

GOVERNMENT OF JHARKHAND

LABOUR, EMPLOYMENT, TRAINING AND SKILL DEVELOPMENT DEPARTMENT  
(Office of the Labour Commissioner, Fax no. 0651-2481013 Email:labcomjhr@gmail.com)

DRAFT NOTIFICATION

S.O. :

Ranchi, Dated:

In exercise of the powers conferred by section 115 of the Factories Act, 1948 (Amended 1987) the Department of Labour, Employment, Training and Skill Development, Government of Jharkhand invites objections and suggestions to the proposed amendments in Schedule- A, B & C of Rule 5(1), Sub rule (3) of Rule (6), Sub rule (3) of Rule (8), Rule 100 (1) and Rule 100 - A of the Jharkhand Factories Rules, 1950 from all persons likely to be affected thereby on or before 18.11.2023 on which the draft of the proposed rules was published.

**(1) Short title, extent and commencement.-**

- (i) These rules may be called the Jharkhand Factories (Amendment) Rules, 2023.
- (ii) It shall extend to the whole of the State of Jharkhand.
- (iii) It shall come into force from the date of publication in the Official Gazette.

**(2) Substitution of Schedule- A, B & C of the Jharkhand Factories Rules, 1950**

“Schedule- ‘A’ ‘B’ and ‘C’ of the said Rules shall be Substituted by new Schedule ‘A’ ‘B’ and ‘C’ which are annexed here to.”

**(3) Substitution of Sub rule (3) of Rule (6) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“The fee for the amendment of License shall be one thousand rupees.”

**(4) Substitution of Sub rule (3) of Rule (8) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“The fee for transfer of License shall be one thousand rupees and shall be payable by the new Occupier applying for transfer of License under sub rule (1).”

**(5) Substitution of Rule 100 (1) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

**100 (1) Annual Returns** - The manager of every factory shall furnish, to the Chief Inspector not later than the 15<sup>th</sup> January of the subsequent year to that to which it relates, a return in Form-20;

Provided that -

Rz.



- (i) The information regarding canteen shall be furnished only by the manager of every factory wherein more than 250 workers are ordinarily employed.
- (ii) The information regarding crèche shall be furnished only by the manager of every factory wherein more than 30 women workers are ordinarily employed, and
- (iii) The information regarding shelters, rest-rooms in all the factories shall be furnished by the manager of every factory wherein more than 150 workers are ordinarily employed.
- (iv) If the annual return is not furnished till 15<sup>th</sup> January of the subsequent year, the return can be further furnished electronically with penalty of equivalent to 50% of the renewal fees till 31<sup>st</sup> March & 100% of the renewal fee till 30<sup>th</sup> June of the subsequent year.

The licence shall be liable to be ceased (a) if above return is not uploaded till 30<sup>th</sup> June of each subsequent year or (b) incorrect / wrong information has been provided in the return. The Occupier / Manager of establishment (factory) shall be given an opportunity to show cause, electronically or by Registered post, as to why the certificate of registration shall not be put under abeyance.

Provided that in every such case of cease of license may be reinstated by the inspector of Factories with the approval of Chief Inspector of Factories, If he is satisfied that the delay was due to any reason beyond the control of the occupier or due to any other reason of similar nature. In such cases the fee non submission of Annual return will be two times of the annual fee prescribed in Schedule A, B and C.

The appellate authority against revocation or suspension / cease of License shall be the Secretary or Principal Secretary, Department of Labour. The Occupier aggrieved by the order of Chief Inspector of Factories, may appeal against such order before the Secretary or Principal Secretary, Department of Labour for such purpose within thirty days from the date of receipt date of such order, electronically. The Secretary or Principal Secretary, Department of Labour decision in the matter shall be the final.

**(6) Substitution Rule 100 - A of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

**100-A. Closure of the Factory or any Section-** The occupier or manager of every factory shall report to the Secretary or Principal Secretary, Department of Labour and to the Inspector any intended closure of the factory or any section or department there of immediately it is decided to do so or any abrupt closure of the factory or any section or department thereof immediately it takes place intimating the reason for the closure, the number of workers on the register on the date of the report, the number of workers affected by the

Rz.



closure and the probable period of the closure. An intimation should also be sent to the Secretary or Principal Secretary, Department of Labour and to the Inspector as soon as the factory or the portion or the department of the factory, as the case may be, starts working again, provided that intended closure does not include closure due to holidays.

- (2) The occupier or manager of every factory shall furnish the information prescribed in sub-rule (1) in Form 29.

The License already granted shall cease to remain valid if the occupier has not submitted closure report of factory in form number 29.

Closed factory means the manufacturing process and related activities has been closed for last two years.

The Occupier / Manager of establishment (factory) shall be given an opportunity to show cause, electronically or by Registered post, as to why the certificate of registration should not be cancelled.

Provided that in every such case of cancellation of license may be reinstated by the inspector of Factories with the approval of Chief Inspector of Factories, If he is satisfied that the delay was due to any reason that was beyond the control of occupier.

The appellate authority against revocation or suspension of License shall be the Secretary or Principal Secretary, Department of Labour. The Occupier aggrieved by the order of Chief Inspector of Factories, may appeal against such order before the Secretary or Principal Secretary, Department of Labour for such purpose within thirty days from the date of revocation of license. The Secretary or Principal Secretary, Department of Labour decision in the matter shall be the final.

Notification: 7/झा०का०संशो० 1030/2023 श्र०नि०(मु०का०नि०) 1210 Ranchi, dated- 03-10-2023

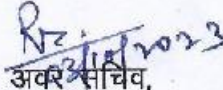
By order of the Governor of Jharkhand,

  
Under Secretary

Office of the Labour Commissioner,  
Jharkhand, Ranchi.

झापांक : 7/झा०का०संशो० 1030/2023 श्र०नि०(मु०का०नि०) 1210 राँची, दिनांक-03-10-2023

प्रतिलिपित : माननीय मंत्री, श्रम, नियोजन, प्रशिक्षण एवं कौशल विकास विभाग के प्रधान आप्त सचिव/सचिव, श्रम, नियोजन, प्रशिक्षण एवं कौशल विकास विभाग के प्रधान आप्त सचिव/श्रमायुक्त, झारखण्ड, राँची को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

  
अवर सचिव,

श्रमायुक्त कार्यालय, झारखण्ड, राँची।

ज्ञापांक : 7/झा0का0संशो0 1030/2023 श्र0नि0(मु0का0नि0) 1210 रॉची, दिनांक- 03-10-2023

प्रतिलिपित: झारखण्ड सरकार के सभी विभाग/विभागाध्यक्ष/सभी प्रमण्डलीय आयुक्त/सभी उपायुक्त/मुख्य कारखाना निरीक्षक, झारखण्ड/उप मुख्य कारखाना निरीक्षक/सभी कारखाना निरीक्षक को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

Rz.  
03/10/2023  
अवर सचिव,

श्रमायुक्त कार्यालय, झारखण्ड, रॉची।



**PROPOSED SCHEDULE 'A'**

(Rule -5)

Scale of fees payable for Grant of licence and Annual fees for Factories defined under 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	4	5	6	7	8	9	10	11	12	13	14	15		
1	Nil	500	2,100	2,400	2,900	4,000	5,300	7,900	92,00	10,600	11,900	12,900	15,800		
2	Not Exceeding	1,200	2,100	2,900	4,000	6,100	10,600	13,200	15,800	23,800	50,200	52,800	1,32,000		
3	Ditto	2,400	3,400	4,000	5,500	8,700	11,400	16,400	18,500	26,400	52,800	63,400	1,58,400		
4	Ditto	3,400	5,300	7,900	11,400	13,200	21,100	23,800	29,000	34,300	42,200	79,200	1,63,700		
5	Ditto	5,300	7,900	11,400	13,200	21,100	23,800	29,000	34,300	42,200	83,200	1,33,300	1,98,000		
6	Ditto	28,500	35,600	37,600	39,600	43,600	55,700	65,700	74,300	1,33,700	1,67,200	2,60,500	3,86,100		
7	Ditto	35,600	37,600	39,600	48,700	56,400	66,100	74,300	92,800	1,45,300	1,78,200	2,85,800	4,01,500		
8	Ditto	37,600	39,600	48,700	66,100	74,300	94,100	99,400	1,07,300	1,55,900	1,89,800	2,99,400	4,15,800		
9	Ditto	48,700	66,100	71,300	75,600	79,200	99,400	1,07,300	1,11,500	1,78,200	2,59,600	3,24,700	4,38,400		
10	Ditto	71,300	75,200	79,200	99,400	1,07,300	1,11,500	1,78,200	2,04,100	2,41,600	3,24,700	3,61,500	4,79,200		
11	Ditto	1,07,400	1,11,500	1,78,200	2,04,100	2,41,600	3,24,700	3,61,500	4,00,400	4,35,600	4,79,200	6,33,600	6,73,200		
12	Above	1,11,500	2,04,100	2,41,600	3,24,700	3,61,500	4,00,400	4,35,600	5,18,800	6,33,600	6,69,200	6,73,200	7,12,800		



31

**PROPOSED SCHEDULE-'B'**

Scale of fees payable for Grant of Licence and Annual fees by all Electricity Generating, Transforming and Transmitting station (Factories).

(a) Generating and Transforming stations (Factories): -

	Total installed Generating		Generating Station		Transforming (including Conversion Station)	
	Capacity in K.W.	K.W.	Rs.	Rs.	Rs.	Rs.
Not exceeding		50	1000		600	
Ditto		100	1,500		900	
Ditto		150	1,700		1,200	
Ditto		300	2,000		1,900	
Ditto		500	2,600		2,000	
Ditto		750	4,000		3,000	
Ditto		1,000	5,300		4,000	
Ditto		2,500	9,200		5,700	
Ditto		5,000	11,900		6,600	
Ditto		10,000	14,500		7,900	
Ditto		25,000	19,800		11,900	
Ditto		50,000	31,700		15,800	
Ditto		75,000	39,600		19,800	
Ditto		1,00,000	51,500		23,800	
Ditto		1,50,000	63,400		31,700	
Ditto		2,00,000	79,200		47,500	
Ditto		3,00,000	1,03,000		63,400	
Ditto		4,00,000	1,26,700		79,200	
Ditto		5,00,000	1,50,500		95,000	
Ditto		6,00,000	1,74,200		1,10,900	
Ditto		7,00,000	1,98,000		1,26,700	
Above		7,00,000	2,21,800		1,42,600	

b) All transmitting stations (Factories) Rs. 22,500.00

SCHEDULE-'C'

Scale of fees payable for grant of licence and annual fees  
for factories declared under Section 85 of the Factories Act, 1 948 ( Act, 63 of  
1948 ) other than Electricity Generating, Transforming and Transmitting Stations  
(Factories) Rs. 1000