

Factories Act, 1948

Section 78 - Application of Chapter

(1) The provisions of this Chapter shall not operate to the prejudice of any right to which a worker may be entitled under any other law or under the terms of any award, [1](#) [agreement (including settlement)] or contract of service:

[2](#) [Provided that if such award, agreement (including settlement) or contract of service provides for a longer annual leave with wages than provided in this Chapter, the quantum of leave, which the worker shall be entitled to, shall be in accordance with such award, agreement or contract of service, but in relation to matters not provided for in such award, agreement or contract of service or matters which are provided for less favourably therein, the provisions of sections 79 to 82, so far as may be, shall apply.]

(2) The provisions of this Chapter shall not apply to workers [3](#) [in any factory] of any railway administered by the Government, who are governed by leave rules approved by the Central Government.

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1. Substituted by Act 94 of 1976, section 31, for "agreement" (w.e.f. 26-10-1976).
 2. Substituted by Act 94 of 1976, section 31, for the proviso (w.e.f. 26-10-1976).
 3. Substituted by Act 94 of 1976, section 31, for "in any workshop" (w.e.f. 26-10-1976).
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