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राजस्थान राजपत्र RAJASTHAN GAZETTE
Extraordinary

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उप-खण्ड (II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये
कानूनी आदेश तथा अधिसूचनाएँ।

FACTORIES & BOILERS INSPECTION DEPARTMENT
Notification

Jaipur, March 22, 2006

S.O. 447:-The Governor of Rajasthan is pleased to formulate 'Self Certification Scheme' for the factories established in the state to liberalize the enforcement of the Factories Act, 1948 and to provide option of Self Certification Scheme for various returns to be submitted under the Act.

1. INTRODUCTION.- The Self Certification Scheme is being introduced to streamline the functioning of the Factories and Boilers Inspection department for effective implementation of the Factories Act, 1948 and rules made there-under which is being implemented by the Chief Inspector of Factories & Boilers. The main provisions of the Factories Act, 1948 are related to Safety, Health and Welfare of the Workers at Workplace. This Scheme aims at making the occupier conscious and truthful citizen and law abiding person willing to take care of the interest of workers by complying the provisions of the Act and to enable the factories and Boilers Inspection Department to effectively protect the interests of the workers.
2. OBJECTIVES.- The objectives of this Self Certification Scheme is to curtail unnecessary visits of Government officials for inspection of those Factories who opt for this scheme without compromising on the provisions of safety, health and welfare of the workers as provided in the said Act and Rules.

3. **PROCEDURE.**-The Scheme shall be optional and an occupier can opt this scheme. The occupier of the factory covered under this scheme shall apply for Self Certification to the concerned authority of Factories & Boilers Inspection Department i.e. Dy. Chief Inspector/ Inspector/ Inspector in the prescribed Annexure -I, also with prescribed details as per Annexure-II. The occupier also required to give an undertaking in Annexure-I attached with the scheme.
- Any discrepancy in the application or enclosures shall be communicated to the applicant within 30 days from the receipt of the application in the office of the concerned authority of Factories & Boilers Inspection Department. If no discrepancy is communicated, the applicant shall be deemed to have been enrolled under the Self-Certification Scheme.
4. **FILING OF RETURN.**- After being enrolled for the Self-Certification Scheme, the concerned occupier shall file the Self-Certification Return in the prescribed Performa given at Annexure-IV and V. The return can be filed between 1st of April to 30th of April every year on any working day between 10.30 A.M. to 4.30 P.M.
5. **VALIDITY OF UNDERTAKING.**- Factual information given in the prescribed return shall be the same as on the date of filing the return. The undertaking to abide by all the laws as applicable to the occupier shall be valid for a period of next one year.
6. **VALIDITY OF SCHEME.**- Once opted for the Scheme, the same shall be valid for five years and the occupier shall file annual return as prescribed. After the successful compliance under the Self-Certification for five years, the occupier shall have option either to remain covered under the Self-Certification Scheme or opt out of the Scheme. The option must be exercised in written to make before the concerned authority of Factories & Boilers Inspection Department. In case the occupier successfully completes five years under the Scheme and during any inspection carried out, if no violation of the Act is detected

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security so deposited shall be refunded. No interest shall be payable on the security deposited.

AMOUNT OF SECURITY TO BE DEPOSITED.-Any occupier who opts for the Scheme shall deposit a security by way of account payee bank draft in favour of Chief Inspector of Factories & Boilers, Rajasthan Jaipur. At the opening of this scheme, the security amount shall be Rs. 10000/- for Factories employing upto 100 workers, Rs. 20000/- for factories employing more than 100 and upto 250 workers and Rs. 50000/- for factories employing more than 250 workers.

FORFEITURE OF SECURITY DEPOSIT.- In case any occupier withdraws prematurely from the Scheme i.e. before 5 years or fails to follow the terms and conditions of the Self Certification Scheme or fails to file return in time under this Scheme or fails to abide by any undertaking given by him or any violation of the Act is detected then security so deposited shall be forfeited and in case of violation of the Act, further necessary action as per the law shall be initiated and he will cease to continue under the Scheme. However, there will no bar on fresh inclusion in the Scheme if applied afresh.

LAW FOR WHICH THE SCHEME IS VALID.- This Self Certification Scheme shall be valid for the Factories Act, 1948 and rules made there under.

WHOM TO APPLY.- Under the Self Certification Scheme, the application for inclusion under the Self Certification Scheme as per Annexure-I shall be made in duplicate addressed to the concerned authority of Factories & Boilers Inspection Department with a copy to the Chief Inspector Factories & Boilers Rajasthan Jaipur. Similarly, the returns in Annexure-IV and V shall also be filed in duplicate complete in all respect, of which one copy shall be sent to the concerned authority and one copy shall be sent to the Chief Inspector Factories & Boilers Rajasthan Jaipur. The returns in Annexure-IV and V needs to be filed well in time as per this scheme. The date shall mean the date on which

application or return is received in the office of concerned Authority/Chief Inspector of Factories & Boilers Rajasthan, Jaipur.

Note: The amount of security in the shape of account payee bank draft in the name of Chief Inspector of Factories & Boilers, Rajasthan, Jaipur shall be attached with the application (Annexure-I).

11. **INSPECTION PROCEDURE UNDER THE SCHEME.**
Under the Self Certification Scheme not more than 10% of the factories so covered under the scheme shall be picked up randomly for inspection once in a year and which shall be carried out only once regarding the implementation of the Act to which this scheme applies. Once Inspected the same factory is not likely to be inspected in the same year or in next 3 years provided that no specific violation of terms, undertaking given and laws by the occupier is brought to notice. However, on specific complaints, accidents, dangerous occurrences, inspection shall be conducted only on authorization from higher Officer/District Authority or Chief Inspector who are competent to order the inspection at any time.

The Inspection will be a joint inspection under all the laws which are applicable under the scheme hence it will normally be a one time inspection.

The factories availing the scheme shall be free from any inspection, other than those by the team mentioned as above and in accident, dangerous occurrences or complaint cases.

The factories which are not desiring to opt for the scheme will be inspected as per present system.

Factory managements will have to obtain and renew the factory license whether the scheme of Self Certification is obtained or not.

The copy of scheme along with all prescribed application forms and inspection procedure shall be available with all the authorities in their offices and can be obtained at a price of

Application shall be made in forms attached with the scheme as printed by the Chief Inspector of Factories & Boilers, Jaipur.

Annexure-1

To,
Dy. Chief/Sr./Inspector
Factories and Boilers

Sub:- Application for Registration under Self Certification Scheme under Laws being implemented by the Department as per the terms & conditions of Scheme.

Reference Government of Rajasthan Notification No. _____ dated _____ regarding Self Certification Scheme of the Factories and Boilers Inspection Department.

I/We have gone through the above said scheme and have understood the same. I/We wish to be covered under the said scheme. As such I/We request you to kindly issue me/us necessary approval for the same. The necessary information and other documents, as required under the Scheme, are enclosed. I/We undertake to abide by all terms and conditions of the Scheme. It is also certified that I/We am/are competent & duly authorized to make any statement or provide any information to any Central/ State Government agency on behalf of this establishment.

Kindly issue the necessary registration at the earliest

Yours faithfully,

()

Name & Address of the Occupier.

- Encls: 1. Annexure II (List of Documents)
- 2. Annexure III (Undertaking/affidavit)
- 3. Bank Draft No. _____ Date _____

Acknowledgement slip

This is to acknowledge that an application regarding Self Certification Scheme under the Factories Act, 1948 has been received by the under signed from M/s. _____ (full address in capital) and the same has been entered in the office receipt register at Sr. No. ___ dated ____ Any further correspondence in future in this regard may be done by stating this Sr. No.

Authorized Signatory

Dy. Chief Inspector/ Sr. Inspector/ Inspector
Factories & Boilers. _____

Annexure-II

List of documents to be attached with Annexure I

1. Copy of the license valid for the current year under the Factories Act, 1948.
2. Manufacturing process being carried on. Details, if any, change in manufacturing process already informed.
3. Status of Industry (SSI/MSI/LSI) (attach attested copy of registration with Department of Industries).
4. List of raw materials used and final products. Details of any changes.
5. Number of workers being employed.
6. Horse power installed.
7. Date of submission of Annual Return & Half yearly return.
8. Date of submission of stability certificate of factory building/ buildings.

Note : In case any of the above is not being attached/ provided please give specific reasons.

Annexure- III**Undertaking**

(To be filled by Occupier on a non-judicial stamp paper of Rs. 10/-)

I/We _____ S/o _____ R/o _____
and Occupier of M/s _____ hereby state
as under:-

1. That I/We have applied for grant of coverage of unit by the name of M/s. _____ situated at (Complete address of the unit)

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_____ under the Self Certification Scheme of Factories & Boilers Inspection Department, Govt. of Rajasthan as notified vide notification No. _____ dated _____.

2. That I/We have gone through the scheme and have fully understood the contents of the scheme and undertake to abide by the same.

3. That it is declared that I/We are complying and will continue to comply with all provisions of Factories Act, 1948 covered under this Self Certification Scheme.

4. That I/We agree to accept the penalty prescribed under law in case of violation detected in the unit under any law covered under the Scheme after filing of the return under the Scheme.

Place

Date

DEPONENT

VERIFICATION

I/We the above named deponents do hereby further solemnly affirm that the contents given above are true to my knowledge.

Place

Date

DEPONENT

Certified by Notary/ Gazetted officers

ANNEXURE-IV

Self- Certification Return under Factories Act, 1948.

Return Form

Return being filed before 1.

2.

3.

Assessment Year

1. Name & Designation of the Applicant
2. (a) Name of the factory
(b) Address (in capital letters)
(c) Telephone No./Fax No.
3. Reg. No. under Factories Act, 1948.

4. No. & date of approval of building plans of the factory.
5. Name & residential address of
 - (a) Occupier
 - (b) Manager
6. Average number of workers employed during the year
 - (a) Male
 - (b) Female
 - (c) Children
 - (d) Total
7. Nature of Industries

	Hazardous/Non-hazardous
	(as per section 2cb)
8. Manufacturing process
 - a. Raw material
 - b. End product.
9. Code of the industry
10. Shift timings

	General
	A Shift
	B Shift
	C Shift

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Sr. No. Na

Note: At

CERTIFICATION

I/We do hereby certify that the contents given above are true and correct.

Place:

Date:

Signature

(Name and stamp of organization)

Acknowledgement Slip

This is to acknowledge that a return under Self-Certification Scheme under Factories Act, 1948 has been received by the undersigned from M/s. _____ (full address in capital) and the same has been entered in the office receipt register at Sr. No. _____ dt. _____. Any further correspondence in future in this regard may be done by stating this Sr. No.

Signature

Dy. Chief Inspector/ Sr. Inspector/Inspector
Factories & Boilers _____

ANNEXURE-V

Information Regarding work force employed in the factory

(Give detail information of all the workers employed in the factory in the following format and attach this annexure with the application)

Sr. No.	Name of the workers	Father's name	Designation	Pay	EPF No.	ESI No.
1						
2						
3						
4						
5						

Note: Attached a separate sheet if this not sufficient.

[No. F.3(1) Legal/F&B/05/3043]

By order of the Governor,

एल. एल. आर्य,

Chief Inspector & Ex-Officio Dy. Secretary,
Factories & Boilers Inspection Department,
Rajasthan, Jaipur.

Government Central Press, Jaipur