

(181)

Government of Jharkhand
Labour, Employment and Training Department

NOTIFICATION

S.O. (39).....

Ranchi, dated..10/07/12.....

In exercise of the powers conferred by section 112 of the Factories Act, 1948 the Governor of Jharkhand is pleased to make the following amendment in the Jharkhand Factories Rules, 1950 :-

(1) (i) Short Title extent and Commencement these rules may be called the Jharkhand Factories Rules (Amendment) Rules.

(ii) It shall extent to the whole State of Jharkhand.

(iii) It shall come into effect at once.

(2) **Substitution of Sub rule (1) of Rule 3 of the Jharkhand Factories Rules, 1950**

(i) No site shall be used for the location of a factory or no building shall be constructed, re-constructed, extended or taken into use as a factory or a part of a factory unless an application in form no. 1 along with the document and plan as prescribed in sub-rule (2) has been submitted to

(a) the Dy. Chief Inspector of Factories of the area concerned for the Factories proposing to employ workers not exceeding 50.

(b) the Chief Inspector of Factories for the factories proposing to employ workers exceeding 50.

and the plan so submitted have been approved by the Dy. Chief Inspector of Factories or by the Chief Inspector of Factories as the case may be, and previous permission in writing in respect thereof has been obtained in the like manner as stated here-to-fore, subject, however, to the provision of sub section (2) of section-6.

*Not delay
on 18/7/12
28/7/12*

(3) Amendment of sub-rule-3, sub-rule-4 and sub-rule-5 of the Rule-3 of Jharkhand Factories Rules, 1950.

Before the word "the Chief Inspector of Factories" wherever it occurs in sub-rule-3 along with proviso there on and sub-rule-4 and sub-rule-5 of the rule-3 the word "the Dy. Chief Inspector of Factories of the area concerned and" shall be added.

(4) Substitution of subrule-1 and proviso there of Rule-5 of Jharkhand Factories Rules, 1950

An application for a license of work a factory shall be made in form no.2 and shall be submitted in triplicate to

- (a) the Inspector of factories of the area concerned for the factories employing workers not exceeding 100,
- (b) to the Deputy Chief Inspector of factories of the area concerned for the Factories employing workers exceeding 100, and the Inspector of Factories, or

the Dy. Chief Inspector of Factories, as the case may, be who after making such enquiries as they may deem fit for satisfying themselves, about the correctness of the particulars and on payment of fees specified in schedules A,B & C, they may register the factory in a register to be kept in their office for the purpose and grant a license for the factory in Form No-IV on such terms and conditions as may be specified with the approval of the Chief Inspector of Factories. Pending grant of such license the Inspector Factories or the Deputy Chief Inspector of Factories of the area concerned, as the case may be, may grant permission to start, to carry on work in the factory subject to such conditions as they may specify in writing.

Provided that in every such case of grant of license or permission to start or carry on work in the factory the State Government may call for the relevant documents from the Chief Inspector of Factories or the Deputy Chief Inspector of Factories or the Inspector of Factories of the area concerned and review the decision taken in the case & subject to provisions of section 107 wherever such review is made, State Government's decision in the matter shall be final.

- (5) Amendment in sub-rule-1 of Rule-4 and in explanation there of.

After the word Inspector of Factories in bracket the work "or the Deputy Chief Inspector of Factories" is proposed to be added.

- (6) Amendment in Rule-6 of Jharkhand Factories Rule, 1950

- (1) In sub rule 1 of Rule 6 for the word State Government, the word "Chief Inspector" and in sub rule 5 of rule 6 for the word chief Inspector the word "Deputy Chief Inspector of Factories of the area concerned" is proposed to be substituted.

- (7) Amendment in sub-rule-1, sub-rule-2 and sub-rule-5 of Rule-6

After the word Inspector of Factories wherever it occurs the word "or Dy. Chief Inspector of Factories as the case may be" shall be added.

- (8) Substitution in Sub rule-3 of Rule-6 of Jharkhand Factories Rules, 1950.

For the word One hundred in bracket the word "Five hundred" is proposed to be substituted.

(9) **Amendment in rule 9 of Jharkhand Factories Rules, 1950**

In rule-9 for the word and figure Rs. 25 (Rupees twenty five) the word and figure "Rs. 125 (Rupees One hundred twenty five)" is proposed to be substituted.

(10) **Substitution of sub-rule 1 of Rule 7 of the Jharkhand Factories Rules, 1950**

An application for renewal of license shall also be in form no. 2 and shall be submitted in triplicate in the like manners as mentioned in Rule-5 to the Inspector of Factories or to the Deputy Chief Inspector of Factories, as the case may be, not later than the date on which the license expires and if the application is so made the factory shall be deemed to be duly licensed until such date as on which the Inspector of Factories renews the license or on which the Inspector of Factories or the Deputy Chief Inspector of Factories, as the case may be, communicates in writing the reasons for not renewing the license.

(11) **Amendment in sub-rule 3 and proviso thereof Rule 7 of Jharkhand Factories Rules, 1950**

In sub-rule 3 and in proviso thereof after the word Inspector of Factories the word "or the Deputy Chief Inspector of Factories" shall be added.

(12) **Amendment in Rule-11 of Jharkhand Factories Rules, 1950**

After the word Inspector of Factories wherever it occurs the word "or Deputy Chief Inspector of Factories as the case may be" shall be added.

(13) Substitution in Rules 14A, 14B, 14C of Jharkhand Factories Rules, 1950

- (i) In Rule 14A(I) for the word and figure Rs. 4 (Rupees four), the word and figure Rs. 100 (Rupees Hundred) and for the word and figure Rs. 1 (Rupees One) the word and figure Rs. 25 (Rupees twenty five) shall be substituted.
- (ii) In Rule 14A(II) for the word and figure Rs. 2 (Rupees two), the word and figure Rs. 50 (Rupee fifty) and for the word and figure Rs. 1 (Rupees One) the word and figure Rs. 25 (Rupees twenty five) shall be substituted.
- (iii) In Rule 14-A(III) for the words thirty seven naya paisa , the words Ten Rupees shall be substituted.
- (iv) In Rule 14-B- for the word and figure Rs. 16 (Rupees sixteen) the word and figure Rs. 400 (Rupees four hundred) and for the word and figure Rs. 8 (Rupees Eight) the word and figure Rs. 200 (Rupees two hundred) shall be substituted.

And in proviso here to for the word and figure Rs 24 (Rupees twenty four), the word and figure Rs. 600 (Rupees Six hundred) shall be substituted.

- (v) In Rule 14C- for the word and figure Rs. 4 (Rupees four) the word and figure Rs. 100 (Rupees hundred) shall be substituted.
- (vi) In sub rule-3 of Rule-14C, for the word and figure (087-Employment-Labour and Fees realized under the Factories Act), the word "of Account as prevalent at the time for the fees to be realized under the Factories Act" shall be substituted.

(14) Amendment in Rules 8 of Jharkhand Factories Rules, 1950.

In sub Rule 3 of rule 8 for the word and figure Rs. 100 (Rupees hundred) the word and figure "Rs. 500 (Rupees five hundred)" is proposed to be substituted.

(15) Amendment in sub-rules 1 and proviso thereof of Rule-8

After the word Inspector of Factories wherever it occurs the word "or Deputy Chief Inspector of Factories as the case may be" shall be added.

(16) Amendment in Rule 10 of Jharkhand Factories Rule 1950

After the word Inspector of Factories wherever it occurs, the word "or Dy. Chief Inspector of Factories as the case may be" shall be added.

(17) Amendment in Rule 11 of Jharkhand Factories Rule 1950

After the words Inspector of Factories the word "or Deputy Chief Inspector of Factories", as the case may be, shall be added.

(18) Proposed substitution in sub-rule 1 of Rule-66 of Jharkhand Factory Rule 1950

The occupier of a factory, in which more than 250 workers are ordinarily employed, shall provide and maintain a Canteen or Canteens in or near the factory according to the standards and requirements as prescribed in the "forth-coming" rules, within Six months from the date of enforcement of this rule.

(19) Addition of a new Rule 84A after Rule 84 of the Jharkhand Factories Rules, 1950

"The provisions of Rule-81, 82, 83 and 84 of this Rule together with schedules appended thereto, shall be renewed mutatis-mutandis after an interval of every five years unless the State Government issues a notification to amend the same provided that nothing shall alter any action taken or work done, prior to issuances of such notification.

(19) Addition of Schedule XXI under Rule 95 of Jharkhand Factories Rules 1950 read with Section 87 of the Factories Act, 1948.

Operations involving exposure to free Silica and other Dust particles

1. Application:

This schedule shall apply to the processes involving stone Crushing ; Mineral (Including Iron ore, quartz, dolomite, soap stone, Talc etc.) Crushing, Coal Crushing and handling thereof.

2. Definition:

(a) "Efficient exhaust draught" means localized ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to remove the dust produced at the point where such dust originates.

(b) " Processes" means crushing, grinding, screening and handling of Sand Stone, Minerals and Coal.

3. Airborne Silica and Other Dust Particles should be minimized or suppressed by applying water to the process or by clean up;
4. Local exhaust system should be used to remove Silica Dust and Uther Dust Particle from the processes.
5. It should be ensured that there would not be any discharge of Silica and other dust particles to the outside environment.
6. Dust collector should be set up so that accumulated dust can be removed without contaminating work areas.
7. Ventilation system should be kept in good working conditions.

8. **Medical Examination :-** (1) All the workers employed in the Processes shall be medically examined by the qualified medical practitioner in the following manner :-

- (a) Once before employment, to ascertain physical fitness of the person to do the particular job;
- (b) Once in a period of twelve months to ascertain the health status of all the workers in respect of the occupational health hazards to which they are exposed;
- (c) Once immediately after the post employment.
- (d) The details of the pre employment and periodical Medical examination carried out as aforesaid shall be recorded in the health register in Form No-25 and shall be maintained for a period of fifteen years after entry in respect of all the workers.
- (e) Medical examination should include chest X-rays, pulmonary function test, ECG, sputum examination etc.
- (f) Chest X-ray should be read by a specialist doctor approved by the Chief Inspector who should be trained in reading ILO Radiographs on Pneumoconiosis /Silicosis.
- (g) A Plan should be developed for reducing exposures of employers whose X-rays show changes consistent with silicosis and Pneumoclosis. This can be done normally by rehabilitating the workers to the non-dusty places/jobs.
- (h) Health Education : Workers should be imparted health education about the health effects of silica and other dust particles exposure and to notify the same to the Certifying Surgeon, Local Inspector and the Chief Inspector if suffering from symptoms of respiratory diseases.

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- (i) Maintenance and analysis of health records should be periodically done to find out the prevalence of the silicosis and other occupational diseases so as to take necessary corrective / preventive measures.
9. Air Monitoring: Air Monitoring must be performed to determine magnitude of exposure, evaluates engineering controls, selecting respiratory protection, evaluate work practices, and determine the need for medical surveillance.
10. All the workers working should be properly trained about the effects of silica and other dust particles exposures.
11. Housekeeping: Dust on over head ledges, on floors and on equipment etc. should be removed before it become air borne due to vibration, traffic and random air current.
12. Personal Hygiene: Good personal hygiene practice should be adopted to avoid unnecessary exposure.
13. Effective Personal Protective Equipments:-All the workers should be provided Effective personal protective equipments and the use of these personal protective equipments should be ensured while they are at work through proper and effective supervision.
14. Each personal protective equipment shall carry a distinguish mark indicating the person by whom it is intended to be used and no person shall be allowed or required to wear a personal protective equipment not carrying his mark or a personal protective equipment which has been worn by another person and has not since been thoroughly disinfected. The occupier / manager of the factory shall maintain a register in this regard and shall produce to the Inspector on demand.

[File No-2/F.A.-50-75/2010L&E..... Ranchi.....Dated.....]

By order of the Governor of Jharkhand,

(Prema Nand Kiro)

Under Secretary to Government.

ज्ञाप संख्या-2/एफ० ए०-50-75/2010 श्र०नि०.....रॉची, दिनांक.....

प्रतिलिपि:-अधीक्षक, राजकीय मुद्रणालय, झारखण्ड, डोरण्डा, रॉची को सूचनार्थ एवं झारखण्ड गजट के आगामी असाधारण अंक में प्रकाशनार्थ प्रेषित।
उनसे अनुरोध है कि वे गजट की 1000 (एक हजार) प्रतियाँ विभाग को यथाशीघ्र उपलब्ध करायें जिससे इसे विधान सभा के पटल पर उपस्थापित किया जा सके।

(प्रेमनन्द किड़ो)

सरकार के संयुक्त सचिव।

ज्ञाप संख्या-2/एफ० ए०-50-75/2010 श्र०नि०.....रॉची, दिनांक.....

प्रतिलिपि:-माननीय मंत्री, श्रम, नियोजन एवं प्रशिक्षण विभाग के आप्त सचिव / प्रधान सचिव, श्रम, नियोजन एवं प्रशिक्षण विभाग के आप्त सचिव / श्रमायुक्त, झारखण्ड एवं सचिव, झारखण्ड भवन एवं अन्य सन्निर्माण कर्मकार कल्याण बोर्ड, झारखण्ड, रॉची को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

(प्रेमनन्द किड़ो)

सरकार के संयुक्त सचिव।

ज्ञाप संख्या-2/एफ० ए०-50-75/2010 श्र०नि०.....रॉची, दिनांक.....

प्रतिलिपि:-अवर सचिव, श्रम और रोजगार मंत्रालय, भारत सरकार, नई दिल्ली / झारखण्ड सरकार के सभी विभाग / विभागाध्यक्ष / सभी प्रमण्डलीय आयुक्त / सभी उपायुक्त / संयुक्त श्रमायुक्त / उप श्रमायुक्त (कृ०श्र०सहित) / मुख्य कारखाना निरीक्षक, झारखण्ड / उप मुख्य कारखाना निरीक्षक/सभी कारखाना निरीक्षक, झारखण्ड /सभी सहायक श्रमायुक्त (कृ०श्र०सहित) // सभी श्रम अधीक्षक, (कृ०श्र०सहित) / सभी श्रम प्रवर्तन पदाधिकारी को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

(प्रेमनन्द किड़ो)

सरकार के संयुक्त सचिव।

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| Proposed | | | | | | | | | | | | | |
|---|---|---|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-------------|
| SCHEDULE-A | | | | | | | | | | | | | |
| (Rule-5) | | | | | | | | | | | | | |
| Fee payable for original licence and for Annual Renewal of licences for Factories and defined in section 2(m) of the Factories Act 1948 Other than Electricity Generating, Transforming Factories | | | | | | | | | | | | | |
| Sl.No | Total rated capacity (Power) of the machineries and plants installed expressed in HORSE POWER | Maximum number of persons proposed to be employed on any one day during the year for which licence is to be taken | | | | | | | | | | | |
| | | 20 | 50 | 100 | 250 | 500 | 750 | 1,000 | 2,000 | 5,000 | 10,000 | 25,000 | Over 25,000 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 1 | Nil | 400 | 1,560 | 1,800 | 2,200 | 3,000 | 4,000 | 6,000 | 7,000 | 8,000 | 9,000 | 9,800 | 12,000 |
| 2 | Not Exceeding 10 | 900 | 1,600 | 2,200 | 3,000 | 4,600 | 8,000 | 10,000 | 12,000 | 18,000 | 30,000 | 40,000 | 1,00,000 |
| 3 | Ditto 50 | 1,800 | 2,600 | 3,000 | 4,200 | 6,600 | 8,600 | 12,400 | 14,000 | 20,000 | 40,000 | 48,000 | 1,20,000 |
| 4 | Ditto 100 | 2,600 | 4,000 | 6,000 | 8,600 | 10,000 | 16,000 | 18,000 | 22,000 | 26,000 | 48,000 | 60,000 | 1,24,000 |
| 5 | Ditto 250 | 4,000 | 6,000 | 8,600 | 10,000 | 16,000 | 18,000 | 22,000 | 26,000 | 32,000 | 63,000 | 1,01,000 | 1,50,000 |
| 6 | Ditto 500 | 36,000 | 45,000 | 47,500 | 50,000 | 55,000 | 70,300 | 82,900 | 93,750 | 1,66,750 | 2,11,050 | 3,28,900 | 4,87,500 |
| 7 | Ditto 1000 | 45,000 | 47,500 | 50,000 | 61,500 | 71,250 | 83,400 | 93,750 | 1,17,150 | 1,83,400 | 2,25,000 | 3,60,900 | 5,07,000 |
| 8 | Ditto 2000 | 47,500 | 50,000 | 61,500 | 83,500 | 93,750 | 1,18,750 | 1,25,500 | 1,35,500 | 1,96,900 | 2,39,650 | 3,78,000 | 5,25,000 |
| 9 | Ditto 5000 | 61,500 | 83,500 | 90,000 | 95,500 | 1,00,000 | 1,25,500 | 1,35,500 | 1,40,750 | 2,25,000 | 2,67,750 | 4,10,000 | 5,53,500 |
| 10 | Ditto 10000 | 1,08,000 | 1,14,000 | 1,20,000 | 1,50,600 | 1,62,600 | 1,68,900 | 2,70,000 | 3,09,300 | 3,66,000 | 4,92,000 | 5,47,800 | 7,26,000 |
| 11 | Ditto 25000 | 1,89,840 | 1,97,050 | 3,15,000 | 3,60,850 | 4,27,000 | 5,74,000 | 6,39,100 | 7,07,700 | 7,70,000 | 1,47,000 | 11,20,000 | 11,90,000 |
| 12 | Above 25000 | 2,11,125 | 3,88,625 | 4,57,500 | 6,15,000 | 6,84,750 | 7,58,250 | 8,25,000 | 9,82,500 | 12,00,000 | 12,67,500 | 12,75,000 | 13,50,000 |

Industry Fe
Category wise data.

handwritten notes:
10% of
entire

- ① 20 to 50 employees
- ② 50 to 100 "
- ③ 100 "
- ④ 1000 to 25000
- ⑤ 25000 to 100000
- ⑥ 100000 to 250000
- ⑦ 250000 to 500000
- ⑧ 500000 to 1000000
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**Scale of fees payable for Licence and Annual Renewal of Licence by all
Electricity Generating, Transforming and Transmitting station (Factories).
(a) Generating and Transforming stations (Factories)**

| | Total Installed Generating Capacity in K.W | Generating Station | Transforming (including Conversion Station) |
|--|---|--------------------|--|
| | K.W | Rs | Rs |
| Not exceeding | 50 | 750 | 450 |
| Ditto | 100 | 1,150 | 650 |
| Ditto | 150 | 1,300 | 900 |
| Ditto | 300 | 1,500 | 1,400 |
| Ditto | 500 | 2,000 | 1,500 |
| Ditto | 750 | 3,000 | 2,250 |
| Ditto | 1,000 | 4,000 | 3,000 |
| Ditto | 2,500 | 7,000 | 4,300 |
| Ditto | 5,000 | 9,000 | 5,000 |
| Ditto | 10,000 | 11,000 | 6,000 |
| Ditto | 25,000 | 15,000 | 9,000 |
| Ditto | 50,000 | 24,000 | 12,000 |
| Ditto | 75,000 | 30,000 | 15,000 |
| Ditto | 1,00,000 | 39,000 | 18,000 |
| Ditto | 1,50,000 | 48,000 | 24,000 |
| Ditto | 2,00,000 | 60,000 | 36,000 |
| Ditto | 3,00,000 | 78,000 | 48,000 |
| Ditto | 4,00,000 | 96,000 | 60,000 |
| Ditto | 5,00,000 | 1,14,000 | 72,000 |
| Ditto | 6,00,000 | 1,32,000 | 84,000 |
| Ditto | 7,00,000 | 1,50,000 | 96,000 |
| Above | 7,0,0000 | 1,68,000 | 1,08,000 |
| (b) All transmitting stations (Factories) Rs 22,500.00 | | | |

Power generation to be recalculated

Government of Jharkhand
Labour Department and Training Department

**PROPOSED
SCHEDULE- "C"**

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Rs 525.00

Scale of fees payable for licence and annual renewal of licence for factories declared under Section 85 of the Factories Act, 1948 (Act, 63 of 1948) other than Electricity Generating, Transforming and Transmitting Stations (Factories)

मिस्र
बुद्ध के लिये
आयुर्वेद के लिये

in Schedule 'D' =
Transmitting Stations? से।
शक्ति के लिये।

the Jharkhand Factories (Licensing and Rules)

(1) It shall extend to the whole State of Jharkhand

(2) It shall come into effect at once.

(3) substitution of sub rule (1) of Rule 3 of the Jharkhand Factories Rules, 1950

(4) No site shall be used for the location of a factory or no building shall be constructed, re-constructed, extended or taken into use as a factory or a part of a factory unless an application in form no. 1 along with the plan and plan as prescribed by sub-rule (2) has been submitted to the Dy. Chief Inspector of Factories of the area concerned for the factories if opening to employ workers not exceeding 20.

(5) the Chief Inspector of Factories for the factories proposed to employ workers exceeding 20.

and the plan so submitted have been approved by the Dy. Chief Inspector of Factories or by the Chief Inspector of Factories as the case may be, and previous permission in writing in respect thereof has been obtained in the like manner as stated herebefore, subject however, to the provisions of section (2) of the Act.