

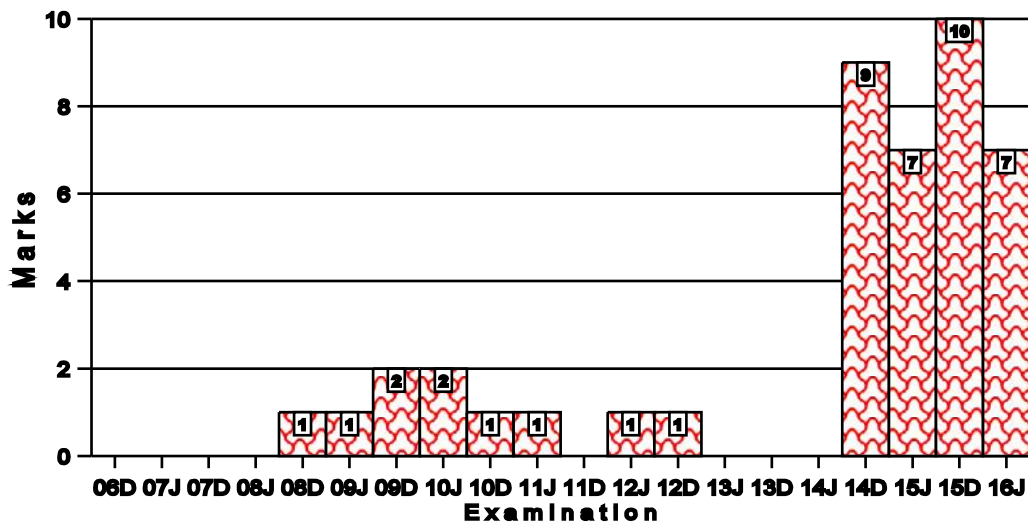
# 1

## Factories Act, 1948

### This Chapter Includes

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| <ul style="list-style-type: none"><li>• Learning objective</li><li>• Object and scope of the Act</li><li>• Competent Person</li><li>• Prime mover</li><li>• Transmission Machinery</li><li>• Hazardous Process</li><li>• Factory</li><li>• Manufacturing Process</li><li>• What is not manufacturing process</li><li>• Statutory agencies and their powers</li><li>• Approval licensing and registration of factories</li><li>• Power of inspector</li></ul> | <ul style="list-style-type: none"><li>• Notice by Occupier</li><li>• General duties of the occupier and manufacturers</li><li>• Health, measures</li><li>• Safety measures</li><li>• Welfare measures</li><li>• Special Provision relating to Hazardous Processes</li><li>• Working hours of adults</li><li>• Annual Leave with wages</li><li>• Employment of young person and children</li><li>• Penalties and Procedures</li><li>• Compliances under the Act</li></ul> |
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### Marks of Objective Questions



## Chapter at a Glance

### Object & Scope of Factories Act, 1948 :

- An Act to consolidate and amend the laws regulating labour in factories.
- Applies to whole of India including Jammu & Kashmir.
- Objective of the Act is to ensure safety measures and promote health and welfare of factory workers.

### What is Factory as per the Act:

- Factory includes any premises including the precincts thereof, whereon **10 or more** workers are working/were working on **any of the day** in the preceding 12 months to carry any manufacturing process with the aid of power **or 20 or more** workers are working/were working in case the manufacturing process is carried without power.
- **Excludes** mine, unit of armed forces, railway running shed, hotel, restaurant or eating place.
- Premises including precincts enlarges the scope.
- Factory **includes** all the length of railway line, company engaged in construction of railway line.
- Open land engaged in the conversion of sea water into crystals of salt will be regarded as Factory.
- Seasonal factories like sugarcane etc. will continue to remain as factory during the off-season.

### What is manufacturing process as per the Act :

- The term manufacturing process means any process for
  - ⇒ Making, altering, repairing, oiling, ornamenting, finishing, packing, washing, cleaning, breaking, demolishing or otherwise treating any article with a view to use, for sale, disposal or delivery;
  - ⇒ Generating, transforming, transmitting power
  - ⇒ Pumping oil, water or sewage
  - ⇒ Printing, composing types for printing or book binding
  - ⇒ Repairing, constructing, finishing etc of vessels or ships
  - ⇒ Preserving or storing in cold storage.

- **Includes** the following:
  - ⇒ Laundry
  - ⇒ Carpet beating
  - ⇒ Process involved for pumping water
  - ⇒ Stitching bags
  - ⇒ Conversion of latex into rubber
  - ⇒ Conversion of sea water into salt
  - ⇒ Tracing & adapting on raw film
  - ⇒ Packing & packaging into smaller units
  - ⇒ Processes like moistening, stripping, breaking up, adaption & packing of tobacco for use in manufacture of cigarettes
- **Excludes** the following :
  - ⇒ Transforming & transmitting electricity
  - ⇒ Training Institute
  - ⇒ Exhibition of film

**What is Worker as per the Act:**

As per Sec. 2(1) of Factories Act, 1948, the definition of worker has following ingredients:

- Person should be employed:
  - ⇒ There should exist an employer employee relationship
  - ⇒ Employer not just to control what work to be done but also the manner in which the same shall be done.
  - ⇒ Relationship of master and servant not necessary.
  - ⇒ Piece rated workers who work on regular basis shall be treated as 'workers'.
  - ⇒ Partner or independent contractor cannot be regarded as worker.
- Employment to be direct or through some agency:
  - ⇒ Employment should be directly by the management or through employment agency.
  - ⇒ There should exist a privity of contract.
- Employment should be in some manufacturing process:
  - ⇒ Includes in its purview people directly involved in manufacturing process but also incidental to manufacturing process.
  - ⇒ Includes:

- ▶ People working in canteen
- ▶ Munim in a factory.
- Employment may be for remuneration or not
  - ⇒ Includes
    - ▶ Apprentice
    - ▶ Honorary worker
    - ▶ Person employed on price work basis
    - ▶ Person employed for no wages.

**Enforcement of Factories Act, 1948 :**

- **State Govt** is responsible for enforcement of the Act.
- State Govt carries administration of the Act through:
  - ⇒ Inspecting Staff
  - ⇒ Certifying Surgeons
  - ⇒ Welfare Officers
  - ⇒ Safety Officers
- Welfare officer to be appointed wherein 500 or more workers are employed
- Safety officer to be appointed wherein 1000 or more workers are employed

**Occupier & his Role under the Factories Act, 1948 :**

- Occupier as per Section 2(n) means a person who has the ultimate control over the affairs of the factory.
- Following persons will be considered as Occupier:
  - ⇒ In case of Company: Director
  - ⇒ In case of Partnership Firm: Partner
  - ⇒ In case of Association of Individuals: Member
  - ⇒ In case of Government or local authority owned or controlled factory: Person/persons appointed to manage the affairs of the factory
- Occupier of the factory needs to give a notice to Chief Inspector:
  - ⇒ 30 days before date of resumption of seasonal factories
  - ⇒ 15 days before date of use of premises by occupier
- Where new manager is appointed, occupier to intimate within:
  - ⇒ 7 days of appointment
- Contents of Notice:

- ⇒ Name & address of factory
- ⇒ Name & address of occupier
- ⇒ Name & address of owner
- ⇒ Name of manager
- ⇒ Address of communication
- ⇒ Number of Workers
- ⇒ Nature of manufacturing work
- ⇒ Total power installed
- Occupier should ensure worker's:
  - ⇒ Health
  - ⇒ Safety and
  - ⇒ Welfare
  - ⇒ He should make a written statement of the policy adopted by him with respect to the aforesaid points (health, etc.) and even make the workers aware about the same.
- He shall provide:
  - ⇒ Proper maintenance of the plants so as to ensure that they are safe.
  - ⇒ Safety arrangement with regards to use, handling and transportation of substances.
  - ⇒ Training and supervision.
  - ⇒ Safe access to all places of work in the factory.
  - ⇒ Adequate facilities and arrangements for welfare of the workers in the factory.

**Working hours as per Factories Act, 1948:**

- Adult worker to work for **48 hours** a week.
- Cannot be made to work for more than **9 hours a day**.
- In case of work exceeding 9 hours or 48 hours in any week, overtime at twice the ordinary rate of wages needs to be given (Ordinary rate = Basic wages + Allowances, not includes bonus).
- Other Noteworthy Points/Quick bites for Exams on Factories Act:
  - ⇒ No worker shall be required/allowed to work in any factory if he has already been working in any other factory on that day.
  - ⇒ Notice of period of work to be displayed in every Factory.

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- ⇒ Every factory to maintain a register of adult workers containing prescribed particulars the same shall be made available to the Inspector on demand.
- ⇒ Shifts cannot be changed other than after weekly holiday or any other holiday.
- ⇒ Women workers shall be employed between - **6AM to 7PM** (State Govt. may alter the same by notification in Official Gazette but no woman be employed between 10PM to 5AM).
- ⇒ In respect of employment of children above the age of 14 years, factory manager needs to obtain a certificate of fitness & such children needs to carry the same while he is at work.
- ⇒ No children be employed between **10PM to 6AM** and can be permitted to work for not more than **four and a half hours a day**.
- ⇒ Female children can be employed only between **8 AM to 7PM**.
- ⇒ Certificate of fitness is valid for 1 year.
- ⇒ **Provisions for leave:** for workers who have worked for a minimum of 240 days in a calendar year are as follows:
  - (a) **For adults:** 1 day for every 20 days worked
  - (b) **For children:** 1 day for every 15 days worked
- Needs to be given atleast half an hour break after continuous **5 hours** of work.
- There shall be **one** holiday every week.
- No adult worker shall work for consecutively **10 days**.
- Child who has not completed **14 years** of age shall not be employed in factory.
- Where a worker has worked for **240 days**, adult worker shall be entitled to leave for **20 days**.

### **CS Executive Programme (Module II)**

#### **OBJECTIVE QUESTIONS**

**2008 - Dec [7]** (c) Choose the most appropriate answer from the given options in respect of the following:

- (v) A premises including precincts thereof is a 'factory' within the meaning of the Factories Act, 1948 wherein a manufacturing process is being carried on with the aid of power and where the number of workers working is –
- (a) 10 or more workers
  - (b) 20 or more workers
  - (c) 15 or more workers
  - (d) 50 or more workers
- (1 mark)

**Answer:**

- (a) 10 or more workers

**2009 - June [7]** (b) Re-write the following sentences after filling-in the blank spaces with appropriate word(s)/figures (s):

- (iii) A factory is required to appoint a welfare officer where \_\_\_\_\_ workers are ordinarily employed. (1 mark)

**Answer:**

A factory is required to appoint a welfare officer where **greater than 500** or more workers are ordinarily employed.

**2009 - Dec [7]** (c) Choose the most appropriate answer from the given options in respect of the following:

- (i) The 'occupier of a factory is required to appoint a Welfare Officer where:
- (a) 250 workers are employed
  - (b) 100 workers are employed
  - (c) 200 workers are employed
  - (d) 500 or more workers are employed.
- (ii) Out of the following which is not a manufacturing process:
- (a) Finished goods and packing thereof
  - (b) The making of *bidis*
  - (c) Stitching old gunny bags and making them fit for use
  - (d) Pumping of water from a tubewell. (1 mark each)

**Answer:**

- (i) (d) 500 or more workers are employed
- (ii) (a) Finished goods and packing thereof.

**2010 - June [7]** (c) Choose the most appropriate answer from the given options in

respect of the following:

- (ii) The occupier of a factory is required to send a written notice to the Chief Inspector of Factories at least:
  - (a) 7 Days before he begins to occupy or use the premises as a factory
  - (b) 15 Days before he begins to occupy or use the premises as a factory
  - (c) 21 Days before he begins to occupy or use the premises as a factory
  - (d) 10 Days before he begins to occupy or use the premises as a factory.
- (iii) The State Government may make rules regarding the provisions and maintenance of a canteen for the use of workers wherein more than:
  - (a) 250 Workers are ordinarily employed
  - (b) 500 Workers are ordinarily employed
  - (c) 300 Workers are ordinarily employed
  - (d) 100 Workers are ordinarily employed

(1 mark each)

**Answer:**

- (ii) (b) 15 Days before he begins to occupy or use the premises as a factory.
- (iii) (a) 250 workers are ordinarily employed.

**2010 - Dec [7]** (c) Choose the most appropriate answer from the given options in respect of the following:

- (ii) When a new manager is appointed for a factory, the occupier shall send to the Inspector of Factories a notice in writing within :
  - (a) 7 Days
  - (b) 15 Days
  - (c) 30 Days
  - (d) 45 Days.

(1 mark)

**Answer:**

- (a) 7 Days

**2011 - June [7]** (b) Re-write the following sentences after filling-in the blank spaces with appropriate word(s)/figure(s):

- (iv) An adolescent worker shall be allowed to work only for \_\_\_\_\_ hours in a week.

(1 mark)

**Answer:**

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**2012 - June [7]** (b) Re-write the following sentences after filling-in the blank spaces with appropriate word(s)/figure(s):



(iii) Adolescent means a person who has completed \_\_\_\_\_ of age but not completed his 18<sup>th</sup> year. (1 mark)

**Answer:**

15<sup>th</sup> year

**2012 - Dec [7]** (b) Re-write the following sentences after filling-in the blank spaces with appropriate word(s)/figure(s):

(v) There must be more than \_\_\_\_\_ workers in a factory for the mandatory appointment of a safety officer. (1 mark)

**Answer:**

One thousand

**2014 - Dec [35]** As per the Factories Act, 1948 any engine, motor or other appliance which generates or otherwise provides power is defined as —

- (a) Prime mover (b) Power  
(c) Transmission machinery (d) Machinery. (1 mark)

**Answer:**

(a) Prime mover

**2014 - Dec [37]** A premises including precincts thereof is a 'factory' within the meaning of the Factories Act, 1948 whereon \_\_\_\_\_ are working, or were working on any day of the preceding twelve months and in any part of which a manufacturing process is being carried on with the aid of power or is ordinarily so carried on; or whereon \_\_\_\_\_ are working, or were working on a day of the preceding twelve months, and in any part of which a manufacturing process is being carried on without the aid of power, or is ordinarily so carried on.

- (a) 10 or more workers; 20 or more workers  
(b) 20 or more workers; 10 or more workers  
(c) 10 or more workers; 100 or more workers  
(d) 15 or more workers; 20 or more workers. (1 mark)

**Answer:**

(a) 10 or more workers; 20 or more workers

**2014 - Dec [38]** As per the Factories Act, 1948 'adolescent' means a person who has completed —

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- (a) 18<sup>th</sup> year but not completed 21<sup>st</sup> year
- (b) 15<sup>th</sup> year but not completed 18<sup>th</sup> year
- (c) 16<sup>th</sup> year but not completed 18<sup>th</sup> year
- (d) 15<sup>th</sup> year but not completed 21<sup>st</sup> year. (1 mark)

**Answer:**

- (b) 15<sup>th</sup> year but not completed 18<sup>th</sup> year

**2014 - Dec [39]** As per section 16 of the Factories Act, 1948 the minimum space to be allocated to each worker employed in the factory is —

- (a) 12.2 cubic metres
- (b) 13.2 cubic metres
- (c) 14.2 cubic metres
- (d) 15.2 cubic metres. (1 mark)

**Answer:**

- (c) 14.2 cubic metres

**2014 - Dec [41]** As per section 90 of the Factories Act, 1948 the State Government may, if it considers it expedient to do so, appoint a competent person to inquire into the causes of any accident occurring in a factory or into any case where a disease specified in \_\_\_\_\_ has been, or is suspected to have been contracted in the factory.

- (a) First schedule and second schedule
- (b) Second schedule and sixth schedule
- (c) Third schedule
- (d) Fifth schedule. (1 mark)

**Answer:**

- (c) Third schedule

**2014 - Dec [42]** Under section 40B of the Factories Act, 1948 in every factory, wherein \_\_\_\_\_ or more workers are ordinarily employed, or wherein, in the opinion of the State Government, any manufacturing process or operation is carried on, where process or operation involves any risk of bodily injury, poisoning or disease, or any other hazard to health, to the persons employed in the factory, the occupier shall, if so required by the State Government by notification in the Official Gazette, employ such number of \_\_\_\_\_ as may be specified in that notification.

- (a) One thousand; safety officers
- (b) Five hundred; health officers

- (c) Four hundred; welfare officers
- (d) Two hundred; inspection officers. (1 mark)

**Answer:**

- (a) One thousand; safety officers

**2014 - Dec [43]** As per section 53 of the Factories Act, 1948 where, as a result of the passing of an order or the making of a rule under the provisions of this Act exempting a factory or the workers therein from the provisions of weekly holidays, a worker deprived of any of the weekly holidays for which provision is made, he shall be allowed, within the month in which the holidays were due to him or within the two months immediately following that month, \_\_\_\_\_ of equal number to the holidays so lost.

- (a) Earned leave
- (b) Restricted holidays
- (c) Compensatory holidays
- (d) Accumulated leave. (1 mark)

**Answer:**

- (c) Compensatory holidays

**2014 - Dec [45]** As per section 48 of the Factories Act, 1948 in every factory wherein more than \_\_\_\_\_ women workers are ordinarily employed, the facility of suitable room or rooms should be provided and maintained for the use of children under the age of \_\_\_\_\_ of such women.

- (a) 30; six years
- (b) 50; five years
- (c) 75; seven years
- (d) 100; five years. (1 mark)

**Answer:**

- (a) 30; six years

**2014 - Dec [49]** The 'occupier' of a factory under the Factories Act, 1948 is required to appoint a Welfare Officer where number of workers employed are —

- (a) 200
- (b) 300
- (c) 400
- (d) 500 or more. (1 mark)

**Answer:**

- (d) 500 or more.

**2015 - June [1]** Under the Factories Act, 1948, usually the term 'precincts' is known as —

- (a) A space enclosed by walls
- (b) Part of factory
- (c) Subsidiary of factory
- (d) Walls of the factory. (1 mark)

**Answer:**

- (a) A space enclosed by walls

**2015 - June [10]** Which of the following is empowered under section 41D of the Factories Act, 1948 to appoint an Inquiry Committee in the event of the occurrence of an extraordinary situation involving a factory engaged in a hazardous process, to inquire into the standards of health and safety observed in the factory with a view to finding out the causes of any failure or neglect in the adoption of any measures or standards prescribed for the health and safety of the workers employed in the factory —

- (a) Central Government
- (b) State Government
- (c) Occupier of the factory
- (d) Inspector of the factory. (1 mark)

**Answer:**

- (a) Central Government

**2015 - June [17]** Any unpaid wages due to the workers under the Chapter VII (annual leave with wages) of the Factories Act, 1948 can be recovered as delayed wages under the provisions of the —

- (a) Minimum Wages Act, 1948
- (b) Payment of Wages Act, 1936
- (c) Equal Remuneration Act, 1976
- (d) Payment of Bonus Act, 1965. (1 mark)

**Answer:**

- (b) Payment of Wages Act, 1936

**2015 - June [23]** Under section 55 of the Factories Act, 1948, an adult worker shall not work continuously for more than five hours unless he has had a rest interval of at least —

- (a) One hour

- (b) 45 minutes
- (c) Half an hour
- (d) Two hours.

(1 mark)

**Answer:**

- (c) Half an hour

**2015 - June [33]** According to section 66 of the Factories Act, 1948 a woman shall not be allowed to work in any factory except between the hours of —

- (a) 6 A.M. and 7 P.M.
- (b) 6 A.M. and 9 P.M.
- (c) 8 A.M. and 9 P.M.
- (d) 8 A.M. and 8 P.M.

(1 mark)

**Answer:**

- (a) 6 A.M. and 7 P.M.

**2015 - June [41]** Section 36A of the Factories Act, 1948 provides that in any factory no portable electric light or any other electric appliance of voltage exceeding \_\_\_\_\_ shall be permitted for use inside any chamber, tank, vat, pit, pipe, flue or other confined space unless adequate safety devices are provided.

- (a) 42 Volts
- (b) 24 Volts
- (c) 50 Volts
- (d) 100 Volts.

(1 mark)

**Answer:**

- (b) 24 Volts

**2015 - June [66]** Section 28 of the Factories Act, 1948 provides that in a factory, every hoist and lift shall be properly maintained and thoroughly examined by a competent person at least once in every period of —

- (a) Three months
- (b) Six months
- (c) Nine months
- (d) Twelve months.

(1 mark)

**Answer:**

- (b) Six months

**2015 - Dec [12]** Under section 2(d) of the Factories Act, 1948, 'young person' means a person who —

- (a) Is either an adult or an adolescent
- (b) Has completed his eighteen years of age
- (c) Is either a child or an adolescent
- (d) All of the above. (1 mark)

**Answer:**

- (c) Is either a child or an adolescent

**2015 - Dec [18]** According to the definition of 'factory' given in section 2(m) of the Factories Act, 1948, which of the following is not included in the term 'factory' —

- (a) Mines
- (b) Railway running sheds
- (c) Hotels, restaurants and eating places
- (d) All of the above. (1 mark)

**Answer:**

- (d) All of the above.

**2015 - Dec [23]** The word 'premises' under section 2(m) of the Factories Act, 1948 is a generic term meaning open land or land with buildings or buildings alone. The legislature had no intention to discriminate between workers engaged in manufacturing process in a building and those engaged in such a process on an open land. Thus, the salt works, in which the work done is of conversion of sea water into crystals of salt, come within the meaning of the word 'premises'. It was observed by the Supreme Court of India in the case of —

- (a) Ardeshir H. Bhiwaniwala v. State of Bombay
- (b) Bharati Udyog v. Regional Director E.S.I. Corporation
- (c) Both (a) and (b) above
- (d) Neither (a) nor (b). (1 mark)

**Answer:**

- (a) Ardeshir H. Bhiwaniwala v. State of Bombay

**2015 - Dec [27]** Factory is a premise where a manufacturing process is carried on. The process undertaken in zonal station, sub-stations and electricity generating stations, transforming and transmitting electricity generated at the power stations does not fall within the definition of manufacturing process as the workmen

employed therein have no part in any manufacturing process. This view was expressed by the Supreme Court of India in –

- (a) U.P. Electricity Supply Co. v. The workmen of U.P. Electricity Supply Co.
- (b) Workmen of Delhi Electric Supply Undertaking v. Management of D.E.S.U.
- (c) Agra Electric Supply Co. Ltd., Agra v. Workmen of Agra Electricity Co. Ltd.
- (d) None of the above. (1 mark)

**Answer:**

- (b) Workmen of Delhi Electric Supply Undertaking v. Management of D.E.S.U.

**2015 - Dec [32]** Every occupier of factory shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory. In which of the following sections of the Factories Act, 1948 has it been provided –

- (a) Clause (1) of section 7A
- (b) Clause (a) of section 7B
- (c) Both (a) and (b) above
- (d) Neither (a) nor (b). (1 mark)

**Answer:**

- (a) Clause (1) of section 7A

**2015 - Dec [36]** Provision of penalty for permitting double employment of a child by parents or guardians has been stipulated in the Factories Act, 1948 under –

- (a) Section 93
- (b) Section 95
- (c) Section 96
- (d) Section 99 (1 mark)

**Answer:**

- (d) Section 99.

**2015 - Dec [41]** Under section 69 of the Factories Act, 1948 before employing a young person in the factory, a certificate has to be obtained from certifying surgeon that such young person is fit for that work in the factory. Who can apply for obtaining such fitness certificate:

- (1) Young person himself
- (2) His parent or guardian
- (3) Manager of the factory

Which of the above is incorrect –

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- (a) Only(1)
- (b) Only (2)
- (c) Only (3)
- (d) None of the above. (1 mark)

**Answer:**

- (d) None of the above

**2015 - Dec [43]** Who shall be the Chairman of Site Appraisal Committee constituted by the State Government under section 41A of the Factories Act,1948-

- (a) Inspector General of Police
- (b) Principal Secretary of Environment
- (c) Chief Inspector of the State
- (d) None of the above. (1 mark)

**Answer:**

- (c) Chief Inspector of the State

**2015 - Dec [45]** The provision that no adult worker shall be allowed to work in a factory for more than forty eight(48) hours in any week, is made under which of the following sections of the Factories Act, 1948 –

- (a) Section 51
- (b) Section 51A
- (c) Section 52
- (d) None of the above (1 mark)

**Answer:**

- (a) Section 51

**2015 - Dec [52]** The Factories Act, 1948 is a social legislation and it provides for the health, safety, welfare and other aspects of the workers employed in the factories. This view has been expressed by the Rajasthan High Court in the case of –

- (a) Sajjan Singh v. State of Rajasthan
- (d) State of Rajasthan v. Union of India
- (c) Ravi Shankar Sharma v. State of Rajasthan
- (d) None of the above. (1 mark)



**Answer:**

(c) Ravi Shankar Sharma v. State of Rajasthan

**2016 - June [7]** Which one of the following statements is true under the provisions of the Factories Act, 1948 —

- (a) For the purpose of cleanliness, the office of the factory must be kept clean and free from effluvia arising from any drain or nuisance
- (b) Where the work carried on in the factory generates excessively high temperature, such process should be separated from the work room
- (c) Artificial humidification is required for carrying out every type of manufacturing process
- (d) Sufficient number of spittoons situated at convenient places is a mandatory condition where more than 1,000 workers are ordinarily employed in a factory. (1 mark)

**2016 - June [9]** The administration of the Factories Act, 1948 is carried out through Inspecting Staff, Certifying Surgeon, Welfare Officer and Safety Officer. In this relation read the following statements —

- (i) The Chief Inspector of factories is appointed by the Central Government
- (ii) In every district the Sessions Judge shall be deemed to be an Inspector for his district
- (iii) The primary function of a 'Certifying Surgeon' is to make examination of the premise, plant and machinery and to maintain registers and records
- (iv) Under section 40B of this Act, appointment of Safety Officer is not mandatory in every factory.

Select the correct answer from the options given below —

- (a) (i) and (ii)
- (b) (ii) and (iii)
- (c) (i) only
- (d) (iv) only. (1 mark)

**2016 - June [14]** In which case, the Supreme Court held that the process undertaken in zonal and sub-stations, transforming and transmitting electricity generated at the power station does not fall within the definition of

'manufacturing process' and could not be said to be a 'factory' —

- (a) Workmen of Delhi Electric Supply Undertaking v. Management of Delhi Electric Supply Undertaking
- (b) R.E D' souza v. Krishnan Nair
- (c) V.P Gopala Rao v. Public Prosecutor
- (d) P. Natrajan v. E.S.I Corporation. (1 mark)

**2016 - June [16]** Which one of the following statements is not correct as per Section 2 of the Factories Act, 1948 —

- (a) 'Child' means a person who has not completed his 15<sup>th</sup> year of age
- (b) 'Power' does not include the power generated by human or animal agency
- (c) 'Adolescent' is a person who has completed his 14<sup>th</sup> year of age but has not completed his 20<sup>th</sup> year.
- (d) The term 'machinery' includes prime - movers, transmission machinery and all other appliances whereby power is generated, transformed, transmitted or applied. (1 mark)

**2016 - June [19]** Which one of the following is not an essential element of a factory —

- (a) There must be premises
- (b) There must be a manufacturing process being carried on at the premises
- (c) There must be 10 or more workers where the manufacturing process is being carried on with the aid of power
- (d) There are installed electronic data processing units. (1 mark)

**2016 - June [68]** Which one of the following is not welfare provisions under the Factories Act, 1948 —

- (a) Canteen
- (b) Creches
- (c) Alcoholic beverage
- (d) Drinking water. (1 mark)

**2016 - June [70]** Section 2(n) of the Factories Act, 1948 defines the term 'occupier' as a person who has ultimate control over the affairs of the factory. In the light of the definition of occupier, in the case of a company —

- (a) The Company Secretary shall be deemed to be the occupier

- (b) Any one of the directors shall be deemed to be the occupier
- (c) Any senior officer of the company shall be deemed to be the occupier
- (d) Any responsible and trusted employee who stays at the factory premises throughout day and night shall be deemed to be the occupier.

(1 mark)

### Multiple Choice Questions

1. Factories Act was enacted in the year:
  - (a) 1950
  - (b) 1948
  - (c) 1960
  - (d) 1938

**Answer:**
2. Which of the following is not an objective of Factories Act :
  - (a) Protect interest of workers in factories
  - (b) Secure good working conditions
  - (c) Regulate the contract labourers
  - (d) Provide for adequate safety measures of factory workers

**Answer:**
3. \_\_\_\_\_ or more workers carrying manufacturing process with aid of power constitutes Factory as per Factories Act, 1948:
  - (a) 10
  - (b) 20
  - (c) 100
  - (d) 7

**Answer:**
4. Adult as per Factories Act, 1948 means, a person who has completed:
  - (a) 21 years
  - (b) 18 years
  - (c) 15 years
  - (d) 16 years

**Answer:**

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5. Adolescent as per Factories Act, 1948 means, a person who has completed \_\_\_\_\_ but not completed \_\_\_\_\_ years:

- (a) 21 years; 25 years
- (b) 18 years; 21 years
- (c) 15 years; 18 years
- (d) 16 years; 18 years

**Answer:**

6. Child as per Factories Act, 1948 means, a person who has not completed:

- (a) 21 years
- (b) 18 years
- (c) 15 years
- (d) 16 years

**Answer:**

7. First Schedule can be amended by notification in Official Gazette by:

- (a) State Govt.
- (b) Central Govt.
- (c) Collector
- (d) President

**Answer:**

8. Which of the following does not constitute a Factory as per the Act?

- (a) Mine
- (b) Mobile Unit of Armed Forces
- (c) Hotel
- (d) All of the above

**Answer:**

9. Which of the following are essential elements of a factory?

- (a) There must be premises
- (b) There must be manufacturing process carried on at the premises
- (c) 10 or more workers carrying out manufacturing process with aid of power
- (d) All of the above

**Answer:**

10. Which of the following constitutes Manufacturing process as per Factories Act, 1948?

- (a) Making or producing the article
- (b) Generating & transmitting power
- (c) Cold storage
- (d) All of the above

**Answer:**

11. Which of the following does not constitute Manufacturing process as per Factories Act, 1948?

- (a) Laundry & carpet beating
- (b) Stitching old gunny bags
- (c) Imparting training
- (d) Bidi making

**Answer:**

12. Which of the following does not constitute Manufacturing process as per Factories Act, 1948?

- (a) Receiving news on reel in a teleprinter
- (b) Exhibition of film process
- (c) Finished goods & packing thereof
- (d) All of the above

**Answer:**

13. Worker for the purpose of Factories Act, 1948 means a person employed directly or by or through any agency, but does not include:

- (a) Member of the Armed Forces of the Union
- (b) Person earning more than ₹ 6,500
- (c) Person earning less than ₹ 6,500
- (d) Govt. officials

**Answer:**

14. Whether Piece-rate workers can be workers within the definition of 'worker' as per Factories Act:

- (a) Yes
- (b) No
- (c) Partially
- (d) Never

Answer:

15. Which of the following is a worker as per Factories Act?

- (a) Contractor
- (b) Partner
- (c) Independent agent
- (d) Piece rated workers

Answer:

16. Which of the following is not a worker as per Factories Act?

- (a) Munim
- (b) Worker in canteen of the factory
- (c) Worker cleaning Plant and Machinery
- (d) Contractor

Answer:

17. Which of the following shall be considered as worker for the purpose of Factories Act?

- (a) Person receiving remuneration
- (b) Person receiving no wages
- (c) Apprentice
- (d) All of the above

Answer:

18. \_\_\_ shall be deemed as an Occupier in case of a Company?

- (a) Company Secretary
- (b) Manager
- (c) Director
- (d) None of the above

Answer:

19. Following cannot be regarded as Occupier of a factory?

- (a) Employee
- (b) Director
- (c) Partner
- (d) Owner

Answer:

20. Who is empowered to make rules in relation to Factories Act?
- (a) Union Govt.
  - (b) State Govt.
  - (c) Collector
  - (d) None of the above
- Answer:**
21. State Governments carry out the administration of the Act through:
- (a) Inspecting Staff
  - (b) Certifying Surgeons
  - (c) Welfare & Safety Officers
  - (d) All of the above
- Answer:**
22. \_\_\_\_\_ shall be an Inspector for the purpose of Factories Act?
- (a) District Magistrate
  - (b) Collector
  - (c) Chief Minister
  - (d) Prime Minister
- Answer:**
23. The powers of the inspector does not include:
- (a) He can enter any place
  - (b) He can make examination of the premises
  - (c) Arrest the occupier
  - (d) Take possession of any such article or substance which is hazardous
- Answer:**
24. What is the minimum number of workers required in a factory for the mandatory appointment of a Welfare Officer?
- (a) 100 or more
  - (b) 500 or more
  - (c) Less than 750
  - (d) 1,000 or more
- Answer:**

25. What is the minimum number of workers required in a factory for the mandatory appointment of a Safety Officer?
- (a) 100 or more
  - (b) 500 or more
  - (c) Less than 750
  - (d) 1,000 or more

**Answer:**

26. If an application is made for the approval of site for construction or extension of the factory, submitted by registered post to the State Government or the Chief Inspector and if no reply is received, the application stands automatically approved within:
- (a) 1 month
  - (b) 2 months
  - (c) 3 months
  - (d) 6 months

**Answer:**

27. Appeal against refusal to grant permission by State Government or Chief Inspector can be made within:
- (a) 7 days
  - (b) 30 days
  - (c) 3 months
  - (d) 1 year

**Answer:**

28. An occupier is to send a written notice, containing prescribed particulars, to the Chief Inspector atleast \_\_\_\_\_ before he begins to occupy or use a premises as a factory:
- (a) 7 days
  - (b) 15 days
  - (c) 20 days
  - (d) 30 days

**Answer:**



29. Whenever a new manager is appointed, the occupier shall send notice to the Inspector within:
- (a) 7 days
  - (b) 30 days
  - (c) 3 months
  - (d) 1 year
- Answer:**
30. The duties of an Occupier shall include:
- (a) Provision and maintenance of plant and systems of work
  - (b) Ensuring safety and absence of risks to health
  - (c) Training and supervision
  - (d) All of the above
- Answer:**
31. To which authority can appeals be made if the Chief Inspector does not grant a license to a factory?
- (a) State Government
  - (b) Central Government
  - (c) State Licensing Appellate
  - (d) Factories Commissioner
- Answer:**
32. The floor should be thoroughly cleaned by washing with disinfectant \_\_\_\_\_ as per provisions of Factories Act.
- (a) Every day
  - (b) Twice a day
  - (c) Once in a week
  - (d) None of the above
- Answer:**
33. White wash or colour wash should be carried at least once in every period of :
- (a) 14 months
  - (b) 12 months
  - (c) 36 months
  - (d) None of the above

Answer:

34. All doors, windows and other framework which are of wooden or metallic shall be painted or varnished in:

- (a) 1 year
- (b) 3 years
- (c) 5 years
- (d) 10 years

Answer:

35. \_\_\_\_\_ is empowered to direct any factory to adopt such methods which will reduce the excessively high temperature:

- (a) Occupier
- (b) Chief Inspector
- (c) Magistrate
- (d) Collector

Answer:

36. Will actual injury to health necessary, if the dust or fume by reason of manufacturing process is given off in such quantity that it is injurious or offensive:

- (a) Yes, actual injury is required
- (b) No, actual injury is not required
- (c) Partial or total disablement is required
- (d) Admission to hospital is required

Answer:

37. Minimum working space for each worker \_\_\_\_\_ space per worker in every workroom:

- (a) 4.2 cubic meters
- (b) 14.2 cubic meters
- (c) 24.2 cubic meters
- (d) 44.2 cubic meters

Answer:

38. Notice by Chief Inspector specifying the maximum number of workers employed in a room needs to be posted in :
- (a) English
  - (b) Local language understood by the majority of the workers
  - (c) Both (a) & (b)
  - (d) None of the above
- Answer:**
39. Drinking water should not be situated within \_\_\_\_\_ of any washing place, urinals, spittoon, open drain carrying sullage or effluent or any other source of contamination.
- (a) 1 meter
  - (b) 6 meter
  - (c) 20 meter
  - (d) 100 meter
- Answer:**
40. The floors, walls, sanitary pan, etc., of latrines and urinals shall be washed and cleaned with suitable detergents and/or disinfectants:
- (a) Every day
  - (b) Twice a day
  - (c) Once in a week
  - (d) None of the above
- Answer:**
41. No traverse part of self-acting machine in any factory and no material carried thereon shall be allowed to run on its outward or inward traverse within a distance of \_\_\_\_\_ cm from any fixed structure which is not part of the machines.
- (a) 20
  - (b) 45
  - (c) 50
  - (d) 100
- Answer:**
42. Punishment for non compliance with safeguards for casing of new machinery of dangerous nature, may extend to:
- (a) 6 months or with ₹ 5,000 or with both

- (b) 3 months or with ₹ 500 or with both
- (c) 1 month or with ₹ 500 or with both
- (d) ₹ 5,000

**Answer:**

43. Section 27 of Factories Act, 1948 provides for prohibition of employment of woman and children near \_\_\_\_\_

- (a) Any plant & machinery
- (b) Cotton openers
- (c) Both of the above
- (d) None of the above

**Answer:**

44. Hoists & lifts be properly maintained and thoroughly examined by a competent person

- (a) Once in 3 months
- (b) Once in 6 months
- (c) Once in a year
- (d) Once in 2 years

**Answer:**

45. Lifting machines, chains, ropes and lifting tackles be properly maintained and thoroughly examined by a competent person

- (a) Once in 3 months
- (b) Once in 6 months
- (c) Once in 12 months
- (d) Once in 36 months

**Answer:**

46. \_\_\_\_\_ may make rules prescribing the maximum weights which may be lifted, carried or moved by adult men, adult women, adolescents and children employed in factories

- (a) Inspector
- (b) State Government
- (c) Central Government
- (d) President

Answer:

47. No portable electric light or any other electric appliance of voltage exceeding \_\_\_\_\_ shall be permitted for use inside any chamber, tank, vat, pit, pipe, flue or other confined space.

- (a) 12 volts
- (b) 24 volts
- (c) 240 volts
- (d) 480 volts

Answer:

48. At least one first-aid box or cup-board, be required for every

- (a) 100 workers
- (b) 150 workers
- (c) 250 workers
- (d) 500 workers

Answer:

49. An ambulance room should be provided and maintained by every such factory for every

- (a) 100 workers
- (b) 150 workers
- (c) 250 workers
- (d) 500 workers

Answer:

50. Occupier should make adequate and suitable arrangements for shelters or rest rooms and lunch-room with provision of drinking water for every

- (a) 100 workers
- (b) 150 workers
- (c) 250 workers
- (d) 500 workers

Answer:

51. Suitable room or rooms should be provided and maintained by the occupier for the use of children under the age of six years for every

- (a) 10 women workers
- (b) 30 women workers

- (c) 50 women workers
- (d) 500 women workers

**Answer:**

52. Where \_\_\_\_\_ workers are ordinarily employed, effective arrangements should be made for cooling drinking water during hot weather.
- (a) 100
  - (b) 200
  - (c) 250
  - (d) 500

**Answer:**

53. Employees working in canteens in industrial establishments run by Managing Committee are employees of
- (a) Managing Committee
  - (b) Occupier
  - (c) Both of the above
  - (d) None of the above

**Answer:**

54. Which of the following provisions do not come under the 'Welfare Chapter' in the Factories Act, 1948?
- (a) Washing facilities
  - (b) Drinking water
  - (c) Facilities for sitting
  - (d) First-aid appliances

**Answer:**

55. Which of the following committee shall be responsible for hazardous substances:
- (a) Managing Committee
  - (b) Site Appraisal Committee
  - (c) Welfare Committee
  - (d) Audit Committee

**Answer:**

56. Who shall be Chairman of Site Appraisal Committees

- (a) Chief Inspector of the State
- (b) Central Board
- (c) Chief Minister
- (d) Company Secretary

**Answer:**

57. Which of the following shall not be a member of Site Appraisal Committees:

- (a) Representative of the Department of Environment in the State.
- (b) A representative of the Meteorological Department of the Government of India.
- (c) A representative of the Ministry of Corporate Affairs (MCA).
- (d) A representative of the Town Planning Department of the State Government.

**Answer:**

58. Site Appraisal Committee shall examine an application for the establishment of a factory involving hazardous process and make its recommendation to the State Government within:

- (a) 30 days
- (b) 60 days
- (c) 90 days
- (d) 120 days

**Answer:**

59. The occupier shall, at the time of registering the factory involving a hazardous process, lay down a detailed policy with respect to the health and safety of the workers employed therein and intimate such policy to:

- (a) Collector
- (b) Magistrate
- (c) Chief Inspector
- (d) Commissioner

**Answer:**

60. If the Occupier proposes to engage in a hazardous process at any time, the same needs to be intimated within:

- (a) 30 days
- (b) 60 days
- (c) 90 days

(d) 120 days

**Answer:**

61. Who has the Power to appoint Inquiry Committee:

- (a) Central Government
- (b) State Government
- (c) President
- (d) Collector

**Answer:**

62. Inquiry Committee shall consist of a Chairman & \_\_\_\_ members:

- (a) 1 member
- (b) 2 members
- (c) 5 members
- (d) 10 members

**Answer:**

63. Recommendations of the Inquiry Committee shall be \_\_\_\_\_ in nature:

- (a) Mandatory
- (b) Subject to approval
- (c) Advisory
- (d) Supervisory

**Answer:**

64. The maximum permissible threshold limits of exposure of chemical and toxic substances in manufacturing processes (whether hazardous or otherwise) in any factory shall be of the value indicated in:

- (a) First Schedule
- (b) Second Schedule
- (c) Third Schedule
- (d) Fourth Schedule

**Answer:**

65. Safety Committee in every factory shall be set up where a hazardous process takes place, or where hazardous substances are used or handled, set up a consisting \_\_\_\_\_:

- (a) 100% employer representatives
- (b) 100% employee representatives



- (c) 25% workers & 75% management representatives
- (d) 50% workers & 50% management representatives

Answer:

66. An adult worker shall be allowed to work only for \_\_\_\_\_ hours in any Week as per Factories Act.
- (a) 36 hours
  - (b) 48 hours
  - (c) 50 hours
  - (d) 52 hours

Answer:

67. Section 52 provides that there shall be holiday for the whole day in \_\_\_\_\_.
- (a) A week
  - (b) 10 days
  - (c) 14 days
  - (d) None of the above

Answer:

68. No adult worker shall work for more than \_\_\_\_\_ days consecutively without a holiday for the whole day.
- (a) A week
  - (b) 10 days
  - (c) 14 days
  - (d) None of the above

Answer:

69. Compensatory holidays should be allowed either in the same month in which the holidays became due or within next \_\_\_\_ month.
- (a) 1
  - (b) 2
  - (c) 3
  - (d) 4

Answer:

70. An adult worker, whether male or female shall not be required or allowed to work in a factory for more than \_\_\_\_\_ in any day.
- (a) 8 hours

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- (b) 9 hours
- (c) 10 hours
- (d) 12 hours

**Answer:**

71. The daily maximum hours of work specified in Factories Act can be exceeded to facilitate the change of shift and the previous approval of \_\_\_\_\_ is obtained.

- (a) Collector
- (b) Magistrate
- (c) Chief Inspector
- (d) Commissioner

**Answer:**

72. No adult worker shall work continuously for more than \_\_\_\_ hours unless a rest interval of at least half an hour is given to him.

- (a) 5
- (b) 6
- (c) 8
- (d) 9

**Answer:**

73. The State Government or subject to the control of the State Government the Chief Inspector may provide for work continuously for more than \_\_\_\_ hours unless a rest interval of at least half an hour is given.

- (a) 5
- (b) 6
- (c) 8
- (d) 9

**Answer:**

74. The daily working hours should be adjusted in such a manner, that inclusive of rest interval, they are not spread over more than \_\_\_\_ hours on any day.

- (a) 9 hours
- (b) 9-1/2 hours
- (c) 10 hours
- (d) 10-1/2 hours

Answer:

75. The limit of spread over may be extended upto \_\_\_\_\_ hours by the Chief Inspector for reasons to be specified in writing.
- (a) 10 hours
  - (b) 10-1/2 hours
  - (c) 11 hours
  - (d) 12 hours

Answer:

76. Where a worker works in a factory for more than 9 hours in any day or more than 48 hours in any week, he shall be entitled to wages at the rate of \_\_\_\_\_ times his ordinary rate of wages:
- (a) 1.5
  - (b) 1.75
  - (c) 2
  - (d) 2.5

Answer:

77. Which of the following shall not be considered as ordinary rate of wages
- (a) Basic wages
  - (b) Allowances which include the cash equivalent
  - (c) House rent allowance
  - (d) Concessional sale to workers

Answer:

78. The register of adult workers to contain:
- (a) The name of worker
  - (b) The nature of his work
  - (c) The group in which he is included
  - (d) All of the above

Answer:

79. Inspection of the register of Adult workers can be made by:
- (a) Collector
  - (b) Magistrate
  - (c) Chief Inspector
  - (d) Commissioner

Answer:

80. If the name of any person is entered in the register of adult workers, it is \_\_\_\_\_ evidence that the person is employed in the factory.

- (a) Conclusive
- (b) Optional
- (c) Might
- (d) Never

Answer:

81. The liability to maintain register of adult workers has been imposed on the \_\_\_ of the factory.

- (a) Manager
- (b) Occupier
- (c) Director
- (d) Company Secretary

Answer:

82. Where a worker is merely present during the rest period as notified or is found working during that period, what is the punishment prescribed in the Act?

- (a) Fine of ₹ 1000
- (b) Fine of ₹ 500
- (c) Imprisonment of 1 month
- (d) No fine

Answer:

83. Women workers shall not be employed except between the hours

- (a) 5 a.m. and 8 p.m.
- (b) 5 a.m. and 9 p.m.
- (c) 6 a.m. and 7 p.m.
- (d) 6 a.m. and 9 p.m.

Answer:

84. The State Government may by a notification in the Official Gazette, vary these limits to the extent that no woman shall be employed between:

- (a) 5 a.m. and 8 p.m.
- (b) 5 a.m. and 10 p.m.

- (c) 6 a.m. and 7 p.m.
- (d) 6 a.m. and 9 p.m.

**Answer:**

85. For women workers, there shall be no change of shifts except after :

- (a) Weekly holiday
- (b) Any other holiday
- (c) Both of the above
- (d) None of the above

**Answer:**

86. A child who has not completed \_\_\_\_\_ of age, shall not be employed in any factory.

- (a) 12 years
- (b) 14 years
- (c) 15 years
- (d) 18 years

**Answer:**

87. Children completing their fourteenth year or an adolescent, shall be required to provide :

- (a) Certificate of practice
- (b) Certificate of education
- (c) Certificate of fitness
- (d) Certificate of experience

**Answer:**

88. The certificate of fitness to be given by:

- (a) Certifying Surgeon
- (b) Company Secretary
- (c) Occupier
- (d) None of the above

**Answer:**

89. To get certificate of fitness, an application to a Certifying Surgeon has to made by:

- (a) Young person himself
- (b) Parent or guardian

- (c) Manager of the factory
- (d) All of the above

**Answer:**

90. The certificate of fitness is valid for a period of:

- (a) 12 months
- (b) 3 years
- (c) Lifetime
- (d) None of the above

**Answer:**

91. Where an adolescent has not been granted certificate of fitness, he shall notwithstanding his age, be deemed to be \_\_\_\_\_ for all the purposes of Factories Act?

- (a) Adult
- (b) Adolescent
- (c) Child
- (d) Occupier

**Answer:**

92. Penalty for using false certificate of fitness is:

- (a) Fine of ₹ 500
- (b) Fine of ₹ 5,000
- (c) Imprisonment of 2 months or ₹ 1,000 or both
- (d) No fine

**Answer:**

93. What is the penalty payable by parents/ guardian for permitting double employment of a child?

- (a) ₹ 500
- (b) ₹ 1,000
- (c) ₹ 2,000
- (d) ₹ 3,000

**Answer:**

94. What is the maximum number of hours that a child can be employed for as per the Factories Act, 1948?

- (a) 3½ hours in any day

- (b) 4½ hours in any day
- (c) 5½ hours in any day
- (d) 6½ hours in any day

**Answer:**

95. Where a worker has worked for a minimum period of 240 days or more in a factory during any calendar year, an adult is entitled to leave with wages on the following basis:
- (a) One day for every 10 days of work
  - (b) One day for every 15 days of work
  - (c) One day for every 20 days of work
  - (d) One day for every 30 days of work

**Answer:**

96. Where a worker has worked for a minimum period of 240 days or more in a factory during any calendar year, a child is entitled to leave with wages on the following basis:
- (a) One day for every 10 days of work
  - (b) One day for every 15 days of work
  - (c) One day for every 20 days of work
  - (d) One day for every 30 days of work

**Answer:**

97. If any worker does not avail any earned leave entitled to him during the calendar year, it can be carried forward to the next calendar year subject to the maximum of \_\_\_\_ days for an adult worker.
- (a) 15
  - (b) 30
  - (c) 40
  - (d) 60

**Answer:**

98. If any worker does not avail any earned leave entitled to him during the calendar year, it can be carried forward to the next calendar year subject to the maximum of \_\_\_\_ days for a child worker.
- (a) 15
  - (b) 30
  - (c) 40
  - (d) 60

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**Answer:**

99. In case a worker is employed in a public utility service, the application for leave with wages shall be made at least \_\_\_\_\_in advance.

- (a) 30 days
- (b) 15 days
- (c) 7 days
- (d) 1 day

**Answer:**

100. The annual leave with wages cannot be availed for more than \_\_\_times during any year.

- (a) 2
- (b) 3
- (c) 5
- (d) 7

**Answer:**

101. Application to avail annual leave with wages for illness purposes can be made at least \_\_\_\_\_in advance.

- (a) 30 days
- (b) 15 days
- (c) 1 day
- (d) None of the above

**Answer:**

102. Wages during the leave period shall not include:

- (a) Dearness Allowance
- (b) Cash equivalent
- (c) Bonus
- (d) All of the above

**Answer:**

103. An adult worker has been allowed leave for not less than \_\_\_\_\_days, wages due for the leave period should be paid in advance.

- (a) 4
- (b) 5
- (c) 6
- (d) 7



Answer:

104. A child worker has been allowed leave for not less than \_\_\_\_ days, wages due for the leave period should be paid in advance.

- (a) 4
- (b) 5
- (c) 6
- (d) 7

Answer:

105. What is the penalty if there is any contravention of any of the provisions of Factories Act?

- (a) ₹ 50,000 or 6 months imprisonment or both
- (b) ₹ 50,000 or 1 year imprisonment or both
- (c) ₹ 50,000 or 2 years imprisonment or both
- (d) ₹ 1,00,000 or 2 years imprisonment or both

Answer:

106. What is the maximum penalty if there is any contravention of any of the provisions of Factories Act by a person who has already been convicted?

- (a) ₹ 1,00,000 or 2 years imprisonment or both
- (b) ₹ 1,00,000 or 3 years imprisonment or both
- (c) ₹ 2,00,000 or 2 years imprisonment or both
- (d) ₹ 2,00,000 or 3 years imprisonment or both

Answer:

107. What is the minimum penalty if there is any contravention of the provisions of Factories Act which has resulted in an accident causing death?

- (a) ₹ 5,000
- (b) ₹ 25,000
- (c) ₹ 50,000
- (d) ₹ 1,00,000

Answer:

108. What is the penalty if there is any contravention of the provisions of Factories Act which has resulted in an accident causing serious bodily injury?

- (a) ₹ 5,000
- (b) ₹ 25,000

- (c) ₹ 50,000
- (d) ₹ 1,00,000

**Answer:**

109. What is the penalty for obstructing Inspector under the Factories Act?

- (a) ₹ 5,000 or 6 months imprisonment or both
- (b) ₹ 10,000 or 6 months imprisonment or both
- (c) ₹ 50,000 or 6 months imprisonment or both
- (d) ₹ 1,00,000 or 6 months imprisonment or both

**Answer:**

110. What is the penalty for using false certificate of fitness under the Factories Act?

- (a) ₹ 1,000 or 2 months imprisonment or both
- (b) ₹ 10,000 or 6 months imprisonment or both
- (c) ₹ 50,000 or 6 months imprisonment or both
- (d) ₹ 1,00,000 or 6 months imprisonment or both

**Answer:**

111. Who shall be responsible for the provision and maintenance of common facilities in any premises where separate building are being leased out by the owner to different occupiers for use as separate factories?

- (a) Owner of the premises
- (b) Owner of separate factories
- (c) Both of the above
- (d) None of the above

**Answer:**

112. What does the Schedule III of Factories Act, 1948 contains?

- (a) Provisions of Factories Act
- (b) List of specified industries
- (c) List of Hazardous industries
- (d) List of notified diseases

**Answer:**

113. In case of seasonal factories, occupier needs to give notice of resumption of activities to Chief Inspector before:

- (a) 7 days
- (b) 14 days

- (c) 21 days
- (d) 30 days

**Answer:**

114. The notice sent by the occupier to the Chief Inspector has the following contents other than:
- (a) Name & address of factory & occupier
  - (b) Total rated horse power installed
  - (c) Profitability of last 2 years
  - (d) Number of workers

**Answer:**

115. Whether seasonal factories will be considered factory as per Factories Act, 1948 during the off season?
- (a) Yes
  - (b) No
  - (c) Partially
  - (d) Never

**Answer:**

116. Cutting of woods or converting woods into planks constitute manufacturing activity:
- (a) Yes
  - (b) No
  - (c) Partially
  - (d) Never

**Answer:**

117. As per the Factories Act, 1948, all workers are employees but all employees may not be worker
- (a) Yes
  - (b) No
  - (c) Partially
  - (d) Nearly

**Answer:**

118. As per Section 41A of Factories Act, State Government may, constitute a \_\_\_\_\_ for advising it to consider applications for grant of permission for the initial location of a factory involving a hazardous process or for the expansion of any such factory.

- (a) Central Council
- (b) State Council
- (c) Site Appraisal Committee
- (d) High Court Bench of 3 Judges

Answer:

119. As per Section 71 of factories Act, female child shall be required or allowed to work in any factory except between \_\_\_\_\_

- (a) 8 a.m. and 7 p.m
- (b) 10 a.m. and 6 p.m
- (c) 6 a.m. and 10 p.m
- (d) 7 a.m. and 8 p.m.

Answer:

120. Which one of the following is not Welfare provision under Factories Act, 1948?

- (a) Canteen
- (b) Crèches
- (c) Alcoholic Beverage
- (d) Drinking Water.

Answer:

121. If any employee found violating the section 20 of Factories Act, 1947 shall be fine up to:

- (a) ₹ 10
- (b) ₹ 5
- (c) ₹ 15
- (d) ₹ 20

Answer:

122. The number of elected workers in the canteen managing committee shall not be more than \_\_\_\_\_ or less than \_\_\_\_\_.

- (a) more than 5 or less than 2
- (b) more than 20 or less than 10
- (c) more than 15 or less than 10
- (d) more than 10 or less than 5

Answer:

123. The Factories employing more than 1000 workers are required to submit their plan for approval to
- (a) Deputy Chief Inspector of Factories
  - (b) Joint Chief Inspector of Factories
  - (c) Chief Inspector of Factories
  - (d) Additional Chief Inspector of Factories.

Answer:

124. Section 2 (K) of the Factories Act, 1947 Says about:
- (a) Manufacturing Process
  - (b) Factory
  - (c) Worker
  - (d) None of these.

Answer:

125. Who is an Adolescent as per Factories Act, 1948?
- (a) Who has completed 17 years of age
  - (b) Who is less than 18 years
  - (c) Who has completed 15 years but less than 18 years
  - (d) None of these.

Answer:

126. The first Factories Act was enacted in
- (a) 1881
  - (b) 1895
  - (c) 1897
  - (d) 1885

Answer:

127. Which Schedule of the Factories Act, 1948 specifies Beryllium poisoning, Anthrax and Arsenic poisoning or its sequelae etc., as notifiable diseases?
- (a) First Schedule
  - (b) Second Schedule
  - (c) Third Schedule
  - (d) Fifth Schedule

Answer:

128. Which of the following area, where central government is exclusively competent to enact legislations—
- (a) Trade unions; industrial and labour disputes.
  - (b) Social security and social insurance; employment and unemployment.
  - (c) Welfare of labour including conditions of work, provident funds, employers' liability, workmen's compensation, invalidity and old age pensions and maternity benefits.
  - (d) Regulation of labour and safety in mines and oilfields.

Answer:

129. To close down a factory, the occupier has to give——— days notice to the authorities.
- (a) 30 Days
  - (b) 60 Days
  - (c) 90 Days
  - (d) 14 Days

Answer:

130. Where——— or more workers are employed in a factory, then there shall be a Safety Committee in the factory.
- (a) 100 or more workers
  - (b) 150 or more workers
  - (c) 200 or more workers
  - (d) 250 or more workers

Answer:

131. For contravention of provisions of Factories Act or Rules, the occupier shall liable for punishment up to
- (a) 2 years or fine up to ₹ 1,00,000 or both
  - (b) 6 months or fine upto 10, 000 or both
  - (c) 3 three years or fine 10, 000 or both
  - (d) None of these.

Answer:

132. Safety Officers are to be appointed if Organization is engaging \_\_\_\_\_ or more employees.

- (a) 1000
- (b) 2000
- (c) 500
- (d) 750

**Answer:**

133. The space for every worker employed in the Factory after the commencement of Factories Act, 1948 should be \_\_\_\_\_ Cubic Meters.

- (a) 9.9
- (b) 10.2
- (c) 14.2
- (d) 13.2

**Answer:**

134. First Aid Boxes is to be provided for \_\_\_\_\_ of persons.

- (a) 125
- (b) 135
- (c) 150
- (d) 160

**Answer:**

135. A premises including precincts thereof is a 'factory' within the meaning of the Factories Act, 1948 wherein a manufacturing process is being carried on without the aid of power and where the number of workers working is –

- (a) 10 or more workers
- (b) 20 or more workers
- (c) 15 or more workers
- (d) 50 or more workers.

**Answer:**

136. Transmission Machinery for the purpose of Factories Act, 1948 means?

- (a) Pulley
- (b) Shaft
- (c) Clutch
- (d) All of the above

Answer:

137. Week is defined as per Factories Act, 1948 ; a period of 7 days beginning from mid night on \_\_\_\_\_night or approved by \_\_\_\_\_:
- (a) Monday; Inspector of Factories
  - (b) Sunday; Inspector of Factories
  - (c) Saturday; Chief Inspector of Factories
  - (d) Sunday; Chief Inspector of Factories

Answer:

138. In case of Ravi Shankar Sharma vs State of Rajasthan, it was held that Factories Act is \_\_\_\_\_legislation.
- (a) Social
  - (b) Economic
  - (c) Necessary
  - (d) Manufacturing related

Answer:

139. Machinery as per Factories Act, 1948 does not includes?
- (a) Prime movers
  - (b) Transmission machinery
  - (c) Fixtures
  - (d) Appliance whereby power is generated

Answer:

140. Factory includes premises where manufacturing is carried on with aid of power employing\_\_\_\_\_ workers and without aid of power employing\_\_\_\_\_ workers
- (a) 10 or less; 20 or more
  - (b) 10 or less; 20 or less
  - (c) 10 or more; 20 or more
  - (d) 10 or more; 100 or more

Answer:

141. Hazardous process may be amended by notification in Official Gazette by:
- (a) Inspector of Factories
  - (b) Chief Inspector of Factories
  - (c) Central Government
  - (d) State Government



Answer:

142. In *Ardeshir Bhiwandiwalla vs State of Bombay*, the Supreme Court held that open land where sea water is converted into salt crystals falls within the definition of factory :
- (a) True
  - (b) False
  - (c) Partially correct
  - (d) Conversion is not a manufacturing process only

Answer:

143. As per Factories Act, 1948, Company engaged in construction of railway line is a factory :
- (a) True
  - (b) False

Answer:

144. As per Factories Act, 1948, in a paddy field if 7 workers are employed & 3 temporary workers are employed to repair the part of machinery, whether the premises will be regarded as factory :
- (a) Yes
  - (b) No

Answer:

145. Earned leave can be carried to the next calendar year for \_\_\_ days in case of adult worker:
- (a) No limit specified as per the Act
  - (b) 60 days
  - (c) 30 days
  - (d) Nil

Answer:

146. As per *Bharti Udyog vs Regional Director, ESI*, cutting woods & converting woods into planks is regarded as manufacturing activity
- (a) No, mere conversion cannot be regarded as a manufacturing process
  - (b) Yes, it is a manufacturing process
  - (c) Both (a) and (b)
  - (d) None of the above.

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**Answer:**

147. As per Factories Act, 1948, a workshop of Polytechnic institution imparting education will be regarded as factory :

(a) Yes

(b) No

**Answer:**

148. Preserving an article in cold storage is not regarded as manufacturing process as per Factories Act, 1948:

(a) True

(b) False

**Answer:**

149. Which of these are essential elements of classifying as a factory:

(i) There must be premises

(ii) Manufacturing process is carried on

(iii) Minimum 2 electronic applications

(iv) 20 or more people working without aid of power

Options

(a) (i),(ii)

(b) (i),(ii),(iii)

(c) (i),(ii),(iii),(iv)

(d) Only (i)

**Answer:**

150. With respect to Factories Act, 1948 , in Seshadrinatha Sarma case , Madras High Court held that for manufacturing process the converted or transformed product need not be commercially marketable.

(a) True

(b) False

**Answer:**

151. With respect to Factories Act, 1948, in Alkali Metals case , Andhra Pradesh High Court held that for manufacturing process it is not required that the process should end in product being manufactured.

(a) True

(b) False

**Answer:**

152. With respect to Factories Act, 1948, which of the statement is not correct
- (a) Manufacturing process may not necessarily end in product being manufactured.
  - (b) Manufacturing process do not requires the converted or transformed product to be commercially marketable.
  - (c) Manufacturing process includes generating and transmitting power
  - (d) Process employed for pumping water

**Answer:**

153. Which of the following forms part of the manufacturing process as defined under Section 2 (k) of the Factories Act.
- (i) Preparation of soaps
  - (ii) Preservation of foods
  - (iii) Curing ginger
  - (iv) Making bidies

**Options**

- (a) (i),(ii)
- (b) (i),(ii),(iii)
- (c) (i),(ii),(iii), (iv)
- (d) Only (i)

**Answer:**

154. Which of the following forms part of the manufacturing process as defined under Section 2 (k) of the Factories Act
- (i) Film exhibition
  - (ii) Imparting education
  - (iii) Receiving news from various sources on a reel
  - (iv) Stitching old gunny bags

**Options**

- (a) (i),(ii)
- (b) (i),(ii),(iii)
- (c) (i),(ii),(iii), (iv)
- (d) Only (iv)

**Answer:**

## Answer

<b>1</b>	(b)	<b>2</b>	(c)	<b>3</b>	(a)	<b>4</b>	(b)	<b>5</b>	(c)	<b>6</b>	(c)
<b>7</b>	(a)	<b>8</b>	(d)	<b>9</b>	(d)	<b>10</b>	(d)	<b>11</b>	(c)	<b>12</b>	(d)
<b>13</b>	(a)	<b>14</b>	(a)	<b>15</b>	(d)	<b>16</b>	(d)	<b>17</b>	(d)	<b>18</b>	(c)
<b>19</b>	(a)	<b>20</b>	(b)	<b>21</b>	(d)	<b>22</b>	(a)	<b>23</b>	(c)	<b>24</b>	(b)
<b>25</b>	(d)	<b>26</b>	(c)	<b>27</b>	(b)	<b>28</b>	(b)	<b>29</b>	(a)	<b>30</b>	(d)
<b>31</b>	(a)	<b>32</b>	(c)	<b>33</b>	(a)	<b>34</b>	(c)	<b>35</b>	(b)	<b>36</b>	(b)
<b>37</b>	(b)	<b>38</b>	(c)	<b>39</b>	(b)	<b>40</b>	(c)	<b>41</b>	(b)	<b>42</b>	(b)
<b>43</b>	(b)	<b>44</b>	(b)	<b>45</b>	(c)	<b>46</b>	(b)	<b>47</b>	(b)	<b>48</b>	(b)
<b>49</b>	(d)	<b>50</b>	(b)	<b>51</b>	(b)	<b>52</b>	(c)	<b>53</b>	(a)	<b>54</b>	(b)
<b>55</b>	(b)	<b>56</b>	(a)	<b>57</b>	(c)	<b>58</b>	(c)	<b>59</b>	(c)	<b>60</b>	(a)
<b>61</b>	(a)	<b>62</b>	(b)	<b>63</b>	(c)	<b>64</b>	(b)	<b>65</b>	(d)	<b>66</b>	(b)
<b>67</b>	(a)	<b>68</b>	(b)	<b>69</b>	(b)	<b>70</b>	(b)	<b>71</b>	(c)	<b>72</b>	(a)
<b>73</b>	(b)	<b>74</b>	(d)	<b>75</b>	(d)	<b>76</b>	(c)	<b>77</b>	(c)	<b>78</b>	(d)
<b>79</b>	(c)	<b>80</b>	(a)	<b>81</b>	(a)	<b>82</b>	(d)	<b>83</b>	(c)	<b>84</b>	(b)
<b>85</b>	(c)	<b>86</b>	(b)	<b>87</b>	(c)	<b>88</b>	(a)	<b>89</b>	(d)	<b>90</b>	(a)
<b>91</b>	(c)	<b>92</b>	(c)	<b>93</b>	(b)	<b>94</b>	(b)	<b>95</b>	(c)	<b>96</b>	(b)
<b>97</b>	(b)	<b>98</b>	(c)	<b>99</b>	(a)	<b>100</b>	(b)	<b>101</b>	(d)	<b>102</b>	(c)
<b>103</b>	(a)	<b>104</b>	(b)	<b>105</b>	(d)	<b>106</b>	(d)	<b>107</b>	(b)	<b>108</b>	(a)
<b>109</b>	(b)	<b>110</b>	(a)	<b>111</b>	(a)	<b>112</b>	(d)	<b>113</b>	(d)	<b>114</b>	(c)
<b>115</b>	(a)	<b>116</b>	(a)	<b>117</b>	(a)	<b>118</b>	(c)	<b>119</b>	(a)	<b>120</b>	(c)

121	(b)	122	(a)	123	(c)	124	(a)	125	(c)	126	(a)
127	(c)	128	(d)	129	(b)	130	(d)	131	(a)	132	(a)
133	(c)	134	(c)	135	(d)	136	(d)	137	(c)	138	(a)
139	(c)	140	(c)	141	(d)	142	(a)	143	(a)	144	(a)
145	(c)	146	(b)	147	(a)	148	(b)	149	(b)	150	(b)
151	(a)	152	(b)	153	(c)	154	(d)				

**Recent Case Laws**

	Case Law	Decision
1	Ravi Shankar Sharma Vs State of Rajasthan	Factories Act is social legislation and provides for health, safety, welfare and other aspects of the workers in the factories.
2	Ardeshir H Bhiwandiwala Vs State of Bombay	Open land engaged in the conversion of sea water into crystals of salt will fall within the purview of premises & hence be regarded as Factory.
3	Employers Association of Northern India Vs Secretary for Labour, UP Govt	Seasonal factories like sugarcane etc will not cease to be factory during the off-season.
4	VP Gopala Rao Vs Public Prosecutor	Processes like moistening, stripping, breaking up, adaption & packing of tobacco for use in manufacture of cigarettes amounts to manufacturing.

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5	Bharati Udyog Vs Regional Director ESI Corpn.	Cutting of woods or converting of woods into plank constitute manufacturing process.
6	Workmen of Delhi Electric Supply undertaking Vs Management of DESU	Transforming & transmitting electricity by zonal & sub stations does not constitutes manufacturing.
7	Chintaman Rao Vs State of MP	The employer employee relationship is the ability to supervise & control the work of the employee, not only what work to be done but also the manner in which it shall be done.
8	Birdhi Chand Sharma Vs Nagpur	Piece rate workers who come on regular basis shall be regarded as workers for the purpose of Factories Act.
9	Shinde Vs Bombay Telephones	Employees standing outside the factory premises at the workman stands shall also be considered as worker.
10	IOC Vs CIF	Persons appointed by Central Govt. to manage the affairs of factories are deemed to be appointed as Occupiers under the Factories Act.
11	Seshadrinatha Sarma Vs Madras H.C.	To constitute a manufacture, the substance shouldn't necessarily be transformed to become commercially another substance from what it began; as long as an undoubted transformation by the use of machinery is involved and commercially marketable.

12	Alkali Metals Vs ESI Corpn.	To constitute a factory, it is necessary that manufacturing process is carried out and does not require that process should require in substance being manufactured.
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