

Factories Act 1948, Applicability, Provisions, Rules, Amendments

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The Factories Act 1948 is a landmark labour law enacted in 1948 and enforced from 1 April 1949 to regulate factory conditions. It consolidates laws relating to labour in factories and focuses on health, safety, welfare, working hours and protection of vulnerable workers. The Factories Act 1948 created a statutory framework ensuring humane working conditions and shifted industrial regulation toward worker protection.

Factories Act 1948 Provisions

The Factories Act 1948 lays down comprehensive legal rules covering factory definition, licensing, worker protection, safety systems, working hours, welfare facilities and enforcement mechanisms ensuring minimum standards.

- **Definition of factory:** The Act defines a factory as premises where manufacturing occurs with at least 10 workers using power or 20 workers without power, making applicability dependent on workforce strength and use of machinery.

- **Approval and licensing:** The Factories Act 1948 requires prior approval, licensing and registration of factories, ensuring regulatory control before operations begin and preventing unregulated industrial activities outside the legal compliance framework.
- **Health provisions:** Sections 11-20 ensure cleanliness, waste disposal, ventilation, temperature control, dust prevention, lighting, drinking water and sanitation facilities to maintain hygienic working environments in factories.
- **Safety provisions:** Sections 21-41 mandate machine fencing, safe operation of equipment, protection from hazardous processes and accident prevention measures to reduce industrial injuries.
- **Protection against hazardous fumes:** Workers cannot enter confined spaces with toxic gases unless proper safety measures, ventilation and escape arrangements are ensured.
- **Creche facilities:** Factories employing more than 30 women workers must provide creches for children below six years, ensuring childcare support and enabling women's participation in the workforce.
- **Working hours regulation:** The Factories Act 1948 limits working hours to 48 hours per week and regulates daily hours, rest intervals, spread over and overtime wages.
- **Overtime wages:** Workers performing extra work beyond prescribed hours must be paid overtime wages at higher rates, discouraging exploitation.
- **Employment of women:** The Act includes protective provisions restricting women's work in hazardous processes and regulating working hours, reflecting a protective labour policy approach.
- **Employment of young persons:** Children below 14 years are prohibited from working, while adolescents require fitness certificates and regulated working hours.
- **Hazardous processes provisions:** Chapter IV A introduces strict rules for industries involving hazardous substances, including disclosure requirements and safety responsibilities of occupiers.
- **Worker participation:** Workers are given rights to participate in safety management and to warn about imminent dangers, promoting collective responsibility for workplace safety.
- **Annual leave with wages:** Workers who complete 240 days of work annually are entitled to paid leave, ensuring rest and work life balance.
- **Registers and records:** Factories must maintain registers for workers, accidents, leave, overtime and inspections, ensuring transparency and accountability.
- **Penalties for violations:** Section 92 provides penalties including imprisonment up to two years and fines up to ₹2 lakh for violations, with additional fines for continued offences.
- **Liability provisions:** Owners, occupiers and managers can be held liable for non compliance, ensuring accountability in maintaining safety and welfare standards.
- **Special provisions:** The Act empowers governments to apply provisions to certain premises, regulate dangerous operations and investigate accidents or occupational diseases.

Also Read: **Bonded Labour Act**

Factories Act 1948 Amendments

The Factories Act 1948 has been amended multiple times to strengthen safety norms, expand coverage and address industrial hazards emerging from technological and economic changes.

Some of the major amendments to this act has been listed below:

- **Amendment 1951:** Early amendments refined implementation rules, extended applicability to new states and improved administrative provisions after initial enforcement of the Act.
- **Amendment 1954:** Changes aligned with international labour standards, restricted night work for women and children, improved safety measures and revised provisions on working hours and leave with wages.
- **Amendment 1976:** Expanded definitions of factory and worker to include contract labour, introduced new safety provisions and mandated approval of factory sites and building plans.
- **Amendment 1987:** Triggered by industrial disasters like the Bhopal gas tragedy, it introduced Chapter IV A dealing with hazardous processes and stricter penalties.

Factories Act 1948 Current Status

The Factories Act 1948 remains historically significant but has largely been subsumed into a modern labour law framework under consolidated labour codes in India.

- The Factories Act 1948 has been transitioned to **Labour Codes**. India consolidated 29 central labour laws into four codes, including occupational safety laws, reducing complexity and modernizing compliance systems.
- The Occupational Safety, Health and Working Conditions Code, 2020 replaced major provisions of the Factories Act 1948 relating to safety and working conditions.
- Government communications indicate that labour codes became operational around November 2025, marking a shift from older laws to a unified legal framework.
- As per 2022 data, registered factories increased from 224,851 to 228,585, with 84.16% operational, showing continued industrial expansion under regulatory frameworks.
- The majority of workers reported working between 45-48 hours weekly, aligning with statutory limits under the Act.
- Reported injuries increased to 2799 in 2022, though frequency rate per lakh mandays declined, indicating mixed safety outcomes.
- Around 96.52% of factories were inspected once annually, reflecting ongoing enforcement under labour administration.
- Out of 2870 convictions, 20.91% were related to safety violations, showing enforcement focus on workplace safety compliance.
- Government proposals include online registration and self certification systems, aiming to simplify procedures but raising concerns about reduced regulatory oversight.

Source: <https://vajiramandravi.com/current-affairs/factories-act-1948/>

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