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LABOUR AND EMPLOYMENT DEPARTMENT
Draft Amendments to the Tamil Nadu Factories Rules.

[G.O. Ms. No. 132, Labour and Employment (M2), 21st July 2010, Aadi 5, Thiruvalluvar Aandu 2041.]

No. SRO A-35/2010.—The following draft of amendments to the Tamil Nadu Factories Rules, 1950 which it is proposed to make in exercise of the powers conferred by Section 112 of the Factories Act, 1948 (Central Act LXIII of 1948), is hereby published for the information of all persons likely to be affected, there by, as required by Section 115 of the said Act.

2. Notice is hereby given that the draft amendments will be taken into consideration on or after the expiry of forty-five days from the date of publication of this Notification in the *Tamil Nadu Government Gazette* and that, any objection or suggestion which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Government of Tamil Nadu. Objection or suggestion, if any, should be addressed to the Secretary to Government, Labour and Employment Department, Secretariat, Chennai-600 009 through the Chief Inspector of Factories, Chennai-600 005 in duplicate;

DRAFT AMENDMENTS.

In the said Rules,—

(1) in rule 61,—

(a) in sub-rule (3), for the marginal heading, the following marginal heading shall be substituted, namely:—

“Protection against lightning”;

(b) in sub-rule (10), for clauses (b) and (c), the following clauses shall be substituted, namely:—

“(b) The types of first-aid fire fighting equipment to be provided shall be determined by considering the different types of fire risks which are classified as follows:—

(i) Class ‘A’ Fire-Fire involving solid combustible materials of organic nature such as wood, paper, etc., where the cooling effect of water is essential for extinction of fire.

1. LIGHT HAZARD OCCUPANCIES

1. Abrasive Manufacturing Premises
2. Aerated Water Factories
3. Agarbatti Manufacturing
4. Aluminium, Zinc and Copper Factories
5. Analytical and/or Quality Control Laboratories
6. Asbestos Steam Packing and Lagging Manufacturers
7. Battery Charging/Service Station
8. Battery Manufacturing
9. Breweries
10. Brick Works
11. Canning Factories
12. Cardamom Factories
13. Cement Factories and/or Asbestos Products Manufacturing
14. Ceramic Factories and Crockery and Stoneware Pipe Manufacturing
15. Cinema Theatres (Including Preview Theatres)
16. Clay Works
17. Clock and Watch Manufacturing
18. Clubs
19. Coffee Curing and Roasting Premises
20. Computer installations (Main Frame)

21. Condensed Milk Factories, Milk Pasteurising Plant and Dairies
22. Confectionery Manufacturing
23. Dwellings
24. Educational and Research Institutes
25. Electric Generating Houses (Hydel)
26. Electric Lamps (Incandescent and Fluorescent) and TV Picture Tube Manufacturing
27. Electric Sub-Station/Distribution Station
28. Electro Plating Works
29. Electronic and/or Computer Equipments Assemble and Manufactures
30. Empty containers Storage Yard
31. Engineering Workshops
32. Fruits and Vegetables Dehydrating/Drying Factories
33. Fruit Products and Condiment Factories
34. Glass and Glass Fibre Manufacturing
35. Godowns and Warehouses Storing non-combustible Goods
36. Green houses
37. Gold Thread Factories/Gilding Factories
38. Gum and/or Glue and Gelatine Manufacturing
39. Hospitals including X-ray and other Diagnostic Clinics
40. Ice Candy and Ice-cream Manufacturing
41. Ice Factories
42. Ink (excluding Printing Ink) Factories
43. Laundries
44. Libraries
45. Mica Products Manufacturing
46. Office Premises
47. Places of worship
48. Pottery Works
49. Poultry Farms
50. Residential Hotels, Cafes and Restaurants
51. Salt Crushing Factories and Refineries
52. Stables
53. Steel Plants (other than Gas Based)
54. Sugar Candy Manufacturing
55. Sugar Factories and Refineries
56. Tea Blending and Tea Packing Factories
57. Umbrella Assembling Factories
58. Vermicelli Factories
59. Water Treatment/Water Filtration Plants and Water Pumps House.

2. ORDINARY HAZARD OCCUPANCIES:

1. Airport and other Transportation Terminal Building
2. Areca nut slicing and/or Betel nut Factories
3. Atta and Cereal Grinding
4. Bakeries
5. Beedi Factories
6. Biscuit Factories
7. Bobbin Factories
8. Book binders, Envelopes and Paper bag Manufacturers
9. Bulk Storage
10. Cable Manufacturing
11. Camphor Boiling
12. Candle Works
13. Carbon Paper/Typewriter Ribbon Manufacturers
14. Cardboard Box Manufacturing
15. Carpenters, Wood wool and Furniture Manufacturers
16. Carpet and Drugget Factories
17. Cashew nut Factories
18. Chemical Manufacturing
19. Cigar and Cigarette Factories
20. Coffee grinding premises
21. Coir Factories
22. Coir Carpets, Rugs and Tobacco, Hides and Skin Presses
23. Cold Storage Premises
24. Cork Products Manufacturing
25. Dry Cleaning, Dyeing, Laundries
26. Electirc Generating Stations (other than Hydel)
27. Enamelware Factories
28. Filter and Wax Paper Manufacturing
29. Flour Mills
30. Garages
31. Garment Makers
32. Ghee Factories (other than Vegetable)
33. Godowns and Warehouses (others)
34. Grain and/or Seeds Disintegrating and/or Crushing Factories
35. Grease Manufacturing
36. Hat and Topee Factories
37. Hosiery, Lace, Embroidery and Thread Factories

38. Incandescent Gas Mantle Manufacturers
39. Industrial Gas manufacturing including halogenated hydrocarbon gases
40. Linoleum Factories.
41. Man-made Yard/Fibre Manufacturing (Except Acrylic)
42. Manure and Fertilizer Works (Blending, Mixing and granulating only)
43. Mercantile Occupancies (Departmental Stores, Shopping Complexes or Malls)
44. Mineral Oil Blending and Processing
45. Museums
46. Oil and Leather Cloth Factories
47. Oil Terminals/Depots other than those categorised under high hazard A.
48. Oxygen Plants
49. Plywood Manufacturing/Wood Veneering Factories
50. Paper and Cardboard Mills
51. Piers, wharves, dockyards
52. Plastic Goods Manufacturing
53. Printing Press Premises
54. Pulverising and Crushing Mills
55. Rice Mills
56. Rope Works
57. Rubber Goods Manufacturing
58. Rubber Tyres and Tubes Manufacturing
59. Shellac Factories
60. Shopping Complexes (underground)
61. Silk Filatures and cocoon stores
62. Spray painting
63. Soaps and Glycerine Factories
64. Starch Factories
65. Steel Plants (Gas Based)
66. Tanneries/Leather Goods Manufacturers
67. Tank farms other than those categorised under high hazard A
68. Textile Mills
69. Tea Factories
70. Telephone Exchanges
71. Theatres and Auditoriums
72. Tobacco (Chewing) and pan-masala Making
73. Tobacco Grinding and Crushing
74. Tobacco Re-drying Factories
75. Woollen Mills

3. HIGH HAZARD OCCUPANCIES:

Sub-category A:

1. Aircraft Hangers
2. Aluminium/Magnesium Powder Plants
3. Bituminised Paper and/or Hessian Cloth Manufacturing including Tar Felt Manufacturing
4. Cotton Waste Factories
5. Coal and/or Coke and/or Charcoal Ball Briquettes Manufacturing
6. Celluloid Goods Manufacturing
7. Cigarette Filter Manufacturing
8. Cinema Films and T.V. Production Studios
9. Collieries
10. Cotton Seed Cleaning or De-linting Factories
11. Distilleries
12. Duplicating and Stencil Paper Manufacturing
13. Fire-Works Manufacturing
14. Foamed Plastics Manufacturing and /or Converting Plants
15. Grass Hay, Fodder and Bhoosa (chaff)
16. Pressing Factories
17. Jute Mills and Jute Presses
18. LPG Bottling Plants (Mini)*
(*Bottling plants having total inventory not exceeding 100 Metric Ton of Liquefied Petroleum Gas and also bottling a total quantity of not exceeding 20 Metric Ton of LPG per shift of 8 hours).
19. Match Factories
20. Man Made Fibres (Acrylic fibres/yarn making)
21. Mattress and Pillow Making
22. Metal or Tin Printers (where more than 50% of floor area is occupied as Engineering Workshop, this may be taken as Ordinary Hazard Risk)
23. Oil Mills
24. Oil Extraction Plants (other than those forming part of ghee factories and oil refining factories)
25. Oil Terminals/Depots handling flammable liquids having flash point of 32°C and below
26. Paints and Varnish Factories
27. Printing Ink Manufacturing
28. Saw Mills
29. Sponge Iron Plants
30. Surgical Cotton Manufacturers
31. Tank Farms storing flammable liquids having flash point of 32°C and below
32. Tarpaulin and Canvas Proofing Factories
33. Turpentine and Rosin Distilleries
34. Tyre Retreading and Resoling Factories

Sub-category B:

1. Amonia and urea Synthesis Plants
2. CNG Compressing and Bottling Plant
3. Explosive Factories
4. LPG Bottling Plants (other than Mini)
5. Petrochemical Plants
6. Petroleum Refineries

(ii) *Class 'B' Fire*.—Fire involving flammable liquids or liquifiable solids or the like where a blanketing effect is essential.

(iii) *Class 'C' Fire*.—Fire involving flammable gases under pressure including liquefied gases, where it is necessary to inhibit the burning gas at fast rate with an inert gas, powder or vaporizing liquid for extinguishment.

(iv) *Class 'D' Fire*.—Fire involving combustible metals, such as magnesium, aluminium, zinc, sodium, potassium, etc., when the burning metal are reactive to water and water containing agents and in certain cases carbon di oxide, halogenated hydrocarbons and ordinary dry powders. This type of fire requires special media and techniques to extinguish.

(c) The number and types of first-aid fire fighting equipment to be provided shall be as per Bureau of Indian Standards recommendations for installation of fire extinguishers given in Annexure B of IS 2190:1992. The types are detailed in Schedule-I.”;

(c) in sub-rule (11),—

(i) for clause (a), the following clause shall be substituted, namely:—

“(a) In every factory, adequate provision for water supply for fire-fighting shall be made. Water for the hydrant service shall be stored in an easily accessible surface or underground lined reservoir or above ground tanks of steel, concrete or masonry. The effective capacity of the reservoir above the lower water level (a point at least three times the diameter of the suction pipe above the draw-off points) or above the top of the pump casing (in case of flooded suction) if the same is higher than the low water level, for various classes of occupancies and size of hydrant installations shall be as indicated in the Table below:—

THE TABLE

Sl. No. (1)	Nautre of Risk (2)	Capacity of Static Storage Exclusively Reserved for Hydrant Service (3)
1.	Light Hazard	Not less than 1 hours aggregate pumping capacity with a minimum of 1,35,000 litres.
2.	Ordinary Hazard	Not less than 2 hours aggregate pumping capacity.
3.	High Hazard A	Not less than 3 hours aggregate pumping capacity.
4.	High Hazard B	Not less than 4 hours aggregate pumping capacity.

NOTE: 1.—The capacity of the reservoir for ordinary and high hazard class occupancies may be reduced by the quantum of inflow (of one hour in case of ordinary hazard, 90 minutes in case of high hazard A and two hours in case of high hazard B occupancies), from a reliable source (other than town's main) having prior approval of the committee, but in no case shall the reservoir capacity be less than 70% of that mentioned above.

NOTE: 2.—In case of light hazard class occupancies, the minimum capacity of the reservoir shall be increased to 2,25,000 litres, if the highest floor of the building is more than 15 m. above the surrounding ground level.”;

(ii) for clause (e), the following clause shall be substituted, namely:—

“(e) The hydrant system should be distributed round the factory with due regard to potential fire risks at the factory. Where piped supply is provided, the size of the main shall not be less than 15 cm. diameter and it shall be capable of supplying a minimum of 4,500 litres per minute at a pressure of not less than 7 kilograms per square cm. in case of light hazard occupancies. In case of high hazard area, the water pressure should be 10 kg. per square centimeter. A certificate of completion from the installing engineer stating the pressure test to which the installation has been subjected and giving the dates from which it is in complete working order should also be submitted at the office of the Inspector of Factories.”;

(d) after sub-rule (14), the following sub-rule shall be added, namely:—

“(15) Plan of fire-fighting installations showing the entire compound, whole buildings therein, within their doors and window openings, boundary walls, etc. should be submitted to the office of the Inspector of Factories, the State Fire Director and the local authority.”;

(e) for Schedule I, the following Schedule shall be substituted, namely:—

SCHEDULE-I

First-aid Fire Fighting Equipments

(1) The different type of fire and first-aid fire-fighting equipment suitable for use on them are as under:

<i>Class of fire</i>	<i>Suitable type of Appliance</i>
(1)	(2)
<i>Class ‘A’ Fires</i>	<i>Water expelling type extinguishers</i>
<i>Class ‘B’ Fires</i>	<i>Foam, dry powder, vaporizing liquid and carbon di oxide extinguishers</i>
<i>Class ‘C’ Fires</i>	<i>Dry powder, vaporizing liquid and carbon di oxide extinguishers</i>

Note.—(1) Where energized electrical equipment is involved in a fire, non-conductivity of the extinguishing media is of utmost importance, and only extinguishers expelling dry powder, carbon di oxide (without metal horn) or vaporizing liquids should be used. Once the electrical equipment is de-energized, extinguishers suitable for the class of fire risk involved can be used safely.

(2) Where cleanliness and contamination of sensitive electrical equipment are of importance or where the sensitivity of the control instruments or electronic equipment and systems are likely to be affected, only carbon die oxide or vaporizing liquid type extinguishers should be used.

(3) For fires involving polar solvents and other water miscible flammable liquids, dry powder type or mechanical foam extinguisher with alcohol-resistant foam should be used.”;

(2) in rule 61-K, for sub-rule (4), the following sub-rule shall be substituted, namely:—

“(4) The record of examination or re-examination carried out by the concerned ophthalmologist shall be produced on demand.”;

(3) in rule 77, in sub-rule (4), for clause (a) and the proviso thereunder, the following clause shall be substituted, namely:—

“(a) the manager shall maintain the details of compensatory holidays in the Muster Roll in Form No. 25.”;

(4) in rule 80, for the marginal heading, the following marginal heading shall be substituted, namely:—

“Register of Adult Workers and Young Persons”;

(5) in rule 86,-

(a) for the marginal heading, the following marginal heading shall be substituted, namely:-

“Register of Adult Workers and Young Persons”;

(b) for the expression “maintain a register in Form No. 14”, the expression “record the particulars of such young persons in the register of adult workers and young persons in Form No. 12” shall be substituted;

(c) for the expression “column (3) of Form No. 14”, the expression “column (3) of Form No. 12” shall be substituted;

(6) in rule 95, in Schedule XX, in para 19, in sub-para (3), for the expression “Form 27-A”, the expression “Form No. 27” shall be substituted;

(7) in rule 96, in sub-rule (3), for the expression “Form No. 18-A”, the expression “Form No. 18” shall be substituted;

(8) for rule 100, the following rule shall be substituted, namely:—

“10. Returns.—The manager of every factory shall furnish to the Inspector an annual return for every calendar year, in duplicate in Form No. 22 so as to reach the inspector on or before the 31st January of the following year.”;

(9) rule 104 shall be omitted;

(10) Form No. 9 shall be omitted;

(11) for Form No. 12, the following Form shall be substituted, namely:—

“FORM No. 12

(Prescribed under rule 80 and rule 86)

Register of adult workers and young persons.

Name and address of the factory:					Year:		Registration No.:			
Serial number	Name and residential address of the worker	Date of birth	Father's Name	Date of first employment	Nature of work in which employed	Letter of group as in Form No. 11	Number of relay, if working in shifts	Serial number of certificate of fitness issued by certifying Surgeon and its date	Token number with reference to certificate of fitness, Number and date of certificate, if an adolescent.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)";

(12) Form No. 14 shall be omitted;

(13) For Form Nos. 18 and 18-A, the following Form shall be substituted, namely:—

“FORM No. 18

(Prescribed under rule 96).

REPORT OF ACCIDENT INCLUDING DANGEROUS OCCURRENCE

Employees State Insurance Corporation Employer's Code number:.....

Registration Number.....

Licence Number:

Name and Address of Local Employees Local Employees State Insurance Corporation Office

National Industrial Classification Code No.:

(as given in the licence)

1. Name and address of factory:
2. Name, address and telephone number of the occupier:
3. Nature of industry (as given in the licence):
4. Date, shift and hour of accident or dangerous occurrence:
5. Department/section and exact place where the accident or dangerous occurrence took place:
6. (a) Description of the accident or dangerous occurrence (indicating type) that took place:
 (b) Whether it involves explosion.....; fire.....; emission of toxic substance(s).....; substance(s) emitted:

7. Total number of persons injured or killed:

Number of persons injured		Number of persons killed	
Inside the factory	Outside the factory	Inside the factory	Outside the factory

NOTE.—If any person outside the factory premises is injured or killed in the accident or dangerous occurrence, please furnish the information to the extent available.

8. Particulars of persons injured/killed.....

- (a) Name :
 (b) Age :
 (c) Sex :
 (d) Serial Number in the register of adult workers :
 (e) Address :
 (f) Precise of adult workers :
 (g) Nature of job :

9. Cause of injury: explosion.....; fire.....; emission of toxic substance.....; Others.....(Please specify).

10. Particulars of injury:

- (a) Fatal (Time and date of death):
 (b) Non-fatal (if serious, give the extent of injury such as loss of limb/sight and hearing, fracture, permanent impairment, severe burns):
 (c) Whether the injured person was disabled for more than 48 hours:
 (d) Location of injury (i.e. part of body such as right leg, left hand, left eye, etc.):

11. (a) State exactly what the injured person was doing at the time of accident or dangerous occurrence:

- (b) Does this work fail in the category of hazardous or dangerous process or operations (please tick mark (✓) in the box.

Hazardous process

Dangerous process or operation

12. (a) Hour at which the injured person started work on the day of accident or dangerous occurrence:

- (b) Whether wages in full or part are payable to him for the day of accident or dangerous occurrence:

13. In case the accident or dangerous occurrence took place while traveling in employer's transport, state whether—

- (a) the injured person was traveling as a passenger to and from his place of work:
 (b) the injured person was traveling with the express or implied permission of his employer:
 (c) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer:

(d) the vehicle is being operated in the ordinary course of public transport services:

14. In case the accident took place while meeting emergencies, state.—

(a) its nature:

(b) whether the injured person at the time of accident was employed for the purpose of his employer's trade or business in or about the premises at which the accident took place:

15. (a) Physician, dispensary or hospital from whom or in which injured person has received or is receiving treatment:

(b) name of dispensary or panel doctor elected by the injured person.

16. Names and addresses of the witnesses: (1)

(2)

17. Cause of accident or dangerous occurrence:

I certify that to the best of my knowledge and belief, the above particulars are correct in every aspect.

Date :

Signature of Manager/Occupier:

Name (in Block letters):

Address and Telephone No.:

To be completed by the Inspector.

1. Date of receipt of the report :

2. District :

3. Date of investigation :

4. (a) Number allotted to accident involving injury and / or death :

(b) Number allotted to dangerous occurrence involving reportable injury and / or death :

(c) Number allotted to the dangerous occurrence not involving injuries and / or death :

(d) Number allotted to "Major Accident" not involving reportable injuries and / or death :

5. Classification of accident :

(a) Cause wise (Give code):

(b) Industry wise (Give National Industrial Classification-Code):

(c) Dangerous operation wise :
(Give Schedule Number under rule 95) :

(d) Hazardous process wise-section 2 (cb) :

(e) Occupation wise (National Classification of Occupation-Code Number):

6. Result of investigation :

7. Remarks, if any :

Date:

Signature of the Inspector's

Name (in block letters):"

(14) Form No. 21 shall be omitted;

(15) for Form No. 25, the following Form shall be substituted, namely:—

“FORM No. 25

(Prescribed under rule 77(4) and rule 103)

Muster roll and Register of compensatory holidays

Name and address of the factory:

For the month of :

Registration Number:

(1)	Serial number	
(2)	Name of the worker	
(3)	Number in the Register of workers	
(4)	Father's Name	
(5)	Designation or Nature of work	
(6)	Group or Relay Number	
(7)	Place of employment	
(8)	Date of Birth to be supported by Birth Register	Year Month Day
(9)	Period of work	
(10)	Dates (1,2,3.....to 31)	
(11)	Number and Date of Exempting Order	
(12)	Year	
(13)	Weekly rest days lost due to the Exempting Order in.....	January to March
		April to June
		July to September
		October to December
(14)	Date of Compensatory Holiday given in....	January to March
		April to June
		July to September
		October to December
(15)	Lost rest days Carried on to the next year	
(16)	Remarks.	

- (16) Form No. 26 shall be omitted ;
 (17) Form No. 26-A shall be omitted;
 (18) Form No. 27, the following Form shall be substituted, namely:—

"FORM No. 27
 (Prescribed under rule 95)
 (Certificate of fitness)

1. Serial Number and date
2. Name of the person examined
3. Father's name
4. Sex
5. Residential address
6. Name of the Factory in which the person is employed or to be employed.
7. Process or department in which the person is employed or to be employed.
8. Descriptive marks

9. Whether Certificate granted

(i) I Certify that I have personally examined.....(name) s/o.....(father's name) residing at.....(address) who is desirous of being employed in or employed in (department and process) of (name of the factory) and that as nearly as can be ascertained from my examination is fit / unfit for employment at the above noted factory. He is fit to be employed and may be employed on some other non-hazardous operation such as.....

10. Whether declared unfit and certificate refused

He may be produced for further examination after a period of.....

11. Reason for:

He is advised the following further examination.....

(1) refusal of certificate

.....or

(2) certificate being revoked.

12. Reference number of previous certificate granted or refused.

He is advised the following treatment.
 The serial number of the previous certificate is.....

L.T.I./Signature of person examined
 Signature of the Certifying Surgeon.

L.T.I./Signature of person examined:
 Signature of the Certifying Surgeon:

Note.—Exact details of cause of physical disability should be clearly stated. The Counterfoil should be retained by the Certifying Surgeon and maintained in a bound book or in a file.”;

- (19) Form No. 27-A shall be omitted;
 (20) Form No. 38 shall be omitted;

T. PRABHAKARA RAO,
Principal Secretary to Government.