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23729

**THE INDIAN FACTORIES ACT, 1911**  
**(XII of 1911).**

**As amended by the Indian Factories Amendment**  
**Act, 1922 (II of 1922).**

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# THE INDIAN FACTORIES ACT, 1911.

*(Act No. XII of 1911; by passed the Governor General of India in Council; received the assent of the Governor General on the 24th March 1911.)*

## As amended by the Indian Factories (Amendment) Act, 1922.

*(Act No. II of 1922; passed by the Indian Legislature; received the assent of the Governor General on the 25th January 1922.)*

**An Act to consolidate and amend the Law regulating Labour in Factories.**

Whereas it is expedient to consolidate and amend the law regulating labour in factories; It is hereby enacted as follows:—

### CHAPTER I.

#### PRELIMINARY.

1. (1) This Act may be called the Indian Factories Act, 1911.

Short title, commencement and extent.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

(3) It shall come into force on the first day of July 1922.

2. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(1) "child" means a person who is under the age of fifteen years;

"Child."

## (Chapter I.—Preliminary. Sec. 2.)

"Employed".

(2) a person who works in a factory, whether for wages or not,—

(a) in a manufacturing process or handicraft, or

(b) in cleaning any part of the factory used for any manufacturing process or handicraft, or

(c) in cleaning or oiling any part of the machinery, or

(d) in any other kind of work whatsoever, incidental to, or connected with, the manufacturing process or handicraft, or connected with the article made or otherwise the subject of the manufacturing process or handicraft therein,

shall be deemed to be employed therein ;

*Explanation.*—The term "manufacturing process" shall be deemed to include the baling of any material for transport ;

"Factory."

(3) ' factory ' means—

(a) any premises wherein, or within the precincts of which, on any one day in the year not less than twenty persons are simultaneously employed and steam, water or other mechanical power or electrical power is used in aid of any process for, or incidental to, making, altering, repairing, ornamenting, finishing or otherwise adapting for use, for transport or for sale any article or part of an article ; or

(b) any premises wherein, or within the precincts of which, on any one day in the year not less than ten persons are simultaneously employed and any such process is carried on, whether any such power is used in aid thereof or not which have been declared by the Local Government, by notification in the local official Gazette, to be a factory ;

(Chap. I.—Preliminary. Sec. 3.  
Chap. II—Inspectors and Certifying Surgeons.  
Sec. 4.)

A declaration under clause (b) may be made in respect of any class of premises, or in respect of any particular premises;

(4) [*Repealed.*]

(5) "mill-gearing" includes every shaft, whether upright, oblique or horizontal, and every wheel, drum, pulley, rope, chain, wire, driving strap or band by which the motion of the first moving power is communicated to any machine appertaining to any manufacturing process; "Mill-gearing."

(6) "occupier" includes a managing agent or other person authorised to represent the occupier; "Occupier."

(7) "prescribed" means prescribed by this Act or by rules made thereunder; "Prescribed."

(8) "week" means the period between midnight on Saturday night and midnight on the succeeding Saturday night. "Week."

VIII of  
1901.

3. Nothing in this Act shall apply to any mines subject to the operation of the Indian Mines Act, 1901. "Applica-  
tion of  
Act."

## CHAPTER II.

### INSPECTORS AND CERTIFYING SURGEONS.

4. (1) The Local Government may, by notification in the local official Gazette, appoint such persons as it thinks fit to be inspectors of factories within such local limits as it may assign to them respectively. "Inspectors."

(2) No person shall be appointed to be an inspector under sub-section (1), or, having been so appointed, shall continue to hold the office of inspector, who is or becomes directly or indirectly



(Chap. II.—*Inspectors and Certifying Surgeons.*  
Sec. 5.)

interested in a factory or in any process or business carried on therein or in any patent or machinery connected therewith.

(3) The District Magistrate shall be an inspector under this Act.

(4) The Local Government may also, by notification as aforesaid, and subject to the control of the Governor General in Council, appoint such public officers as it thinks fit to be additional inspectors for all or any of the purposes of this Act within such local limits as it may assign to them respectively.

(5) In any area where there are more inspectors than one, the Local Government may, by notification as aforesaid, declare the powers which such inspectors shall respectively exercise, and the inspector to whom the prescribed notices are to be sent.

(6) Every inspector shall be deemed to be a public servant within the meaning of the Indian Penal<sup>XLV</sup> Code and shall be officially subordinate to such<sup>1860.</sup> authority as the Local Government may indicate in this behalf.

Powers of  
inspector.

5. Subject to any rules in this behalf, an inspector may, within the local limits for which he is appointed,—

(a) enter, with such assistants (if any) as he thinks fit, any place which is, or which he has reason to believe to be, used as a factory;

(b) make such examination of the premises and machinery and of any prescribed registers, and take on the spot or otherwise such evidence of any persons as he may deem necessary for carrying out the purposes of this Act; and -

(c) exercise such other powers as may be necessary for carrying out the purposes of this Act ;

(Chap. II.—Inspectors and Certifying Surgeons.  
Secs. 6—8.)

Provided that no one shall be required under this section to answer any question or give any evidence tending to criminate himself.

6. The Local Government may appoint such qualified medical practitioners as it thinks fit to be certifying surgeons for the purposes of this Act within such local limits as it may assign to them respectively.

Certifying  
surgeons.

7. (1) A certifying surgeon shall, at the request of any person desirous of being employed in a factory situated within the local limits for which he is appointed, or of the parent or guardian of such person, or of the manager of the factory in which such person desires to be employed, examine such person and grant him a certificate in the prescribed form, stating his age, as nearly as it can be ascertained from such examination, and whether he is fit for employment in a factory.

Grant of  
certificate.

(2) A certifying surgeon may revoke any certificate granted to a child under sub-section (1) if, in his opinion, the child is no longer fit for employment in a factory.

(3) Where a certifying surgeon refuses to certify that a person is fit for employment in a factory or revokes a certificate granted to a child in this behalf, he shall, if required by such person or child, or by the parent or guardian of such person or child, or by the manager of the factory in which such person or child desires to be employed, state in writing his reasons for such a refusal or revocation.

8. A certifying surgeon may authorize any registered practitioner to exercise the functions assigned to him by section 7, and may revoke such authority:

Delega-  
tion of  
certifying  
surgeon's  
functions.

Provided that no certificate granted under this section shall, unless confirmed, on personal examination

(Chap. II.—*Inspectors and Certifying Surgeons.*

*Sec. 8A.*

*Chap. III—Health and Safety. Sec. 9.)*

of the person named therein, by the certifying surgeon who conferred the authority, be valid for a period of more than three months.

*Explanation.*—In this section the expression “registered practitioner” means any person registered under the Medical Act, 1858, or any Act amending the same or under any Act of any Legislature in British India providing for the maintenance of a register of medical practitioners, and includes, in any area where no such last-mentioned Act is in force, any person declared by the Local Government, by notification in the local official Gazette, to be a registered practitioner for the purposes of this section.

21 and  
22 Vict.  
C. 90.

Compu-  
sory medi-  
cal exami-  
nation.

8A. Where an Inspector is of opinion that a child employed in a factory is no longer fit for employment, he may serve on the manager of the factory a notice requiring that such child shall cease to be employed until he has been re-examined by a certifying surgeon or by a registered practitioner authorised by a certifying surgeon in this behalf.

## CHAPTER III.

### HEALTH AND SAFETY.

Sanitary  
provisions.

9. The following provisions shall apply to every factory:—

(a) it shall be kept clean, and free from effluvia arising from any drain, privy or other nuisance;

(b) it shall not be so overcrowded while work is carried on therein as to be dangerous or injurious to the health of the persons employed therein;

*(Chap. III.—Health and Safety. Secs. 10—12.)*

(c) it shall be ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried on therein that may be injurious to health ;

(d) the atmosphere shall not be rendered so humid by artificial means as to be injurious to the health of the persons employed therein.

10. If in a factory, in which any process is carried on by which dust or other impurity is generated and inhaled by the workers to an injurious extent, it appears to the inspector that such inhalation could be to a great extent prevented by the use of a fan or other mechanical means, the inspector may serve on the manager of the factory an order in writing, directing that a fan or other mechanical means of a proper construction for preventing such inhalation be provided, maintained and used before a specified date.

Provision as to ventilation by fans in certain factories.

11. (1) Every factory shall be sufficiently lighted.

Lighting.

(2) In the case of any factory which is not in the opinion of the inspector so lighted, the inspector may serve on the manager of the factory an order in writing, specifying the measures which he considers necessary for the attainment of a sufficient standard of lighting, and requiring him to carry them out before a specified date.

12. (1) In any factory in which humidity of the atmosphere is produced by artificial means, the water used for the purpose of producing humidity shall be taken either from a public supply of drinking water or from some other source of water ordinarily used for drinking, or shall be effectively purified before being used for the purpose of producing humidity.

Purity of water used for humidifying.

(2) In the case of any factory in which any water required under sub-section (1) to be effectively

*(Chap. III.—Health and Safety. Secs. 13—16.)*

purified is not in the opinion of the inspector so purified, the inspector may serve on the manager of the factory an order in writing specifying the measures which he considers necessary for effectively purifying the water and requiring him to carry them out before a specified date.

Provision of latrines and urinal accommodation.

**13.** Every factory shall be provided with sufficient and suitable latrine accommodation, and if the Local Government so requires, with separate urinal accommodation for the persons employed in the factory:

Provided that the inspector may, subject to such conditions as the Local Government may lay down in this behalf, by an order in writing exempt any factory from the provisions of this section.

Water-supply.

**14.** In every factory there shall be maintained a sufficient and suitable supply of water fit for drinking for the use of the persons employed in the factory.

Doors of factory to open outwards.

**15.** In every factory, the construction of which is commenced after the commencement of this Act, the doors of each room in which more than thirty persons are employed shall, except in the case of sliding doors, be constructed so as to open outwards.

Provision of means for escape in case of fire.

**16.** (1) Every factory shall be provided with such means of escape in case of fire for the persons employed therein as can reasonably be required in the circumstances of each case.

(2) In the case of any factory which is not in the opinion of the inspector so provided, the inspector may serve on the manager of the factory an order in writing, specifying the measures which he considers necessary for providing such means of escape, and requiring him to carry them out before a specified date.

*(Chap. III.—Health and Safety. Secs. 17-18.)*

**17.** No person shall smoke, or use a naked light or cause or permit any such light to be used, in the immediate vicinity of any inflammable material in any factory. Precautions against fire.

**18.** (1) (a) Every fly-wheel directly connected with a steam-engine, water-wheel or other mechanical power or electrical power in any part of the factory and every part of any water-wheel or engine worked by any such power, Fencing.

(b) every hoist or teagle and every hoist-well, trap-door or other similar opening near which any person is liable to pass or be employed, and

(c) every part of the machinery and electrical fittings including live wires and switches which the Local Government may by rule require to be kept fenced,

shall be securely fenced.

(2) If in any factory there is any other part of the machinery or mill-gearing which may in the opinion of the inspector be dangerous if left unfenced, the inspector may serve on the manager of the factory an order in writing, specifying the measures which he considers necessary for fencing such part in order to remove the danger, and requiring him to carry them out before a specified date.

(3) All fencing must be constantly maintained in an efficient state while the parts required to be fenced are in motion or use, except where they are under repair or are under examination in connection with repair or are necessarily exposed for the purpose of cleaning or lubricating or for altering the gearing or arrangements of the parts of the machinery.

(4) Such provision as may be prescribed shall be made for the protection from danger of persons employed in attending to the machinery or boilers of any factory.

*(Chap. III.—Health and Safety. Secs. 18A-19A.)*

Repairs to  
buildings  
or machi-  
nery.

**18A. (1)** If an Inspector is of opinion—

(a) that any factory or part thereof is in such a condition as to be dangerous to human life or safety, or

(b) that any part of the ways, works, machinery or plant used in a factory is in such a condition that it cannot be used without danger to human life, or safety,

he may serve on the manager of the factory an order in writing, specifying the measures which he considers necessary for removing the danger, and requiring him to carry them out before such date as may be specified therein.

(2) If, in the opinion of the inspector, the use of any part of the ways, works, machinery or plant in a factory involves imminent danger to human life, he may serve on the manager of the factory an order in writing prohibiting the use thereof until it is duly repaired or altered.

Prohibi-  
tion of  
employ-  
ment of  
women  
and child-  
ren in  
certain  
dangerous  
work.

**19.** No woman or child shall be allowed to clean any part of the mill-gearing or machinery of a factory while the same is in motion by the action of steam, water or other mechanical power or electrical power, as the case may be, or to work between the fixed and traversing parts of any self-acting machine while such machine is in motion by the action of any power above described.

Power to  
prohibit  
presence  
of child-  
ren in fac-  
tories.

**19A.** Where, in the opinion of the Inspector, the presence in any factory or any part thereof of children, who, by reason of their age, cannot, under the provisions of this Act, be lawfully employed therein, involves danger to, or injury to the health of, such children, he may serve on the manager of such factory an order in writing prohibiting the admission of such children to the factory or part thereof.

(Chap. III.—*Health and Safety. Secs. 19B-20.*  
 Chap. IV.—*Hours of Employment and Holidays.—*  
*Sec. 21.*)

**19B.** No person under the age of eighteen years and no woman shall be employed in any factory in any of the operations specified in Part I of the Schedule, or, save in accordance with the regulations contained in Part II of the Schedule, in any operation involving the use of lead compounds.

Prohibition of employment of women and persons under eighteen years in certain processes.

**20.** No woman or child shall be employed in the part of a factory for pressing cotton in which a cotton-opener is at work:

Prohibition of employment of women and children where cotton-openers are at work.

Provided that, if the feed-end of a cotton-opener is in a room separated from the delivery-end by a partition extending from the floor to the roof, or to such height as the inspector may, in any particular case specify, women and children may be employed in the room in which the feed-end is situated.

## CHAPTER IV.

### HOURS OF EMPLOYMENT AND HOLIDAYS.

- 21.** (1) In every factory there shall be fixed,—
- (a) for each person employed on each working day—
- (i) at intervals not exceeding six hours, periods of rest of not less than one hour, or
- (ii) at the request of the employees concerned, periods of rest of not less than half an hour each so arranged that, for each period of six hours work done, there shall be periods of rest of not less than one hour's duration in all, and that no person shall work for more than five hours continuously, and

Rest periods in factories.



(Chap. IV.—Hours of Employment and Holidays.  
Secs. 22-23.)

(b) for each child working more than five and a half hours in any day, a period of rest of not less than half an hour.

(2) The period of rest under clause (b) shall be so fixed that no such child shall be required to work continuously for more than four hours.

Weekly  
holiday.

**22.** No person shall be employed in any factory on a Sunday, unless—

(a) he has had, or will have, a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday, and

(b) the manager of the factory has previous to the Sunday or the substituted day, whichever is earlier, given notice to the inspector of his intention so to employ the said person and of the day which is to be substituted and has at the same time affixed a notice to the same effect in the place mentioned in section 36:

Provided that no such substitution shall be made as will result in any person working for more than ten consecutive days without a holiday for a whole day.

Employ-  
ment of  
children:

**23.** With respect to the employment of children in factories the following provisions shall apply:—

\*(a) no child shall be employed in any factory unless he is in possession of a certificate granted under section 7 or section 8 showing that he is not less than twelve years of age and is fit for employment in a factory and while at work carries either the certificate itself or a token giving reference to such certificate;

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\* Under section 14 (3) of Act II of 1922 the provisions of clause (a) of section 23 shall not apply to any child lawfully employed in a factory on or before the first day of July, 1921.

(Chap. IV.—Hours of Employment and Holidays. Secs. 24—28.

Chap. V.—Exceptions. Sec. 29.)

(b) No child shall be employed in any factory before half-past five o'clock in the morning or after seven o'clock in the evening ;

(c) No child shall be employed in any factory for more than six hours in any one day.

24. With respect to the employment of women in factories the following provisions shall apply:—

Employment of women.

(a) no woman shall be employed in any factory before half-past five o'clock in the morning or after seven o'clock in the evening ;

(b) no woman shall be employed in any factory for more than eleven hours in any one day.

25. No person shall employ, or permit to be employed, in any factory any woman or child or, save in such circumstances as may be prescribed, any other person whom he knows, or has reason to believe, to have already been employed on the same day in any other factory.

Prohibition of employment of woman or child in two factories on same day.

26. The manager of a factory shall fix specified hours for the employment of each person employed in such factory, and no person shall be employed except during such hours.

Hours of employment of women and children to be fixed.

27. No person shall be employed in a factory for more than sixty hours in any one week.

Limitation of working hours per week.

28. No person shall be employed in any factory for more than eleven hours in any one day.

Limitation of working hours per day.

## CHAPTER V.

### EXCEPTIONS.

29. Nothing in any of the following sections, namely, 21, 22, 24, 26, 27, and 28, shall apply to

Exceptions for persons holding

## (Chap. V.—Exceptions. Sec. 30.)

positions  
of supervi-  
sion, &c.

persons who may, by rules made by the Local Government under this Act, be defined to be persons holding positions of supervision or management or to persons employed in a confidential capacity.

Examp-  
tions,

**30.** (1) Where it is proved to the satisfaction of the Local Government—

(a) that any class of work in a factory is in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the factory; or

(b) that the work of any class of workers is essentially intermittent; or

(c) that there is in any class of factories any work which necessitates continuous production for technical reasons; or

(d) that any class of factories supplies the public with articles of prime necessity which must be made or supplied every day; or

(e) that in any class of factories the work performed, by the exigencies of the trade or by its nature, cannot be carried on except at stated seasons or at times dependent on the irregular action of natural forces;

the Local Government may, subject to the control of the Governor General in Council, by notification in the local official Gazette, exempt on such conditions, if any, as it may impose—

in case (a) such class of work from all or any of the provisions of sections 27 and 28;

in case (b) work of the nature described from all or any of the provisions of sections 22, 27 and 28;

in case (c) work of the nature described from the provisions of sections 21 and 22;

in cases (d) and (e) such class of factories from the provisions of section 22.

(Chap. V.—Exceptions. Secs. 31-32.  
Chap. VI.—Notices and Registers. Sec. 33.)

(2) The Local Government may, by general or special order, exempt for such period as may be specified in the order and on such conditions, if any, as it may impose, any factory from all or any of the provisions of sections 21, 22, 27 and 28, on the ground that such exemption is necessary in order to enable such factory to deal with an exceptional press of work.

(3) In such circumstances and subject to such conditions as may be prescribed, nothing in section 21, section 22, section 27 or section 28 shall apply to work on urgent repairs.

31. Where, under the provisions of sub-section (1) of section 30, any factory has been exempted from the provisions of section 27, every person employed in such factory for more than sixty hours in any one week shall be paid, in respect of the overtime, at a rate which shall be at least one and a quarter times the rate at which he is normally paid.

Payment for over time.

32. The Local Government may, subject to the control of the Governor General in Council, by notification in the local official Gazette, exempt any indigo factory or any factory situated on, and used solely for the purposes of, a tea or coffee plantation, from all or any of the provisions of sections 21 and 22, on such conditions, if any, as it may impose.

Special exemptions for indigo, tea and coffee factories.

## CHAPTER VI.

### NOTICES AND REGISTERS.

33. (1) Every person occupying a factory shall, on or before the date on which the factory commences working as such, send to the inspector a written notice containing—

Person occupying factory to give notice.

(i) the name of the factory and of the place where it is situate,

*(Chap. VI.—Notices and Registers. Secs. 34—36.)*

(ii) the address to which he desires his letters to be directed,

(iii) the nature of the work performed in such factory,

(iv) the nature and amount of the moving power therein, and

(v) the name of the person who shall be deemed to be the manager of the factory for the purposes of this Act:

Provided that in the case of a seasonal factory such notice shall be sent on or before the date of starting work for each season.

(2) If the manager of the factory is changed, the occupier shall send to the inspector, within seven days from the date on which the change is made, written notice of the change.

(3) During any period for which no person has been designated as manager of a factory under this section, the occupier shall himself be deemed to be the manager of the factory for the purposes of this Act.

Notice to  
be given of  
accident.

34. When any accident occurs in a factory causing death or bodily injury, whereby the person injured is prevented from returning to his work in the factory during the forty-eight hours next after the occurrence of the accident, the manager shall send notice of the accident, to such authorities in such form and within such time as may be prescribed.

Register of  
workers.

35. In every factory there shall be kept, in the prescribed form, a register of all the persons employed in such factory, of their hours of work and of the nature of their respective employment.

Affixing of  
abstract  
and  
notices.

36. (1) There shall be affixed in some conspicuous place near the main entrance of every factory, in English and in the language of the majority of the operatives in such factory, the prescribed abstracts of this Act and of the rules made thereunder, and

*(Chap. VII.—Rules. Sec. 37.)*

also a notice containing the standing orders of the factory upon the following matters, namely:—

- (a) the time of beginning and ending work on each day;
- (b) the periods of rest fixed under section 21;
- (c) the hours of beginning and ending work for each shift (if any);
- (d) the hours of employment of all persons employed; and
- (e) the weekly holidays fixed under section 22.

(2) A copy of the said notice shall be sent to the inspector within one month of the commencement of this Act, or, in the case of a factory which starts work after the commencement of this Act, within one month of commencing work.

(3) The said notice shall be correctly maintained and kept up to date, and intimation of any change therein shall be sent by the manager to the inspector within seven days.

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## CHAPTER VII.

### RULES.

37. (1) Subject to the control of the Governor General in Council, the Local Government may make rules for the purpose of carrying into effect the provisions of this Act. Power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the inspection of factories;
- (b) the manner in which inspectors are to exercise the powers conferred on them by this Act;
- (c) the duties to be performed by certifying surgeons;

(Chap. VII.—Rules. Sec. 37.)

(d) the form of the certificate prescribed by section 7, the grant of a duplicate in the event of loss of the original certificate, and the fee, if any, to be charged for such duplicate;

(e) the methods, including lime-washing, painting, varnishing and washing, to be adopted in order to secure cleanliness and freedom from effluvia;

(f) the proportion which the number of cubic feet of space in any room shall bear to the number of persons employed at one time therein;

(g) standards of ventilation, and artificial humidification and the methods to be adopted in order to secure their observance;

(h) standards of latrine and urinal accommodation;

(i) standards of water-supply;

(j) the parts of the machinery and electrical fittings to be kept fenced in accordance with section 18, sub-section (1), clause (c), and the provisions to be made for the protection from danger of persons employed in attending to the machinery or boilers;

(jj) the definition of "persons" under section 29 who shall be deemed to be persons holding positions of supervision or management or persons employed in a confidential capacity;

(k) the form of the notice prescribed by section 34, and the time within which and the authorities to whom it shall be sent;

(l) the form of the register prescribed by section 35;

(m) the abstracts of the Act and of the rules required by section 36;

(n) the procedure to be followed in presenting and hearing appeals under this Act, including the appointment and remuneration of assessors; and

(Chap. VII.—Rules. Secs. 38—40. Chap. VIII.  
—Penalties and Procedure. Sec. 41.)

(o) the manner of service of notices and orders upon occupiers or managers of factories.

38. The Governor General in Council may make rules requiring occupiers or managers of factories to furnish such returns, occasional or periodical, as may in his opinion be necessary for the effectual carrying out of this Act. Returns.

38A. The Governor General in Council may make rules for the adequate disinfection of wool used in factories which may be infected with anthrax spores. Rules for prevention of anthrax.

39. (1) The power to make rules conferred by section 37, except clauses (k), (l) and (m) of subsection (2) thereof, and by sections 38 and 38A is subject to the condition of the rules being made after previous publication. Prior publication of rules.

(2) The date to be specified in accordance with clause (3) of section 23 of the General Clauses Act, 1897, as that after which a draft of rules proposed to be made under sections 37, 38 and 38A will be taken into consideration, shall not be less than three months from the date on which the draft of the proposed rules was published for general information.

40. Rules made under this Chapter shall be published in the local official Gazette or the *Gazette of India*, as the case may be, and shall thereupon have effect as if enacted in this Act. Commencement of rules.

## CHAPTER VIII.

### PENALTIES AND PROCEDURE.

41. If in any factory— Penalties.

(a) any person is employed or allowed to work contrary to any of the provisions of this Act ;



(Chap. VIII.—Penalties and Procedure.  
Sec. 42.)

(b) any of the provisions of section 9 are not complied with;

(c) latrine or urinal accommodation in accordance with the provisions of section 13 is not provided;

(d) a supply of water for the persons employed is not maintained in accordance with the provisions of section 14;

(e) any door is constructed in contravention of section 15;

(f) any of the provisions of section 18, subsections (1), (3) and (4), regarding fencing and the protection from danger of persons employed in attending to the machinery, electrical fittings or boilers are not complied with;

(g) any order of an inspector under section 10, section 11, section 12, section 16, section 18, section 18A or section 19B is not complied with;

(h) the register prescribed by section 35 is not kept up to date;

(i) any of the provisions of section 36 are not complied with;

(j) any notice or return required by this Act or by rules made thereunder to be furnished is not furnished;

the occupier and manager shall be jointly and severally liable to a fine which may extend to five hundred rupees:

Provided that in cases where an appeal is allowed by section 50 no prosecution under clause (g) of this section shall be instituted until either the time prescribed by section 50 for the presentation of an appeal has expired or such appeal, if made, has been determined.

Exemption of occupier or manager from

42. (1) Where the occupier or manager of a factory is charged with an offence against this Act, he shall be entitled upon complaint duly made by

(Chap. VIII.—Penalties and Procedure.  
Sec. 43.)

him to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the occupier or manager of the factory proves to the satisfaction of the Court—

liability  
in certain  
cases.

(a) that he has used due diligence to enforce the execution of this Act, and

(b) that the said other person committed the offence in question without his knowledge, consent or connivance,

that other person shall be convicted of the offence and shall be liable to the like fine as if he were the occupier or manager and the occupier or manager shall be discharged from any liability under this Act.

(2) When it is made to appear to the satisfaction of the inspector at any time prior to the institution of the proceedings—

(a) that the occupier or manager of the factory has used all due diligence to enforce the execution of this Act, and

(b) by what person the offence has been committed, and

(c) that it has been committed without the knowledge, consent or connivance of the occupier or manager and in contravention of his orders,

the inspector shall proceed against the person whom he believes to be the actual offender without first proceeding against the occupier or manager of the factory, and such person shall be liable to the like fine as if he were the occupier or manager.

43. Any person who—

Penalties  
for certain  
offences.

(a) wilfully obstructs an inspector in the exercise of any power under section 5, or fails to produce on demand by an inspector any registers or other

(Chap VIII.—Penalties and Procedure.  
Secs. 43A—45.)

documents kept in pursuance of this Act or the rules made thereunder, or conceals or prevents or attempts to prevent any person employed in a factory from appearing before or being examined by an inspector;

(b) smokes, or uses a naked light, or causes or permits any such light to be used, in the immediate vicinity of any inflammable material in contravention of section 17; or

(c) does or omits to do any other act prohibited or prescribed by this Act or any order or rule made thereunder;

shall be punishable with fine which may extend to five hundred rupees.

Power of Court to pay compensation out of fine.

**43A.** Where under this Act a Criminal Court imposes a fine or confirms in appeal, revision or otherwise, a sentence of fine in respect of an offence causing bodily injury or death, the Court may, when passing judgment, order the whole or any part of the fine recovered to be paid as compensation to the person injured or, in the case of his death, to his legal representative :

Provided that, if the fine is imposed in a case which is subject to appeal, no such payment shall be made before the period allowed for presenting the appeal has elapsed, or, if an appeal has been presented, before the decision of the appeal.

Using false certificate.

**44.** Any person who knowingly uses or attempts to use, as a certificate granted to himself under section 7 or section 8, a certificate granted to another person under either of those sections, or who having procured such a certificate, knowingly allows it to be used, or an attempt to use it to be made, by another person, shall be punishable with fine which may extend to twenty rupees.

Limit to penalty in case

**45.** A person shall not be liable in respect of a repetition of the same kind of offence from day to

(Chap. VII.—Penalties and Procedure.  
Secs. 46—48.)

day to any larger amount of fines than the highest fine fixed by this Act for the offence, except—

of repetition of offence.

(a) where the repetition of the offence occurs after a prosecution has been instituted in respect of the original offence, or

(b) where the offence is one of employing or allowing to be employed two or more persons contrary to the provisions of this Act.

46. If a child over the age of six years is found inside any room or part of a factory in which room or part children are employed and in which any manufacturing process or work incidental to any manufacturing process is being carried on, he shall until the contrary is proved, be deemed to be employed in the factory.

Presumption as to employment.

47. (1) When an act or omission would, if a person were under or over a certain age, be an offence punishable under this Act, and such person is in the opinion of the Court apparently under or over such age, it shall be on the accused to prove that such person is not under or over such age.

Evidence as to age.

(2) A declaration in writing by a certifying surgeon that he has personally examined a person employed in a factory and believes him to be under or over the age set forth in such declaration shall, for the purposes of this Act, be admissible as evidence of the age of that person.

48. (1) No prosecution under this Act except a prosecution under section 43, clause (b), shall be instituted except by or with the previous sanction of the inspector.

Cognizance of offences.

(2) No Court inferior to that of a Presidency Magistrate or of a Magistrate of the first class shall try any offence against the Act or any rule or order thereunder, other than an offence against section 43, clause (b) or section 44.

(*Chap. VIII.—Penalties and Procedure. Sec. 49.*  
*Chap. IX.—Supplemental Provisions.*  
*Sec. 50.*)

Limita-  
tion of  
prosecu-  
tions.

49. No Court shall take cognizance of any offence against this Act or any rule or order thereunder, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed.

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## CHAPTER IX.

### SUPPLEMENTAL PROVISIONS.

Appeals.

50. (1) Any person on whom an order under section 10, section 11, section 12, section 16, section 18, section 18A or section 19A has been served may, within fourteen days from the date of service of the order, appeal against such order to the Local Government or to such authority as it may appoint in this behalf, who may confirm, modify or reverse any such order. \*

(2) Where an inspector refuses to approve a system of shifts, he shall, if required by the manager of the factory, record his order of refusal with the reasons therefor, and the manager of the factory may, within fourteen days from the date of such order, appeal against it to the Local Government or to such authority as it may appoint in this behalf, who may confirm, modify or reverse any such order.

(3) In the case of any appeal under sub-section (1) the appellate authority may, and if so requested by the appellant in the petition of appeal shall, hear the appeal with the aid of two assessors, one of whom shall be appointed by the said authority and the other by such body representing the interest of the industry concerned as the Local Government may in this behalf prescribe:

( Chap. IX.—*Supplemental Provisions.**Sec. 51.*)

Provided that if no assessor is appointed by such body within the prescribed period, or if the assessor so appointed fails to attend at the time and place fixed for the hearing of the appeal, the said authority may proceed to hear the appeal without the aid of such assessor, or, if it thinks fit, without the aid of any assessor.

(4) Except in the case of an appeal against an order under section 19A, the appellate authority may, on the application of the appellant, suspend the operation of an order of the inspector pending the decision of the appeal. But where no such suspension has been granted, such order shall be complied with notwithstanding the fact that an appeal has been presented.

51. (1) In respect of any area in which the hours of the day are not ordinarily reckoned according to local mean time, the times and hours referred to in section 2, sub-section (8), section 26 and section 36 shall be reckoned according to the standard of time ordinarily observed in such area.

Special provision regarding computation of time.

(2) The local Government may, by notification in the Local official Gazette, direct that, for any specified area and during any specified months, for the morning and evening hours mentioned in section 23, clause (b), and section 24, clause (a), such one of the following sets of morning and evening hours, as it deems suitable, reckoned according to the standard of time ordinarily observed in such area, shall be substituted, namely :

five o'clock in the morning and half past six o'clock in the evening ;

six o'clock in the morning and half past seven o'clock in the evening ;

half past six o'clock in the morning and eight o'clock in the evening ;

( Chap. IX.—Supplemental Provisions.  
Secs. 52—59. )

seven o'clock in the morning and half past eight o'clock in the evening.

Computation of hours of employment.

**52.** In computing the hours referred to in section 23, clause (c), section 24, clause (b), section 27, section 28 and section 31, any interval by which work is interrupted for half an hour or more shall be excluded.

Power to declare parts of a factory to be separate factories.

**53.** The Local Government may, subject to the control of the Governor General in Council, by special order in writing, direct with respect to any factory or class of factories, that different branches or departments of work carried on in the same factory shall for all or any of the purposes of this Act be treated as if they were separate factories.

Application to Crown factories.

**54.** This Act shall apply to factories belonging to the Crown.

**55.** *Repealed.*

Power to exempt from Act.

**56.** In case of any public emergency, the Local Government may, by an order in writing, exempt any factory from this Act to such extent and during such period as it thinks fit.

Exercise of powers by Governor General in Council.

**57.** The Governor General in Council may, if he thinks fit, exercise any power which is by this Act conferred upon the Local Government.

Protection to persons acting under Act.

**58.** No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

**59.** *Repealed.*

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(The Schedule. Parts I and II.)

## THE SCHEDULE.

(See Section 19B.)

### PART I.

1. Work at a furnace where the reduction or treatment of zinc or lead ores is carried on :
2. The manipulation, treatment, or reduction of ashes containing lead, the desilverising of lead or the melting of scrap lead or zinc :
3. The manufacture of solder or alloys containing more than ten per cent. of lead :
4. The manufacture of any oxide, carbonate, sulphate, chromate, acetate, nitrate, or silicate of lead :
5. Mixing or pasting in connection with the manufacture or repair of electric accumulators :
6. The cleaning of work-rooms where any of the processes aforesaid are carried on.

### PART II.

1. Where dust or fume from a lead compound is produced in the process, provision must be made for drawing the fume or dust away from the persons employed by means of an efficient exhaust draught so contrived as to operate on the dust or fume as nearly as may be at its point of origin :
2. The persons employed must undergo the prescribed medical examination at the prescribed intervals, and the prescribed record must be kept with respect to their health :
3. No food, drink, or tobacco, shall be brought into, or consumed in, any room in which the process is carried on, and no person shall be allowed to remain in any such room during meal times :
4. Adequate protective clothing in a clean condition shall be provided by the employer and worn by the persons employed :



5. Such suitable cloak-room, mess-room and washing accommodation as may be prescribed shall be provided for the use of the persons employed.

6. The rooms in which the persons are employed, and all tools and apparatus used by them, shall be kept in a clean condition.

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## ACT NO. IX OF 1923.

(PASSED BY THE INDIAN LEGISLATURE.)

(Received the assent of the Governor General on the 5th  
March 1923.)

An Act further to amend the Indian Factories Act, 1911.

Whereas it is expedient further to amend the Indian Factories Act, 1911; it is hereby enacted as follows:—

1. This Act may be called the Indian Factories (Amendment) Act, 1923.
1911. 2. To section 22 of the Indian Factories Act, 1911 (hereinafter referred to as the said Act), the following sub-section shall be added, namely:—  
Addition of new sub-section to section 22, Act XII of 1911.  
1911.

“(2) Where, in accordance with the provisions of sub-section (1), any person is employed on a Sunday in consequence of his having had a holiday on one of the three days preceding that Sunday, that Sunday shall, for the purpose of calculating the weekly hours of work of such person, be deemed to be included in the preceding week.”

3. In section 37 of the said Act, for clause (j) of sub-section (2) the following clause shall be substituted, namely:—  
Amendment of section 37, Act XII of 1911.

“(j) the parts of the machinery and electrical fittings to be kept fenced in accordance with section 18, sub-section (1), clause (c), and the provisions to be made for the protection from danger of persons employed in attending to the machinery, electrical fittings or boilers.”

4. In clause (g) of section 41 of the said Act, for the figures and letter “19B” the figures and letter “19A” shall be substituted.  
Amendment of section 41, Act XII of 1911.

5. Sub-section (2) of section 50 of the said Act shall be omitted.  
Amendment of section 50, Act XII of 1911.

*Errata to the Indian Factories Act, 1911 (XII of 1911), as amended by the Indian Factories Amendment Act, 1922 (II of 1922).*

In section 1 (3), read “1912” for “1922”.

In the marginal note of section 26, read “persons” for “women and children”.

In section 36 (2), omit the words “within one month of the commencement of this Act, or, in the case of a factory which starts work after the commencement of this Act”.

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**REVISED RULES UNDER THE INDIAN FACTORIES  
(AMENDMENT) ACT, 1922.**

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*Rules under the Indian Factories Act, 1911 (XII of 1911), as amended by the Indian Factories (Amendment) Act, 1922 (II of 1922).*

### GENERAL DEPARTMENT.

Bombay Castle, 1st July 1923.

No. 2343-D.—In exercise of the powers conferred by section 37 of the Indian Factories Act, 1911 (XII of 1911), as amended by the Indian Factories (Amendment) Act, 1922 (II of 1922), and in supersession of Government Notification in the General Department No. 3099-A., dated 15th May 1912, the Governor in Council is pleased to make the following rules with effect from the 1st July 1923 for the purposes of carrying into effect the provisions of the said Act :—

### RULES.

#### DEFINITIONS.

1. These rules and orders may be cited as the Factories (Amended) Rules, Bombay, 1923.
2. In these rules and orders :—
  - (a) "The Act" means the Indian Factories Act of 1911 as amended by the Indian Factories (Amendment) Act, 1922.
  - (b) Words and expressions defined in the Act shall be deemed to have the same meaning as in the Act.
  - (c) "Inspector" means the Inspector appointed under section 4, subsection (1) of the Act, except in so far as the Local Government by notification in the local official Gazette may direct otherwise.
  - (d) "Transmission machinery" includes every shaft, wheel, drum or pulley (including any system of fast and loose pulleys), coupling, clutch, strap, band, belt, chain, rope or other device incidental to the transmission of motion between any prime-mover and any machine or appliance, or by means of which the machine or appliance receives its motion.
  - (e) "District Magistrate" includes the Director of Industries, Bombay who shall be considered for the purpose of these rules and orders to be District Magistrate for the Island of Bombay.

#### INSPECTION.

##### *Section 37 (2) (a).*

3. The Inspector shall be primarily responsible for the administration of the Act within such area as is assigned to him by the Director of Industries. He shall inspect every factory other than a seasonal factory within the area at least twice yearly and every seasonal factory within the area at least once during each season of work. He shall also make such further inspections as may appear to be necessary to him or to the authority to whom he is subordinate in order that he may satisfy himself that the provisions of the Act and of these rules are duly observed.

4. The manager of each factory shall maintain a bound inspection book and shall produce it when so required by the Inspector or Certifying Surgeon. A list (in Form J) of the exemptions granted to the factory shall be posted in it.

5. (a) In addition to and without prejudice to any other powers or duties which the Inspector may exercise under the Act or rules he shall at each inspection of a factory satisfy himself :—

- (1) that the provisions made in the Act and rules to secure the health and safety of the operatives are observed ;
- (2) that the children employed in the factory have been duly certified and that none are employed who are obviously unfit ;
- (3) that the register of all the persons employed in such factory of their hours of work and of the nature of their employment is kept in the prescribed Form D ;
- (4) that the periodical stoppages of work and the holidays, provided by the Act are granted and that the limits of hours of work laid down therein are not exceeded ;
- (5) that the provisions of section 31 and of the rules relating to the payment of overtime are duly observed in factories exempted from the provisions of section 27 ;
- (6) that the abstracts and notice (Form C) required by section 36 of the Act are duly affixed and that the registers required by these rules are properly maintained.

(b) He shall further enquire into the cause of all accidents which have taken place since the last inspection.

(c) Finally he shall note how far the defects pointed out at previous inspections have been removed and how far orders previously issued have been complied with. A note of all defects and illegalities discovered together with orders for their remedy or removal passed by him under the Act or these rules shall then be prepared in triplicate. One copy shall be entered in the inspection book. In confirmation of such orders the Inspector shall subsequently send to the occupier or manager a note of all defects and illegalities discovered in Form O and a copy of the said list shall be sent, at the same time, to the District Magistrate concerned, and to the authority to whom the Inspector is subordinate.

6. When in any area an inspection is made by the District Magistrate or an Additional Inspector, he shall follow as far as it is applicable the procedure noted above and shall send a copy of his orders and remarks to the Inspector appointed under section 4, sub-section (1) of the Act.

7. The Inspector shall keep a file of the records of his inspections in Form N and of any other inspection made by other officers and shall submit to the authority to whom he is subordinate for the purposes of this Act, on the tenth day of each month, a diary in Form M accompanied by Form N, showing the work done in the preceding month. A copy of the said diary shall be retained by the Inspector.

8. In the case of factories situated in places coming under the Municipal Act, if it appears that there has been a disregard of the provisions of any Municipal or other local Act relating to sanitary arrangements, removal of objectionable rubbish, the cleaning and fencing of water tanks or the like matters, the Inspector shall, without prejudice to any action which he is empowered to take under the Act and rules, draw the attention of the Health Officer or Sanitary Inspector of the Municipality to the breach of the sanitary regulations in question.

DUTIES OF A CERTIFYING SURGEON AND OF PERSONS AUTHORISED TO EXERCISE HIS FUNCTIONS.

*Section 37 (2) (c) and (d).*

9. (a) The duties of a Certifying Surgeon and of a person authorised under section 8 of the Act to exercise his functions shall comprise the examination of children desirous of being employed and the re-examination of children in respect of whom a notice under section 8-A has been served upon the manager, and who desire to be re-employed. Certificates of age and fitness shall be given to such children as are found qualified to receive them. No fee shall be charged for such examination or for the grant of a certificate in pursuance thereof.

(b) The Certifying Surgeon or person authorised as aforesaid shall fix suitable places and times for the attendance of persons wishing to obtain certificates of age and physical fitness. Notice of the place and the times thus fixed shall be given to the managers of factories within the local limits for which he is appointed.

10. (1) Every Certifying Surgeon shall keep a bound book containing certificates in Form E in foil and counterfoil. The forms shall be numbered consecutively and shall be printed on cloth-backed paper.

(2) Every certificate granted under section 7 of the Act to a person desirous of being employed in a factory shall be prepared by filling up the foil and counterfoil, on which shall also be impressed the left thumb mark of the person in whose name the certificate is granted.

(3) The Certifying Surgeon shall, when satisfied as to the correctness of the entries made therein, sign the foil and initial the counterfoil, and shall deliver the foil to the person in whose name the certificate is granted. The foil so delivered shall be the certificate granted under section 7 of the Act.

(4) If the Certifying Surgeon refuses to grant to any person a certificate under this rule, no fresh application for a certificate shall be made on behalf of such person until a period of three months has elapsed, unless the Certifying Surgeon otherwise gives permission in writing at the time of refusing to grant the certificate.

(5) A Certifying Surgeon revoking a certificate under section 7, subsection (2), shall cause the word "*revoked*" to be stamped in red ink on the foil and counterfoil.

11. Every person authorised under section 8 of the Act to exercise provisionally the functions of a Certifying Surgeon shall grant certificates in the manner provided for in the last foregoing rule. The word "Provisional" shall be printed or stamped in red ink at the top of each foil and counterfoil.

12. (1) When a person, to whom a certificate under section 7 of the Act has been granted, loses such certificate, he may apply to the Certifying Surgeon for a copy of the certificate, and the Certifying Surgeon, after making such enquiry as he deems fit from such person's employer (or if unemployed from such person's last employer) and from other sources, may grant a duplicate thereof. The word "Duplicate" shall be clearly written in red ink across such certificate and initialled by the Certifying Surgeon. The counterfoil in the bound book of forms shall be similarly marked "Duplicate" and initialled.

(2) For every copy of a certificate granted under clause (1) of this rule, a fee of eight annas shall be charged, which shall be credited to Government. The Certifying Surgeon shall maintain a register in Form F of all fees paid for the issue of copies of certificates, and shall initial each entry made therein.

(3) No duplicate of a certificate granted under section 7 of the Act shall be granted to any person otherwise than in accordance with the provisions of this rule.

13. (1) The Certifying Surgeon shall ordinarily visit every factory within the local limits for which he is appointed, in which children are known to be employed, at least once in four months and shall give previous notice of his visits. At each of these visits the manager shall produce before him at such time as the Certifying Surgeon may fix all children employed in the factory, whether actually at work or not, who are not in possession of certificates granted under section 7 of the Act.

(2) The Certifying Surgeon shall personally examine every child, who is in possession of a "Provisional" certificate, granted under section 8, and shall, if satisfied that a certificate should be granted, destroy the provisional certificate and issue his own certificate in place of it.

(3) If on such examination the Certifying Surgeon is of opinion that the person in possession of a "Provisional" certificate, granted under section 8, is under the age of twelve years or is not fit for employment in a factory, he shall impound the certificate, write on it the word "Cancelled" and sign the same, and shall forward the certificate with such remarks, if any as he may offer to the Inspector of Factories for information, and inform the person who issued it.

14. The Certifying Surgeon at his periodical visits shall satisfy himself as to the fitness of the children employed in the factory and shall revoke the certificates of any whom he deems to be unfit.

15. The Certifying Surgeon shall enter in the inspection book a note detailing the results of each visit to the factory. A copy of this note shall be forwarded to the Inspector and to the authority to whom the Certifying Surgeon is subordinate for the purposes of this Act.

#### SANITARY CONDITIONS.

##### *Section 37 (2) (e).*

16. In every factory all the inside walls of the rooms and all the ceilings or tops of such rooms (whether such walls, ceilings or tops be plastered or not), and all the passages and staircases shall be limewashed at least once in each year, dating from the period when last limewashed. All the beams, rafters, doors, window-frames and other wood-work with the exception of floors shall be either limewashed at least once a year dating from the period when last limewashed or shall be painted or varnished once in seven years dating from the period when last painted or varnished and shall be kept in a cleanly state. The dates on which limewashing, painting or varnishing is carried out shall be duly entered in Form G, which shall be shown to the Inspector when required.

17. Rule 16 shall not apply to the following :—

- (i) Rooms used only for the storage of articles ;
- (ii) walls or tops of rooms which are made of galvanised iron, tiles or glazed bricks ;
- (iii) rooms in which manufacturing process is carried on in any gas works, forage presses, chemical works and cement factories ;
- (iv) engineering workshops or founderies in which 2,000 cubic feet of air space is provided for each person employed ;
- (v) walls in oil mill's below a height of 5 feet from the ground ;
- (vi) any other factory or parts thereof in which limewashing or painting is in the opinion of the Local Government unnecessary to satisfy the requirements of section 9 (a) of the Act as to cleanliness.

18. No rubbish, filth or *debris* shall be allowed to accumulate or to remain on any premises in a factory in such a position that effluvia therefrom can arise within the factory.

19. The compound surrounding every factory shall be maintained in a strictly sanitary and cleanly condition.

20. Proper arrangements shall be made for maintaining in a clean and drained condition the area round the place where drinking water is distributed to the operatives.

#### PREVENTION OF OVERCROWDING.

##### *Section 37 (2) (f).*

21. Particulars of each room of the factory in which persons are regularly employed shall be entered in Form H, which shall be shown to the Inspector when required.



## PROVISION OF SANITARY ACCOMMODATION.

*Section 37 (2) (h).*

22. (1) Every factory which has not been exempted under the proviso to section 13 shall be provided with latrine accommodation on the scale given below.

Except with the written permission of the inspector such latrine accommodation shall be in a place detached from the other factory buildings :—

	Seats.
Where the number of operatives does not exceed 20	1
Where the number of operatives exceeds 20 but does not exceed 35	2
Where the number of operatives exceeds 35 but does not exceed 50	3
Where the number of operatives exceeds 50 but does not exceed 150	4
Where the number of operatives exceeds 150 but does not exceed 200	5
Where the number of operatives exceeds 200	1 seat for every 50 or fraction of 50

(2) If females are employed, separate latrines screened from those of males and marked in the vernacular in conspicuous letters "for women only" shall be provided. Those for males shall be similarly marked "for men only".

(3) In factories which employ more than 100 hands and which do not provide flushing arrangements in the latrines, one urinal shall be provided for every 100 operatives or fraction of 100.

23. The walls of latrines shall be limewashed or colourwashed inside and out at least twice a year and the date of limewashing or colourwashing shall be noted in Form G.

*Proviso.*—This rule does not apply to latrines made of corrugated iron or to tiled latrines or to any class of latrine exempted by special order of the Inspector.

24. All latrines and urinals shall be kept in a sanitary state.

25. If in the opinion of the Inspector, in the case of a factory situated in a place detached from other buildings and from which access to the open country on at least two sides of it is obtainable, such latrine accommodation is unnecessary to ensure the health of the operatives, or to prevent a local nuisance, he may exempt such factory from the provisions of rules 22 to 24, by order in writing kept in Form J.

**DRINKING WATER.***Section 37 (2) (i).*

26. Drinking water shall in all cases be supplied to the employees free of cost.

27. Wherever practicable, drinking water shall be supplied—

- (a) from taps connected with any public water-supply from which a sufficient supply of water can at all times be drawn as required, or
- (b) from a well or wells so situated as not to be polluted or contaminated with organic matter or impurities.

28. If in any factory, it is not practicable to supply water in accordance with the methods prescribed by rule 27, or if the public water-supply is intermittent, then there shall be provided a storage of water, fit for drinking, supplying at least as many gallons per day as there are persons employed in the factory.

**PROVISION OF MEANS OF ESCAPE IN CASE OF FIRE.***Section 16 and section 37 (1).*

29. Every building of more than one storey shall be provided with at least two sets of stairs or steps permanently fixed either inside or outside the building so as to afford direct and unimpeded access from every part of the factory to the ground level and such stairs shall be provided with a suitable and sufficient hand rail or other convenient support.

30. In factories of more than one storey every window or door giving access to an external staircase shall be so arranged as to open immediately from the inside.

31. Notwithstanding anything contained in rule 29, ginning factories shall be provided with at least two suitable earthen ramps or two flights of stairs made of brick-work or other fire resisting material.

**FENCING AND GUARDING OF MACHINERY.***Section 37 (2) (j).*

32. The following parts of transmission machinery shall be securely fenced if in motion and likely to cause danger :—

- (i) All shafts, couplings, collars, clutches, toothed wheels, pulleys, driving straps, chains and ropes, except such as are in the opinion of the Inspector by construction or position equally safe to every person employed as they would be if securely fenced or guarded.
- (ii) All projecting set screws, keys, nuts or bolts on revolving parts, except such as are countersunk or otherwise made equally safe.
- (iii) The underside of all heavy overhead main driving belts or ropes if there is any probability of persons having to pass under them.

## TEXTILE FACTORIES.

33. (i) Cotton openers, combined openers and scutchers, scutchers and lap-machines, hard waste breakers and similar machines and spinning mules shall be driven from counter-shafts which must be provided with fast and loose pulleys and efficient belt shifters.

(ii) In all openers, combined openers and scutchers, scutchers, scutcher-lap machines, hard waste breakers and similar machines, the cover of the beaters and doors which give access to any dangerous parts of the machines shall be secured by a self-locking apparatus maintained in efficient order in such a manner as to make it impossible to open such cover or door when the machine is working. A similar device shall be applied to the doors or casings over the jack box motion and adjacent parts of all slubbing, intermediate and roving frames set up after the date of the introduction of Act XII of 1911.

(iii) In all openers, combined openers and scutchers, scutchers, scutcher-lap machines, hard waste breakers and similar machines, the door giving access to the dust chamber shall be provided with guards which shall, while admitting light, yet prevent contact between any portion of an operative's body and the beater grid bars.

34. Every ring-throstle-frame, flyer-throstle-frame and doubling frame, the tin rollers of which revolve in the usual direction, *i.e.*, in such a manner as to draw upwards between them any object coming into contact with them from beneath, shall be guarded in the following manner :—

- (i) A guard or guards shall be permanently fixed along the whole length of each side of every such frame and not further under the frame than the outer edge of the spindle rail.
- (ii) These guards shall consist of strong horizontal iron bars not less than one and a quarter inches in width and one-quarter of an inch in thickness secured to suitable uprights spaced not more than four feet apart; the bars should be so placed that the vertical space between the topmost bar and the bottom of the spindle rail and between the lowest bar and the floor and between any bar and the next bar shall be not more than six inches. If any line of bars consists of more than one piece, the pieces forming the line shall overlap each other by at least two and a half inches and shall be effectively secured.
- (iii) Whenever under the tail-end of any such frame there is a clear space exceeding 8 inches from the floor, a like guard shall similarly be fixed midway across such end.
- (iv) Every such frame erected after 1st July 1915 shall be guarded in the above manner before being brought into use. In the case of frames erected before this date, the existing guards may be retained only so long as they shall not become insecure and require renewal. No new guards of any but the approved pattern shall be fitted to any frame whatever.

35. In respect of carding machines :—
- (i) All feed roller wheels and doffer wheels, side shaft wheels, calender wheels and coiler wheels shall be efficiently fenced.
  - (ii) Licker-in covers shall be screwed down so that they cannot readily be lifted while the machine is in motion.
36. In respect of calendering machines :—
- All calendering machines shall be provided with an efficient 'nip' guard along the whole length on the intake side of each pair of bowls, and shall be so fitted and maintained while the machine is in use as to prevent access of any person's fingers to the point of contact of the rollers or bowls.
37. All belts and hoist ropes or chains shall be regularly examined to see that they are at proper tension.

#### ADDITIONAL FENCING IN GINNING FACTORIES.

38. In addition to the provisions of anything hereinbefore contained, the following special provisions shall apply to cotton ginning factories to the extent therein indicated :—
- (a) The line shaft or second motion in cotton ginning factories when below floor level shall be completely enclosed by a continuous wall or unclimbable fencing with only so many openings as are necessary for access to the shaft for removing cotton seed, cleaning and oiling; and such openings shall be provided with gates or doors which shall be kept closed and locked.
  - (b) The toothed rollers of the opener shall be guarded by securely fixing across the machine a strong wooden plank or metal guard so fixed that in no circumstances can a person's hand get into the rollers.
  - (c) The spur gearing at the side of the opener shall be completely covered by a strong metal guard.
  - (d) The crank shaft pulleys and roller-pulleys of all gins shall be securely guarded by strong box guards and hinged top covers.
  - (e) All ginning machines and openers shall be provided with fast and loose pulleys and efficient belt shifters.

#### PROTECTION OF PERSONS ATTENDING TO MACHINERY OR BOILERS.

39. As far as possible all important pulleys shall be provided with belt hangers :
- Provided that when the main belts of any machinery have to be adjusted the machinery shall be stopped and shall not be set in motion again, until such belts have been completely adjusted.
40. Replacing or adjusting of fast running belts shall be done only by an experienced and specially trained person.

41. All ladders used in replacing belts shall be specially made and reserved for that work and provided with hooks or an effective non-skid device.

42. Every person who goes up to replace a belt or to oil bearings of shaft shall wear a tight loin cloth or tight trousers, and shall not wear any loose clothing which is liable to be caught in the machinery. The tight loin cloth or tight trousers shall be provided by the occupier free of cost. A dhotie wrapped round the body in any manner shall not be deemed to be a loin cloth within the meaning of this rule.

43. All kiers, digesters or steam jacketed pans or other vessels worked under pressure shall be fitted with safety valves and pressure gauges.

REST INTERVAL.

*Section 21 and section 37 (1).*

44. On receiving a request from not less than one-quarter of the adult employees in any factory asking that the provisions of section 21 (1) (a) (ii) shall apply to the factory, the Inspector shall take steps to ascertain the desire of all the adult employees. If he is satisfied that not less than three-quarters of the adult employees desire that the provisions of section 21 (1) (a) (ii) should apply, he shall record the fact in the Inspection Book under his signature, together with a brief account of the steps taken to ascertain the wishes of the employees.

45. Where no entry signed by the Inspector under Rule 44 has been made in the Inspection Book the provisions of section 21 (1) (a) (i) shall apply to the factory.

46. Where in any factory to which the provisions of section 21 (1) (a) (i) apply the Inspector is satisfied that not less than three-quarters of the adult employees desire that that section should no longer apply, he shall record the fact in the Inspection Book under his signature together with a brief account of the steps taken to ascertain the wishes of the employees. Section 21 (1) (a) (ii) shall thenceforth cease to apply to that factory.

HOLIDAYS.

*Section 22 and sections 37 (1) and 38.*

47. Before the end of each calendar month a return shall be sent to the Inspector of the area in which the factory is situated giving notice of all the days on which the factory will be closed during the succeeding month and this return shall be submitted whether the factory is or is not working during the calendar month preceding the one to which the return relates, and if any change of date is subsequently made notice shall be given to the Inspector accordingly.

*Revised Rules under the Indian***EMPLOYMENT OF CHILDREN.***Section 23 and section 37 (1).*

48. Where under the provisions of section 23 (a) of the Act a child at work wears a token instead of a certificate, the token shall have the number of the child in the General Register (Form D) stamped upon it.

**EMPLOYMENT OF MEN IN MORE THAN ONE FACTORY.***Section 25 and section 37 (1).*

49. The Inspector may sanction the employment of men in more than one factory on the same day if he is satisfied that such men—

(a) are not employed for more than ten hours in all in any one day.

(b) receive the weekly holiday prescribed by section 22.

50. A note, under the initials of the Inspector, shall be made in the remarks column of Part I of the General Register (Form D) against all men permitted to work in more than one factory under the preceding rule.

**PERSONS EXEMPTED UNDER SECTION 29.**

51. The persons specified in the Schedule below shall be deemed to hold positions of supervision or management.

**SCHEDULE.**

List of persons deemed to hold positions of supervision or management in factories (Rule 51).

*I. All Factories.*

Manager.  
Assistant Manager.  
Departmental heads and Assistants.  
Engineer and certificated Assistants.  
Electrical Engineer.  
Head Storekeeper and Assistants.  
Boiler Serang.  
Technical experts.

*II. Engineering Workshops.*

Foremen.  
Inspectors.  
Chargemen.  
(in addition to persons in the list "I. All factories", above).

*III. Spinning and Weaving Mills.*

*Engineering Department.*  
Foremen Mechanics.

*Card-room and Spinning Departments.*

Head Jobbers.

Jobbers.

*Weaving Department.*

Head Jobbers.

Jobbers.

Overseers.

*Dyeing, Bleaching, Calendering and Finishing Departments.*

Overseers.

(in addition to persons in the list "I. All factories", above).

52. All clerks, accountants and time-keepers shall be deemed to be employed in a confidential capacity.

53. A list showing the names and designations of all persons to whom the provisions of section 29 of the Act have been applied shall be maintained in every factory.

REGISTERS AND RETURNS.

*Sections 33, 35, 36 and 38.*

54. The written notice prescribed under section 33 of the Act shall be in the Form B.

55. The register prescribed under section 35 of the Act shall be in the Form D, shall be written up afresh from 1st January in each year, and shall always be available for inspection.

56. The notice and return prescribed under section 36 of the Act shall be in the Form C.

57. The abstract of the Act and rules required by section 36 of the Act to be affixed shall be in Form R.

58. The manager of every factory other than a cotton ginning and pressing factory shall furnish to the inspector of the area in which the factory is situated on or before January 15th in each year an annual return in duplicate in Form A.

59. The manager of every cotton ginning or pressing factory shall submit the annual return in Form A either before the 15th of January in each year or, if requested in writing by the Chief Inspector, within fifteen days of the close of the working season.

ACCIDENTS.

*Section 34 and section 37 (2) (j) and (k).*

60. Notices of accidents resulting in death or causing such severe injury that there is no reasonable hope that the injured person will

be able to return to work within 48 hours, shall be sent by telegram, telephone or by special messenger within one hour of the occurrence to—

- (i) the Inspector of the area in which the factory is situated, and
- (ii) the District Magistrate or if he by general order so directs the Sub-Divisional Magistrate.

61. In case of any accident resulting in death, notice shall also be sent within the same time and by similar agency to the office in charge of the police station for the area in which the factory is situated.

62. If in the case of an accident, the injured person dies within seven days of the accident, information of his death whenever possible shall be sent by telegram, telephone or by special messenger within 24 hours of the occurrence to—

- (i) the Inspector,
- (ii) the District Magistrate or if he by general order so directs the Sub-Divisional Magistrate, and
- (iii) the officer in charge of the police station for the area in which the factory is situated.

63. If the notice is sent by special messenger, it shall be in Form F and if it is sent by telegraph or telephone, it shall be confirmed by a written report in that Form.

64. Notices of accidents of a minor character, but which nevertheless prevent the injured person from returning to work within 48 hours of the occurrence, shall be given in the same Form K within 24 hours of the expiry of that time to both the Inspector and the District Magistrate or if the latter by general order so directs, the Sub-Divisional Magistrate

65. If the Inspector has reason to believe that a fatal or serious accident has occurred in any factory, whether he has received a notice under section 34 of the Act or not, the Inspector shall proceed to make an investigation either by himself or in co-operation with any official deputed by the District Magistrate or the Police authorities, or with both, in order to determine as soon as possible the cause of and responsibility for the accident. If it should be found that the death or serious injury resulted from the occupier or manager of the factory or other person having neglected to observe any provision of this Act or rule or order made thereunder the Inspector shall, if he considers that a prosecution should be instituted under the Act, give the previous sanction in writing required by section 48, and forward the same to the District Magistrate with a request that a prosecution may be instituted. If the Inspector considers that action should be taken under the Indian Penal Code, he shall record his opinion and send it to the District Magistrate for such action as he may think fit.



At the same time he shall record his opinion whether, if in the event of the accused being convicted and fined, any portion of the fine recovered should be given to the person injured or his dependents by the Court in the manner contemplated by section 43A of the Act or under section 545 of the Criminal Procedure Code, as the case may be.

**PROCEDURE IN APPEALS.**

*Section 37 (2) (n).*

66. An appeal presented under section 50 of the Act shall lie to the Chief Inspector of Factories or in cases where the order appealed against is an order passed by that officer, to the District Magistrate, and shall be in the form of a memorandum setting forth concisely the grounds of objection to the order and bearing a Court fee stamp in accordance with article 11 of Schedule II of the Court Fees Act, and shall be accompanied by a copy of the order appealed against. The Millowners' Associations at Bombay and Ahmedabad in the case of the textile industry and the Chambers of Commerce, Bombay and Karachi, in respect of other industries are hereby prescribed as the bodies empowered to appoint one of the two assessors referred to in sub-section (3) of the same section.

67. On receipt of the memorandum of appeal the appellate authority shall, if it thinks fit or if the appellant has requested that the appeal should be heard with the aid of assessors, call upon the body, if any, declared to be the body representative of the industry concerned under sub-section (3) of section 50 of the Act, to appoint an assessor within a period of 14 days. If an assessor is nominated by such body the appellate authority shall appoint a second assessor itself. It shall then fix a date for the hearing of the appeal and shall give due notice of such date to the appellant and to the Inspector whose order is appealed against, and shall call upon the two assessors to appear upon such date to assist in the hearing of the appeal.

68. An assessor appointed in accordance with the provisions of Rules 6 and 67 shall receive for the hearing of the appeal a fee to be fixed by the appellate authority subject to a maximum of fifty rupees per diem. He shall also receive reasonable travelling expenses to be fixed by the appellate authority. The fees and travelling expenses shall be paid by Government, but where assessors have been appointed at the request of the appellant and the appeal has been decided wholly or partly against him, the appellate authority may direct that the fees and travelling expenses of the assessors shall be paid in whole or in part by the appellant.

**MANNER OF SERVICE OF NOTICE.**

*Section 37 (2) (o).*

69. The despatch through the post under registered cover of any notice, order or extract of an Inspector's report sent under the Act or under these rules, shall be deemed a sufficient service on the occupier or manager of the factory of such notice or order or of any directions contained in such extract.

**INSPECTOR'S REGISTER OF FACTORIES.**

70. The Inspector shall maintain a register of all factories under his charge in Form L and shall furnish a copy thereof to the District Magistrate on the 1st February of each year. He shall also intimate to the District Magistrate at the time they are made all changes in the Register which are made in accordance with Rules 71, 72 and 73.

71. When the Inspector has reason to believe that any premises situated within the local limits for which he is appointed and not already registered as a factory ought to be included in his register, he shall send to the occupier of the premises a notice intimating his intention of placing such premises on his Register of Factories.

72. Any person served with a notice under Rule 71 may, within 15 days of the receipt of such notice, forward to the Inspector a statement setting forth his objections to the registration of his premises as a factory. The Inspector shall consider and dispose of such objections after making such enquiry as he may deem necessary, and shall communicate his decision to the person concerned.

73. When any premises cease to be occupied as a factory, the occupier may give notice of the fact to the Inspector who shall, if satisfied that the Act is no longer applicable to such premises, remove them from his Register of Factories. The Inspector may without such notice of his own motion at any time remove any factory from his register if satisfied that it is no longer used as such.

74. Seasonal factories shall not be removed from the register if there is a probability of their starting work again within a reasonable time.

*Section 37 (1).*

75. In exercise of the powers conferred by sub-section (2) of section 5 the morning and evening hours mentioned in section 23, clause (b) and section 24, clause (a), are fixed for the Presidency Proper and Sin as follows :—

From November 1st to March 31st inclusive

Half past six o'clock in the morning and eight o'clock in the evening.

From April 1st to October 31st inclusive

Six o'clock in the morning and half past seven o'clock in the evening.

76. In every factory a muster-roll shall be kept, which shall show the time of beginning and ending of each period of employment during the day for men and women.

A subsidiary muster-roll shall be kept for children employed in each factory and shall show the same information as regards the hours of employment for children.

All intervals by which work is interrupted shall be recorded in these muster-rolls, and note shall also be made of the dates, whether Sunday or week days on which the factory or any department thereof is closed.

77. The manager or occupier of every factory exempted under section 30 from the provisions of section 27 shall keep a muster-roll in Form P showing the normal piece work rate of pay or the rate of pay per hour, per day or per week of sixty hours of all exempted employees. In this muster-roll shall be correctly entered the overtime hours of work and payments therefor of all exempted persons. This muster-roll shall always be available for inspection.

78. Where, under the provisions of sub-section (2) of section 30, any factory has been exempted from the provisions of section 27, every person employed in such factory for more than sixty hours in any one week shall be paid in respect of the overtime, at a rate which shall be at least one and a quarter times the rate at which he is normally paid.

79. Where, under the provisions of sub-section (3) of section 30, any factory requires exemption from the provisions of any of sections 21, 22, 27 and 28 the following conditions shall be observed :—

- (a) Unless the Inspector gives permission in writing for reporting, otherwise than as laid down in this clause, the employment of persons on urgent repairs, the manager
  - (1) shall send, within 24 hours of the commencement of work on urgent repairs, written notice to the Inspector describing briefly the nature of the urgent repairs and the probable period of their duration, and
  - (2) shall send weekly during the continuation of the work on urgent repairs a statement giving the names of all persons who have worked more than sixty hours in the preceding week, showing the total numbers of hours worked in the week by each person.
- (b) In all cases of urgent repairs in which the provisions of section 27 are not observed every person employed in a factory for more than sixty hours in any one week shall be paid in respect of the overtime, at a rate which shall be at least one and a quarter times the rate at which he is normally paid.

80. Where women are exempted from the provisions of section 27 under the provisions of section 30, the total overtime permitted shall not exceed six hours during the week.

81. Where men are exempted from the provisions of section 27 and section 28, the overtime permitted shall not be such as to make the hours of work exceed seventy-two in any one week. Nothing in this rule applies to work on urgent repairs carried out under the conditions laid down in rule 79.

82. Copies of the Act and the rules and of the abstract referred to in rule 57 in English and vernacular language of the district can be purchased from the Inspector notified under sub-section (5) of section 4 as the Inspector to whom notices are to be sent.

FORM A.

RETURN No. 1.

Name of factory.

Name of Occupier.

Name of Manager.

District.	Place.	Class of Factory.	Average hours worked per week.*			Average number of operatives employed daily.				Are intervals given under section 21 (1) (a) (s) or under section 21 (1) (a) (ss) ?	Are intervals given to children ?	Are work days sometimes substituted for Sundays as weekly holidays?	Is the factory exempted from the provisions of sections				Remarks.	
			Men.	Women.	Children.	Men.	Women.	Boys.	Girls				21 ?	22 ?	27 ?	28 ?		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	

Revised Rules under the Indian

NOTICE OF OCCUPATION.

*Written notice prescribed under section 33 of the Act.*

1. Name of occupier \_\_\_\_\_

2. Name of factory \_\_\_\_\_

3. Full postal address of factory \_\_\_\_\_

4. Nature of moving power \_\_\_\_\_

5. Nature of work carried on \_\_\_\_\_

6. Name of Manager for the purposes of Factory Act \_\_\_\_\_

\_\_\_\_\_  
(Full signature of Occupier.)

\_\_\_\_\_  
(Full signature of Manager.)

NOTE 1.—In the case of seasonal factories this notice must be forwarded to the Inspector on or before the date starting work for each season.

NOTE 2.—If the Occupier or Manager of a factory wishes his factory removed from the operation of the Act he must make application to the Inspector stating his reasons in accordance with Rule 73.

FORM C.

NOTICE AND RETURN PRESCRIBED UNDER SECTION 36.

Name of factory \_\_\_\_\_ Place \_\_\_\_\_ District \_\_\_\_\_

Hours of work.		Men.					Women.					Children.				
Number of shift.		1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
First period ..	From															
	To															
Second period ..	From															
	To															
Third period ..	From															
	To															

Revised Rules under the Indian

FORM D.

PART I.—Men.

PART II.—Women.

Register of workers under section 35, Act XII of 1911.

DISTRICT.		PLACE.			FACTORY.														
No.	Name.	Father's name.	Caste or Religion.	Nature of work.	HOURS OF WORK.												Total weekly hours.	Remarks.	
					Days of week.						Days of week.								
					First period.		Second period.		Third period.		First period.		Second period.		Third period.				
					From	To	From	To	From	To	From	To	From	To	From	To			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	

Factories (Amendment) Act, 1922.

PART III.—Boys.

PART IV.—Girls.

Register of workers under section 35, Act XII, of 1911.

DISTRICT.					PLACE.					FACTORY.								
No.	Name.	Father's name.	Caste or Religion.	Nature of occupation.	Hours of work.						Total weekly hours.	Provisional certificate.		Certifying surgeon's certificate.		Remarks.		
					Days of week.				Days of week.			No.	Date.	No.	Date.			
					First period.		Second period.		From	To								
					From	To	From	To	From	To		12	13	14	15		16	17

Revised Rules under the Indian



**Note on Form D.**

Form D is a register and is not intended for the purposes of a muster-roll. Generally it will be convenient for factories to maintain their muster-rolls separate from this register.

The columns headed " hours of work " may be reduced as found necessary.

Sample forms are given below showing Part I (Men) filled in for—

- (1) a factory working 10 hours a day for six days a week,
- (2) a factory working 11 hours a day for five days and five hours on Saturday.

**FORM D.**

Register of workers under section 35, Act XII of 1911.

Part I.—Men.

District .		Place.... ..		Factory..... ..		Hours of work.				Total weekly hours	Remarks.
No.	Name.	Father's name.	Caste or religion.	Nature of work.	Days of week.						
					Monday to Saturday						
					First period.		Second period.				
					From	To	From	To			
1	2	3	4	5	6	7	8	9	10	11	
1	Hari .	Vithoo .	Marathi.	Spinning.	A M. 7	A M. 12	P M. 1	P M. 6	60		
2	Bama .	Dagadoo .	Mochi .	. .	7	12	1	6	60		
3	Abdul .	Kadar ..	Mu s s a l - man	.. .	7	12	1	6	60		

**FORM D.**

Register of workers under section 35, Act XII of 1911.

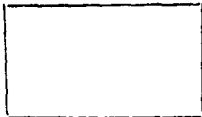
Part I.—Men.

District .. ..		Place..... ..		Factory..... ..		Hours of work				Total weekly hours	Remarks	
No.	Name.	Father's name.	Caste or religion.	Nature of work.	Days of week.							
					Monday to Friday.			Saturday.				
					First period.		Second period.		First period.			
					From	To	From	To	From	To		
1	2	3	4	5	6	7	8	9	10	11	12	13
1	Hari ..	Vithoo .	Marathi..	Spinning	A M. 7	A M. 12	P M. 1	P M. 7	A M. 7	A M. 12	60	
2	Bama .	Daga- doo	Mochi ..	.. ..	7	12	1	7	7	12	60	
3	Abdul .	Kadar.	Mu s s a l - man.	.. .	7	12	1	7	7	12	60	

1. Serial No. \_\_\_\_\_  
Date \_\_\_\_\_
  2. Name \_\_\_\_\_
  3. Father's name \_\_\_\_\_
  4. Sex and caste or religion \_\_\_\_\_
  5. Residence \_\_\_\_\_
  6. Age certified \_\_\_\_\_
  7. Physical fitness \_\_\_\_\_
- 
8. Distinctive marks \_\_\_\_\_
  9. \*Reason for—
 

(1) refusal of certificate	}
or	
(2) certificate being revoked	

Thumb impression.



Initials of Certifying Surgeon.

\* Note.—Exact details of cause of physical disability should be

FORM E.

CERTIFICATE.

Serial No. \_\_\_\_\_  
Date \_\_\_\_\_

I hereby certify that I have personally examined  
(name) \_\_\_\_\_,  
son of \_\_\_\_\_, (caste, etc.) \_\_\_\_\_  
daughter of \_\_\_\_\_,  
residing at \_\_\_\_\_,

who is desirous of being employed in a factory, and that  
his age, as nearly as can be ascertained from my examina-  
tion, is \_\_\_\_\_ years, and that <sup>he</sup> <sub>she</sub> is fit for employment  
in a factory. His <sub>Her</sub> descriptive marks are \_\_\_\_\_

Thumb impression.



Certifying Surgeon.

FORM F.

*Register of fee paid for the issue of duplicate certificates under section 7 of the Factories Act.*

Date.	Serial No.	No. of previous certificate.	Name of person to whom granted,	Initial of Certifying Surgeon.

paid into Treasury \_\_\_\_\_,

date \_\_\_\_\_,

*Signature of Certifying Surgeon* \_\_\_\_\_

FORM G.

*Limewashing, etc.*

Part of Factory, e.g., name of room.	Parts limewashed, painted or varnished, e.g., walls, ceilings, woodwork, etc.	Treatment (whether limewashed, painted or varnished).	Date on which limewashing, painting or varnishing was carried out (according to the English Calendar).			Signature of Occupier or Manager.	Remarks.
			Day.	Month	Year		

*(Signature of Occupier.)*

*(Signature of Manager.)*

FORM H.

*Particulars of rooms in the Factory.*

Name of room in Factory.	Dimensions of room in feet.			Total floor area in square feet.	Floor area occupied by machinery in the room.	Breathing space (cubical contents in cubic feet).	Maximum number of persons who may be employed in the room.	Remarks.
	Length	Breadth	Height					

*(Signature of Occupier.)*

Section or Rule from which exemption is given	Subject dealt with.	Extent of and conditions of exemptions (compensatory rest periods, if any, should be mentioned).	Date and number of order.

## FORM K.

## Report of Accidents.

Required under Indian Factories Act and Factory Rules 60—64

Not to be filled up by the management	District _____
	Date of Receipt _____
	Accident No. _____
	Classification, i.e., fatal, serious or minor _____
	Date of Enquiry _____
	Result of Enquiry _____

1. Name of Occupier \_\_\_\_\_
2. Address of Works \_\_\_\_\_

---

3. Nature of Industry \_\_\_\_\_
4. Branch or Department in which accident occurred \_\_\_\_\_
5. Injured person's name \_\_\_\_\_  
Address \_\_\_\_\_  
Sex \_\_\_\_\_ Age \_\_\_\_\_ Caste \_\_\_\_\_
6. Usual occupation of injured person \_\_\_\_\_
7. Date and hour of accident \_\_\_\_\_
8. Hour at which he started work on day of accident \_\_\_\_\_
9. Cause of accident (a) \_\_\_\_\_

---

If caused by machinery give :—

- (b) Name of machine and part causing accident (b) \_\_\_\_\_
- (c) State whether it was moved by mechanical power at the time \_\_\_\_\_
- (d) State exactly what injured person was doing at the time (d) \_\_\_\_\_

10. Describe fully nature and extent of injuries, e. g., fatal, loss finger, etc. \_\_\_\_\_

---

11. If accident not fatal state whether injured person was disabled for 48 hours (see Section 34 of Act XII of 1911) \_\_\_\_\_
12. Has duplicate copy of this return been kept \_\_\_\_\_
13. Under whose treatment is injured person \_\_\_\_\_

Signature of Occupier, Manager or Agent \_\_\_\_\_  
Date \_\_\_\_\_

FORM L.

REGISTER OF FACTORIES.

PART I.—Non-seasonal.

PART II.—Seasonal.

Year 19 .

Serial No.	District.	Name of Factory	Postal address	Nature of moving power.	Nature of work carried on.	Name of Occupier	Name of Manager.	Dates of Inspections.	Remarks.

FORM M.

DIARY OF INSPECTOR.

District                     

Division                     

Week ending                     

Date.	Names of Factories.	Date of last inspection	Details of inspection attached on Form N.	Special enquiries into accidents	Remarks (Attendances at Courts for prosecutions and other special work)

Factories (Amendment) Act, 1922.

## FORM N.

*Factory Inspection.*PART I.—*General*—

A.—Name of Firm

” ” Occupier  
Address

B.—Nature of Industry

C.—Numbers employed on date of inspection

(a) men.

(b) women.

(c) boys.

(d) girls.

D.—Note of any process or other matters of special importance or interest, including processes involving special risk of explosion or accident :—

E.—Date of visit

F.—” ” last visit

G.—Summary of orders passed :—

PART II.—*Health and Safety*—

A.—Sanitary Provisions.

B.—Means of ventilation.

C.—Lighting.

1. Natural.

2. Artificial.

D.—Water-supply.

E.—Provision of means of escape in case of fire.

F.—General condition of fencing.

G.—Is factory overcrowded ?

PART III.—*Hours of Employment*.—

(a) Men.

(b) Women.

(c) Boys.

(d) Girls.

*Total hours worked by—*

(a)

(b)

(c)

(d)

*Is weekly holiday given—**What arrangement of shifts is in force ?*



PART IV.—*Registers.*—

1. Is general register maintained and kept up-to-date ?
2. Is register of accidents kept ?
3. Are all other registers properly maintained ?
4. Is abstract of Act and rules duly affixed ?
5. Is Health Register for persons employed on lead kept ?

PART V.—

Is factory exempted from any of the provisions of the Act, if so which ?

PART VI.—*General Remarks*—

If education or housing is supplied, give details.

PART VII.—Detailed list of all irregularities found and orders passed.

Parts I, c, II, III, IV, V and VI should be filled in whenever a factory is visited for the first time. At subsequent visits a note need only be made of any conditions that have altered.

Signature.

FORM O.

No.

*Inspector of Factories' Office :*

Dated the                      192 .

THE INDIAN FACTORIES ACT, 1911, AND FACTORY RULES, 1923, MADE THEREUNDER.

Upon a recent inspection of your factory it was found, to the extent indicated below, that certain provisions of the above Act and Rules were not being carried out. I therefore request that the necessary steps be taken at once to comply with the law.

Yours faithfully,

Inspector of Factories.

FORM P.

*Overtime Muster Roll for Persons on exempted work.*

Month ending.

Number in Register.	Name.	Department.	Dates on which overtime has been worked.	Extent of overtime on each occasion.	Total overtime worked.	Normal hours.	Normal rate of pay.	Overtime rate of pay	Normal earnings.	Overtime earnings.	Total earnings.

FORM R.

ABSTRACT OF THE FACTORY ACT AND RULES.

(To be fixed in a conspicuous place near the main entrance.)

1. No person shall be employed in any factory for more than eleven hours in any day.
2. No person shall be employed in any factory for more than sixty hours in any week.
3. No child shall be employed in any factory for more than six hours in any day.
4. No woman or child shall be employed before or after the hours noted below :—  
From November 1st to March 31st inclusive. . . 6-30 a.m. and 8 p.m.  
From April 1st to October 31st inclusive . . . 6 a.m. and 7-30 p.m.
5. Rest periods of at least one hour's duration after not more than six hours' work must be fixed for each person on each working day.
6. If children work more than five and half hours a day a rest period of at least half an hour must be given so that no child works continuously for more than four hours.
7. No person shall be employed in any factory on a Sunday, unless—
  - (a) he has had, or will have, a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday, and
  - (b) the manager of the factory has previous to the Sunday or the substituted day, whichever is earlier, given notice to the inspector of his intention so to employ the said person and of the day which is to be substituted and has at the same time affixed a notice to the same effect in the place mentioned in section 36 :

Provided that no such substitution shall be made as will result in any person working for more than ten consecutive days without a holiday for a whole day.

8. No child shall be employed in any factory unless he is in possession of a certificate granted under section 7 or section 8 showing that he is not less than twelve years of age and is fit for employment and while at work carries either the certificate or a token giving reference to the certificate.

NOTE.—Paragraph 8 does not apply to a child lawfully employed on or before 1st July 1921.

9. No person shall employ or permit to be employed in any factory any woman or child or, except in prescribed circumstances, any other person whom he knows, or has reason to believe, to have already been employed on the same day in any other factory.

10. A register in Form "D" must be kept for all persons employed in every factory.

11. The notice required by section 36 shall be written in Form "C" and shall be posted in a conspicuous place near the main entrance of the factory.

12. Every factory shall be sufficiently lighted.

13. In every factory there shall be maintained a free, sufficient and suitable supply of drinking water.

14. Unless specially exempted, every factory shall be provided with latrine accommodation. If females are employed, separate screened and marked latrines shall be provided.

15. Unless specially exempted, factories must be whitewashed each year and the date recorded in Form "G".

16. Any person who smokes or uses a naked light, or causes or permits any such light to be used, in the immediate vicinity of any inflammable material in contravention of section 17 shall be punishable with fine which may extend to five hundred rupees.

17. All accidents within the scope of section 34 to be reported as required by Rules 60—64.

18. No person under the age of eighteen years and no woman shall be employed in any factory in any of the operations specified in Part I of the Schedule, or, save in accordance with the regulations contained in Part II of the Schedule, in any operation involving the use of lead compounds.

19. Exceptions :—

(a) Sections 21, 22, 24, 26, 27 and 28 do not apply to clerks, time-keepers or accountants or to persons included in the Schedule below Rule 51.

(b) Sections 21, 22, 27 and 28 do not apply to any work or classes of persons specifically exempted by the Local Government under the provisions of section 30 (1).

(c) Sections 21, 22, 27 and 28 do not apply to factories specifically exempted by the Local Government under the provisions of section 30 (2).

(d) Sections 21, 22, 27 and 28 do not apply to work on urgent repairs but such work must be reported as required by Rule 79.

20. All persons who exceed sixty hours' work a week under the circumstances stated in paragraphs 19 (b), (c) and (d) shall be paid for the overtime at a rate at least one and a quarter times the normal rate. The names of those who come under paragraph 19 (d) must be reported weekly to the Inspector as required by Rule 79.

Chief Inspector of Factories.

*Orders under the Indian Factories Act, 1911 (XII of 1911), as amended by Act II of 1922 and the Factories (amended) Rules, Bombay, 1923.*

The following are the principal orders, not incorporated in the rules, which are now in force.

*Inspectors.*

1. Under Government Notification, General Department, No. 11673, dated 23rd November 1920 notices, returns, etc., under the Factories Act and Rules should be sent by occupiers, managers, etc., to the Inspectors shown below :—

For factories in Sind :

to the Inspector of Factories, Boilers and Smoke Nuisances, Karachi.

For factories in the districts of Ahmedabad, Kaira, Broach, Panch Mahals, and Surat and the Nawapur Taluka of West Khandesh :

to the Inspector of Factories, Boilers and Smoke Nuisances, Ahmedabad.

For factories elsewhere in the Presidency :

to the Chief Inspector of Factories, Boilers and Smoke Nuisances, Old Custom House, Bombay.

*District Magistrates.*

2. Under Government Notification, General Department, No. 2343, dated 1st July 1923, each District Magistrate (who is an Inspector of Factories under section 4 (3) of the Act) shall within the limits of his own district pass no original orders under sections 9, 10, 11, 12, 15, 16, 18, 18A, 19, 19A and 19B of the Act, but shall confine his orders under those sections to the points to which the full-time Inspectors of Factories, Boilers and Smoke Nuisances have already directed the attention of the owners of the factories.

*Sub-Divisional Magistrates.*

3. Under Government Notification, General Department, No. 2343, dated 1st July 1923, every Sub-Divisional Magistrate in the Presidency (including Sind) is appointed an *ex-officio* additional inspector of factories within the local limits of his jurisdiction but his powers are limited to the authority to enter any factory within those limits and to make such examination of the premises and registers as may be necessary to enable him to satisfy himself that the requirements of sections 21, 22, 23, 24, 27 and 28 of the Act are being properly observed.

*Mamlatdars, Mukhtiarlars and Mahalkaris.*

4. Under Government Notification, General Department, No. 2343, dated 1st July 1923, all Mamlatdars, Mukhtiarlars and Mahalkaris in the Presidency (including Sind) are appointed additional inspectors of

factories within the limits of their talukas, mahals or pectas but their powers are limited to the authority to enter any factory within those limits and to make such examination of the premises and registers as may be necessary to enable them to satisfy themselves that the requirements of sections 21, 22, 23, 24, 27 and 28 of the Act are being properly observed.

*Public Health Officers and the Certifying Surgeon, Bombay.*

5. Under Government Notification, General Department, No. 2804 dated 23rd November 1922, the Director of Public Health and all Assistant Directors of Public Health in the Bombay Presidency are appointed to be *ex-officio* additional Inspectors of Factories within the limits of their respective jurisdictions, and the Certifying Surgeon for the Town and Island of Bombay is appointed to be an additional Inspector of Factories within the limits of his jurisdiction.

The powers which any such inspector may exercise are as follows :—

Power to enter any factory within the limits of his jurisdiction, and to make such examination of the premises and registers as may be necessary to enable him to satisfy himself that the requirements of sections 9, 10, 11, 12, 13 and 14 of the said Act are being properly observed.

Defects found and remedies suggested under the said sections shall be reported by the said additional inspectors to the Chief Inspector of Factories who shall pass final orders in each case.

6. Under Government Notification, General Department, No. 964-f dated 31st July 1923, the Certifying Surgeon, Ahmedabad, is appointed to be an additional Inspector of Factories within the limits of his jurisdiction and is empowered to enter any factory within the limits of his jurisdiction, and to make such examination of the premises and registers as may be necessary to enable him to satisfy himself that the requirements of sections 9, 10, 11, 12, 13 and 14 of the said Act are being properly observed.

Defects found and remedies suggested under the said sections shall be reported by the said additional Inspector to the Chief Inspector of Factories who shall pass final orders in each case.

*Certifying Surgeons*

The undermentioned medical officers are appointed as Certifying Surgeons for factories within the limits of the places shown against their names :—

(1) By Government Notification, General Department, No. 4785-A dated 23rd July 1912—

The Civil Surgeon, Ahmedabad	..	..	Ahmedabad.
The Medical Officer in charge of the dispensary at Viramgam	..	..	..
		..	Viramgam.

The Civil Surgeon, Broach .. .. .	Broach.
The Civil Surgeon, Surat .. .. .	Surat.
The Medical Officer in charge of the municipal dispensary at Nadiad .. .. .	Nadiad.
The Civil Surgeon, Sholapur .. .. .	Sholapur.
The Assistant Civil Surgeon, Poona .. .. .	Poona and Mundwa.
The Medical Officer in charge of the dispensary at Karad .. .. .	Karad.
The Medical Officer in charge of the dispensary at Gokak .. .. .	Gokak.
The Medical Officer in charge of the dispensary at Gadag .. .. .	Gadag.
The Medical Officer in charge of the dispensary at Hubli .. .. .	Hubli.
The Civil Surgeon, Karachi .. .. .	Karachi.
The Civil Surgeon, Hyderabad (Sind) .. .. .	Hyderabad and Tando Jam.
The Civil Surgeon, Sukkur .. .. .	Sukkur.
(2) By Government Notification, General Department, No. 7857-A, dated 19th November 1912—	
The Medical Officer in charge of the municipal dispensary at Barsi .. .. .	Barsi.
(3) By Government Notification, General Department, No. 2038-A, dated 11th March 1913—	
The Certifying Surgeon for the Town and Island of Bombay .. .. .	Kurla.
(4) By Government Notification, General Department, No. 6804-A, dated 23rd September 1913—	
The Medical Officer in charge Arsenal and Ammunition Factory Establishments, Kirkee .. .. .	Kirkee.
(5) By Government Notification, General Department, No. 7614-A, dated 22nd October 1913—	
The Assistant Surgeon, Shikarpur .. .. .	Shikarpur.
(6) By Government Notification, General Department, No. 3220, dated 19th April 1915—	
The Medical Officer in charge of the dispensary at Kalyan .. .. .	Kalyan.

(7)-By Government Notification, General Department, No. 7: dated 2nd February 1917—

The Civil Surgeon, Bijapur .. .. .	Bijapur.
The Medical Officer in charge of the municipal dispensary at Bagalkot .. .. .	Bagalkot luka.
The Medical Officer in charge of the municipal dispensary at Ilkal .. .. .	Ilkal.
The Medical Officer in charge of the Local Board dispensary at Hungund .. .. .	Hungund luka.

(8) By Government Notification, General Department, No. 100: dated 25th November 1919—

The Civil Surgeon, Dhulia .. .. . Dhulia.

(9) By Government Notification, General Department, No. 28: dated 15th March 1920—

The Sub-Assistant Surgeon, Talegaon .. .. . Talegaon.

(10) By Government Notification, General Department, No. 21 dated 13th March 1922—

The Civil Surgeon, Jalgaon .. .. . Jalgaon.

The Medical Officer in charge of the dispensary at Amalner .. .. . Amalner.

(11) By Government Notification, General Department, No. 21 dated 31st August 1922—

The Assistant Surgeon at Bandra .. .. . Bandra.

The Medical Officer in charge of the Government dispensary at Andheri .. .. . Andheri.

(12) By Government Notification, General Department, No. 21 dated 9th December 1922—

The Sub-Assistant Surgeon at Jambusar (District Broach) .. .. . Jambusar.

(13) By Government Notification, General Department, No. 21 dated 5th April 1923—

The Civil Surgeon, Thana .. .. . Thana.

#### EXEMPTIONS.

Up till 31st March 1923 the following exemptions had been granted

##### *I. Under section 30 (1).*

(1) *From section 21—*

Under section 30 (1) (c) by Government Notification, General Department, No. 3224, dated 14th December 1922 :—

Oil Mills.  
Gur factories.



2) *From sections 21 and 22—*

Under section 30 (1) (c) by Government Notification, General Department, No. 3224-A, dated 9th February 1923 :—

Continuous process workers in chemical factories.

3) *From sections 21 and 22—*

Under section 30 (1) (c) by Government Notification, General Department, No. 3224, dated 15th February 1923 :—

- (1) The distillery of the Gujarat Chemical Works at Ahmedabad in the Ahmedabad District.
- (2) The Government Central distillery at Godhra in the Panch Mahals District.
- (3) The Government Central distillery at Dhulia in the West Khandesh District.
- (4) The Government Central distillery at Nasik in the Nasik District.
- (5) The Government Central distillery at Mundhwa in the Poona District.
- (6) The Government Central distillery at Khanapur in the Belgaum District.
- (7) The Government Central distillery, Kotri, Sind.

4) *From sections 21, 22, 27 and 28—*

Under section 30 (1) (a) and (c) by Government Notification, General Department, No. 3224-B, dated 9th February 1923 :—

Staff employed in connection with pumping operations at oil installations subject to the condition that in the case of section 21 sufficient time (though not a fixed period) is given for meals and in the case of section 27 to a limit of 72 hours a week.

*II. Under section 30 (2);*

1) *From sections 27 and 28* under Government Resolution, General Department, No. 3224, dated 30th May 1923 :—

Aerated water factories in Bombay City from 15th March to 15th June and from 15th September to the 15th November in each year subject to the conditions that no person shall be employed for more than thirteen hours in any one day or for more than five and a half hours in any week. The exemption applies only to male adults and does not extend to women or children.

By order

Acting

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

no person be employed for more than five and a half hours in any week. The exemption applies only to male adults and does not extend to women or children.

of the Governor in Council  
S. N. ZIMAN,  
Secretary to Government

GOVERNMENT CENTRAL PRESS.

## GENERAL DEPARTMENT.

Bombay Castle, 14th June 1924.

No. 2848(a).—In exercise of the powers conferred by sub-sections (1) and (2) (ii) of section 37 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, the Governor in Council is pleased to cancel rule 51 published under Government Notification, General Department, No. 2848-D,\* dated 1st July 1923, and to substitute therefor the following rule to carry out the objects of the said Act, namely —

“ 51. The following persons shall be deemed to hold positions of supervision or management :

(a) All persons specified in the Schedule below,

(b) any other person who, in the opinion of the Inspector, holds a position of supervision or management.

### SCHEDULE

List of persons deemed to hold positions of supervision or management in factories [Rule 51 (a)]

#### I —All Factories

Manager  
Assistant Manager  
Departmental heads and Assistants.  
Engineer and certificated Assistants  
Electrical Engineer.  
Head Storekeeper and Assistants  
Boiler Serang  
Technical Experts

#### II —Engineering Workshops.

Foremen.  
Inspectors  
Chargemen.

(In addition to persons in the list ' I.—All Factories ', above )

#### III —Spinning and Weaving Mills.

##### Engineering Department—

Foremen Mechanics.

##### Spinning Departments—

Jobbers or Muccadams

(Note —Spinning departments shall, for the purposes of this Rule, be deemed to include also the blowing, carding, drawing and frame departments.)

##### Weaving Departments—

Jobbers, Overseers or Muccadams.

(Note —Weaving departments shall, for the purposes of this Rule, be deemed to include the preparatory departments of winding, warping and sizing )

##### Dyeing, Bleaching, Calendaring, Finishing and Cloth printing Departments—

Jobbers, Overseers or Muccadams.

(In addition to persons in the list ' I.—All Factories ', above.)”

By order of the Governor in Council,

G A. THOMAS,

Secretary to Government.

\* Printed at page 1484 of Part I of the Bombay Government Gazette dated the 12th July 1923

**GENERAL DEPARTMENT.**

Bombay Castle, 12th January 1925.

No 4899.—In exercise of the powers conferred by section 4, sub-section (6), of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, the Governor in Council is pleased to amend Government Notification, General Department, No. 4899-A, dated 1st April 1924 by the substitution of the words "Collector of Bombay" for the words "Director of Industries, Bombay" occurring in clauses 2 and 4 of paragraph 1 of the said notification

By order of the Governor in Council,

C W A TURNER,

Secretary to Government.

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## GENERAL DEPARTMENT.

Bombay Castle, 4th August 1924.

No 966.—In exercise of the powers conferred by sub-section (2) of section 97 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, the Governor in Council is pleased to amend the Factories (Amended) Rules, Bombay, 1923, published in Government Notification in the General Department, No. 2848-D., dated the 1st July 1923, as follows, *namely* :—

- (a) for clause (e) of rule 2 of the said rules the following clause shall be substituted, *namely* .
  - (e) District Magistrate includes the Collector of Bombay, who shall be considered, for the purpose of these rules and orders, to be District Magistrate for the Island of Bombay.
- (b) In rule 3 of the said rules for the words “ Director of Industries ” the words “ Collector of Bombay ” shall be substituted.

By order of the Governor in Council,

G A THOMAS,  
Secretary to Government

## GENERAL DEPARTMENT.

Bombay Castle, 19th October 1926

No 3224 —The following notification by the Government of India, Department of Industries and Labour (Factories), is republished —

### “ FACTORIES

No L -1438, dated Simla, the 2nd October 1926.

In exercise of the powers conferred by section 38 of the Indian Factories Act, 1911 (XII of 1911), the Governor General in Council is pleased to direct that the following amendment shall be made in the Rule published with the notification of the Government of India in the Department of Industries and Labour, No L.-1250, dated the 4th February 1925, the same having been previously published as required by section 39 of the said Act. —

### *Amendment*

For the schedule referred to in clause I of the said Rule, the following schedule shall be substituted, namely. —

### *Schedule*

Name of Factory	Year ending 31st December 19 Season(s) ending 19										
Name of Occupier	Name of Manager										
1. District											
2. Place											
3. Nature of Industry											
4. Average number of operatives employed daily.	<table style="border: none;"> <tr><td style="font-size: 3em; vertical-align: middle;">{</td><td style="padding-left: 5px;">Men</td></tr> <tr><td></td><td>Women</td></tr> <tr><td></td><td>Boys</td></tr> <tr><td></td><td>Girls</td></tr> </table>	{	Men		Women		Boys		Girls		
{	Men										
	Women										
	Boys										
	Girls										
5. Normal hours worked per week	<table style="border: none;"> <tr><td style="font-size: 3em; vertical-align: middle;">{</td><td style="padding-left: 5px;">Men</td></tr> <tr><td></td><td>Women</td></tr> <tr><td></td><td>Children</td></tr> </table>	{	Men		Women		Children				
{	Men										
	Women										
	Children										
6. What intervals are given to adults?											
7. Are rest intervals given to children?											
8. Are week days sometimes substituted for Sundays as weekly holidays?											
9. Are the majority of operatives exempted from the provisions of sections	<table style="border: none;"> <tr><td style="font-size: 3em; vertical-align: middle;">{</td><td style="padding-left: 5px;">21?</td></tr> <tr><td></td><td>22?</td></tr> <tr><td></td><td>26?</td></tr> <tr><td></td><td>27?</td></tr> <tr><td></td><td>28?</td></tr> </table>	{	21?		22?		26?		27?		28?
{	21?										
	22?										
	26?										
	27?										
	28?										
10. Is the factory exempted from the provisions of sections	<table style="border: none;"> <tr><td style="font-size: 3em; vertical-align: middle;">{</td><td style="padding-left: 5px;">24 (a)?</td></tr> <tr><td></td><td>35*?</td></tr> </table>	{	24 (a)?		35*?						
{	24 (a)?										
	35*?										

\* This refers only to the exemptions granted under the first proviso of section 35

(Signed) A. C. McWATTERS,  
Secretary to the Government of India.”

By order of the Governor in Council,

C W A. TURNER,  
Secretary to Government

[Price—Pies 6 or 1d ]

## GENERAL DEPARTMENT.

Bombay Castle, 14th October 1925.

No. 2343-A —In exercise of the powers conferred by section 37 of the Indian Factories Act, 1911 (XII of 1911) as subsequently amended, the Governor in Council is pleased to make the following amendment in the Factories (Amended) Rules, Bombay, 1923, published in Government Notification,\* General Department, no. 2343-D, dated the 1st July 1923 —

For Form A appended to the said rules the following form shall be substituted, *namely* .—

" Form A

Name of factory.	Year ending 31st December 19
Name of occupier	Season(s) ending 19 Name of Manager
1 District.	
2 Place.	
3 Nature of industry.	
4. Average number of operatives employed daily	}
	Men.
	Women
	Boys
	Girls.
5 Normal hours worked per week	}
	Men.
	Women
	Children
6. What intervals are given to adults?	
7 Are rest intervals given to children?	
8 Are week days sometimes substituted for Sundays as weekly holidays?	
9. Are the majority of operatives exempted from the provision of sections	}
	21?
	22?
	27?
	28? "

No. 2343-B.—In exercise of the powers conferred by section 37 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, the Governor in Council is pleased to make the following amendments in the Factories (Amended) Rules, Bombay, 1923, published in Government Notification\* in the General Department No. 2343-D, dated the 1st July 1923:—

1. For rule 5 of the said rules, the following rule shall be substituted, *namely* .—
 

" 5 (a). In addition to and without prejudice to any other powers or duties which the Inspector may exercise under the Act or rules, he shall at each inspection of a factory satisfy himself—

  - (1) that the provisions made in the Act and rules to secure the health and safety of the operatives are observed,
  - (2) that the children employed in the factory have been duly certified and that none are employed, who are obviously unfit,
  - (3) that the register of all the persons employed in such factory, of their hours of work and of the nature of their employment is kept in the prescribed Form D;
  - (4) that the rest periods and the holidays provided by the Act are granted and that the limits of hours of work laid down therein are not exceeded,

\* Printed at page 1484 of Part I of the *Bombay Government Gazette* dated the 12th July 1923.

- (5) that the provisions of section 31 and of the rules relating to the payment of overtime are duly observed for persons exempted from the provisions of section 27,
- (6) that the abstracts and notice (Form C) required by section 36 of the Act are duly affixed and that the registers required by these rules are properly maintained.
- (b) He shall further enquire into the cause of all accidents which have taken place since the ~~last~~ inspection
- (c) Finally, he shall ascertain how far the defects pointed out at previous inspections have been removed and how far orders previously issued have been complied with. Any defects which have come to light at the current inspection, as well as any orders passed by him under the Act, shall then be recorded in the inspection book. An extract from such record containing the orders of the Inspector with such remarks on the defects found to exist as the Inspector may wish to bring to the Manager's notice, shall be sent to the Manager, and a copy of the said extract shall be sent to the District Magistrate "
- 2 For rule 7 of the said rules, the following rule shall be substituted, *namely* —
- " 7 The Inspector shall keep a file of the records of his inspections arranged in monthly bundles and shall submit to the authority to whom he is subordinate for the purposes of this Act, on the 10th day of each month, a diary in Form M attached to these rules, showing the work done in the preceding month. A copy of the said diary shall be retained by the Inspector."
3. For Form M appended to the said rules the following form shall be substituted, *namely* —

## FORM M

Diary of Factory Inspector for the Month ending

192

Date	Place	Factories inspected	Factories inspected for definite purposes	Remarks of defects found and directions and orders issued

- 4 Forms N and O appended to the said rules shall be deleted.

By order of the Governor in Council,

A MASTER,

Acting Secretary to Government.

## GENERAL DEPARTMENT.

Bombay Castle, 19th March 1927.

No 4824-D—In exercise of the powers conferred by clause (g) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (XII of 1911), the Governor in Council is pleased to amend the Factories (Amended) Rules, Bombay, 1923, published in Government notification, General Department, No 2843-B,\* dated the 1st July 1923, as follows, namely—

(1) To rule 2 of the said rules the following clauses shall be added, namely—

(f) Artificial humidification means humidification of the air of a room by any artificial means whatsoever except the use of gas or oil for lighting purposes, or the unavoidable escape of steam or water vapour into the atmosphere directly due to the treatment of fibre by water or steam in its passage through a machine

Provided that the introduction of air directly from outside through moistened mats or screens placed in ventilation openings at times when the temperature of the room is 80 degrees or more, shall not be deemed to be artificial humidification

(g) Hygrometer means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards construction and maintenance

(h) Degrees (of temperature) mean degrees of the Fahrenheit scale.

(2) After rule 20 of the said rules the following rules shall be inserted, namely—

20A There shall be no artificial humidification in any room of a cotton spinning or weaving factory

(a) at any time when the wet bulb reading of the hygrometer is higher than that specified in the following schedule in relation to the dry bulb reading of the hygrometer at that time; or, as regards a dry bulb reading intermediate between any two dry bulb readings indicated consecutively in the Schedule when the dry bulb reading does not exceed the wet bulb reading to the extent indicated in relation to the lower of those two dry bulb readings—

### Schedule

Dry bulb	Wet bulb	Dry bulb	Wet bulb
60 0	58 0	90 0	84 5
61 0	59 0	91 0	85 0
62 0	60 0	92 0	85 5
63 0	61 0	93 0	86 0
64 0	62 0	94 0	86 5
65 0	63 0	95 0	87 0
66 0	64 0	96 0	87 5
67 0	65 0	97 0	88 0
68 0	66 0	98 0	88 5
69 0	67 0	99 0	89 0
70 0	68 0	100 0	89 5
71 0	69 0	101 0	90 0
72 0	70 0	102 0	90 0
73 0	71 0	103 0	90 5
74 0	72 0	104 0	90 5
75 0	73 0	105 0	91 0
76 0	74 0	106 0	91 0
77 0	75 0	107 0	91 5
78 0	76 0	108 0	91 5
79 0	77 0	109 0	92 0
80 0	78 0	110 0	92 0
81 0	79 0	111 0	92 5
82 0	80 0	112 0	92 5
83 0	80 5	113 0	93 0
84 0	81 0	114 0	93 0
85 0	82 0	115 0	93 5
86 0	82 5	116 0	93 5
87 0	83 0	117 0	94 0
88 0	83 5	118 0	94 0
89 0	84 0	119 0	94 5
		120 0	95 0

\* Printed at pages 1484-1527 of Part 1 of the Bombay Government Gazette dated 12th July 1923



Provided however that this Rule shall not apply when the difference between the wet bulb temperature as indicated by the hygrometer in the department concerned, and the wet bulb temperature taken with a hygrometer outside in the shade is less than 3.5 degrees.

20B In all departments of cotton spinning and weaving mills wherein artificial humidification is adopted, hygrometers shall be provided and maintained in such positions as are approved by the Inspector. The number of hygrometers shall be regulated according to the following scale —

- (a) *Weaving Department*—One hygrometer for departments with less than 500 looms, and one additional hygrometer for every 500 or part of 500 looms in excess of 500
- (b) *Other Departments*.—One hygrometer for each room of less than 300,000 cubic feet capacity, and one extra hygrometer for each 200,000 cubic feet, or part thereof, in excess of this

Provided also that one hygrometer shall be provided and maintained outside each cotton spinning and weaving factory wherein artificial humidification is adopted, and in a position approved by the Inspector, for taking hygrometer shade readings

20C. When satisfied that the limits of humidity allowed by the Schedule to Rule 20A are never exceeded, the Inspector may, for any department other than the weaving department, grant exemption from the maintenance of the hygrometer. The Inspector shall record such exemption in form J.

20D A legible copy of the Schedule to Rule 20A shall be affixed near each hygrometer

20E At each hygrometer maintained in accordance with Rule 20B correct wet and dry bulb temperatures shall be recorded thrice daily during each working day by competent persons nominated by the Manager and approved by the Inspector. The temperatures shall be taken between 7 a.m. and 9 a.m., between 11 a.m. and 2 p.m. (but not in the rest interval), and between 4 p.m. and 5-30 p.m. In exceptional circumstances, such additional readings and between such hours as the Inspector may specify, shall be taken. The temperatures shall be entered in a Humidity Register in Form G-1 maintained in the factory. At the end of each month the persons who have taken the readings shall sign the register and certify the correctness of the entries. The register shall always be available for inspection by the Inspector.

20F (a) Each hygrometer shall comprise two mercurial thermometers respectively wet bulb and dry bulb of similar construction, and equal in dimensions, scale and divisions of scale. They shall be mounted on a frame with a suitable reservoir containing water

(b) The wet bulb shall be closely covered with a single layer of muslin, kept wet by means of wick attached to it and dipping into the water in the reservoir. The muslin covering and the wick shall be suitable for the purpose, clean and free from size or grease

(c) No part of the wet bulb shall be within 3 inches from the dry bulb or less than 1 inch from the surface of the water in the reservoir and the water reservoir shall be below it, on the side of it away from the dry bulb

(d) The bulbs shall be spherical and of suitable dimensions and shall be freely exposed on all sides to the air of the room

(e) The bores of the stems shall be such that the position of the top of the mercury column shall be readily distinguishable at a distance of 2 feet

(f) Each thermometer shall be graduated so that accurate readings may be taken between 50 and 120 degrees

(g) Every degree from 50 degrees up to 120 degrees shall be clearly marked by horizontal lines on the stem, each fifth and tenth degree shall be marked by longer marks than the intermediate degrees, and the temperature marked opposite each tenth degree, i.e., 50, 60, 70, 80, 90, 100, 110 and 120

(h) The markings as above shall be accurate, that is to say at no temperature between 50 and 120 degrees shall the indicated reading be in error by more than two-tenths of a degree

(i) A distinctive number shall be indelibly marked upon the thermometer.

(j) The accuracy of each thermometer shall be certified by the National Physical Laboratory, London, or some competent authority appointed by the Chief Inspector of Factories and such certificate shall be attached to the Humidity Register

Provided however that this Rule shall not apply when the difference between the wet bulb temperature as indicated by the hygrometer in the department concerned, and the wet bulb temperature taken with a hygrometer outside in the shade is less than 3.5 degrees

20B In all departments of cotton spinning and weaving mills wherein artificial humidification is adopted, hygrometers shall be provided and maintained in such positions as are approved by the Inspector. The number of hygrometers shall be regulated according to the following scale —

- (a) *Weaving Department* — One hygrometer for departments with less than 500 looms, and one additional hygrometer for every 500 or part of 500 looms in excess of 500
- (b) *Other Departments* — One hygrometer for each room of less than 300,000 cubic feet capacity, and one extra hygrometer for each 200,000 cubic feet, or part thereof, in excess of this

Provided also that one hygrometer shall be provided and maintained outside each cotton spinning and weaving factory wherein artificial humidification is adopted, and in a position approved by the Inspector, for taking hygrometer shade readings

20C When satisfied that the limits of humidity allowed by the Schedule to Rule 20A are never exceeded, the Inspector may, for any department other than the weaving department, grant exemption from the maintenance of the hygrometer. The Inspector shall record such exemption in form J.

20D A legible copy of the Schedule to Rule 20A shall be affixed near each hygrometer.

20E At each hygrometer maintained in accordance with Rule 20B correct wet and dry bulb temperatures shall be recorded three daily during each working day by competent persons nominated by the Manager and approved by the Inspector. The temperatures shall be taken between 7 a.m. and 9 a.m., between 11 a.m. and 2 p.m. (but not in the rest interval), and between 4 p.m. and 5-30 p.m. In exceptional circumstances, such additional readings and between such hours as the Inspector may specify, shall be taken. The temperatures shall be entered in a Humidity Register in Form G-1 maintained in the factory. At the end of each month the persons who have taken the readings shall sign the register and certify the correctness of the entries. The register shall always be available for inspection by the Inspector.

20F (a) Each hygrometer shall comprise two mercurial thermometers respectively wet bulb and dry bulb of similar construction, and equal in dimensions, scale and divisions of scale. They shall be mounted on a frame with a suitable reservoir containing water.

(b) The wet bulb shall be closely covered with a single layer of muslin, kept wet by means of wick attached to it and dipping into the water in the reservoir. The muslin covering and the wick shall be suitable for the purpose, clean and free from size or grease.

(c) No part of the wet bulb shall be within 3 inches from the dry bulb or less than 1 inch from the surface of the water in the reservoir and the water reservoir shall be below it, on the side of it away from the dry bulb.

(d) The bulbs shall be spherical and of suitable dimensions and shall be freely exposed on all sides to the air of the room.

(e) The bores of the stems shall be such that the position of the top of the mercury column shall be readily distinguishable at a distance of 2 feet.

(f) Each thermometer shall be graduated so that accurate readings may be taken between 50 and 120 degrees.

(g) Every degree from 50 degrees up to 120 degrees shall be clearly marked by horizontal lines on the stem, each fifth and tenth degree shall be marked by longer marks than the intermediate degrees, and the temperature marked opposite each tenth degree, i.e., 50, 60, 70, 80, 90, 100, 110 and 120.

(h) The markings as above shall be accurate, that is to say at no temperature between 50 and 120 degrees shall the indicated reading be in error by more than two-tenths of a degree.

(i) A distinctive number shall be indelibly marked upon the thermometer.

(j) The accuracy of each thermometer shall be certified by the National Physical Laboratory, London, or some competent authority appointed by the Chief Inspector of Factories and such certificate shall be attached to the Humidity Register.

20G. Each thermometer shall be maintained at all times during the period of employment in efficient working order, so as to give accurate indications and in particular—

- (a) The wick and the muslin covering of the wet bulb shall be renewed once a week.
- (b) The reservoir shall be filled with water which shall be completely renewed once a day. The Chief Inspector of Factories may prescribe the use of distilled water or pure rain water in any particular mill or mills in certain localities.
- (c) No water shall be applied directly to the wick or covering during the period of employment.

20H. If an Inspector gives notice in writing that a thermometer is not accurate, it shall not, after one month from the date of such notice, be deemed to be accurate unless and until it has been re-examined as above, and a fresh certificate obtained which certificate shall be kept attached to the Humidity Register.

20I. No hygrometer shall be affixed to a wall, pillar or other surface unless protected therefrom by wood or other non-conducting material at least half an inch in thickness and distant at least one inch from the bulb of each thermometer.

20J. No readings shall be taken for record on any hygrometer within 15 minutes of the renewal of water in the reservoir.

(3) After form B appended to the said rules the following form shall be inserted namely —

FORM G-1  
HUMIDITY REGISTER

Department —

Hygrometer { distinctive mark or number  
position in department

Date Year Month Day	Readings of Hygrometer						If no humidity insert none	Remarks
	Between 7 and 9 a m		Between 11 a m and 2 p m (but not in the rest period)		Between 4 and 5 30 p m			
	Dry bulb	Wet bulb	Dry bulb	Wet bulb	Dry bulb	Wet bulb		
1st								
2nd								
3rd								
4th								
5th								
6th								
7th								
8th								
9th ...								
10th								
11th								
12th								
13th								
14th								
15th								
16th								
17th								
18th								
19th								
20th								
21st								
22nd								
23rd								
24th								
25th								
26th								
27th								
28th								
29th								
30th								
31st								

At the beginning of the month the Sundays, whole holidays, and in the shorter months the 31st or other excess days should be erased

(Signed)

Certified that the above entries are correct

(Signed)

By order of the Governor in Council,  
C. W. A. TURNER,  
Secretary to Government.

## GENERAL DEPARTMENT.

Bombay Castle, 15th July 1927

No 2343(a)/D—In exercise of the powers conferred by clause (k) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (XII of 1911), the Governor in Council is pleased further to amend the Factories (Amended) Rules, Bombay, 1923, published in Government Notification in the General Department, No 2343-D, dated the 1st July 1923, as follows, namely:—

(1) After rule 64 of the said rules the following new rule shall be inserted, namely:—

“ 64A Notice of accidents occurring in a factory not causing death or bodily injury, whereby the person injured is prevented from returning to his work in the factory during the 48 hours next after the occurrence of the accident, but due to any cause which has been notified in the *Bombay Government Gazette* in this behalf by the Local Government, shall be sent in form K to—

- (a) the Inspector of Factories, Ahmedabad, in case of all factories situated in Sind and in the districts of Ahmedabad, Kaira, Panch Mahals, Broach and Surat and in the Nawapur Taluka of the West Khandesh District, and
- (b) the Chief Inspector of Factories, Old Custom House, Bombay, in all other cases,

by registered post within one hour of the occurrence, or the accident shall be reported by telegraph, telephone, or by special messenger within the same period. If the notice is sent by special messenger, it shall be in form K and if it is sent by telegraph or telephone, it shall be confirmed by a written report in that form.

Note—The following causes have been notified in Government Notification in the General Department No 2343(b)/D dated the 15th July 1927 at page 1775 of the *Bombay Government Gazette* dated 21st July in this behalf —

- (a) Structural collapse.
- (b) The breaking of any rope, chain or other appliance used in raising or lowering persons or goods by the aid of mechanical or electrical power, and
- (c) Fires in cotton openers in cotton pressing factories ”

2. For form K appended to the said rules, the following form shall be substituted, namely —

### FORM K.

#### *Report of Accidents*

Required under Indian Factories Act and Factory Rules 60-64A

Not to be filled  
up by the  
management.

{	District
	Date of Receipt
	Accident No
	Classification, i e, fatal, serious or minor
	Date of Enquiry
	Result of Enquiry

1. Name of Occupier
2. Address of Works
3. Nature of Industry
4. Branch or Department in which  
accident occurred
5. (a) Was injury caused to any person?  
(b) If so, the injured person's name  
Address  
Sex                      Age                      Caste

L H 227

[Price—Pics 6 or 1d

- \*6. Usual occupation of injured person
7. Date and hour of accident
8. Hour at which he started work on day of accident
9. Cause of accident (a) (a)
- If caused by machinery give —
- (b) Name of machine and part causing accident (b)
- (c) State whether it was moved by mechanical power at the time (c)
- \*(d) State exactly what injured person was doing at the time (d)
- \*10. Describe fully nature and extent of injuries, e g , fatal, loss of finger, etc.
- \*11. If accident not fatal state whether injured person was disabled for 48 hours (see section 34 of Act XII of 1911)
12. Has duplicate copy of this return been kept
- \*13. Under whose treatment is injured person
- Signature of Occupier, Manager or Agent
- ~~Signature of Occupier, Manager or Agent~~
- Date

By order of the Governor in Council,

C W A TURNER,  
Secretary to Government

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\*Not to be used when no injury has been caused to any person