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Factories Act, 1948

Section 104A - Onus of Proving Limits of What is Practicable, Etc

1 [104A. Onus of proving limits of what is practicable, etc

In any proceeding for an offence for the contravention of any provision of this Act or rules made thereunder consisting of a failure to comply with a duty or requirement to do something, it shall be for the person who is alleged to have failed to comply with such duty or requirement, to prove that it was not reasonably practicable or, as the case may be, all practicable measures were taken to satisfy the duty or requirement.]

1. Inserted by Act 20 of 1987, section 39 (w.e.f. 1-12-1987).
