

Bloom-II
By. Sudeep Kumar
R. N.C.

T.O.C. - I B.Com. - Labour and Legislation

①

Main provisions of Factory Act 1948 or Health and safety
Issue of 1948 Act, or Women Safety
Ans.

Health and safety provisions as per Factory Act. The Factory Act, 1948, has been promulgated primarily to provide safety measures and to promote the health and welfare of the workers employed in factories. The object thus brings this Act, within the competence of the central legislature to enact.

State Government / Union Territory Administration have been empowered under certain provisions of this Act, to make rules, to give effect to the object and the scheme of the Act.

The act applies to factories, which qualify the definition of "Factory" under the section 2 (M) of the Act or to those industrial establishments, to whom section 85 have been made applicable by the state government, by to any premises wherein 20 or more workers without aid of power are/were working on any day in the preceding 12 months, wherein manufacturing process is being carried on.

The main focus of factories Act is towards the health benefits to the workers. Health chapter of the Act contains specification from the section 11 to 20.

The main provisions of health -

- (i) Cleanliness ⁽¹¹⁾ (Section 11) → This section basically specifies the issues of cleanliness at the workplace. It is mentioned in the provisions that every factory shall be kept clean and free from

2

effluvia arising from any drain, privy or other nuisance. There should be no accumulation of dirt and refuse and should be removed daily and entire area should be kept clean.

(12) कचरे और बहिष्कार का लक्षण

(2.) Disposal of wastes and effluents → This section specifies on disposal of wastes and effluents. That every factory should make effective arrangements for the treatment of wastes and effluents due to manufacturing process carried on therein, so as to render them innocuous and for their disposal.

खुलावा तथा तापमान (13)

(3.) Ventilation and Temperature → This section focus on ventilation and temperature maintenance at workplace. Every factory should work on proper arrangements to adequate ventilation and circulation of fresh air.

धूल और धुँध

(4.) Dust and Fume (14) → This section details on the proper exhaustion of dust and fume in the factory. In this it is mentioned that factory which deals on manufacturing process should take care of the proper exhaustion of dust, fume and other impurities from its origin points.

कृत्रिम नमीकरण

(5.) Artificial Humidification (15) → This section specifies regarding the artificial humidification in factories. In this the humidity level to air in factories are artificially increased as per the provisions prescribed by the state government.

- | | | |
|------------|------------------------------|--|
| अन्य बिंदु | (6.) Overcrowding (अतिघनत्व) | (8.) Drinking water (पिण्याचे पाणी) |
| | (7.) Lighting (प्रकाश) | (9.) Latrines and urinals (बिंदीघर व मलमूत्राचे पात्र) |
| | | (10.) Spittoons (खुराक) |

(6) Overcrowding (16) → ^{ଅଧିକାଂଶ} Overcrowding is also important issue which is specified in this section. In this it is mentioned that no room in the factory shall be overcrowded to an extent that can be injurious to the health of workers employed herein.

(7.) Lighting (17) → ^{ଆଲୋକ} Under section it has been described that there should be proper arrangement of ~~worker working on or around the machines.~~ lighting in factories. In every part of the factory where workers are working or passing should be well equipped with lighting arrangement natural resources or artificial sources.

(8) Drinking water (18) → This section specifies regarding arrangements for sufficient and pure drinking water at the works. There are also some specified provisions for suitable point for drinking water supply. As in that drinking water point should not be within 6 meters range of any working place, urinal, latrine, spittoon, open drainage carrying effluents. In addition to this a factory where there are more than 250 workers provisions for cooling drinking water during hot temperature should be made.

(9.) Latrines and Urinals (19) → ^{ଶୂନ୍ୟତା ଓ ସୁସ୍ଥିତି} This section related to urinals and latrines construction at factories. It mentions that in every factory there should be sufficient accommodation for urinals which should be provided at conveniently situated place. It should be kept clean and maintained.

10. Spitoons (खुबगना) - (20) → This section specifies regarding proper arrangement of spitoons in the factory. It is mentioned that in every factory there should be sufficient number of spitoons situated at convenient place and should be properly maintained and cleaned.

Safety → The factories Act, 1948 also provides provisions relating to safety measures for the workers employed herein. This is to ensure safety of workers working on or around the machines. The detailed information on each provision relating to safety measures is as under: —

(a.) मशीनरी को घेरना
Fencing of Machinery (21) → This section specifies that fencing of machinery is necessary. That any ~~rotative~~ moving part of the machinery or machinery that is dangerous in kind should be properly fenced.

(b.) रक्षक नाक मशीनों पर अल्पकाल-व्यक्तियों की नियुक्ति
Employment of Young persons on Dangerous Machines (23) → This section ~~provides~~ prescribes that employment of young persons on dangerous machinery is not allowed. In the case where he is been fully instructed in the usage of the machinery and working under the supervision he might be allowed to work on it.

(c.) घाघाना डिगर और विजली काटने के लिए उपकरण
Striking Gear and Device for cutting off power (24) → This section provides provisions of striking gear and device for cutting off power in case of emergency. Suitable striking gear appliances should be provided and maintained for moving belts.

दस-सहस्र

(d) Prohibition of employment of women and children (27) →

This section prohibits working of women and children on specific machinery. As per this section women and children should not be appointed for any part of factory working on cotton pressing.

शर्त, सीढ़ियाँ और पहुँच के साधन

(e.) Floors, stairs and means of Access (32) → In this section it has been specified that all floors, stairs, passage and gangways should be properly constructed and maintained, so that there are no chances of slips or fall.

(f.) Excessive weight (34) → This section specifies that no person in any factory shall be employed to lift, carry or move any load so heavy that might cause injury. State government may specify maximum amount of weight to be carried by workers.

(g.) Protection of Eyes (35) → This section provides specification regarding safety and protection of eyes of workers. It mentions that factory should provide specific goggles or screens to the workers who are involved in manufacturing work that may cause them injury to eyes.

(h.) Precautions in the case of fire (38) → As per this section there should be proper precautionary measures built for fire. There should be safe mean to escape in case of fire, and also necessary equipments and facilities to extinguish fire.

(i) Use of portable Electric light (36)

(j) First-aid Appliances (45)

(k) Emergency Standards (41E)

वैद्यक साधन-सहायता के साधन

①

Women's Safety 1948

⑥

These are specific regulations for the health and safety of women employees under various laws in our country. Provisions relating to health and safety of women under various Act are as under: —

- * Women are prohibited from working between 7:00 pm to 6:00 AM. There has been a recent amendment to allow women to work in night shift in certain sectors including the Special Economic Zone (SEZ), IT sector and textiles. This is subject to the condition that the employers shall be obligated to provide adequate safeguards in the workplace, equal opportunity, their transportation from the factory premises to the nearest point of their residence.
- Section 22 of the Act prohibits that no woman shall be allowed to clean, lubricate or adjust any part of a prime mover or of any transmission machinery is in motion, if that would expose the woman to risk of injury from any moving part ~~there~~ either of that machine or of any moving or of any adjacent machinery.
- * Section 27 of the ~~say~~ Act provides that no woman shall be employed in any part of a factory for pressing cotton in which a cotton-opeener is at work.