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भाग 4 (ग)

उप-खण्ड (I)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

FACTORIES & BOILERS INSPECTION DEPARTMENT

NOTIFICATION

Jaipur, May 5, 2023

G.S.R.30 .-Whereas the draft of the Rajasthan Factories (Draft Amendment) Rules, 2022 was published as required under section 115 of the Factories Act, 1948 (Central Act No. 63 of 1948) vide notification of the Factories & Boilers Inspection Department, number G.S.R. 87 dated 12-09-2022, in the Rajasthan Gazette, Extraordinary, Part 4(ga), sub-part(I), inviting objections and suggestions from all persons likely to be affected thereby, before expiry of the period of forty five days from the date on which copies of the said notification were made available to the public.

And whereas, copies of the Gazette in which the said notification was published were made available to the public on the 20-10-2022.

And whereas, no objections or suggestions were received on the said Draft Rules.

Now, therefore in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948), the State Government hereby makes the following rules further to amend the Rajasthan Factories Rules, 1951, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Factories (Amendment) Rules, 2023.

(2) They shall come into force from the date of their final publication in the Official Gazette.

2. Amendment of rule 3A.- In clause (ii) of sub-rule (2) of rule 3A of the Rajasthan Factories Rules, 1951, hereinafter referred to as the said rules, for the existing expression "Plans in triplicate drawn to scale showing-", the expression "Plans drawn to scale showing,-" shall be substituted.

3. Amendment of rule 4.- In rule 4 of the said rules,-

(i) in sub-rule (2), for the existing expression "a treasury receipt or a Bank Draft or online payment certificate", the expression "a treasury receipt or online payment certificate" shall be substituted; and

(ii) after sub-rule (2), so amended, the following new sub-rule (3) shall be added, namely:-

“(3) On receipt of Form No. 1, Form No. 2 completed in all respect and Fees for Registration online on the RAJFAB web application, the

registration of the factory shall be automatically done and a registration number shall be generated online automatically, if K.No. of electricity connection is not filed in Form No. 2 such form shall be deemed to be incomplete:

Provided that the occupier shall submit application under rule 3A and rule 5 within 30 days of the generation of registration number, failing which the registration number shall be deemed to be stand cancelled and no fees shall be refunded. In such case the occupier shall apply again to register the factory afresh as above.

Provided further that the license shall not be issued after such automatic registration if any violation of any law or if any information come to the knowledge that there is imminent danger to life in the factory due to explosive or inflammable dust, gas or fumes.”

4. Amendment of rule 7.- In sub-rule (1) of rule 7 of the said rules, for the existing expression "in triplicate accompanied by a Treasury receipt or Bank Draft", the expression "accompanied by a Treasury receipt" shall be substituted.

5. Amendment of rule 7A.- In Explanation of rule 7A of the said rules, for the existing expression "a treasury receipt or Bank Draft or online payment certificate", the expression "a treasury receipt or online payment certificate" shall be substituted.

6. Amendment of rule 11.- In sub-rule (1) of rule 11 of the said rules, for the existing expression "or Bank Draft or online payment certificate", the expression "or online payment certificate" shall be substituted.

7. Deletion of rule 47.- The existing rule 47 of the said rules shall be deleted.

8. Substitution of Form No. 1 and Form No. 2.- The existing Form No. 1 and Form No. 2 appended to the said rules shall be substituted by the following, namely:-

“FORM No. 1

(See rule 3A)

Application for permission to construct, extend or take into use any building or premises as a factory

1. Details of Occupier

- (a) Name: _____
- (b) Address of office with pin code: _____
- (c) Address of residence with pin code: _____
- (d) Contact number and email id: _____

2. Details of factory

- (a) Full name: _____
- (b) Address with pin code: _____

- (c) District: _____
 (d) Town or village: _____
 (e) Nearest Police Station _____
 (f) Contact number and email id: _____

3. Name of Manufacturing Process and particulars of plant to be installed

4. Maximum number of Workers
 (To be employed)

Male	Female	Transgender	Total

5. Details of,-

- (a) Raw material used
 (b) Intermediate product/by product

6. Use of Chemicals in the manufacturing process, if any

S. No.	Trade name:	Chemical name:	Maximum storage at any time:

7. NOTE:

- (a) In case of any change in the above information, Department shall be informed in writing within 30 days.
 (b) Seal bearing "authorized signatory" shall not be used on any document.

Place: _____

Date: _____

Signature of occupier with seal: _____
 (Name)

CHECKLIST

NOTE: This application shall be accompanied by the following documents:-

1. A flow chart of the manufacturing process supplemented by a brief description of the process in its various stage.
2. Plans drawn to scale as per rule 3A, showing:
 - (i) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, etc.; and
 - (ii) the building & machinery layout plan, elevation and necessary cross-sections of the various buildings indicating all relevant details relating to

natural lighting, ventilation, means of escape in case of fire (see rule 63) and any other provisions as mentioned in Chapter III “Health”, Chapter IV “Safety” and Chapter V “Welfare” of the Factories Act, 1948 and rules made there under. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage-ways.

3. Documents related to the ownership of the land:

- (i) RIICO lease deed / Land use conversion document (in case land is not in RIICO industrial area); and
- (ii) Rent deed / lease deed

4. Safety & Health Policy:

- (i) in case of factory covered under clause (cb) of section 2 of the Factories Act, 1948; or
 - (ii) in case of factories covered under Rajasthan Control of Industrial Major Accident Hazards Rules, 1991 (RCIMAH), Submission of additional information / documents required under rule 7 of these rules.
5. Photo ID and address proof of the Occupier and Factory Manager.
6. Such other particulars as the Chief Inspector may require.
7. Any correction made in the Form should be duly signed by the Occupier.

FORM No. 2

(See rule 4, 6, 7, 8)

Application for registration / renewal / amendment / transfer of licence and notice of occupation as specified in section 6 and 7

1. Period of licence:

1.	YEAR (s) for which licence is applied for	From	To
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2. General Information:

2a.	Full name of the factory	
2b.	Factory registration number (if already registered)	RJ -

3. Address and contact information of Factory:

3.	Full postal address along with pin code and Contact Number and email id	
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4. Nature of manufacturing processes:

4a.	Date of start of production (for registration)	
4b.	Manufacturing process carried on in the factory in the last twelve months	

4c.	Manufacturing process to be carried on in the factory during the next twelve months	
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5. Workers employed:

		Male	Female	Transgender	Total
5a.	Maximum number of workers proposed to be employed during the year				
5b.	Maximum number of workers employed during the last twelve months on any day				
5c.	Number of workers ordinarily employed in the factory				

6. Power installed:

6.	Total rated Horse Power or amount of Power (installed or to be installed or used) whichever is maximum and K.No. of consumer (attach sanction load certificate and first electricity bill)	
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7. Particulars of Factory Manager:

7.	Name and address of the person who shall be the Factory Manager (if appointed) of the factory for the purposes of the Act	Name	
		Residential address	
		Contact No. and email id	

8. Particulars of Occupier:

8a.	Name and address of the occupier (in case of a private firm.) Attach list of partners with complete details, (in case of partnership firm)	Name	
		Residential Address	
		Contact No. and email id	
8b.	Name and address of the Director in case of a private/ public limited company (attach list of Director with details)	Name	
		Residential Address	

		Contact No. and email id	
8c.	Full name and residential address of the Managing Agent in case where a managing agent is appointed by the Central Government / State Government / Local authority as Occupier	Name	
		Address	
		Contact No. and email id	

9. Land & Building:

9a.	Full name and address of the owner of the premises or building (including the precincts thereof) (<i>referred to in section 93 of the Act</i>)	Name	
		Address	
		Contact No. and email id	
9b.	Reference number and date of approval of the plans for site, whether for old or new building and for construction or extension of factory by the State Government / Chief Inspector		

10. Disposal of wastes and effluents:

10.	Reference number and date of approval of the arrangements, if any made for the disposal of trade waste and effluents and the name of the authority granting such approval.	
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11. Fees Details:

11a.	Total amount of fees paid	Rs.	
11b.	details of online payment		

12. NOTE:

(a) In case of any change in the above information, Department shall be informed in writing.

(b) Seal bearing "authorized signatory" shall not be used on any document.

Place: _____

Date: _____

Signature of Factory Manager with seal: _____
(Name)

Signature of occupier with seal: _____
(Name)

VERIFICATION

I the above named Occupier do hereby further solemnly affirm that the contents given above are true to the best of my knowledge.

Place: _____

Date: _____

Signature of Occupier with seal: _____

(Name)

CHECKLIST

NOTE: This application shall be accompanied by the following documents:-

1. This form should be completed in block letters or typed.
2. Every page of the form should be signed by the Occupier and Factory Manager.
3. If power proposed is not used at the time of filling up this form, but is introduced later, the fact should be communicated to the Chief Inspector of Factories and Boilers immediately.
4. If any of the persons named against items 7(a) and 7(b) is minor, the fact should be clearly stated along with documents.
5. Any correction made in the Form should be duly signed by the Occupier or the Factory Manager.
6. List of documents to be enclosed :
 - (i) Latest List of partners / Latest List of Directors.
 - (ii) In case of change of Directors submit Form No. 32 of the Companies Act, 1956.
 - (iii) Partnership deed / Memorandum of Articles of Association.
 - (iv) Land ownership documents.
 - (v) Rent deed / RIICO lease deed .
 - (vi) Land use conversion document (in case land is not in RIICO industrial area).
 - (vii) lease deed.
 - (viii) Load sanction copy & First electricity bill for registration.
 - (ix) Latest electricity bill for renewal.
 - (x) Photo ID and address proof of the Occupier and the Factory Manager.

Every page of the Documents submitted along with the Form should be self attested by the Occupier or the Factory Manager along with date.”

[F.3 (RULES)Legal/F&B/2022-00105]

By the order of the Governor,

Naresh Goklani,
Deputy Secretary to the Government.

Government Central Press, Jaipur.