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**The Gazette of Puducherry**

**PART - II**

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**GOVERNMENT OF PUDUCHERRY**  
**LABOUR DEPARTMENT**

(G.O. Ms. No. 07/2019/Lab., Puducherry, dated 8th August 2019)

**NOTIFICATION**

In exercise of the powers conferred under section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948), the Lieutenant-Governor, Puducherry, hereby makes Amendment to the Puducherry Factories Rules, 1964, the Draft of the same which were issued in the Labour Department's Notification under G.O. Ms. No. 04/2018/Lab., Puducherry, dated 25th February 2019 as required under sub-section (1) of section 115 of the said Act. And after examining the objections and suggestions with regard to the Draft Rules received from the petitioner associations, the Government have decided to confirm the said rules, namely:-

1. *Short title, extent and commencement.*—(1) These rules may be called the “Puducherry Factories (Amendment) Rules, 2018”;

(2) These rules shall extend to the whole of the Union territory of Puducherry;

(3) They shall come into force on and from the date of their publication in the Official Gazette.

2. *Amendment of rule 3.*—In the Puducherry Factories Rules, 1964 (hereinafter referred to as the said rules), in rule 3,

(1) In sub-rule (1), after the words, “in Form 1C”, the following, “through the web portal of the Chief Inspectorate of Factories and Boilers, Puducherry” shall be inserted.

(2) For sub-rule 2A of the said rules, the following shall be substituted, namely, “(1-A) The occupier of the factory shall pay a fee as specified in the Schedule under this rule for the purpose of scrutiny of plans, through the on-line payment portal of Government of Puducherry under the relevant Head of Account *viz.*, “0230-00-104-01-00-00, fees realised under the Factories Act – Fee for scrutiny of plans” and enter the details of challan while applying the Form 1C application”

3. *Amendment of rule 4.*— In the said rules, in sub-rule (2) of rule 4, the following shall be substituted, namely, “The fees applicable for registration and grant of licence to a factory shall be as specified in the Schedule hereto and the appropriate fee for registration and grant of licence shall be remitted through the on-line payment portal of Government of Puducherry under the relevant Head of Account *viz.*, “0230-00-104-02-00-00, Fees realised under the Factories Act – Licence fees. The application in Form No. 2 shall be accompanied by the e-challan receipt, evidencing payment of the appropriate fee specified in the Schedule hereto. The application in Form No. 2 shall be made through the on-line portal of the Chief Inspectorate of Factories and Boilers, Puducherry, or personally delivered to the Office of the Chief Inspectorate of Factories and Boilers or sent by registered post”

4. *Amendment of rule 5.*— In the said rule, in sub-rule (2) of rule 5, after the words, “An application for the amendment of a licence shall be submitted to the Chief Inspector”, the following, “through the on-line portal of the Chief Inspectorate of Factories and Boilers, Puducherry, or personally delivered to the Office of the Chief Inspectorate of Factories and Boilers or sent by registered post” shall be inserted.

5. *Amendment of rule 6.*—(i) In the said rule, in sub-rule (2) of rule 6, after the words, “an application for renewal in Form No. 2 for the renewal of the licence”, the following “through the on-line portal of the Chief Inspectorate of Factories and Boilers, Puducherry, or personally delivered to the Office of the Chief Inspectorate of Factories and Boilers or sent by registered post,” shall be inserted.

(ii) In the said rules, the sub-rule (3-A) of rule 6, shall be substituted as follows:—

“The occupier of a factory may opt to remit the licence fee for obtaining initial licence or renewal of licence for a period up to fifteen consecutive calendar years instead of getting it renewed every year. The occupier shall make a specific request in Form No. 2 indicating the number of years for which licence is sought for. In such cases, the fee payable for grant of or renewal of licence of a factory shall be proportionate to the annual fee as per multiplied by number of years for which licence is sought for.”

6. *Amendment of rule 7.*— In the said rules, the sub-rule (2) of rule 7, shall be substituted as follows:— “Such application for transfer shall be made to the Chief Inspector through the on-line portal of the Chief Inspectorate of Factories and Boilers, Puducherry, or personally delivered to the Office of the Chief Inspectorate of Factories and Boilers or sent by registered post and accompanied by a fee of one hundred rupees paid through the on-line payment portal of the Government of Puducherry under relevant Head of Account *viz.*, 0230-00-104-02-00-00. Fees realised under the Factories Act – Licence Fees for each such application.”

7. *Amendment of rule 10.*— In the said rule, the sub-rule (1) of rule 10 may be substituted as follows:—

“Every application under these rules shall be accompanied by fee paid through the on-line payment portal of the Government of Puducherry under relevant Head of Account *viz.*, 0230-00-104-02-00-00. Fees realised under the Factories Act - Licence Fees.”

8. *Amendment of rule 105.*— In the said rule, the sub-rule (4) of rule 105 may be substituted as follows:— “The fees to be paid for medical examinations shall be paid through the on-line payment portal of the Government of Puducherry under relevant Head of Account *viz.*, 0230-00-104-03-00-00. Fees realised under the Factories Act – Medical Examination fees”

9. *Amendment of rule 110.*— In the said rules, after the sub-rule (2) of rule 110, a proviso may be included, “provided that the returns under sub-rules (1) and (2) said above, shall be made through the on-line portal of the Chief Inspectorate of Factories and Boilers, Puducherry and shall be maintained in electronic form or personally delivered to the Office of the Chief Inspectorate of Factories and Boilers”

Provided further that during inspection, the Inspector may require the production of books, registers and other documents maintained in electronic form.

**Explanation:** For the purposes of this rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (21 of 2000).”

10. *Insertion of rule 118 A.*— Maintenance of registers:—

In the said rules, after the existing rule 118, a new rule shall be inserted, namely:—

“All the books, registers and records required to be maintained under the said rules, stipulated under the Factories Act, 1948 shall at the discretion of the occupier/manager may be maintained in electronic form.

Provided that during inspection, the Inspector may require the production of books, registers and other documents maintained in electronic form.

**Explanation:** For the purposes of this rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (21 of 2000).”

(By order of the Lieutenant-Governor)

**E. VALLAVAN,**

Additional Secretary to Government (Labour).

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