

# LABOUR LEGISLATION NOTES

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## 1. Factories Act, 1948

### Introduction

The Factories Act, 1948 is a comprehensive social legislation enacted to regulate labour in factories. It focuses on ensuring adequate standards of **health, safety, welfare, working hours, and leave** for workers. It reflects the principles of social justice and industrial efficiency.

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### Objectives

- To ensure **physical and mental well-being** of workers
  - To provide **safe and healthy working environment**
  - To regulate **working hours and employment conditions**
  - To prevent **industrial accidents and occupational diseases**
  - To promote **industrial efficiency and productivity**
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### Scope and Applicability

- Applies to:
    - Factories with **10 or more workers using power**
    - Factories with **20 or more workers without power**
  - Covers both **seasonal and non-seasonal factories**
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### Important Definitions

- **Factory:** Any premises where manufacturing process is carried on
  - **Worker:** Any person employed directly/indirectly (including contract workers)
  - **Occupier:** Person with ultimate control (owner/director/partner)
  - **Manufacturing Process:** Making, altering, packing, oiling, washing, etc.
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### Health Provisions (Sections 11–20)

- Cleanliness and waste removal
- Disposal of trade wastes and effluents
- Adequate ventilation and temperature
- Control of dust and fumes

- Artificial humidification standards
- Prevention of overcrowding
- Proper lighting arrangements
- Safe drinking water facilities
- Separate and hygienic latrines and urinals
- Spittoons to maintain hygiene

□ **Exam Tip:** Always mention section numbers for extra marks.

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## Safety Provisions (Sections 21–41)

- Fencing of machinery
- Work on or near machinery in motion
- Employment restrictions on dangerous machines
- Striking gear and emergency devices
- Self-acting machines safety
- Casing of new machinery
- Protection against dust and fumes
- Fire safety measures and emergency exits
- Safety of buildings and machinery
- Maintenance of safety officers
- Special provisions for hazardous processes

□ **Special Note:** Chapter IV-A deals with **hazardous processes**.

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## Welfare Provisions (Sections 42–50)

- Washing facilities
- Facilities for storing and drying clothes
- Sitting arrangements
- First-aid appliances
- Canteen facility (250+ workers)
- Shelters, restrooms, lunchrooms
- Crèches (for women workers)
- Welfare officers (500+ workers)

## Working Hours of Adults (Sections 51–66)

- Weekly hours: **48 hours max**
  - Daily hours: **9 hours max**
  - Weekly holiday: compulsory
  - Compensatory holidays
  - Rest interval after 5 hours
  - Spread-over not exceeding 10.5 hours
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## **Overtime Wages**

- Paid at **twice the ordinary rate**
  - Applicable beyond prescribed limits
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## **Employment of Women**

- Restrictions on night shifts (with amendments in some states)
  - Provision of safety measures
  - Equal opportunity principles emerging
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## **Employment of Young Persons**

- Children below 14 years prohibited
  - Adolescents require fitness certificate
  - Working hours restricted
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## **Annual Leave with Wages (Sections 79–82)**

- 1 day leave for every 20 days worked
  - Accumulation allowed up to:
    - 30 days (adults)
    - 40 days (children)
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## **Inspectors**

- Appointed by government
  - Powers:
    - Enter premises
    - Examine machinery
    - Investigate accidents
    - Enforce compliance
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## **Penalties and Offences**

- Fine up to prescribed limits
  - Imprisonment for serious violations
  - Enhanced penalties for repeat offences
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## **Critical Analysis**

- Strong legal framework for worker protection
  - Weak enforcement in small-scale industries
  - Needs modernization for automation and gig economy
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## **Conclusion**

The Act is a cornerstone of labour welfare legislation, ensuring a balance between industrial growth and worker protection.

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