteens - where more than 250 workers are employed, it may require the opening of canteen for workers.
- 6) Shelters - factories where more than 150 workers adequate and suitable shelters or rest rooms or lunch room. Sufficiently lighted and ventilated.
- 7) Creches - In every factory where more than 30 women are employed, a room shall be provided for the use of children (below 6 years), adequate size, well lighted and ventilated.
- 8) Welfare officers - Welfare officers must be appointed in every factory where 500 or more workers are employed.
- 9) Rules :- The state government may make rules regarding the welfare of workers.