

No.F.2(345)-FB/EoDB(Vol.-II)/2015(Part)/ 1456-57
Government of Tripura
Department of Labour
(Factories & Boilers Organisation)

Dated, Agartala, the 19th October, 2020.

NOTIFICATION

In exercise of the power conferred by Section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948), the Governor of Tripura hereby makes the following rules further to amend the Tripura Factories Rules, 2007, namely:-

1. Short title and commencement:

- a) These may be called the '**Tripura Factories (Ninth Amendment) Rules, 2020**';
- b) They shall come into force on and from the date of their publication in the Tripura Gazette;

2. In the Tripura Factories Rules, 2007 after Rule 3, the following new Rule shall be inserted:-

“Rule 3A. Authorized Person: (1) Third party inspection & certification for factories, registered under the Factories Act, 1948 & Rules made thereunder in the State of Tripura, as optional beyond the inspection by the department by recognition of the Authorized Person having the following qualification & experience:-

- (i) At least a Bachelor Degree in Mechanical or Electrical or Chemical Engineering from a recognized University or equivalent,
- (ii) Minimum 6(six) years experience in production/ maintenance/ Safety Departments in factory of repute, Or,

Minimum 5(five) years experience in a responsible position in factories inspection works under the Directorate of Factories of any State / Central government.

- (iii) Desirable: Knowledge of Bengali /local language;

- (2) The person having above credentials may apply along with all documents to the Chief Inspector, Factories & Boilers Organisation, Govt. of Tripura for grant of recognition as “Authorized Person” to perform third party inspection and certification for medium risk factories where workers are less than 50(fifty);

Contd.

- (3) The Occupier / Manager of such factory may engage such "Authorized Person" for carrying out the inspection of his/her factory as above in regard to Safety, Health, Welfare & Wages of the workers and issue the certificate by "Authorized Person" so far as the matter contained in Schedule I, II & III annexed herewith, to be handed over to the factory management with a copy within 24 hours to the respective Inspector of Factories, Government of Tripura for the purpose of record and for uploading in the portal;
- (4) The Occupier / Manager may apply to an "Authorized Person" to carry out the inspection & certification of his/her factory, situated in Tripura State with a copy to the respective Inspector of Factories by duly paying the prescribed fee of factory, if any. Inspector of Factories will scrutinize the application etc. and approve within 7(seven) working days and from the date of receipt of such approval, inspection of factory should be completed within next 15(fifteen) days."

By order of the Governor


(Tasmita Debbarma)

Deputy Secretary to the
Government of Tripura.

Copy to:-

1. The Principal Secretary to the Governor, Tripura for kind information of Hon'ble Governor.
2. P.S. to the Hon'ble Chief Minister, Tripura for kind information of Hon'ble Chief Minister.
3. P.S. to the Chief Secretary, Tripura for kind information of Chief Secretary.
4. The Special Secretary, Labour Department, Government of Tripura.
5. The Director, Department of Industries & Commerce, Tripura.
6. The Chief Inspector of Factories & Boilers, Tripura.
7. The Joint Secretary, G.A. (Confidential & Cabinet) Dept., Govt. of Tripura.
8. The Joint Director, Directorate of Information Technology, Tripura for uploading the **Notification** in the Factories & Boilers Organisation's website .
9. The Inspector of Factories, HQs/ West /Gomati / Unakoti Districts.
10. The Manager, Tripura Government Press, Agartala with a request to publish the **Notification** in the next issue of Extra Ordinary Issue of Tripura Gazette. 20 copies of the Notification may kindly be sent to this Department in due course for record.
11. All registered Trade Union.
12. Guard File.

PROFORMA FOR THIRD PARTY INSPECTION & CERTIFICATION
Maintenance of Registers & Records of any Factory
Under the Factories Act, 1948 & Tripura Factories Rules, 2007
 (To be submitted by the Authorized Person after conducting inspection)

1. Name of the Factory : _____ Contact No. _____
 2. Address of the Factory : _____ Dated : _____
 3. Name of Occupier : _____
 4. Registration No. : _____

A	RECORDS / REGISTERS	FORM No.	WHETHER THESE REGISTERS HAVE BEEN MAINTAINED (YES / NO / NA)
1	Register of Adult workers	22	
2	Register of Leave with wages & leave card	25 & 26	
3	Register of Accidents and Dangerous Occurrences	38	
4	Register of Lime washing, painting etc	9	
5	Humidity Register	11	
6	Register of Compensatory holiday	19	
7	Overtime muster roll for exempted workers	20	
8	Health Register	29	
9	Record of Eye examination	18	
10	Is application submitted for renewal of license upto the current year ?	6	
11	Register of Child Workers	24	
12	Register of workers employed for work on or near machinery in motion	12	
B	RETURNS	FORM No.	REMARK (YES / NO / NA)
1	Is Half yearly Return submitted for the period January to June in	36	
2	Is Annual Return submitted in	35	
C	NOTICES		REMARKS (YES / No / NA)
1	Is a copy of valid factory license displayed ?	7	
2	Is Abstract of the Factories Act displayed ?	24	
3	Is Notice of periods of work displayed ?	21 & 23	
4	Are cautionary notices displayed with list of notifiable diseases (for dangerous operations and hazardous processes)?	Notices / Placards	

Declaration

- Certified that I have inspected with all the provisions under the Factories Act, 1948 and Rules pertaining to the above. This certificate is issued with my full knowledge of the statute & as per inspection conducted on
- I, being the Authorized Person, shall remain responsible for any information which is found misrepresented / incorrect / false / concocted and will be liable for prosecution under the relevant provisions of the Indian Penal Code, 1860 & the Factories Act, 1948 and Rules made thereunder.
- Any act of mala-fide or concealment of information pertaining to the above said would make me liable for any other kinds of damages as notified by the Government from time to time.

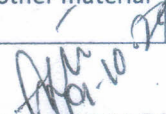
**Copy submitted to the Inspector, Factories & Boilers Organisation,
 West / Gomati / Unakoti District for kind information.**

Signature of the Authorized Person
 Name
 in Block Letters)
 Office seal with date

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19-10-20
(TASMITA DEBBARMA)
 Deputy Secretary to the
 Government of Tripura

**Maintenance of Safety, Health & Welfare provisions of any Factory
Under the Factories Act, 1948 & Tripura Factories Rules, 2007
(To be submitted by the Authorized Person after conducting inspection)**

A	SAFETY	Section / Rule	REMARKS
1	Whether every moving part of a prime mover/ dangerous part of any machinery is securely fenced by safeguards of substantial construction which shall be constantly maintained and kept in position while the parts of machinery are in motion or in use ?	Sec 21	
2	Is there any special trained adult male worker wearing tight fitted clothing whose name has been recorded in the register prescribed in this behalf is available for work on or near machinery in motion ?	Sec 22	
3	Whether any young person is engaged/allowed to work on dangerous machine ?	Sec 23	
4	Is suitable devices for cutting off power in emergencies from running machinery shall provided and maintained in every workroom ?	Sec 24	
5	Is casing of new machinery ensured to the machine driven by power ?	Sec 26	
6	Whether any woman and children is employed to work near cotton openers ?	Sec 27	
7	Whether hoists and lifts are thoroughly examined by a competent person at least once in every period of six months ?	Sec 28	
8	Whether lifting machines, chains, ropes and lifting tackles are thoroughly examined by a competent person at least once in every period of twelve months ?	Sec 29	
9	Is effective measures taken to ensure safe working in revolving machinery ?	Sec 30	
10	Whether effective measures taken to ensure safe working in pressure plant ?	Sec 31	
11	Whether all floors, steps, stairs, passages and gangways are of sound construction and properly maintained ?	Sec 32	
12	Whether pits, sumps, fixed vessel, tank or opening in the ground or in a floor which may be source of danger are securely covered or securely fenced ?	Sec 33	
13	Whether any person is engaged to lift, carry or move any load beyond the weights prescribed in Tripura Factories Rules, 2007 ?	Sec 34	
14	Is suitable goggles provided for the protection of eyes ?	Sec 35	
15	Whether certificate is obtained from competent person to enter any chamber, tank, vat, pit, pipe, flue or other confined spaces ?	Sec 36	
16	Whether all practicable measures taken to avoid to explode to ignition for production of dust, gas, fume or vapour during any manufacturing process in factory ?	Sec 37	
17	Whether all practicable measures taken to prevent outbreak of fire and its spread, both internally and externally ?	Sec 38	
18	Is there any safe means of escape for all persons provided and maintained in the event of fire ?	Sec 38	
19	Whether necessary equipment and facilities provided and maintained to prevent outbreak of fire and its spread, both internally and externally ?	Sec 38	
20	Whether any building or part of building or any part of the ways, machinery or plant in factory is in such a condition that it may be dangerous to human life or safety ?	Sec 39/ 40	
21	Whether the occupier of factory where hazardous process is involved in manufacturing process has disclose all information regarding dangers, including health hazards to the workers employed in the factory, the Chief Inspector, the local authority and the general public in the vicinity ?	Sec 41 B	
22	Whether the occupier of factory where hazardous process is involved in manufacturing process has drawn up an on-site and off-site emergency plan and detailed disaster control measures ?	Sec 41 B	
23	Whether in manufacturing process of manipulation of stone or any other material containing free silica ensure precautionary measures by (i) damping the stone or other material being processed, (ii) spraying of water, (iii) enclosing the process, (iv) isolating the process and (v) localised exhaust ventilation ?	Rule 160.	
24	Whether medical examination of every worker by Certifying Surgeon carried out at least once in every period of twelve months in factory where manipulation of stone or any other material containing free silica is involved ?	Rule 160	


(TASMITA DEBBARMA)
 Deputy Secretary to the
 Government of Tripura.

B	HEALTH	REMARKS
1	accumulation of dirt and refuse removed daily by sweeping or by any other effective method from the floors and benches of workroom and from staircases and passages, and disposed of in a suitable manner ;	
2	Are the floor of every workroom cleaned at least one in every week by washing, using disinfectant, where necessary, or by some other effective method ;	
3	Is effective means of drainage provided and maintained where a floor is liable to become wet in the course of any manufacturing process	
4	Whether all inside walls and partitions, all ceilings or tops of rooms and all walls, sides etc of latrines & urinals are being painted or whitewashed / colour-washed as prescribed under Rule 59.	
5	Record of dates on which white washing, colour washing, varnishing etc maintained in Form No. 9	
6	Are sufficient measures taken to provide adequate ventilation, comfortable temperature and proper lighting etc (Specify numbers in space for provision provided) ?	
	(i) Exhaust Fans	
	(ii) Windows	
	(iii) Doors	
	(iv) Ventilators	
	(v) Sky lights	
	(vi) Air conditioners	
7	Are sufficient exhaust systems provided for the removal of dust & fumes	
	a. Exhaust Fans	
	b. Duct with hood	
8	Sufficient and suitable lighting, natural or artificial, or both provided where workers are working or passing- a. The general illumination where persons are regularly employed shall not be less than 65 lux measured in horizontal places at a level of 90 cm above the floor b. The illumination over all other interior parts of the factory over which persons employed pass shall not be less than 5 lux at floor level	
9	No glare, either directly from a source of light or by reflection from a smooth or polished surface ;	
10	No formation of shadows to cause eye-strain or the risk of accident to any worker	
11	Are sufficient arrangements made for the provision of safe drinking water ?	
12	Drinking points legibly marked " Drinking Water " in a language understood by majority of the workers	
13	Drinking points not situated within six meters of any washing place, urinal, latrine, spittoon, open drain carrying sludge or effluent or any other source of contamination	
14	Cooled drinking water provided during hot weather (1 st April to 30 th September) (applicable wherein more than 250 workers are employed and one water centre for every 100 persons up to first 500 and one for every 200 persons above that)	
15	Are sufficient Latrines & Urinals facilities provided and arrangements made for their cleanliness- Latrine – One for every 25 workers separately for male and female. Urinal – One for every 50 workers separately for male and female.	
16	Whether Sweepers employed to keep clean latrines, urinals and washing places ?	
	Is sign or notice displayed indicating the sex for which latrines, is provided where workers of both sexes are employed?	
C	WELFARE	REMARKS
1	Is ambulance room adequately staffed & equipped ? (applicable if, more than 500 workers employed) (Specify numbers in Remarks column for provision provided)? (i) Ambulance Room Sq.ft. (ii) No. of Doctors (iii) No. of nursing staff (iv) Oxygen cylinder with attachments (v) First aid box with trained personnel on this	
2	Is ambulance van provided to carry injured workers to the hospital? (applicable for 250 or more workers employed)	
3	Is Canteen provided ? (Applicable if, more than 250 workers employed) (i) Dining Hall Sq. ft. (ii) Canteen Managing committee constituted (iii) Date of constitution	
4	Is rest room provided? (applicable if, more than 150 workers employed) (Specify numbers in Remarks column for provision provided) (i) Rest roomSq. ft. (ii) Benches with backrest provided	

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12-10-20
 (TASMITA DEBBARMA)
 Deputy Secretary to Govt
 (Department of Labour)

5	Is creche facilities provided ? (applicable in case of more than 30 women workers are employed) (i) Creche room Sq. ft. (ii) Name of Aya / attendant (iv) No. of Children (v) Wash room provided.	
6	Are leave with wages calculated and paid to the workers?	
7	Return related to maternity benefit are submitted in prescribed forms ?	

Declaration

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2. I, being the Authorized Person, shall remain responsible for any information which is found misrepresented / incorrect / false / concocted and will be liable for prosecution under the relevant provisions of the Indian Penal Code, 1860 & the Factories Act, 1948 and Rules made thereunder.
3. Any act of mala-fide or concealment of information pertaining to the above said would make me liable for any other kinds of damages as notified by the Government from time to time.

**Copy submitted to the Inspector, Factories & Boilers Organisation,
West / Gomati / Unakoti District for kind information.**

Signature of the Authorized Person
Name
in Block Letters)
Office seal with date

SCHEDULE – III

**Details of payment to workers
Under the Payment of Wages Act, 1936
for Establishments covered under the Factories Act, 1948 & the Tripura Factories Rules, 2007
(To be submitted by the Authorized Person after conducting inspection)**

A	PARTICULARS	Remarks
1	Whether the prescribed registers and records are maintained ?	
2	Whether all the employed persons are being paid wages within the stipulated time ?	
3	Whether notice displayed containing the abstract of the Act and rules made thereunder ?	
4	Whether wage period has been fixed and notice has been displayed ?	
5	Whether Annual return is being submitted ?	

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(Handwritten Signature)
(TASMITA DEBBARMA)
Deputy Secretary to the
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