

HARYANA GOVERNMENT
LABOUR DEPARTMENT
NOTIFICATION

The 16 March, 2016

No.11/16/2016-4lab.- The following draft of rules further to amend the Punjab Factory Rules, 1952, in their application to the State of Haryana, which the Governor of Haryana proposes to make in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act 63 of 1948), is hereby published as required by sub-section (1) of section 115 of the said Act, for the information of persons likely to be affected thereby.

Notice is hereby given that the draft of the rules shall be taken into consideration by the Government on or after the expiry of the period of forty-five days from the date of publication of this notification in the Official Gazette together with objections or suggestions, if any, which may be received by the Secretary to Government, Haryana, Labour Department, Chandigarh, from any person in respect of the draft of rules before the expiry of the period so specified.

DRAFT RULES

1. These rules may be called the Punjab Factory (Haryana Amendment) Rules, 2016.

2 In the Punjab Factories Rules, 1952 (hereinafter called the said rules), in rule 2A, in the “FORM OF

APPLICATION FOR GRANT OF CERTIFICATE OF COMPETENCY TO A PERSON”, after the words “Official seal”, the words “Email I.D.” shall be added in the end of the Form.

3. In the said rules, in rule 3, in sub-rule (a), after the word “drains”, the word “sewerage” shall be inserted.

4. In the said rules, in rule 4, after sub-rule (2), the following sub-rule shall be added; namely:-

“(3) If on an application for the acceptance of the stability certificate in form 1B, submitted to the State Government or Chief Inspector, no order is communicated to the applicant within forty five days from the date of its receipt, the said application shall be deemed accepted.”.

5. In the said rules, in rule 6, for the second proviso to sub-rule (i), the following proviso shall be substituted, namely:-

“Provided further that in case of all the factories employing any numbers of workers, the Chief Inspector may, where he is satisfied that the conditions of work are reasonably good (where no fumes/smoke or dangerous vapours are produced and where the facilities of air conditioning/cooling is provided) exempt such factories from the provision of this sub-rule.”.

6. In the said rules, in rule 7, in sub-rule(1), -

(i) for the sign “.” existing at the end, the sign “:”

shall be substituted;

- (ii) after sub-rule (1), the following proviso shall be inserted, namely:-

“Provided that if on an application for the grant of Licence submitted to the State Government or Chief Inspector, no order is communicated to the applicant within forty-five days from the date of its receipt, the said application shall be deemed approved.”.

7. In the said rules, in rule 8,-

- (i) in sub-rule (1), after the words “one year or five years” the words “or ten years” shall be inserted;
- (ii) in the proviso of sub-rule (1), after the words “five years” the words “or ten years” and after the words “five times” the words “or ten times as the case may be” shall be inserted;
- (iii) in sub-rule (3), for the existing Schedule, the following Schedule shall be substituted, namely:-

**“ REGISTRATION FEE
SCHEDULE**

Maximum number of workers to be employed on any day during the year.

Quantity of H.P. Installed (Maximum H.P.)	Up to 20	From 21 to 40	From 41 to 150	From 151 to 250	From 251 to 500	From 501 to 1000	From 1001 to 2000	From 2001 to 3000	From 3001 & above
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nil	1500	3000	4500	6000	7500	9000	10500	12000	13500

Upto 10	3000	6000	9000	12000	15000	18000	21000	24000	27000
Above 10 but not above 50	4500	9000	13500	18000	22500	27000	31500	36000	40500
Above 50 but not above 100	6000	12000	18000	24000	30000	36000	42000	48000	54000
Above 100 but not above 500	7500	15000	22500	30000	37500	45000	52500	60000	67500
Above 500 but not above 1000	9000	18000	27000	36000	45000	54000	63000	72000	81000
Above 1000 but not above 2000	10500	21000	31500	42000	52500	63000	73500	84000	94500
Above 2000	12000	24000	36000	48000	60000	72000	84000	96000	108000

8. In the said rules, in rule 9,-

(a) in sub-rule (2),

- (i) for the sign “.” existing at the end, the sign “:” shall be substituted;
- (ii) after sub-rule (2), the following proviso shall be inserted namely:-

“Provided that if on an application for the amendment of the Licence submitted to the State Government or Chief Inspector, no order is communicated to the applicant within forty-five days from the date of its receipt, the said application shall be deemed approved.”.

(b) in sub-rule (3), for the word “thirty”, the word, “three hundred” shall be substituted.

9. In the said rules, in rule 10, in sub-rule(2), after the word and sign “licence.”, the following words and signs shall be added at the end, namely:-

“If on an application for the renewal of Licence submitted to the State Government or Chief Inspector, no order is

communicated to the applicant within forty-five days from the date of its receipt, the said application shall be deemed approved.”.

10. In the said rules, in rule 11, in sub-rule(2),-

(i) for the sign “.” existing at the end, the sign “.” shall be substituted;

(ii) after sub-rules (2), the following proviso shall be inserted namely:-

“Provided that if on an application for the transfer of the Licence submitted to the State Government or Chief Inspector, no order is communicated to the applicant within forty-five days from the date of its receipt, the said permission shall be deemed granted.”.

11. In the said rules, in rule 13,-

(i) for the word and sign “thirty.”, the words and sign “three hundred:”, shall be substituted;

(ii) the following proviso shall be added, namely:-

“Provided that if on an application for the grant of duplicate Licence submitted to the State Government or Chief Inspector, no order is communicated to the applicant within forty-five days from the date of its receipt; the duplicate licence shall be deemed granted.”.

12 In the said rules, in rule 14, in sub-rule(1), after the

words and sign “Factories Act, 1948” the words and sign “or e-payment can be made in the favour of Chief Inspector of Factories, Haryana, Chandigarh” shall be inserted.

13. In the said rules, in rule 16, for the words and signs “Punjab Labour Service (Class I and II), Rules, 1955”, the words and signs “Haryana Labour Department (Group A) Service Rules, 1996 and Haryana Labour Department (Group B) Service Rules, 1987” shall be substituted.

14. In the said rules, in rule 16A, in clause (a), after the word and sign “photograph,”, the word and sign “video record,” shall be inserted.

15. In the said rules, in rule 17,-

(i) in sub-rule (1), for the word “may”, the word “shall” shall be substituted;

(ii) In sub-rule 2, in clause (a),-

(a) for the sign “.” exiting at the end, the sign “:” shall be substituted;

(b) after clause (a), the following proviso shall be inserted, namely:-

“Provided that in case of differently abled persons where left hand thumb impression is not possible, the impression of any finger/palm as recommended by the Certifying Surgeon shall be taken on the foil and

counterfoil.”.

16. In the said rules, in the rule 41, after clause (b), for the signs and word “(b)” the signs and word “(c)” shall be substituted.

17. In the said rules, in rule 67,-

(i) after the words “resting on the floor” the words
“Hydraulic ladders of such type so as it would
prevent the worker from the chances of
slip/falling from its platform may also be used
for this purpose” shall be inserted;

(ii) for the sign “.” existing at the end, the sign “:”
shall be substituted;

(iii) the following proviso shall be added, namely:-

“Provided that hydraulic ladders and all the parts
have been thoroughly examined by the Competent Person.”.

18. In the said rules, in the rule 72, in sub-rule (3) after the words “washing places”, the words “and washrooms” shall be inserted.

19. In the said rules, in the rule 74, in the proviso to sub-rule (3), for the words and signs “Punjab Cooperative Societies Act, 1954 (Punjab Act XIV of 1955)” the words and signs “the Haryana Co-operative Societies Act, 1984 (Haryana Act 22 of 1984)” shall be substituted.

20. In the said rules, in rule 75, in 2nd proviso to sub-rule (2), for the words and signs “Punjab Cooperative Societies Act, 1954 (Punjab Act XIV of 1955)”, the words and signs “the Haryana Co-operative Societies Act, 1984 (Haryana Act 22 of 1984)” shall be substituted.

21. In the said rules, in the rule 76, in the proviso to sub-rule (1), for the words and signs “Punjab Cooperative Societies Act, 1954 (Punjab Act XIV of 1955)” the words and signs “the Haryana Co-operative Societies Act, 1984 (Haryana Act 22 of 1984)” shall be substituted.

22. In the said rules, in the rule 95, for sub-rule (2), the following sub-rule shall be substituted, namely:-

“(2). If a worker loses his leave book, the manager shall provide him with another copy free of cost duly completed from his record, within one week.”

23. In the said rules, rules in 103,-

(i) in sub-rule (1), for the words “special messenger or telegram”, the words and sign “special messenger, e-mail or fax” shall be substituted;

(ii) in 1st proviso to sub rule (4), for the words “special messenger or telegram”, the words and sign “special messenger, e-mail or fax” shall be

substituted.

24. In the said rules, in rule 105, for sub-rule (3), the following sub-rule shall be substituted, namely:-

“(3) The appellant shall state in the memorandum presented under sub-rule (1), whether he is a member of any Registered Industrial Association. The appellant shall mention the name and address of such Industrial Association.”

25. In the said rules, in rule 108, after the words “registered cover”, the words and sign “or e-mail” shall be inserted.

26. In the said rules, in the rule 110, in the proviso to sub-rule (1), after the words and sign “need not be maintained.”, the words and sign “The attendance record may also be maintained in digital form.” shall be added.

Shashi Gulati
Additional Chief Secretary to
Government, Haryana,
Labour Department.

