

Factories Act, 1948

Section 92 - General Penalty for Offences

Save as is otherwise expressly provided in this Act and subject to the provisions of section 93, if in, or in respect of, any factor there is any contravention of any of the provisions of this Act or of any rules made thereunder or of any order in writing given thereunder, the occupier and manager of the factory shall each be guilty of an offence and punishable with imprisonment for a term which may extend to 1 [two years] or with fine which may extend to 2 [one lakh rupees] or with both, and if the contravention is continued after conviction, with a further fine which may extend to 3 [one thousand rupees] for each day on which the contravention is so continued:

4 [Provided that where contravention of any of the provisions of Chapter IV or any rule made thereunder or under section 87 has resulted in an accident causing death or serious bodily injury, the fine shall not be less than 5 [twenty-five thousand rupees] in the case of an accident causing death, and 6 [five thousand rupees] in the case of an accident causing serious bodily injury.

Explanation.--In this section and in section 94 "serious bodily injury" means an injury which involves, or in all probability will involve, the permanent loss of the use of, or permanent injury to, any limb or the permanent loss of, or injury to, sight or hearing, or the fracture of any bone, but shall not include, the fracture of bone or joint (not being fracture of more than one bone or joint) of any phalanges of the hand or foot.]

-
1. Substituted by Act 20 of 1987, section 30, for "three months" (w.e.f. 1-12-1998).
 2. Substituted by Act 20 of 1987, section 30, for "two thousand rupees" (w.e.f. 1-12-1987).
 3. Substituted by Act 20 of 1987, section 30, for "seventy-five rupees" (w.e.f. 1-12-1987).
 4. Inserted by Act 94 of 1976, section 40 (w.e.f. 26-10-1976).
 5. Substituted by Act 20 of 1987, section 30, for "one thousand rupees" (w.e.f. 1-12-1987).
 6. Substituted by Act 20 of 1987, section 30, for "five hundred rupees" (w.e.f. 1-12-1987).
-