



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರ

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| ಭಾಗ-IVA  | ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಅಕ್ಟೋಬರ್ ೧೨, ೨೦೧೭ (ಅಶ್ವಯುಜ ೨೦, ಶಕ ವರ್ಷ ೧೯೩೯)          | ನಂ. ೯೩೪ |
| Part-IVA | Bengaluru, Thursday, October 12, 2017 (Aashwayuja 20, Shaka Varsha 1939) | No. 934 |

## LABOUR SECRETARIAT

### NOTIFICATION

No. LD 5 KABASE 2016, Bengaluru, Dated: 11/10/2017

Whereas, the draft of the following rules to the amend the Karnataka Factories Rules, 1969 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act 63 of 1948) was published, vide Notification No: LD 05 KaBase 2016, Dated: 14/03/2017 as required by sub section (1) of section 115 of the said Act, for the information of all persons likely to be affected thereby within thirty days from the date of publication in the official Gazette.

Whereas, the said notification was made available to the public on 31<sup>st</sup> August 2017 through the official Gazette.

And, whereas no objections & suggestions were received by the State Government. Now the Government of Karnataka hereby amends the following rules.

### RULES

- Title and commencement** - (1) These rules may be called the Karnataka Factories (Amendment) Rules, 2016.  
(2) They shall come into force from the date of their final publication in the Official Gazette.
- Amendment of the rule 3** - In the Karnataka Factories Rules, 1969 (hereinafter referred to as said rules), in rule 3 -  
(i) in sub-rule (2) after the words, number and brackets, "Form No. 1 (in triplicate)" the words "or through department online portal "e-surakshate" shall be inserted.  
(ii) after sub-rule (8), the following shall be inserted, namely:-  
"(9) No manufacturing Process shall be carried out in any premises of a factory unless a fresh certificate to stability in Form - 1A is obtained from a competent person processing a degree in Structural or Civil Engineering, once in every five years."
- Amendment of the rule 3-A** - In rule 3-A of said rules,-  
i. after sub rule (1) the following provision shall be inserted namely "provided that no person or institution is eligible to be certified as competent person, unless he or persons employed in such institution is within the age of 62 years and possess the qualification of Degree in Mechanical or Electrical or Metallurgical or prescribed by the Central Government and experience specified by the Chief Inspector or Central Government in this regard."  
ii. in sub-rule (2), after the words "a treasury challan" the words "or online credit to the head of account of the department" shall be inserted.  
iii. For "TABLE-C" the following shall be substituted namely:-

TABLE-C [See - rule 3A (2)]

| Sl. No | Competency Certificate | Scope   | Section or rule Under which Competency certificate to be issued                                                                                                                                                                                         | Fees for Registration or Annual Renewal                                                                      |
|--------|------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| (1)    | (2)                    | (3)     | (4)                                                                                                                                                                                                                                                     | (5)                                                                                                          |
| 1      | To an Individual       | State   | 1) Section 28 and 29<br>2) Section 31<br>3) Clause 2(c) of schedule V under Rule 57.<br>4) Clause 6 of schedule VI under Rule 57.<br>5) Schedule V of Rule 129.<br>6) Clause 13 of Schedule XVII under Rule 129.<br>7) Rule 69(4).<br>8) Rule 88 B (4). | Rs. 4000/-<br>Rs. 4000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/- |
| 2      | To an Institution      | State   | 1) Section 28 and 29<br>2) Section 31<br>3) Clause 2(c) of schedule V under Rule 57.<br>4) Clause 6 of schedule VI under Rule 57.<br>5) Schedule V of Rule 129<br>6) Clause 13 of Schedule XVII under Rule 129.<br>7) Rule 69(4).<br>8) Rule 88 B(4).   | Rs. 5000/-<br>Rs. 5000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/-<br>Rs. 1000/- |
| 3      | To an Individual       | Factory | 1) Section 28 and 29<br>2) Section 31<br>3) Clause 2(c) of schedule V under Rule 57<br>4) Clause 6 of schedule VI under Rule 57<br>5) Schedule V of Rule 129<br>6) Clause 13 of Schedule XVII under Rule 129<br>7) Rule 69(4)<br>8) Rule 88 B(4)        | Rs. 25000/-<br>(Irrespective of the provisions for which the competency certificate is applied for)          |

iv. After sub-rule (4) the following shall be inserted, namely:-

“(5) The Competent persons shall submit the Test Certificates to the jurisdictional officer within seven days from the date of inspection, along with such other information as required by the chief inspector.”

**4. Amendment of rule 4** - In rule 4 of the said rules, for sub-rule(1), the following shall be substituted, namely:-

“(1) The occupier of every factory shall submit, to the Chief Inspector or Jurisdiction officer an application in Form No-2 (in triplicate) or through department online portal “e-surakshate” for registration of factory and grant of license along with the list of Partners or Directors.

**5. Amendment of the rule 5** -

(1) In sub rule (1) for the words payment of fees specified in the Table A and B annexed to this rules shall be substituted with the words fees specified in the Tables “A” and “B”.

(2) In rule 5 of the said rules, in sub-rule (2), for the words “three years” the words “ten years” shall be substituted.

**TABLE - A**  
**[ See Rule 5(1) ]**  
**Scale of Fees Payable for Licence and Annual Renewal of Licence by Factories**

| Quantity of<br>H.P<br>Installed   | Maximum number of persons to be employed on any day during the year |                  |                   |                       |                    |                       |                        |                            |                          |                               |
|-----------------------------------|---------------------------------------------------------------------|------------------|-------------------|-----------------------|--------------------|-----------------------|------------------------|----------------------------|--------------------------|-------------------------------|
|                                   | Upto<br>20                                                          | From 21<br>to 50 | From 51<br>to 100 | From<br>101 to<br>250 | From 251<br>to 500 | From<br>501 to<br>750 | From<br>751 to<br>1000 | From<br>1001<br>to<br>5000 | From<br>5001 to<br>10000 | From<br>10001<br>and<br>above |
|                                   | Rs.                                                                 | Rs.              | Rs.               | Rs.                   | Rs.                | Rs.                   | Rs.                    | Rs.                        | Rs.                      | Rs.                           |
| Nil                               | 540                                                                 | 1080             | 3240              | 3480                  | 8100               | 11880                 | 15600                  | 19440                      | 23280                    | 24300                         |
| Upto 10 HP                        | 1080                                                                | 2160             | 3360              | 7560                  | 14580              | 21600                 | 28320                  | 32400                      | 40500                    | 50220                         |
| Above 10 HP<br>Upto 50 HP         | 2160                                                                | 3120             | 4320              | 8640                  | 15960              | 23040                 | 30000                  | 34020                      | 43740                    | 51840                         |
| Above 50 HP<br>Upto 100 HP        | 3120                                                                | 4320             | 5640              | 9960                  | 16080              | 24840                 | 32400                  | 36180                      | 46440                    | 55080                         |
| Above 100<br>HP Upto 250<br>HP    | 4860                                                                | 5400             | 6420              | 11340                 | 18900              | 27000                 | 36120                  | 38400                      | 48840                    | 57780                         |
| Above 250<br>HP Upto 500<br>HP    | 5400                                                                | 6480             | 8100              | 13380                 | 22140              | 30960                 | 39720                  | 44820                      | 56700                    | 66960                         |
| Above 500<br>HP Upto<br>1000 HP   | 8640                                                                | 9960             | 11880             | 18360                 | 29160              | 40500                 | 50760                  | 57240                      | 61020                    | 84780                         |
| Above 1000<br>HP Upto<br>5000 HP  | 10800                                                               | 12960            | 16200             | 25440                 | 41040              | 56700                 | 71505                  | 79800                      | 102600                   | 121200                        |
| Above 5000<br>HP Upto<br>10000 HP | 21600                                                               | 25920            | 32400             | 50880                 | 82080              | 113400                | 142995                 | 159600                     | 205200                   | 242400                        |
| Above 10000<br>HP                 | 36600                                                               | 43200            | 48600             | 76320                 | 123120             | 170100                | 214500                 | 239400                     | 307800                   | 363600                        |

**TABLE - B**

**Scale of fees Licence and Annual Renewal of Licence by electricity generating , transforming or transmitting factories or attached powerhouse and for heating circuits in addition to the scale of fees payable in TABLE "A"**

|   | Total Installed capacity (in KW)      | Fee payable (In Rs) |   |
|---|---------------------------------------|---------------------|---|
| A | 50 KW or less                         | 1080                | A |
| B | Over 50 KW but not over 100 KW        | 1320                | B |
| C | Over 100 KW but not over 150 KW       | 1680                | C |
| D | Over 150 KW but not over 300 KW       | 2400                | D |
| E | Over 300 KW but not over 700 KW       | 5400                | E |
| F | Over 700 KW but not over 1000 KW      | 9600                | F |
| G | Over 1000 KW but not over 5000 KW     | 13980               | G |
| H | Over 5000 KW but not over 10000 KW    | 23340               | H |
| I | Over 10000 KW but not over 50000 KW   | 38820               | I |
| J | Over 50000 KW but not over 60000 KW   | 46560               | J |
| K | Over 60000 KW but not over 80000 KW   | 54360               | K |
| L | Over 80000 KW but not over 100000 KW  | 62100               | L |
| M | Over 100000 KW but not over 150000 KW | 77640               | M |
| N | Over 150000 KW but not over 200000 KW | 92520               | N |
| O | Over 200000 KW but not over 300000 KW | 108720              | O |
| P | Over 300000 KW                        | 124200              | P |

**6. Amendment of the rule 6** – In rule 6 of the said rules, in sub-rule (3), for the words “rupees two hundred and fifty” the words “rupees five hundred” shall be substituted.

**7. Amendment of the rule 7** – In rule 7 of the said rules:-

- i. for sub-rule (2), the following shall be substituted, namely:-  
“(2) Every application for renewal shall be made in Form 2 (in triplicate) or through department online portal “e-surakshate” such application shall be made not less than two months before the date on which the license expires.”
- ii. for sub-rule (5), the following shall be substituted, namely:-  
“(5) Licensee may surrender his license temporarily due to closure during the ensuing year not less than two months on which the license expires, for claiming exemption from renewal of license by post or through department online on the department web-site “e-surakshate”

**8. Amendment of the rule 8** – In rule 8 of the said rules,-

- i. for sub-rule (1), the following shall be substituted, namely:-  
“(1) The holder of the license shall, within thirty days from date of change in the Proprietor, Partners or Directors apply for permission to transfer his license to another person and also an addition or deletion of any person or persons on the license, make an application in Form No.2 (in triplicate) or through department online portal “e-surakshate” with all the required documents.
- ii. In sub-rule (3), for the words “rupees two hundred and fifty” the words “rupees five hundred” shall be substituted.

**9. Amendment of the rule 11** – In rule 11 of the said rules, in sub-rule (1), after the words and figures, “Factories Act 1948” the words “or through online payment to the head of account of the department” shall be inserted.

**10. Amendment of the rule 12** – In rule 12 of the said rules, -

- i. for sub-rule (1), the following shall be substituted, namely:-  
“(1) the notice of Occupation shall be in Form No.2 submitted in Duplicate by post or through department online portal “e-surakshate”
- ii. for the sub rule (3), the following shall be substituted, namely:-  
“(3) The Notice of Change of Manager shall be in Form 3A submitted in Duplicate by post or through department online portal “e-surakshate”

**11. Amendment of the rule 14** – In rule 14 of the said rules, for sub-rule (4), the following shall be substituted namely:-

“(4) Every order passed under the Act and these rules shall be served on the occupier or manager of the factory, as the case may be -

- a) by delivering a copy of it to him personally or at his office; or
- b) by registered post with acknowledgement due or through e-mail id of the persons or through online service of the department online portal “e-surakshate”.

**12. Amendment of the rule 39** – In rule 39 of the said rules, in item (b), after the words “Health Officer”, the words “or by any agency Authorized by State Government or Central Government or certified by Bureau of Indian Standards” shall be inserted.

**13. Amendment of the rule 42** – In rule 42 of the said rules, after the words “Health Officer” in two places they occur, the words “or by any agency Authorized by State Government or Central Government or certified by Bureau of Indian Standards” shall be inserted.

**14. Amendment of the rule 88A** – In rule 88A of the said rules, after rule (5), the following shall be inserted, namely:-

“(6) Appointment of Safety Officer – Every occupier, when required by the State Government by notification in the Official Gazette issued under sub-section (1) of section 40-B of the Factories Act, 1948 (Central Act LXIII of 1948), shall within a period of six months from the date of publication of the notification, appoint the requisite number of Safety Officers, as specified in that notification:

Provided that, the Chief Inspector of Factories may, on an application in writing by an occupier, extend the period further by a maximum of six months for making such appointment.

“(7) Recruitment of Safety Officer –

(1) The occupier of the factory concerned shall notify the vacancies of the post of safety officer and shall invite applications at least in two leading newspapers having wide circulation in the State, out of which one newspaper shall be in Kannada language and other in English language:

Provided that, the vacancies in the post of Safety officers in the Government establishments, Quasi-Government establishments and public undertakings shall be filled up through the Government Employment Exchange. Vacancies in the said establishments shall also be advertised in the newspaper inviting applications and shall be filled considering them together.

Provided further, that the post of safety officers in private factories may be filled up from the Department of Inspectorate of Factories on deputation basis.

(2) Selection for appointment to the post of Safety Officer shall be made among the candidates applying for the post, by a committee appointed by the occupier of the factory concerned.

(3) The Appointment of the Safety Officer, when made, shall be notified by the occupier of the factory to the Chief Inspector of Factories, giving full details about the qualifications, age, pay and allowances, previous experience and other relevant particulars of the officer appointed and the terms and conditions of the service applicable to him.

**15. Amendment of the rule 88-M** – In rule 88-M of the said rules, in sub rule (1), in clause (c), in sub-clause (1), after item (iv), the following shall be inserted, namely:-

“(v) Where in more than one factory medical officer are appointed or required, they shall be posted in each shift.”

**16. Amendment of the rule 92** – In rule 92 of the said rules, after sub-rule (6), before the Explanation, the following shall be inserted, namely:-

(7) To ensure the minimum help need of workers:-

- i. There shall be one more doctor for every additional two thousand workers employed;
- ii. Factory medical officer required to be appointed shall have qualification included in schedule to the Medical Degrees Act 1916 or in the schedules to the Medical Council Act 1956;
- iii. Nurse means nurses registered in Karnataka Nursing Council;
- iv. ambulance room shall be separate from the rest of the factory premises, and within the compound wall of the factory premises and medical officers shall maintain records of all the patients or employees examined by him;

**17. Amendment of the rule 93** – In rule 93 of the said rules, in sub rule (1), the words “notified by the State Government and” shall be omitted.

**18. Insertion of the rule 107A** – After the rule 107 of the said rules, the following rule shall be inserted, namely:-

“107A. Application for Exemption – The Manager of Factory, shall submit the application for exemption under Section 65(1) of the Factories Act 1948.”

**19. Omission of the rule 108** – The rule 108 and entries relating there under of the said rules, shall be omitted.

**20. Amendment of the rule 130** – In rule 130 of the said rules, in sub-rule (1), for the words “or telegram”, the words “or through department online portal “e-surakshate” shall be substituted.

**21. Amendment of the rule 131** – In rule 131 of the said rules, after the words “sent forthwith”, the words “or through department online portal “e-surakshate” shall be inserted.

**22. Amendment of the rule 134** – In rule 134 of the said rules, after the words “shall furnish”, the words “in person or through post or through department online portal “e-surakshate” shall be inserted.

By order and in the name of the Governor of Karnataka

**A.N Radhamani**

Under Secretary to Government,  
Labour Department  
(Factories and Boilers)