THE SINDH FACTORIES ACT, 2015

SINDH ACT NO. XIII OF 2016

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[29th April, 2016]

An Act to consolidate and amend the law regulating labour in factories.

Preamble.

WHEREAS it is expedient to consolidate and amend the law regulating labour in factories and for matters ancillary thereto;

It is hereby enacted as follows:-

Short title, extent and commencement.

1. (1) This Act may be called the Sindh Factories Act, 2015.

(2) It shall extend to the whole of the Province of Sindh.

(3) It shall come into force on such date as Government may notify in the official gazette.

Definitions.

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

(a) "adolescent" means a person who has completed his fourteenth year but has not completed his eighteenth year;

(b) "adult" means a person who has completed his eighteenth year;

(c) "child" means a person who has not completed the age of fourteenth year;

(d) "day" means a period of twenty-four hours beginning at mid- night;

(e) "factory" means any premises, including the precincts thereof, whereon ten or more workers 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 or is ordinarily carried on with or without the aid of power, but does not include a mine, subject to the operation of the Mines Act, 1923 (IV of 1923);

(f) "Government" means the Government of Sindh;

(g) "machinery" includes all plant whereby power is generated, transformed, transmitted or applied;

(h) "manufacturing process" means any process –

(i) for making, altering, repairing, ornamenting, finishing or packing, or otherwise treating any article or substance with a view to its use, sale, transport, delivery or disposal; or

(ii) for pumping oil, water or sewage, or

(iii) for generating, transforming or transmitting power;

(i) "occupier of a factory" means the person who has ultimate control over the affairs of the factory:

Provided that where the affairs of a factory are entrusted to a managing agent, such agent shall be deemed to be the occupier of the factory;

(j) "power" means electric energy, and any other form of energy which is mechanically transmitted and is not generated by human or animal agency;

(k) "prescribed" means prescribed by rules made by the Provincial Government under this Act.

(l) "week" means a period of seven days beginning at mid-night on Saturday night;

(m) where work of the same kind is carried out by two or more sets of workers working during different periods of the day, each of such sets is called a "relay" and the period or periods for which it works is called a "shift"; and

(n) "worker" means a person employed in any manufacturing process, or in cleaning any part of the machinery or premises used for a manufacturing process, or in any other kind of work whatsoever, incidental to or connected with the subject of the manufacturing process and

includes clerical staff, but does not include occupier and manager having the hiring and firing authority; provided that no worker shall be employed through an agency or contractor or sub-contractor or middleman or agent, to perform production related work.

Reference to time of day.

3. Reference to time of day in this Act are references to Standard Time which is five hours ahead of Greenwich Mean Times:

Provided that for any area, in which Standard Time is ordinarily observed, Government may make rules –

(i) specifying the area;

(ii) defining the local mean time ordinarily observed therein, and

(iii) permitting such time to be observed in all or any of the factories situated in the area.

Seasonal factories.

4. (1) For the purposes of this Act, a factory, which is exclusively engaged in one or more of the following manufacturing processes, namely, cotton ginning, cotton or cotton jute pressing, cotton seed oil extraction, fruit processing, rice husking, the decortications of groundnuts, the manufacture of sugar (including gur) or any of the aforesaid processes, is a seasonal factory:

Provided that Government may, by notification in the Official Gazette, declare any such factory in which manufacturing processes are ordinarily carried on for more than one hundred and eighty working days in the year, not to be a seasonal factory for the purposes of this Act.

(2) Government may, by notification in the Official Gazette, declare any specified factory in which manufacturing processes are ordinarily carried on for more than one hundred and eighty working days in the year and cannot be carried on except during particular season or at times dependent on the irregular action of natural forces, to be a seasonal factory for the purposes of this Act.

Power to apply provisions applicable to

5. (1) Government may, by notification in the official gazette, declare that all or any of the provisions of this Act applicable to factories shall apply to any place wherein a manufacturing process is being carried on or is ordinarily carried on whether with or

without the use of power whenever five or more workers are working therein or have worked therein on any one day of the twelve months immediately preceding.

factories to certain other places.

(2) A notification under sub-section (1) may be made in respect of any one such place or in respect of any class of such places or generally in respect of all such places.

(3) Notwithstanding anything contained in clause (e) of section 2, a place to which all or any of the provisions of this Act applicable to factories are for the time being applicable in pursuance of a declaration under sub-section (1) shall, to the extent to which such provisions are so made applicable but not otherwise, be deemed to be a factory.

6. Government may, by order in writing, direct that the different departments or branches of a specified factory shall be treated as separate factories for all or any of the purposes of this Act.

Power to declare departments to be separate factories.

7. When Government is satisfied that following upon a change of occupier of a factory or in the manufacturing process carried on therein, the number of workers for the time being working in the factory is less than twenty and is not likely to be twenty or more on any day during the ensuing twelve months, it may, by order in writing, exempt such factory from operation of this Act:

Power to exempt on a change in the factory.

Provided that any exemption so granted shall cease to have effect on and after any day on which twenty or more workers work in the factory.

8. The provisions of section 16, clause (b) of sub-section (1) of section 17, sections 18, 19, 20, 23, 24, 25, 29 and sub-section (3) of section 53 shall not apply in the first instance to any factory where not more than nineteen workers are working or were working on any one day of the twelve months immediately preceding:

Provided that Government may, by notification in the official gazette, apply all or any of the said provision to any such factory or any class of such factories.

9. In any case of public emergency, Government may, by notification in the official Gazette, exempt any factory from any or all of the provisions of this Act for such period as it may think fit.

Power to exempt during public emergency.

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Notice to Inspector before commencement of work.

10. (1) Before work is begun in any factory after the commencement of this Act, or before work is begun in any seasonal factory each season, the occupier shall send to the Inspector a written notice containing [1]["following information through an online electronic mode. However, if the online mode remains unavailable for ten consecutive days due to any reason on government portals, website, or web pages, the written notice may be submitted manually on prescribed format;"]

(a) the name of the factory and its situation;

(b) the address to which communications relating to the factory should be sent;

(c) the nature of the manufacturing processes to be carried on in the factory;

(d) the nature and amount of the power to be used;

(e) the name of the person who shall be the manager of the factory for the purposes of this Act; and

(f) such other particulars as may be prescribed for the purposes of this Act.

(2) In respect of all factories which come within the scope of this Act, the occupier shall send a written notice to the Inspector [2]["authorized in this behalf"] containing particulars specified in sub-section (1) within thirty days of such commencement.

(3) Whenever another person is appointed as manager, the occupier shall send to the Inspector[3] ["authorized in this behalf"], a written notice of the change within seven days from the date on which the new manager assumes charge.

(4) During any period for which no person has been designated as manager of a factory under this section, or during which the person designated does not manage the factory, any person found acting as manager or if no such person is found, the occupier himself, shall be deemed to be the manager of the factory for the purposes of this Act.

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[1] Added sentences by Sindh Act No. XIV of 2026 Dated : 19 may 2026
[2] Added words by ibid
[3] Added words by ibid

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[1][“(5) Upon receipt of the notice under sub-section (1) or sub-section (3) along with the required documents, the inspector authorized in this behalf shall, within seven days, acknowledge receipt of the notice under sub- section (1) and issue a certificate of change under sub- section (3) as prescribed under Section 11, The acknowledgment and / or certificate shall be issued either electronically or manually in the absence of a digital portal;”]

Registration and de-registration of factory.

11. (1) No occupier of a factory shall be allowed to start manufacturing process unless he has obtained factory registration certificate from the Directorate of Labour.

Provided that no registration certificate shall be issued unless the occupier of a factory provides the requisite documents as specified in the rules:

Provided further that in case of Factories not registered prior to commencement of this Act, it shall get registration within sixty days from the commencement of this Act:

[2][“Provided also that the registration documents be supported by approval of lay out plan of Industrial plot from the Sindh Building Control Authority (SBCA) and approval of industrial connections from Electric, Gas and water supply agencies [3][“and the Directorate of Labour shall issue the registration certicate within fourteen days[4][“ As per procedure prescribed under rules;”]

[5][“Provided also that every application for registration shall be made to inspector authorized in this behalf

Provided that such registration and issuance of the registration certificate may be carried out through an online electronic mode. However, if the online mode remains unavailable for ten consecutive days due to any reason on government portals, website, or web pages, the application for the certificate may be submitted manually, and the registration certificate may be issued manually in the prescribed format”]

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[1] Inserted sub section (5) by Sindh Act No. XIV of 2026 Dated; 19 may 2026
[2] Substituted proviso by Sindh act XXXVIII of 2021, dated, 28th December,2021.
[3] Inserted words by Sindh act no. V of 2023, dated, 7th march,2023.
[4] Inserted words by Sindh Act No. XIV of 2026 Dated; 19 may 2026
[5] Inserted new provisos by ibid

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[1][“(2) The application for registration of a factory shall be made online. In the absence of online facilities, the application may be submitted manually in Form A1, accompanied by the documents as prescribed.

(3) The Inspector authorized in this behalf, upon being satisfied that the establishment is covered under Section 2(e) of the Act and has complied with all the requirements under Act and Rules, shall register the establishment in the prescribed register (Form B1) and issue a registration certificate in the prescribed form (Form B) within seven working days from the date receipt of the application.

(4) If the application is found by the inspector authorized in this behalf to be deficient in any material respect, the inspector shall communicate the objections in writing to the establishment within seven days from the date of receipt of the application. The establishment shall comply with such directions within seven days from the date of receipt of the objections.

(5) Upon satisfactory compliance with the objections raised, the authorized inspector shall register the establishment as provided under sub-section (3) and issue a registration certificate in the prescribed form within seven days from the date of receipt of the reply.

(6) If the reply to the objections is found unsatisfactory, the inspector authorized in this behalf may reject the application for registration.

(7) In case the application is rejected, or its disposal is delayed beyond the seven-day period specified in the above sub-sections, the establishment may file an appeal before the Chief Inspector. The Chief Inspector shall, after recording reasons in writing, either direct the authorized Inspector to register the establishment and issue the registration certificate or dismiss the appeal, within fourteen days from the date of receipt of the appeal.

(8) The registration certificate issued under sub-section (3) may be amended by the authorized inspector upon receipt of an application from the occupier of the factory, stating the nature of and reasons for the amendment.”]

[1] New sub Sections (2.3.4.5.6.7.8) added by Sindh Act. No XIV of 2026 Dated; 19 may 2026

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[1]["(9) On the request of the occupier of a factory, the Directorate of Labour, after having satisfying itself to the effect that the factory has lost the status of a factory as laid down in this Act and is not likely to resume the status in the ensuing twelve months, may deregister a factory.]

CHAPTER-II
The Inspecting Staff

Inspectors.

12. (1) Government may, by notification in the Official Gazette, appoint such persons as it thinks fit to be Inspectors for the purposes of this Act within such local limits as it may assign to them respectively.

(2) Government may, by notification as aforesaid, appoint any person to be a Chief Inspector, who shall, in addition to the powers conferred on a Chief Inspector under this Act, exercise the powers of an Inspector throughout the Province of Sindh.

(3) No person shall be appointed to be an Inspector under sub-section (1) or a Chief Inspector under sub-section (2) or having been so appointed shall continue to hold office, who is or becomes directly or indirectly interested in a factory or in any process or business carried on therein or in any patent or machinery connected therewith.

(4) Every Deputy Commissioner shall be an Inspector for his district.

(5) Government may also, by notification as aforesaid, 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.

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

(7) Every Chief Inspector and Inspector shall be deemed to be a public servant within the meaning of the Pakistan Penal Code (XLV of 1860) and shall be officially subordinate to such authority as Government may specify in this behalf.

[1] Sub- section 920 re- numbered as sub section (9) by Sindh Act No. XIV of 2026 Dated; 19 may 2026

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Powers of Inspector.

13. Subject to any rules made by Government in this behalf, an Inspector may, within the local limits for which he is appointed –

(a) enter with such assistants, if any, being persons in the service of the state or of any municipal or other public authority, as he thinks fit, any place which is or which he has reason to believe to be used as a factory or capable of being declared to be a factory under the provisions of section 5;

(b) make such examination of the premises and plant and of any prescribed registers, and take on the spot or otherwise such evidence of 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:

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

Certifying surgeons.

14. Government may appoint such registered 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.

(2) A certifying surgeon may authorize any registered medical practitioner to exercise any of his powers under this Act:

Provided that a certificate of fitness for employment granted by such authorized practitioner shall be valid for a period of three months only, unless it is confirmed by the certifying surgeon himself after examination of the person concerned.

Explanation:- In this section a “registered medical practitioner” means any person registered under any Act of the Federal Legislature or any Provincial Legislature providing for the maintenance of a register of medical practitioners.

CHAPTER III
Health and Safety

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15. Every factory shall be kept clean and free from effluvia arising from any drain, privy or other nuisance, and in particular – **Cleanliness.**

(a) accumulation of dirt and refuse shall be removed daily by sweeping or by any other effective method from the floors and benches of work-rooms and from staircases and disposed of in a suitable manner;

(b) the floor of every work-room shall be cleaned at least once in every week by washing, using disinfectant where necessary or by some other effective method;

(c) where the floor is liable to become wet in the course of any manufacturing process to such extent as is capable of being drained, the effective means of drainage shall be provided and maintained;

[1][****]
[****]

(2) If, in view of the nature of the operations carried on in a factory it is not possible for the occupier to comply with all or any of the provisions of sub-section (1), Government may, by an order, exempt such factory or class or description of factories from any of the provisions of that sub-section and specify alternative methods for keeping the factory in a clean state.

16. (1) Effective arrangements shall be made in every factory for the disposal of wastes and effluents due to the manufacturing process carried on therein. **Disposal of wastes and effluents.**

(2) Government may make rules prescribing the arrangements to be made under sub-section (1) or requiring that the arrangements made in accordance with that sub-section shall be subject to the approval of such authority as may be prescribed.

17. (1) The effective and suitable provisions shall be made in every factory for securing and maintaining in every work-room – **Ventilation and temperature.**

(a) adequate ventilation by the circulation of fresh air; and

[1] Clause D and E omitted by Sindh act no V of 2023, dated 7th march, 2023

(b) such temperature as will secure to workers therein reasonable conditions of comfort and prevent injury to health, and in particular –

(i) the walls and roofs shall be of such material and so designed that such temperature shall not be exceeded but kept as low as practicable;

(ii) where the nature of the work carried on in the factory involves, or is likely to involve, the production of excessively high temperature, such adequate measures as are practicable shall be taken to protect the workers therefrom by separating the process which produces such temperature from the work-room by insulating the hot parts or by other effective means.

(2) Government may prescribe a standard of adequate ventilation and reasonable temperature for any factory or class or description of factories or parts thereof and direct that a thermometer shall be provided and maintained in such place and position as may be specified.

(3) If it appears to Government that in any factory or class or description of factories excessively high temperature can be reduced by such methods as whitewashing, spraying or insulating and screening outside walls or roofs or windows, or by raising the level of the roof, or by insulating the roof either by an air space and double roof or by the use of insulating roof materials, or by other methods, it may prescribe such of these or other methods to be adopted in the factory.

Dust and fume.

18. (1) In every factory in which, by reason of the manufacturing process carried on, there is given off any dust or fume or other impurity of such a nature and to such an extent as is likely to be injurious or offensive to the workers employed therein, effective measures shall be taken to prevent its accumulation in any work-room and its inhalation by workers and if any exhaust appliance is necessary for this purpose, it shall be applied as near as possible to the point of origin of the dust, fume or other impurity, and such point shall be enclosed so far as possible.

(2) No stationary internal combustion engine shall be operated in any factory unless the exhaust is conducted into open air and exhaust pipes are insulated to prevent scalding and radiation heat, and no internal combustion engine shall be operated in any room

unless effective measures have been taken to prevent such accumulation of fumes there from as are likely to be injurious to the workers employed in the work- room.

Artificial humidification.

19. (1) Government may, in respect of all factories in which humidity of the air is artificially increased, make rules –

(a) prescribing standards of humidification;

(b) regulating the methods used for artificially increasing the humidity of the air;

(c) directing prescribed tests for determining the humidity of the air to be correctly carried out and recorded; and

(d) prescribing methods to be adopted for securing adequate ventilation and cooling of the air in the work- rooms.

(2) In any factory in which the humidity of the air is artificially increased, the water used for the purpose shall be taken from a public supply, or other source of drinking water, or shall be effectively purified before it is so used.

(3) If it appears to an Inspector that the water used in a factory for increasing humidity which is required to be effectively purified under sub-section (2) is not effectively purified, he may serve on the Manager of the factory, an order in writing specifying the measures which, in his opinion, should be adopted, and requiring them to be carried out before a specified date.

Overcrowding.

20. (1) No work-room in any factory shall be over-crowded to an extent injurious to the health of the workers employed therein.

(2) Without prejudice to the generality of the provisions of sub-section (1), there shall be provided for every worker employed in a work-room at least five hundred cubic feet of space.

Explanation:- For the purpose of this sub-section no account shall be taken of a space which is more than fourteen feet above the level of the floor of the room.

(3) If the Chief Inspector by order in writing so requires, there shall be posted in each work-room of a factory a notice specifying

the maximum number of workers who may in compliance with the provisions of this section, be employed in the room.

(4) The Chief Inspector may, by order in writing, exempt, subject to such conditions as he may think fit to impose, any work-room from the provisions of this section if he is satisfied that compliance therewith in respect of such room is not necessary for the purpose of health of the workers employed therein.

Lighting.

21. (1) In every part of a factory where workers are working or passing, there shall be provided and maintained –

(a) sufficient and suitable lighting, natural or artificial, or both; and

(b) emergency lighting of special points in work-room and passages to function automatically in case of a failure of the ordinary electric system.

(2) In every factory, all glazed windows and sky-lights used for the lighting of the work-room, shall be kept clean on both the outer and inner surfaces and free from obstruction as far as possible under the rules framed under sub-section (3) of section 18.

(3) In every factory, effective provisions shall, so far as is practicable, be made for the prevention of –

(a) glare either directly from any source of light or by reflection from a smooth or polished surface; and

(b) the formation of shadows to such an extent as to cause eye strain or risk of accident to any worker.]

(4) Government may prescribe standards of sufficient and suitable lighting for factories or for any class or description of factories or for any manufacturing process.

Drinking water.

22. (1) In every factory, effective arrangements shall be made to provide and maintain at suitable points conveniently situated for all workers employed therein, a sufficient supply of whole-some drinking water.

(2) All such points shall legibly be marked as “Drinking Water” in a language understood by the majority of the workers and no

such point shall be situated within twenty feet of any washing place, urinal or latrine, unless a shorter distance is approved in writing by the Chief Inspector.

(3) In every factory, wherein more than two hundred and fifty workers are ordinarily employed, provision shall be made for cooling the drinking water during the hot weather by effective means and for distribution thereof and arrangements shall also be made for –

(a) the daily renewal of water if not laid on; and

(b) a sufficient number of cups or other drinking vessels, unless the water is being delivered in an upward jet.

(4) Government may, in respect of all factories or any class or description of factories, make rules for securing compliance with the provisions of this section.

Latrines and urinals.

23. (1) In every factory –

(a) sufficient latrines and urinals of prescribed types shall be provided conveniently situated and accessible to workers at all times while they are in the factory;

(b) enclosed latrines and urinals shall be provided separately for male and female workers;

(c) such latrines and urinals shall be adequately lighted and ventilated and no latrine and urinal shall, unless specially exempted in writing by the Chief Inspector, communicate with any workroom except through an intervening open space or ventilated passage;

(d) all such latrines and urinals shall be maintained in a clean and sanitary condition at all times with suitable detergents or disinfectants or with both;

(e) the floors and internal walls of the latrines and urinals and the sanitary blocks shall, up to a height of three feet, be finished to provide a smooth polished impervious surface; and

(f) washing facilities shall be provided near every sanitary convenience.

(2) Government may prescribe the number of latrines and urinals to be provided in any factory in proportion to the number of male and female workers ordinarily employed therein and such further matters in respect of sanitation in the factories as it may deem fit.

Spittoons.

24. [1][****]

Precautions against contagious or infectious disease.

25. (1) Each worker in a factory shall be provided with a "hygiene card' in which during the month of January and July every year the entries shall be recorded after examination by appointed factory doctor to the effect that the worker is not suffering from any contagious or infectious disease. The fee of such an examination shall be fixed by Government and will be borne by the occupier or manager of the factory.

(2) If a worker is found to be suffering from any contagious or infectious disease on an examination under sub-section (1), he shall not be appointed on work till he is declared free of such a disease.

Compulsory vaccination and inoculation.

26. Each worker in a factory shall be vaccinated and inoculated against such diseases and at such intervals as may be prescribed, and the expenses of such vaccination and inoculation, if any, shall be borne by the occupier or manager of the factory.

Power to make rules for provision of canteens.

27. (1) Government may make rules requiring that in any specified factory wherein more than two hundred and fifty workers are ordinarily employed, an adequate canteen shall be provided for the use of the workers.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for –

(a) the date by which such canteen shall be provided;

(b) the standards in respect of construction, accommodation, furniture and other equipment of the canteen;

[1] Omitted section 24 by Sindh act no V of 2023, dated 7th march, 2023

(c) the foodstuffs to be served therein and the charges which may be made therefor;

(d) representation of the workmen in the management of the canteens;

(e) enabling, subject to such conditions, if any, as may be specified, the power to make rules under clause (c) to be exercised also by the Chief Inspector.

Welfare Officer.

28. In every factory wherein not less than five hundred workers are ordinarily employed, the occupier or manager shall employ such number of welfare officers, having such qualifications, to perform such duties and on such terms and conditions as may be prescribed.

Precautions in case of fire.

29. (1) Every factory shall be provided with such means of escape in case of fire as may be prescribed.

(2) If it appears to the Inspector that any factory is not provided with the means of escape prescribed under sub-section (1), he may serve on the manager of the factory an order in writing specifying the measures which should be adopted before a date specified in the order.

(3) In every factory, the doors affording exit from any room shall not be locked or fastened so that they can be easily and immediately opened from inside while any person is within the room, and all such doors, unless they are of the sliding type, shall be constructed to open outwards or where the door is between two rooms, in the direction of the nearest exit from the building and such door shall not be locked or obstructed while work is being carried on in the room and shall at all times be kept free from any obstruction.

(4) In every factory, every window, door or other exit affording means of escape in case of fire, other than means of exit in ordinary use, shall be distinctively marked in a language understood by the majority of the workers and in red letters of adequate size or by some other effective and clearly understood sign.

(5) In every factory, there shall be provided effective and clearly audible means of giving warning in case of fire to every person employed therein.

(6) A free passage-way giving access to each means of escape in case of fire shall be maintained for the use of all workers in every room of the factory.

(7) In every factory wherein more than ten workers are ordinarily employed in any place above the ground floor, or explosive or highly inflammable materials are used or stored, effective measures shall be taken to ensure that all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such case.

(8) Government may make rules prescribing in respect of any factory, or class or description of factories, the means of escape to be provided in case of fire and the nature and amount of firefighting apparatus to be provided and maintained.

Fencing of machinery.

30. (1) In every factory the following shall be securely fenced by the safeguards of substantial construction which shall be kept in position while the parts of machinery required to be fenced are in motion or in use, namely –

(a) every moving part of a prime mover, and every fly wheel connected to a prime mover;

(b) the headrace and tailrace of every water wheel and water turbine;

(c) any part of a stock-bar which projects beyond head stock of a lathe; and

(d) unless they are in such position or of such construction as to be as safe to every person employed in the factory as they would be if they were securely fenced –

(i) every part of an electric generator, a motor or rotary convertor;

(ii) every part of transmission machinery; and

(iii) every dangerous part of any machinery:

Provided that in the case of dangerous parts of machinery that cannot be securely fenced by reason of the nature of operation, such fencing may

be substituted by other adequate measures, such as –

(i) devices automatically preventing the operation from coming into contact with the dangerous parts; and

(ii) automatic stopping devices:

Provided further that for the purpose of determining whether any part of machinery is in such position or is of such construction as to be safe as aforesaid, account shall not be taken of any occasion when it being necessary to make an examination of the machinery while it is in motion or, as a result of such examination, to carry out any mounting or shipping of belts, lubrication or other adjusting operation while the machinery is in motion, such examination or operation is made or carried out in accordance with the provisions of section 31.

(2) Without prejudice to any other provisions of this Act relating to the fencing of machinery, every set screw, bolt and key on any revolving shaft, spindle wheel or pinion and all spur, worm and other toothed or friction gearing in motion with which such worker, should otherwise be liable to come into contact, shall be securely fenced to prevent such contact.

(3) Government may exempt, subject to such conditions as may be imposed, for securing the safety of the workers, any particular machinery or part from the provisions of this section.

(4) Government may, by rules, prescribe such further precautions as it may consider necessary in respect of any particular machinery or part thereof.

Work on or near machinery in motion.

31. (1) Where in any factory it becomes necessary to examine any part of machinery referred to in section 30 while the machinery is in motion, or as a result of such examination to carry out any mounting or shipping of belts, lubrication or other adjusting operation while the machinery is in motion, such examination or operation shall be made or carried out only by a specially trained adult male worker wearing tight fitting clothing whose name has been recorded in the register prescribed in this behalf and while he is so engaged, such worker shall not handle a belt at a moving pulley unless the belt is less than six inches in width and unless the belt joint is either laced or flush with the belt.

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(2) No [1][adolescent] shall be allowed in any factory to clean, lubricate or adjust any part of machinery while that part is in motion, or to work between moving parts or between fixed and moving parts of any machinery which is in motion.

(3) Government may, by notification in the official Gazette, prohibit in any specified factory or class or description of factories, the cleaning, lubricating or adjusting by any person, of specified parts of machinery when those parts are in motion.

Employment of young persons on dangerous machines.

32. (1) No adolescent shall work at any machine unless he has been fully instructed as to the dangers arising in connection with the machine and the precautions to be observed and –

(a) has received sufficient training in work at the machine; or

(b) is under adequate supervision by a person who has thorough knowledge and experience of the machine.

(2) This section shall apply to such machines as may be notified by Government to be of such a dangerous character that children or adolescents ought not to work at them unless the foregoing requirements are complied with.

Striking gear and devices for cutting off power.

33. (1) In every factory –

(a) suitable striking gear or other efficient mechanical appliances shall be provided and maintained and used to move driving belts to and from fast and loose pulleys which form part of the transmission machinery, and such gear or appliances shall be so constructed, placed and maintained as to prevent the belt from creeping back on the fast pulleys;

(b) driving belts when not in use shall not be allowed to rest or ride upon shafting in motion.

(2) In every factory suitable devices for cutting off power in emergencies from running machinery shall be provided and maintained in every workroom.

[1] Substituted word by Sindh Act No. XXI of 2021, dated 4th August, 2021.

(3) In respect of factories in operation before the commencement of this Act, the provisions of sub-section (2) shall apply only to work-rooms in which electricity is used for power.

Self-acting machines.

34. No traversing part of a self-acting machine in any factory and no material carried thereon shall, if the space over which it runs is a space over which any person is liable to pass whether in the course of his employment or otherwise, be allowed to run on its outward or inward traverse within a distance of eighteen inches from any fixed structure which is not part of the machine:

Provided that the Chief Inspector may permit the continued use of a machine installed, which does not comply with the requirements of this section on such conditions for ensuring safety as he may think fit to impose.

Casing of new machinery.

35. (1) In all machinery driven by power and installed in any factory –

(a) every set screw, belt or key on any revolving shaft, spindle, wheel or pinion shall be so sunk, encased or otherwise effectively guarded as to prevent danger; and

(b) all spur, worm and other toothed or friction gearing which does not require frequent adjustment while in motion shall be completely encased unless it is so situated as to be as safe as it would be if it were completely encased.

(2) Whoever sells or lets on hire, or as agent of a seller or hirer, causes or procures to be sold or let on hire, for use in a factory any machinery driven by power which does not comply with the provisions of sub-section (1), shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to fifty thousand rupees, or with both.

(3) Government may make rules specifying further safeguards to be provided in respect of any other dangerous part of any particular machine or class or description of machines.

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Prohibition of employment of women and children near cotton openers.

36. No [1][adolescent] shall be employed in any part of a factory for pressing cotton in which a cotton-opener is 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 to the roof or to such height as the Inspector may in any particular case specify in writing, women may be employed on the side of the partition where the feed end is situated.

Cranes and other lifting machinery.

37. (1) The following provisions shall apply in respect of cranes and all other lifting machinery, other than hoists and lifts in any factory:

(a) every part thereof, including the working gear, whether fixed or movable, ropes and chains and anchoring and fixing appliances shall be –

(i) of good construction, sound material and adequate strength;

(ii) properly maintained;

(iii) thoroughly examined by a competent person at least once in every period of twelve months, and a register shall be kept containing the prescribed particulars of every such examination;

(b) no such machinery shall be loaded beyond the safe working load which shall be plainly marked thereon;

(c) while any person is employed or working on or near the wheel tract of a travelling crane in any place where he would be liable to be struck by the crane, the effective measures shall be taken to ensure that the crane does not approach within twenty feet of that place or come into accidental contact with live electrical lines;

(d) limit switches shall be provided to prevent over-running; and

[1] Substituted word by Sindh Act No. XXI of 2021, dated 4th August, 2021.

(e) jib cranes, permitting the raising or lowering of the jib shall be provided with an automatic safe load indicator or have attached to them a table indicating the safe working load at corresponding inclinations of the jib.

(2) Government may make rules in respect of any lifting machinery or class or description of lifting machinery in factories –

(a) prescribing requirements to be complied with in addition to those set out in this section; or

(b) exempting from compliance with all or any of the requirements of this section, where in its opinion such compliance is unnecessary or impracticable.

Hoists and lifts.

38. (1) In every factory –

(a) every hoist and lift shall be –

(i) of good mechanical construction, sound material and adequate strength;

(ii) properly maintained, and shall be thoroughly examined by a competent person authorized by the Chief Inspector in this behalf at least once in every period of six months, and a register shall be kept containing the prescribed particulars of every such examination of which a copy shall be forwarded to the Chief Inspector;

(b) every hoist way and lift way shall be sufficiently protected by an enclosure fitted with gates, and the hoist or lift and every such enclosure shall be so constructed as to prevent any person or thing from being trapped between any part of the hoist or lift and any fixed structure or moving part;

(c) the maximum safe working load shall be plainly marked on every hoist or lift, and no load greater than such load shall be carried thereon;

(d) the cage of every hoist or lift used for carrying persons shall be fitted with a gate on each side from which access is afforded to a landing;

(e) every gate referred to in clause (b) or clause (d) shall be fitted with interlocking or other efficient device to secure that the gate cannot be opened except when the cage is at the landing and that the cage cannot be moved unless the gate is closed.

(2) The following additional requirements shall apply to hoists and lifts used for carrying persons and installed or reconstructed in a factory, namely:-

(a) where the cage is supported by rope or chain, there shall be at least two ropes or chains separately connected with the cage and balance weight, and each rope or chain with its attachments shall be capable of carrying the whole weight of the cage together with its maximum load;

(b) efficient devices shall be provided and maintained capable of supporting the cage together with its maximum load in the event of breakage of the ropes, chains or attachments ;

(c) an efficient automatic device shall be provided and maintained to prevent the cage from over-running.

(3) The Chief Inspector may permit the continued use of a hoist or lift installed in a factory before the commencement of this Act which does not fully comply with the provisions of sub-section (1) upon such conditions for ensuring safety as he may think fit to impose.

(4) Government may, if in respect of class or description of hoist or lift, it is of opinion that it would be unreasonable to enforce any requirement of sub-sections (1) and (2), by order direct that such requirements shall not apply to such class or description of hoist or lift.

Revolving machinery.

39. (1) In every room in a factory in which the process of grinding is carried on, there shall be permanently affixed to or placed near each machine in use a notice indicating the maximum safe working peripheral speed of every grind stone or abrasive wheel,

the speed of the shaft or spindle upon which the wheel is mounted and the diameter of the pulley upon such shaft or spindle necessary to secure such safe working peripheral speed.

(2) The speeds indicated in the notice under sub-section (1) shall not be exceeded.

(3) The effective measures shall be taken in every factory to ensure that the safe working peripheral speed of every revolving vessel, cage basket, flywheel, pulley, disc or similar appliance, driven by power is not exceeded.

Pressure plant.

40. (1) If in any factory any part of the plant or machinery used in a manufacturing process is operated at a pressure above atmospheric pressure, the effective measures shall be taken to ensure that safe working pressure of such part is not exceeded.

(2) Government may make rules providing for the examination and testing of any plant or machinery such as is referred to in sub-section (1) and prescribing such other safety measures in relation thereto as may, in its opinion, be necessary in any factory or class or description of factories.

Floors, stairs and means of access.

41. In every factory –

(a) all floors, stairs, passages and gangways shall be of sound construction and properly maintained and where it is necessary to ensure safety, steps, stairs, ladders, passages and gangways shall be provided with substantial handrails;

(b) there shall, so far as is reasonably practicable, be provided and maintained safe means of access to every place at which any person is at any time required to work;

(c) all places of work from which a worker may be liable to fall a distance exceeding three feet and six inches shall be provided with fencing or other suitable safeguards; and

(d) adequate provision shall be made for the drainage of floors in wet processes and for the use of slatted stands and platforms.

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Pits, sumps, opening in floors, etc.

42. (1) In every factory, every fixed vessel, sump, tank pit or opening in the ground or in floor which by reason of its depth, situation, construction or contents, is or may be a source of danger, shall be either securely covered or securely fenced.
(2) Government may, by order in writing, exempt, subject to such conditions as may be imposed, any factory or class or description of factories in respect of any vessel, sump, tank pit or opening from compliance with the provisions of this section.

Excessive weights.

43. (1) No person shall be employed in any factory to lift, carry or move any load so heavy as to be likely to cause him injury.

(2) Government 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 or in carrying on any specified process.

Protection of eyes.

44. Government may, in respect of any manufacturing process carried on in any factory, by rule require that effective screens or suitable goggles shall be provided for the protection of persons employed on, or in the immediate vicinity of, a process which involves –

(a) risk of injury to the eyes from particles or fragments thrown off in the course of the process; or

(b) risk to the eyes by reason of exposure to excessive light or heat.

Powers to require specifications of defective parts or tests of stability.

45. If it appears to the Inspector that any building or any part of the ways, machinery or plant in a factory, is in such a condition that it may be dangerous to human life or safety, he may serve on the Manager of the factory an order in writing, requiring him before a specified date –

(a) to furnish such drawings, specifications and other particulars as may be necessary to determine whether such building, ways, machinery or plant can be used with safety; or

(b) to carry out such tests as may be necessary to determine the strength or quality of any specified parts and to inform the Inspector of the results thereof.

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Safety of building, machinery and manufacturing process.

46. (1) If it appears to the Inspector that any building or part of a building or any part of the ways, machinery or plant or manufacturing process in a factory is in such a condition that it is dangerous to human health or safety, he may serve on the manager of the factory an order in writing specifying the measures which, in his opinion, should be adopted, and requiring them to be carried out before a specified date.

(2) If it appears to the Chief Inspector that the requisitions made under sub-section (1) are not satisfactorily fulfilled thereby involving exposure of workers to serious hazards, he may serve on the manager of the factory an order in writing, containing a statement of the grounds of his opinion, prohibiting until the danger is removed, the employment, in or about the factory or part thereof, of any person whose employment is not in his opinion reasonably necessary for the purpose of removing the danger.

(3) If it appears to the Inspector that the use of any building or part of a building or of any part of the ways, machinery or plant or manufacturing process in a Factory involves imminent danger to human health or safety he may serve on the manager of factory an order in writing prohibiting, until the danger is removed, the employment, in or about the factory or part thereof, of any person whose employment is not in his opinion reasonably necessary for the purpose of removing the danger.

(4) Nothing in sub-section (2) or (3) shall be deemed to affect the continuance in the employment of the factory of a person whose employment in or about the factory or part thereof is prohibited under that sub-section.

Power to make rules to supplement this Chapter.

47. Government may make rules requiring that –

(i) in any factory or in any class or description of factories, such further devices and measures for securing the safety of the persons employed therein as it may deem necessary shall be adopted: and

(ii) work on a manufacturing process carried on with the aid of power shall not be begun in any building or part of a building erected or taken into use as a factory until a certificate of stability in the prescribed form and signed by a person possessing the prescribed qualifications has been sent to the Chief Inspector.

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Precautions against dangerous fumes.

48. (1) In any factory, no person shall enter or be permitted to enter any chamber, tank, vat, pit, pipe, flue or other confined space in which dangerous fumes are likely to be present to such an extent as to involve risk of persons being overcome thereby, unless it is provided with a manhole of adequate size or other effective means of ingress.

(2) No portable electric light of voltage exceeding twenty-four volts shall be permitted in any factory for use inside any confined space such as is referred to in sub-section (1) and, where the fumes present are likely to be inflammable, a lamp or light other than of flame proof construction shall not be permitted to be used in such confined space.

(3) No person in any factory shall enter or be permitted to enter any confined space such as is referred to in sub- section (1) until all practicable measures have been taken to remove any fumes which may be present and to prevent ingress of fumes and unless either –

(a) a certificate in writing has been given by a competent person, based on a test carried out by himself, that the space is free from dangerous fumes and fit for persons to enter; or

(b) the worker is wearing suitable breathing apparatus and a belt securely attached to a rope, the free end of which is held by a person standing outside the confined space.

(4) Suitable breathing apparatus, reviving apparatus and belts and ropes shall in every factory be kept ready for instant use beside any such confined space as aforesaid which any person has entered, and all such apparatus shall be periodically examined and certified by a competent person to be fit for use, and a sufficient number of persons employed in every factory shall be trained and practised in the use of all such apparatus and in the method of restoring respiration.

(5) No person shall be permitted to enter in any factory, any boiler furnace, boiler flue, chamber, tank, vat, pipe or other confined space for the purpose of working or making any examination therein until it has been sufficiently cooled by ventilation or otherwise to be safe for persons to enter.

(6) Government may make rules prescribing the maximum dimensions of the manholes referred to in sub-section (1) and may, by order in writing, exempt, subject to such conditions as it may think fit to impose, any factory or class or description of factories from compliance with any of the provisions of this section.

Explosive or inflammable dust, gas, etc.

49. (1) Where in any factory, any manufacturing process produces dust, gas, fume or vapour of such character and to such extent as to be likely to explode on ignition, all practicable measures shall be taken to prevent any such explosion by –

(a) effective enclosure of the plant or machinery used in the process;

(b) removal or prevention of the accumulation of such dust, gas, fume or vapour;

(c) exclusion or effective enclosure of all possible sources of ignition.

(2) Where in any factory, the plant or machinery used in a process such as is referred to in sub-section (1) is not so constructed as to withstand the probable pressure which such an explosion as aforesaid would produce, all practicable measures shall be taken to restrict the spread and effects of the explosion by the provision in the plant or machinery of chokes, baffles, vents or other effective appliances.

(3) Where any part of the plant or machinery in a factory contains any explosive or inflammable gas or vapour under pressure greater than atmospheric pressure, that part shall not be opened except in accordance with the following provisions, namely:-

(a) before the fastening of any joint of any pipe connected with the part of the fastening of the cover of any opening into the part is loosened, any flow of the gas or vapour into the part or any such pipe shall be effectively stopped by a stop-valve or other means;

(b) before any such fastening as aforesaid is removed all practicable measures shall be taken to reduce

the pressure of the gas or vapour in the part or pipe to atmospheric pressure;

(c) where any such fastening as aforesaid has been loosened or removed, affective measures shall be taken to prevent any explosive or inflammable gas or vapour from entering the part or pipe until the fastening has been secured, or, as the case may be, securely replaced;

Provided that the provisions of sub-section shall not apply in the case of plant or machinery installed in the open air.

(4) No plant, tank or vessel which contains or has contained any explosive or inflammable substance shall be subjected in any factory to any welding, brazing, soldering or cutting operation which involves the application of heat or to any drilling or other operation which is likely to create heat or sparks, unless adequate measures have first been taken to remove such substance and any fumes arising therefrom or to render such substance and fumes, non-explosive or non-inflammable, and no such substance shall be allowed to enter such plant, tank or vessel after any such operation until the metal has cooled sufficiently to prevent any risk of igniting the substance.

(5) Government may by rules exempt, subject to such conditions as may be prescribed, any factory or class or description of factories from compliance with all or any of the provisions of this section.

Power to exclude children.

50. (1) Government may make rules, prohibiting the admission to any specified class of factories or to specified parts thereof, of children who cannot be lawfully employed therein.

(2) If it appears to the Inspector that the presence in any factory or part of a factory of children who cannot be lawfully employed therein may be dangerous to them or injurious to their health, he may serve on the manager of the factory an order in writing directing him to prevent the admission of such children to the factory or any part of it.

Notice of certain accidents.

51. Where in any factory, an accident occurs which causes death or which causes any bodily injury whereby any person injured is prevented from resuming his work in the factory during the forty-

eight hours after the accident occurred, or which is of any nature which may be prescribed in this behalf, the manager of the factory shall send notice thereof to such authorities, and in such form and within such time, as may be prescribed.

Appeals.

52. (1) The manager of a factory on whom an order in writing by an Inspector has been served under the provisions of this Chapter, or the occupier of the factory, may, within thirty days of service of the order, appeal against it to Government, or to such authority as Government may appoint in this behalf, and the Government or appointed authority may, subject to rules made in this behalf by Government, confirm, modify or reverse the order.

(2) The appellate authority may, and if so required in the petition or appeal shall, bear the appeal with the aid of assessors, one of whom shall be appointed by the appellate authority and the other by such body representing the industry concerned as Government may prescribe in this behalf:

Provided that if no assessor is appointed by such body, or if the assessor so appointed fails to attend at the time and place fixed for hearing the appeal, the appellate authority may, unless satisfied that the failure to attend is due to sufficient cause, proceed to hear the appeal without the aid of such assessor, or if it thinks fit, without the aid of any assessor.

(3) Except in the case of an appeal against an order under sub-section (3) of section 46 or sub-section (2) of section 50, the appellate authority may suspend the order appealed against pending the decision of the appeal, subject however to such conditions as to partial compliance or the adoption of temporary measures as it may choose to impose in any case.

Additional power to make rules.

53. (1) Health and safety rules relating to shelters during rest. Government may make rules requiring that in any specified factory wherein more than one hundred and fifty workers are ordinarily employed, an adequate shelter shall be provided for the use of workers during periods of rest, and such rules may prescribe the standards of such shelters.

Provided that separate shelter facility shall be provided for female workers irrespective of their number and number of workers in the factory.

(2) Rooms for children:- Government may also make rules –

(a) requiring that in any specified factory, wherein women workers are ordinarily employed, a suitable room shall be reserved for the use of children under the age of six years belonging to such women; and

(b) prescribing the standards for such rooms and the nature of the supervision to be exercised over the children therein.

(3) **Certificates of stability:-** Government may also make rules, for any class of factories and for the whole or any part of the Province, requiring that work on a manufacturing process carried on with the aid of power shall not be begun in any building or part of a building erected or taken into use as a factory after the commencement of this Act, until a certificate of stability in the prescribed form, signed by a person possessing the prescribed qualifications, has been sent to the Inspector.

(4) **Hazardous operations:-** Where Government is satisfied that any operation in a factory exposes any persons employed upon it to a serious risk of bodily injury, poisoning or disease, it may make rules applicable to any factory or class of factories in which the operation is carried on –

(a) specifying the operation and declaring it to be hazardous;

(b) prohibiting or restricting the employment of [1][pregnant and breastfeeding women and adolescent] upon the operation;

(c) providing for the medical examination of persons employed or seeking to be employed upon the operation and prohibiting the employment of persons not certified as fit for such employment; and

(d) providing for the protection of all persons employed upon the operation or in the vicinity of the places where it is carried on.

[1] Substituted word by Sindh Act No. XXI of 2021, dated 4th August, 2021.

(5) Government may also make rules requiring the occupiers or managers of factories to maintain stores of First-Aid appliances and provide for their proper custody and use.

CHAPTER-IV
Restrictions on Working Hours of Adults

Weekly hours.

54. No adult worker shall be allowed or required to work in a factory for more than forty-eight hours in any week, or, where the factory is a seasonal one, for more than fifty hours in any week:

Provided that an adult worker in a factory engaged in work which for technical reasons must be continuous throughout the day may work for fifty-six hours in any week.

Weekly holiday.

55. (1) No adult worker shall be allowed or required to work in a factory on a Sunday unless –

(a) he had or will have a holiday for a whole day on one of the three days immediately before or after that Sunday; and

(b) the manager of the factory has, before that Sunday or the substituted day, whichever is earlier –

(i) delivered a notice to the office of the Inspector of his intention to require the worker to work on the Sunday and of the day which is to be substituted; and]

(ii) displayed a notice to that effect in the factory:

Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

(2) Notice given under section (1) may be cancelled by a notice delivered to the office of the Inspector and a notice displayed in the factory not later than the day before the Sunday or the holiday to be cancelled, whichever is earlier.

(3) Where in accordance with the provisions of sub-section (1) any worker works on a Sunday and has had a holiday on one of the three days immediately before it, that Sunday shall, for the

purpose of calculating the weekly hours of work, be included in the preceding week.

Compensatory holidays.

56. (1) 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 section 55, a worker is deprived of any of the weekly holidays for which provision is made by sub- section (1) of that section, he shall be allowed, as soon as circumstances permit, compensatory holidays of equal number to the holidays so lost.

(2) Government may make rules prescribing the manner in which the holidays for which provision is made in sub-section (1) shall be allowed.

Daily hours.

57. [1]["No adult worker shall be allowed or required to work in a factory for more than nine hours in any day, subject to weekly hours as per section 54:"]

Provided that a male adult worker in a seasonal factory may work ten hours in any day.

Intervals for rest.

58. The periods of work of adult workers in a factory during each day shall be fixed either –

(a) so that no period shall exceed six hours and so that no worker shall work for more than six hours before he has had an interval for rest of at least one hour; or

(b) so that no period shall exceed five hours, and so that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour, or for more than eight hours before he has had at least two such intervals.

Spread over.

59. The periods of work of an adult worker in a factory shall be so arranged that along with his intervals for rest under section 31, they shall not spread over more than ten and a half hours, or where the factory is a seasonal one, eleven and a half hours in any day, save with the permission of the Government and subject to such conditions as it may impose, either generally or in the case of any particular factory.

[1] Substituted words by Sindh Act No. XIV of 2026 Dated: 19 May 2026

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Notice of periods for work for adults and preparation thereof.

60. (1) There shall be displayed and correctly maintained in every factory in accordance with the provisions of sub-section (2) of section 108, a notice of periods for work for adults showing clearly the periods which adult workers may be required to work.

(2) The periods shown in the notice required by sub-section (1) shall be fixed before-hand in accordance with the following provisions of this section and shall be such that workers working for these periods would not be working in contravention of any of the provisions of sections 54, 55, 57, 58 and 59.

(3) Where all the adult workers in a factory are required to work within the same periods, the manager of the factory shall fix those periods for such workers generally.

(4) Where all the adult workers in a factory are not required to work within the same periods, the manager of the factory shall classify them into groups according to the nature of their work.

(5) For each group which is not required to work on a system of shifts, the manager of the factory shall fix the periods within which the group may be required to work.

(6) Where any group is required to work on a system of shifts and the relays are not to be subject to pre- determined periodical changes of shift, the manager of the factory shall fix the periods within which each relay of the group may be required to work.

(7) Where any group is to work on a system of shifts and the relay are to be subject to predetermined periodical changes of shifts, the manager of the factory shall draw up a scheme of shifts where under the periods within which any relay of the group may be required to work and the relay which will be working at any time of the day shall be known for any day.

(8) Government may make rules prescribing forms for the notice of periods for work for adults and the manner in which it shall be maintained.

Copy of notice of Periods for Work to be sent to Inspector.

61. (1) A copy of the notice referred to in subsection (1) of section 60 shall be sent in duplicate to the Inspector within fourteen days after the commencement of this Act, or, if the factory begin work after the commencement of this Act, before the day on which it begins work.

(2) Any proposed change in the system of work in a factory which will necessitate a change in the notice shall be notified to the Inspector in duplicate before the change is made, and except with the previous sanction of the Inspector, no such change shall be made until one week has elapsed since the last change.

Register of Adult Workers.

62. (1) The manager of every factory shall maintain a register of adult workers, showing –

(a) the name and age of each adult worker in the factory;

(b) the nature of his work;

(c) the group, if any, in which he is included;

(d) where his group works on shifts, the relay to which he is allotted, and

(e) such other particulars as may be prescribed :

Provided that if the Inspector is of opinion that any muster roll or register or computerized record maintained as part of the routine of a factory gives, in respect of any or all of the workers in the factory, the particulars required under this section, he may, by order in writing, direct that such muster roll or register shall, to the corresponding extent, be maintained in place of and be treated as the register of adult workers in that factory:

Provided further that where Government is satisfied that the conditions of work in any factory or class of factories are such that there is no appreciable risk of contravention of the provisions of this Chapter in the case of that factory or factories of that class, as the case may be, Government may, by written order, exempt, on such conditions as it may impose, that factory or all factories of that class, as the case may be, from the provisions of this section.

(2) Government may make rules prescribing the form of the register of adult workers, the manner in which it shall be maintained and the period for which it shall be preserved.

Hours of work to correspond with Notice under

63. No adult worker shall be allowed or required to work otherwise than in accordance with the notice of periods for work for adults displayed under sub-section (1) of section 60 and the entries made

before-hand against his name in the register of adult workers maintained under section 62.

section 60 and register under section.

64. (1) Government may make rules defining the persons who hold positions of supervision or management or are employed in a confidential position in a factory, and the provisions of this Chapter other than the provisions of clause (b) of sub-section (1) of section 66 and of the proviso to that sub-section, shall not apply to any person so defined.

Powers to make rules, exempting from restrictions.

(2) Government may make rules for adult workers providing for the exemption, to such extent and subject to such conditions as may be prescribed in such rules –

(i) of workers engaged on urgent repairs - from the provisions of sections 54, 55, 57, 58 and 59;

(ii) of workers engaged in work 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 - from the provisions of sections 54, 57, 58 and 59;

(iii) of workers engaged in work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest required under section 58 - from the provisions of sections 54, 57, 58 and 59;

(iv) of workers engaged in any work which for technical reasons must be carried on continuously throughout the day - from the provisions of sections 54, 55, 57, 58 and 59;

(v) of workers engaged in making or supplying articles of prime necessity which must be made or supplied every day - from the provisions of section 55;

(vi) of workers engaged in a manufacturing process which cannot be carried on except during fixed seasons - from the provisions of section 55;

(vii) of workers engaged in a manufacturing process which cannot be carried on except at times dependent on the irregular action of natural forces - from the provisions of section 55 and section 58; and

(viii) of workers engaged in engine-rooms or boiler-houses - from the provisions of section 55.

(3) The rules made under sub-section (2) providing for any exemption may also provide for any consequential exemption from the provisions of sections 60 and 61 which Government may deem to be expedient, subject to such conditions as it may impose.

(4) In making rules under this section Government shall prescribe the maximum limits for the weekly hours of work for all classes of workers, and any exemption given, other than an exemption under clause (a) of sub-section (2), shall be subject to such limits.

(5) The rules made under this section shall remain in force for not more than three years.

Power to make orders exempting from restrictions.

65. (1) Where Government is satisfied that, owing to the nature of the work carried on or to other circumstances, it is unreasonable to require that the periods of work of any adult workers in any factory or class of factories should be fixed beforehand, it may, by written order, relax or modify the provisions of sections 60 and 61 in respect of such workers to such extent and in such manner as it may think fit, and subject to such conditions as it may deem expedient to ensure control over periods of work.

(2) Government, or subject to the control of Government, the Chief Inspector may, by written order, exempt on such conditions as it or he may deem expedient, any or all the adult workers in any factory, or group or class of factories, from any or all of the provisions of sections 54, 55, 57, 58, 59, 60 and 61, on the ground that the exemption is required to enable the factory or factories to deal with an exceptional pressure of work.

(3) Any exemption given under sub-section (2) in respect of weekly hours of work shall be subject to the maximum limits prescribed under sub-section (4) of section 64.

(4) An order under sub-section (2) shall remain in force for such period, not exceeding two months from the date on which notice

thereof is given to the manager of the factory, as may be specified in the order:

Provided that if in the opinion of Government, the public interest so requires, Government may from time to time, by notification in the official Gazette, extend the operation of any such order for a period, not exceeding six months at any one time, as may be specified in the notification.

Provision of safe transportation facility to women workers.

66. [1]["A women worker shall be allowed to work in a factory beyond 7:00 pm subject to the mandatory arrangement of transportation facility of pick and drop by the employer at doorstep of such worker or the nearest possible place.

Provided that prior consent of the woman worker shall be obtained by the employer for such working hours."

Provided further Government may, by notification in the official Gazette, in respect of any class or classes of factories and for the whole year or any part of it, vary the limits laid down in clause (b) to any span of ten and a half hours, or where the factory is a seasonal one, of eleven and a half hours, between 6 A.M. and 7:00 P.M:

Provided also that in respect of any seasonal factory or class of seasonal factories in specified area, Government may make rules imposing a further restriction by defining the periods of the day within which women may be allowed to work, such that the period or periods so defined shall lie within the span fixed by clause (b) or under the above proviso and shall not be less than ten hours in the aggregate.".]

(2) Government may make rules providing for the exemption from the above restrictions, to such extent and subject to such conditions as it may prescribe, of women working in fish-curing or fish-canning factories where the employment of women beyond the said hours is necessary to prevent damage to or deterioration in any raw material.

(3) The rules made under sub-section (2) shall remain in force for not more than three years.

[1] Substituted sub-section (1) by Sindh Act No. XXI of 2021, dated 4th August, 2021.

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Special provision for nights-shifts.

67. Where a worker works on a shift which extends over midnight, the ensuing day for him shall be deemed to be the period of twenty-four hours beginning when such shift ends and the hours he has worked after midnight shall be counted towards the previous day :

Provided that Government may, by order in writing, direct that in the case of any specified factory or any specified class of workers therein the ensuing day shall be deemed to be the period of twenty-four hours beginning when such shift begins and that the hours worked before midnight shall be counted towards the ensuing day.

Extra pay for overtime.

68. (1) Where a worker –

(a) in a non-seasonal factory works for more than nine hours in any day or for more than forty-eight hours in any week; or

(b) in a seasonal factory works for more than ten hours in any day or for more than fifty hours in any week, he shall be entitled in respect of the overtime worked to pay at the rate of twice his ordinary rate of pay.

Explanation:- In this sub-section, ordinary rate of pay means all remuneration capable of being expressed in terms of money which would if the terms of the contract of employment, express or implied, were fulfilled, be payable to a worker in respect of his employment or of work done in such employment, but does not include –

(i) the value of any house-accommodation, supply of light, water, medical attendance or other amenity;

(ii) any contribution paid by the employer to any pension fund or provident fund;

(iii) any travelling allowance or the value of travelling concession ; or

(iv) any gratuity, bonus or share in the profits of the factory.

(2) Where any workers are paid on a piece-rate basis, Government in consultation with the industry concerned may, for the purposes of this section, fix time-rates as nearly as possible equivalent to the average rate of earnings of those workers, and the rates so fixed shall be deemed to be the ordinary rates of those workers for the purposes of this section.

(3) Government may prescribe the registers that shall be maintained in a factory for the purpose of securing compliance with the provisions of this section.

Obligation to work overtime.

69. Any adult worker may be required to work overtime, provided that such working conforms to the provisions of this Act and the rules made thereunder.

Restriction on double employment.

70. No adult worker shall be allowed to work in any factory on any day on which he has already been working in any other factory, save in such circumstances as may be prescribed.

Control of overlapping shifts.

71. Government may make rules providing that in any specified class or classes of factories work shall not be carried on by a system of shifts so arranged that more than one relay of workers is engaged in work for the same kind at the same time save with the permission of Government and subject to such conditions as it may impose, either generally or in the case of any particular factory.

CHAPTER-V
Holiday with Pay

Application of Chapter.

72. (1) The provisions of this Chapter shall not apply to a seasonal factory.

(2) The provisions of this Chapter shall not operate to the prejudice of any rights to which a worker may be entitled under any other enactment, or under the terms of any award, agreement or contract of service.

Annual holidays.

73. (1) Every worker who has completed a period of twelve months continuous service in a factory shall be allowed, during the subsequent period of twelve months, holidays for a period of fourteen consecutive days, inclusive of the day or days, if any, on which he is entitled to a holiday under sub-section (1) of section 55.

(2) If a worker fails in any one such period of twelve months to take the whole of the holidays allowed to him under sub-section (1), any holidays not taken by him shall be added to the holidays to be allowed to him under sub-section (1) in the succeeding period of twelve months, so however that the total number of holidays which may be carried forward to a succeeding period shall not exceed fourteen.

(3) If a worker entitled to holidays under sub-section (1) is discharged by his employer before he has been allowed the holidays, or if, having applied for and having been refused the holidays, he quits his employment before he has been allowed the holidays, the employer shall pay him the amount payable under section 74 in respect of the holidays.

Explanation:- A worker shall be deemed to have completed a period of twelve months continuous service in a factory notwithstanding any interruption in service during those twelve months brought about by sickness, accident or authorized leave not exceeding ninety days in the aggregate for all three, or by a lock-out, or by a strike which is not an illegal strike, or by intermittent periods of involuntary unemployment not exceeding thirty days in the aggregate; and authorized leave shall be deemed not to include any weekly holiday allowed under section 55 which occurs at beginning or end of an interruption brought about by the leave.

Pay during annual holiday.

74. Without prejudice to the conditions governing the day or days, if any, on which the worker is entitled to a holiday under sub-section (1) of section 55, the worker shall, for the remaining days of the holidays allowed to him under section 73, be paid at a rate equivalent to the daily average of his wages as defined in the Payment of Wages Act, 1936 (IV of 1936), for the days on which he actually worked during the preceding three months, exclusive of any earning in respect of overtime.

Payment when to be made.

75. A worker who has been allowed holidays under section 73 shall, before his holidays begin, be paid half the total pay due for the period of holidays.

Power of Inspector to act for worker.

76. Any Inspector may institute proceedings on behalf of any worker to recover any sum required to be paid under this Chapter by an employer which the employer has not paid.

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Power to make rules.

77. (1) Government may make rules to carry into effect the provisions of this Chapter.

(2) Without prejudice to the generality of the foregoing power, rules may be made under this section prescribing the keeping by employers of registers showing such particulars as may be prescribed and requiring such registers to be made available for examination by Inspectors.

Exemption of factories from the provisions of this Chapter.

78. Where Government is satisfied that the leave rules applicable to workers in a factory provide benefits substantially similar to those for which this Chapter makes provision, it may, by written order exempt the factory from the provisions of this Chapter.

Casual leave and sick leave.

79. (1) Every worker shall be entitled to casual leave with full pay for ten days in a year.

(2) Every worker shall be entitled to sixteen days in a year sick leave on full pay.

(3) Every female worker will be entitled for Maternity leaves as defined in Maternity Benefits Ordinance,1958 (Ordinance XXXII of 1958).

Festivals Holidays.

80. (1) Every worker shall be allowed holidays with pay on all days declared by Government or Federal Government to be festival holidays.

(2) A worker may be required to work on any festival holiday but one day's additional compensatory holiday with full pay and a substitute holiday shall be allowed to him in accordance with the provisions of section 55.

CHAPTER-VI
Special Provisions for Adolescents and Children

Prohibition of employment of young children.

81. No child who has not completed his fourteenth year shall be allowed to work in any factory.

Non-adult workers to carry tokens giving reference to certificates of fitness.

82. No adolescent shall be allowed to work in any factory unless –

(a) a certificate of fitness granted to him under section 83 is in the custody of the manager of the factory; and

(b) he carries while he is at work a token giving a reference to such certificate.

Certificates of fitness.

83. (1) A certifying surgeon shall, on the application of any adolescent who wishes to work in a factory, or, of the parent or guardian of such person, or of the factory in which such person wishes to work, examine such person and ascertain his fitness for such work.

(2) The certifying surgeon, after examination, may grant to such person, in the prescribed form –

(a) a certificate of fitness to work in a factory as an adolescent if he is satisfied that such person has completed his fourteenth year, that he has attained the prescribed physical standards, if any, and that he is fit for such work; or

(b) a certificate of fitness to work in a factory as an adolescent if he is satisfied that such person has completed his fourteenth year and is fit for full day's work in a factory.

(3) A certifying surgeon may revoke any certificate granted under sub-section (2) if, in his opinion, the holder of it is no longer fit to work in the capacity stated therein in a factory.

(4) Where a certifying surgeon or a practitioner authorized under sub-section (2) of section 14 refuses to grant a certificate or a certificate of the kind requested, or revokes a certificate, he shall, if so requested by any person who could have applied for the certificate state his reasons in writing for so doing.

Effect of certificate granted to adolescent.

84. (1) An adolescent who has been granted a certificate of fitness to work in a factory as an adolescent, under clause (b) of sub-section (2) of section 83, and who, while at work in a factory, carries a token giving reference to the certificate, shall be deemed to be an adult for all the purposes of Chapter IV.

(2) An adolescent who has not been granted a certificate of fitness to work in a factory as an adolescent under sub-section (2) of section 83, shall, notwithstanding his age, be deemed to be a child for the purposes of this Act.

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Restrictions of the working hours of an adolescent.

85. (1) No adolescent shall be allowed to work in a factory except between 07 a.m. and 07 p.m.

Provided that Government may, by notification in the Official Gazette in respect of any class or classes of factories and for the whole year or any part of it, vary these limits to any span of thirteen hours between 6 a. m. and 7.30 p.m.

(2) The provisions of section 54 shall apply also to adolescent workers, but no exemption from the provisions of that section may be granted in respect of an adolescent.

(3) No adolescent shall be allowed work in any factory on any day on which he has already been working in another factory.

Notice of Periods for Work for adolescent.

86. (1) There shall be displayed and correctly maintained in every factory in accordance with the provisions of sub-section (2) of section
108, a notice of periods for work for adolescent, showing clearly the periods within which adolescent may be required to work.

(2) The periods shown in the Notice required by sub-section (1) shall be fixed beforehand in accordance with the method laid down for adults in section 60 and shall be such that adolescent working for those periods would not be working in contravention of section 85.

(3) The provisions of section 61 shall apply also to the notice of periods for work for adolescent.

(4) Government may make rules prescribing form for the notice of periods for work for adolescent and the manner in which it shall be maintained.

Register of adolescent workers.

87. (1) The manager of every factory in which adolescent are employed shall maintain a register of adolescent workers showing –

(a) the name and age of each adolescent worker in the factory;

(b) the nature of his work;

(c) the group, if any, in which he is included;

(d) where his group works on shifts, the relay to which he is allotted;

(e) the number of his certificate of fitness granted under section 83; and

(f) such other particulars as may be prescribed.

(2) Government may make rules prescribing the form of the register of adolescent workers, the manner in which it shall be maintained and the period for which it shall be preserved.

Hours of work to correspond with Notice and Register.

88. No adolescent shall be allowed to work otherwise than in accordance with the notice of periods for work for adolescent displayed under sub-section (1) of section 86 and the entries made before-hand against his name in the register of adolescent workers maintained under sub-section (1) of section 87.

Power to require medical examination.

89. Where an Inspector is of opinion –

(a) that any person working in a factory without a certificate of fitness it is an adolescent; or

(b) that adolescent working in a factory with a certificate is no longer fit to work in the capacity stated therein, he may serve on the manager of the factory a notice requiring that such person, or that such adolescent, shall be examined by a certifying surgeon or by a practitioner authorized under sub-section (2) of section 14, and such person, adolescent shall not, if the Inspector so directs, be allowed to work in any factory until he has been granted a certificate of fitness or a fresh certificate of fitness, as the case may be.

Power to make rules.

90. Government may make rules –

(a) prescribing the forms of certificate of fitness to be granted under section 83, providing for the grant of duplicates in the event of loss of original certificates, and fixing the fees which may be charged for such certificates and such duplicates;

(b) prescribing the physical standards to be attained by adolescents;

(c) regulating the procedure of certifying surgeons under this Chapter, and specifying other duties, which they may be required to perform in connection with the employment of children and adolescents in factories; and

(d) providing for any other matter which may be expedient in order to give effect to the provisions of this Chapter.

Provisions to be in addition to Act V of 1991.

91. The provisions to this Chapter shall be in addition to, and not in derogation of the provisions of the Employment of Children Act, 1991 (Act V of 1991).

CHAPTER-VII
Penalties and Procedure

Penalty for contravention of Act and rules.

92. (1) If in any factory –

(a) there is any contravention –

(i) of any of the provisions of sections 14 to 36 inclusive; or

(ii) of any order made under any of the said sections; or

(iii) of any of the said sections read with rules made in pursuance thereof under clause (a) of sub- section (1) of section 47; or

(iv) of any rules made under any of the said sections or under sections 47 and 53; or

(v) of any condition imposed under sub-section (3) of section 52; or

(b) any person is allowed to work in contravention –

(i) of any of the provisions of sections 54 to 59 inclusive 63, 66, 70, 79 and 80;

(ii) of any rule made under any of the said sections, or under section 71, or

(iii) of any condition attached or any exemption granted under section 64 or section 65 or section 66 or to any permission granted under section 59 or section 71; or

(c) there is any contravention of any of the provisions of section 60 to 62 inclusive or of any rule made under section 60, section 62 or section 68, or of any condition attached to any exemption granted under section 62 or to any modification or relaxation made under section 65; or

(d) any person is not paid any extra pay to which he is entitled under the provisions of section 68; or

(e) any adolescent is allowed to work in contravention of any of the provisions of sections 82, 85, 86, 88 and 89; or

(f) there is any contravention of section 86 or section 87 or of any rules made under either of these sections, or under clause (d) of section 90;or there is any contravention of sections 73, 74, or 75, or of any rule made under section 77, the manager and occupier of the factory shall each be punishable with fine which may extend to fifty thousand rupees and not below twenty five thousand rupees.

(2) The penalty for the violation of section 81 may extend to rupees two hundred thousand and not less than rupees fifty thousand or simple imprisonment of three months or both:

Provided that if both the manager and the occupier are convicted, both shall be punished equally.

Enhanced penalty in certain cases after previous conviction.

93. If any person who has been convicted of any offence punishable under clauses (b) to (g) of sub-section (1) and of sub-section (2) inclusive of section 92 is again guilty of an offence involving a contravention of the same provision, he shall be punishable on the second conviction with fine of rupees one thousand rupees for each day beginning from day of the first conviction:

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Provided that for the purposes of this section no cognizance shall be taken of any conviction made more than two years before the commission of the offence which is being punished:

Provided further that the Labour Court, if it is satisfied that there are exceptional circumstances warranting such a course, may, after recording its reasons in writing, impose a smaller fine than is required by this section.

Penalty for failure to give notice of commencement of work or of change of manager.

94. An occupier of a factory who fails to give any notice required by section 10 shall be punishable with a fine of [1]["two hundred thousand section 94 of Sindh rupees but not less than one hundred thousand rupees or Act No.XIII of 2016. with imprisonment of two months but no less than fifteen days or with both".]

[2][“94-A. Penalty for failure for getting the factory registered. An occupier of a factory who fails to get registered his factory as required by section 11, shall be punishable with a fine of five hundred thousand rupees but not less than two hundred thousand rupees or with imprisonment of six months but no less than two months days or with both.".]

Penalty for obstructing Inspector.

95. Whoever willfully obstruct an Inspector in the exercise of any power under section 13, or fails to produce on demand by an Inspector any register or any documents in his custody kept in pursuance of this Act or of any of the rules made thereunder, or conceals or prevents any worker in a factory from appearing before or being examined by an Inspector, shall be punishable with fine of rupees ten thousand.

Penalty for failure to give notice of accident.

96. A manager of a factory who fails to give notice of an accident as required under section 51 shall be punishable with fine rupees ten thousand rupees.

Penalty for failure to make returns.

97. If in respect of any factory any return is not furnished as required under section 90, the manager and the occupier of the factory shall each be liable to fine of twenty thousand rupees:

Provided that if both the manager and the occupier are convicted, the aggregate of the fines inflicted should not exceed this amount.

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[1] Substituted words by Sindh act no XXXVIII of 2021, dated 28th December,2021.
[2] Inserted new section by Sindh act no XXXVIII of 2021, dated 28th December,2021.

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98. Whoever smokes, or uses a naked light or causes or permit any such light to be used in the vicinity of any inflammable material in a factory shall be punishable with fine of rupees five thousand.

Penalty for smoking or using naked light in vicinity or inflammable material.

Exception:- This provision does not extend to the use, in accordance with such precautions as may be prescribed, of a naked light in the course of a manufacturing process.

99. Whoever knowingly uses or attempts to use, as a certificate granted to himself under section 83, a certificate granted to another person under that section, 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 of three thousand rupees.

Penalty for using false certificate.

100. If a child works in a factory on any day on which he has already been working, in another factory, that parent or guardian of the child or the person having custody of, or control over him, or obtaining any direct benefit from his wages, shall be punishable with fine which may extend to rupees one thousand, unless it appears to the Court that the child so worked without the consent, connivance or willful default of such parent, guardian or person.

Penalty on guardian for permitting double employment of a child.

101. A manager of a factory who fails to display the notice required under sub-section (1) of section 108 or by any rule under this Act or to display or maintain any such notice as required by sub-section (2) of that section, shall be punishable with fine upto five thousand rupees but not below three thousand rupees.

Penalty for failure to display certain notices.

102. (1) Where the occupier of a factory is a firm or other association of individuals, any one of the individual partners or members thereof may be prosecuted and punished under this Chapter for any offence for which the occupier of the factory is punishable:

Determination of "occupier" for purposes of this Chapter.

Provided that the firm or association may give notice to the Inspector that it has nominated one of its members who is resident in Pakistan to be the occupier of the factory for the purposes of this Chapter, and such individual shall, so long as he is so resident, be deemed to be the occupier for the purposes of this Chapter until further notice cancelling his nomination is received by the Inspector or until he ceases to be a partner or member of the firm or association.

(2) Where the occupier of a factory is a company, any one of the directors thereof, or, in the case of a private company, any one of

the shareholders thereof, may be prosecuted under this Chapter for any offence for which the occupier of the factory is punishable:

Provided that the company may give notice to the Inspector that it has nominated a director, or in the case of a private company, a shareholder, who is resident in either case in Pakistan to be the occupier of the factory for the purposes of this Chapter, and such director or shareholder shall, so long as he is so resident, be deemed to be the occupier of the factory for the purposes of this Chapter until further notice cancelling his nomination is received by the Inspector or until he ceases to be director or shareholder.

Exemption of occupier from liability in certain cases.

103. (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 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-

(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;

(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.

Presumption as to employment.

104. If a child over the age of six years is found inside any part of a factory in which children are working, he shall, until the contrary is proved, be deemed to be working in the factory.

Evidence as to age.

105. (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 Court apparently under or over such age, the burden shall be on the accused to prove that such person is not under or over such age.

(2) A declaration in writing by a certifying surgeon relating to a worker that he has personally examined him 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 worker.

Cognizance of offences.

106. (1) No prosecution under this Act, except a prosecution under section 98, shall be instituted except by or with the previous sanction of the Inspector.

(2) No Court other than the Labour Court established under the Sindh Industrial Relations Act, 2013 shall try any offence against this Act or any rule or order made thereunder.

Limitation of prosecution.

107. No Court other than Labour Court shall take cognizance of any offence under this Act or any rule or order thereunder, other than an offence under section 94 or section 96, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed:

Provided that when the offence consists of disobeying a written order made by an Inspector, complaint thereof may be made within twelve months of the date on which the offence is alleged to have been committed.

CHAPTER VIII
Supplemental

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108. (1) In addition to the notices required to be displayed in any factory by this Act or the rules made thereunder, there shall be displayed in every factory a notice containing such abstracts of this Act and of the rules made thereunder, in English and in the local languages as Government may prescribe.

(2) All notices required to be displayed in a factory shall be displayed at some conspicuous place at or near the main entrance to the factory and shall be maintained in a clean and legible condition.

Display of factory notices.

109. Government may make rules requiring occupiers or managers of factories to submit such returns, occasional or periodical, as may in its opinion he required for the purposes of this Act.

Power of Government to make rules.

110. (1) All rules made under this Act shall be subject to the condition of previous publication, and the dale to be specified under clause (3) of section 23 of the General Clauses Act, 1897 (X of 1897), shall not be less than three months from the date on which the draft of the proposed rules was published.

(2) All such rules shall be published in the Official Gazette and shall, unless some later date is appointed, come into force on the date of such publication.

Publication of rules.

111. This Act shall apply to factories belonging to Government and Federal Government and such other factories within the territorial limits of the Province of Sindh.

Application to Government and Federal Government factories.

112. 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.

Indemnity.

113. If any difficulty arises, in giving effect to any provisions of this Act, Government may, by notification in the official Gazette, make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary for the purpose of removing the difficulty.

Removal of difficulties.

114. (1) The Factories Act, 1934 (Act XXV of 1934), hereinafter referred to as the repealed Act, in its application to the Province of Sindh, is hereby repealed.

Repeal and Savings.

THE SINDH FACTORIES ACT, 2015
SINDH ACT NO. XIII OF 2016

(2) Notwithstanding the repeal under sub-section (1), everything done, orders passed, action taken, obligation, liability, penalty or punishment incurred, enquiry or proceeding commenced, officer appointed or person authorized, jurisdiction or power conferred, rules or regulations made or notification issued, under any of the provisions of the said Act, shall continue to remain in force and shall be deemed to have been done, passed, taken, incurred, commenced, appointed, authorized, conferred, made or issued under the provisions of this Act.