

PROCEDURE AND CHECKLIST FOR APPROVAL, LICENSING & REGISTRATION AND RENEWAL OF FACTORIES UNDER THE FACTORIES ACT, 1948

Department of Labour & Employment
Shimla, Himachal Pradesh

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A. Approval of Building Plans under Factories Act, 1948

a) Checklist for approval of Building Plans:

- 1) Form No-1 (Online e-form and submission/filling in online mode only through the web application)
- 2) Form No 1-A (Online e-form and submission/filling in online mode only through the web application)
- 3) Questionnaire (Online e-form and submission/filling in online mode only through the web application)
- 4) Flow-chart of manufacturing process.
- 5) Detailed write up chart of manufacturing process.
- 6) List of machinery.
- 7) Site Plan of the factory.
- 8) Building drawings including elevations, plans & cross sections.
- 9) Machine layout.
- 10) Copy of approval from Department of Industries in case of industrial unit or copy of approval from Director, Energy or HIMURJA or any other competent authority in case of hydroelectric power project.

Note:-

1. All uploaded documents are required to be signed by Occupier.
2. Drawings should be signed by Chartered Engineer/Chartered Architect too.
3. No fee is applicable for approval of building plans.

b) Service Delivery Process:

Approval of building Plan			
Sr. No.	Process Description	Responsibility Centre	Time taken
1	If applicant wants to apply for Approval of Building Plans online directly, then applicant has to access the online application at ofris.hp.nic.in	Applicant	--
2	<p>If applicant is not registered in application then User has to register at the online application & create the User ID and passwords. This can be done by following the listed steps:</p> <ul style="list-style-type: none"> • Click "Register" on OFRIS homepage • User profile information page will be displayed • All necessary information should be entered. • Click Submit. • After acceptance by the department and automated e-mail will be sent to the email ID provided by the user which will provide a link "verify mail". • Click on the link verify mail for the authentication of email ID. • Once the account is activated, applicant can use the user ID & Password to login and click confirmation. • Now user can apply for the online application 	Applicant/ Online Application	--
3	<p>Once applicant is registered, login to online application using User ID and Password:</p> <ul style="list-style-type: none"> • Login into OFRIS by providing respective username and password on the application. • Add Rooms (Form 1A-Application request is submitted as e-form through the web portal) • Questionnaire (Application request is submitted as e-form through the web portal) • Attached the necessary set of supporting documents. • Message board (used for any communication with Department) • Check Status of the filled application. • Then click on Submit-to-Submit Building plan Approval Application to the Department. 	Applicant/ Online Application	--
4	This concludes the application submission procedure done online directly by the applicant.	Applicant	--
5	Online application registers the service request made by the applicant and generates a Unique service request ID on e-mail/ mobile.	Online Application	--
6	Applicant can check the status based on the Unique application request number by logging into the application.	Online Application	--

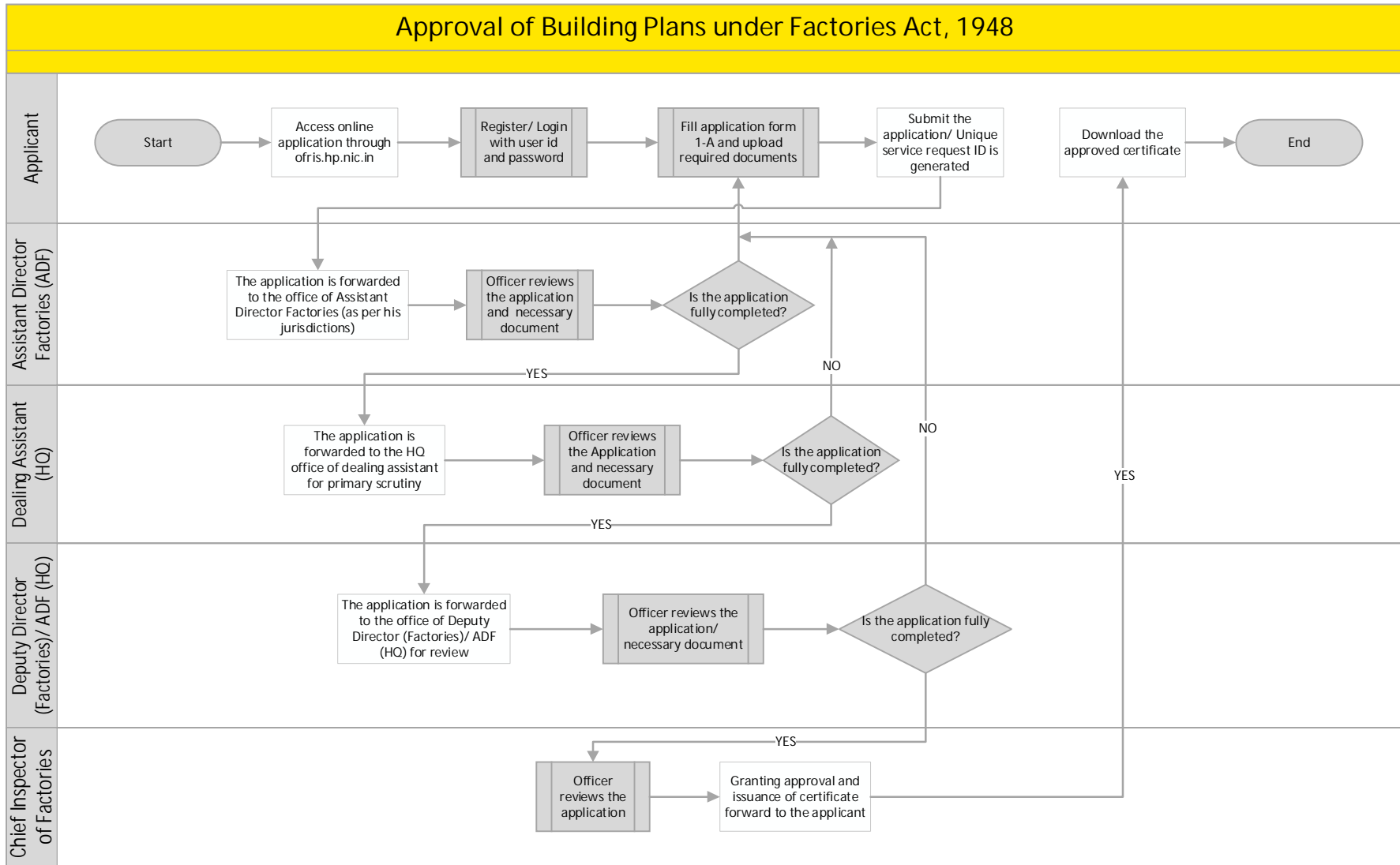
7	Once submitted, the Application request along with attached documents is forwarded to the Assistant Director Factories (as per his jurisdictions) for primary scrutiny of applications.	Assistant Director Factories	10 days
8	ADF recommends the Application request along with attached documents to the Head Quarter (HQ) if the application is in order.	Online Application	--
9	Dealing Assistant review the application request along with the attached documents and may forward the application to Deputy Director (factories) with comments/observations (if any) in online mode.	Dealing assistant (HQ)	8 days
10	When the application is received by the Deputy Director (factories), he/she may: <ul style="list-style-type: none"> ➤ For any additional/incomplete info required to process the application, Deputy Director (Factories) may send back the application to the applicant. ➤ If details are satisfactory, then the application is recommended to the Chief Inspector of Factories for grant of approval. 	Deputy Director (factories)/ Assistant Director Factories (HQ)	5 days
11	Application is reviewed and approval is granted. Approval letter is uploaded by the competent authority in the application and applicant may download the same online.	Chief Inspector of Factories	7 days
12	Applicant is updated with the status of the application requested through auto generated SMS and automated e-mail.	Online Application	--

Note: Department has mandated timelines (30 days after completion of all codal formalities) through the Public Service Delivery Guarantee Act for approval of complete application vide notification No. Shram (A) 6-2/10-Part-File-1-L dated 27.06.2016.

Notification can be accessed by following the link:

https://himachal.nic.in/showfile.php?lang=1&dpt_id=14&level=1&lid=15338&sublinkid=14975

c) Process Flow chart:



B. Registration and grant of license under TheFactoriesAct,1948

a) ChecklistforregistrationandgrantoflicenseunderThe Factories Act, 1948

- 1) Form No.3. (Online e-form and submission/filling in online mode only through the web application)
- 2) Certificate of Stability duly signed by a Chartered Engineer/Chartered Architect.
- 3) Resolution passed by Board of Directors in which one of the Directors has been declared as occupier OR resolution passed by partners in case of firm in which one of the partners has been declared as occupier or declaration of proprietor in case of proprietorship concern.
- 4) List of Directors/Partners (Parentage and complete residential addressesof Directors/Partners may be clearly mentioned).
- 5) In case of proprietorship concern, name, parentage and complete residential address of proprietor is required to be given through declaration which is selfattested.
- 6) Certificate regarding incorporation from Registrar of company in case of company.
- 7) Copy of power sanction certificate from the authority of HPSEBL (issuing authority should not be below the rank of Sr. Executive Engineer).
- 8) Valid NOC from Chief Fire Officer.
- 9) Valid NOC from Himachal Pradesh State Pollution Control Board.
- 10) Drug Licence issued by Health & Family Welfare Department (in case of pharmaceuticals industry)
- 11) Certificate of Chartered Engineer (Civil) or Chartered Architect who has signed the Certificate of Stability and Building Drawings.
- 12) Undertaking regarding registration as employer in Employment Exchange Management Information System (EEMIS) Portal and notification of vacancies under Compulsory Notification Vacancies Act, 1959.

Note:-

- All uploaded documents mandatorily be signed by Occupier.
- Registration fee shall be charged as per fee schedule.

b) Service Delivery Process:

Grant of license under The Factories Act, 1948			
Sr. No.	Process Description	Responsibility Centre	Time Taken
1	If applicant wants to apply for grant of license under The Factories Act, 1948 online directly, then applicant has to access the online application at ofris.hp.nic.in. For this, building plan shall be approved prior application for Grant of license under The Factories Act, 1948.	Applicant	--
2	Once the building plan has been approved by the Department, user can apply online for factory registration by clicking on Factory Registration [Form 3 (Online e-form and submission/filling in online mode only through the web application)].	Applicant	--
3	<p>Following steps shall be followed:</p> <ul style="list-style-type: none"> • Upload supporting documents as per checklist • Add Chemical Details • Add Factory Manger Details • Add Occupier Details • Add Process of Factory • Add other details as desired in e-form • Select the payment mode and make requisite payment only through online mode i.e. Net Banking, UPI and Debit Card 	Applicant/ Online Application	--
4	This concludes the application submission procedure done online directly by the applicant.	Applicant	--
5	Online application registers the service request made by the applicant and generates a service request ID (one-mail/mobile).	Online Application	--
6	Applicant can check the status based on the application request number by logging into the application.	Online Application	--
7	Once submitted, the Application request along with attached documents is forwarded to the Assistant Director Factories (as per his jurisdiction) for primary scrutiny of applications.	Assistant Director Factories (ADF)	6 Days
8	ADF recommends the Application request along with attached documents to the Head Quarter (HQ) if the application is in order.	Online Application	--
9	Dealing Assistant review the application request along with the attached documents and may forward the application to Deputy Director (factories) with comments/observations (if any) in online mode.	Dealing assistant (HQ)	4 days

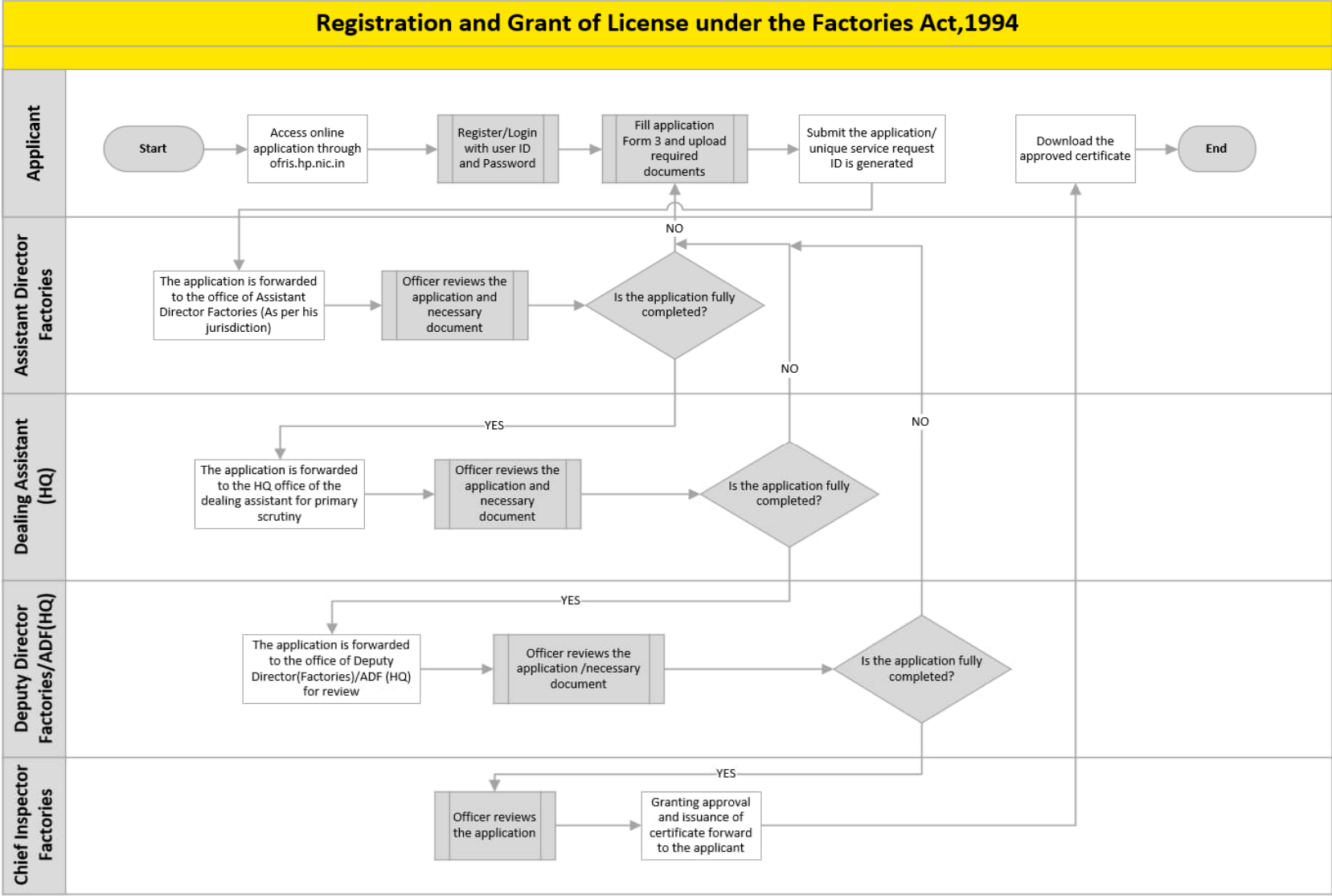
10	When the application is received by the Deputy Director (factories), he/she may: <ul style="list-style-type: none"> For any additional/incomplete info/non-compliance required to process the application, may send back the application to the applicant. 	Deputy Director (factories)	3 days
11	If the application is complete, user is apprised of the scheduled date for the Spot inspection through e-mail and SMS.	Deputy Director (factories) / Online Application	
12	Once the inspection is conducted Deputy Director (factories), he may: <ul style="list-style-type: none"> For any non-compliance observed to process the application, Deputy Director (factories) may send back the application to the applicant. If details are satisfactory, then the application is recommended to the Chief Inspector of Factories for grant of approval. 	Deputy Director (factories)/ Assistant Director Factories (HQ)	
13	Application is reviewed and approval is granted. Approval letter is uploaded by the competent authority in the application and applicant may download the same.	Chief Inspector of Factories	7 days
14	Applicant is updated with the status of the application requested through auto generated SMS and automated e-mail.	Online Application	--

Note: Department has mandated timelines (20 days after completion of all codal formalities) through the Public Service Delivery Guarantee Act for approval of complete application vide notification No. Shram (A)6-2/10-Part-File-1-L dated 27.02.2016.

Notification can be accessed by following the link:

https://himachal.nic.in/showfile.php?lang=1&dpt_id=14&level=1&lid=15338&sublinkid=14975

c) Process Flow chart:



C. Renewal of license under The Factories Act, 1948

- a) Checklist for renewal of license under The Factories Act, 1948
Form No.3 (Online e-form and submission/filling in online mode only through the web application)
- b) Service Delivery Process- Concept of auto-renewal introduced.

D. Amendment of license under The Factories Act, 1948

- a) Checklist for amendment of license under The Factories Act, 1948
 - 1) If there is change of occupier the following documents are required to be uploaded:-
 - (a) In case of proprietorship concern:
Declaration regarding the proprietor and hence the occupier which should be self attested.
 - (b) In case of partnership concern:
 - List of partners with parentage & complete residential address.
 - Resolution passed by partners in which one of partner has been appointed as occupier
 - (c) In case of a company:
 - List of Directors
 - Resolution passed by Board of Directors in which one of director has been appointed as occupier
 - 2) If there is change in the name of factory, the following documents are required to be uploaded:-

- (a) In case of company:
- Certificate from Registrar of Companies regarding change of name.
 - Approval from Department of Industries regarding change in name of factory.
- (b) In case of Partnership Firm:
- List of Partners with parentage & complete residential address of partners.
 - Approval from Department of Industries regarding change in name of factory.
- 3) If there is change in workers, the following documents are required to be uploaded:-
- (a) In case of decrease in workers
- Certificate from Labour Officer to the effect that workers have got their legal dues.
- (b) In case of increase in workers
- Undertaking to the effect that vacancies available in the factory of all categories will be notified to the concerned employment exchange under Compulsory Notification Vacancies Act, 1959.
- 4) If there is a change in horsepower, the following documents are required to be uploaded:-

In case of increase or decrease of horsepower.

Power sanction certificate from concerned authorities of HPSEBL
(not be below the rank of Sr. Executive Engineer)

Note:

- For each and every amendment ₹ 100/- shall be charged.
- Difference of fee shall be charged as per fee schedule.
- Uploading of documents is mandatory.

b) Service Delivery Process:

Amendment of license under The Factories Act, 1948		
Sr. No.	Process Description	Responsibility Centre
1	If applicant wants to apply for amendment of license under The Factories Act, 1948, then applicant has to access the online application at ofris.hp.nic.in. After login applicant can apply for amendment.	Applicant
2	Applicant has to fill Form 3 (Online e-form and submission/filling in online mode only through the web application).	Applicant
3	<p>Following steps shall be followed:</p> <ul style="list-style-type: none"> Attached the necessary set of supporting documents (in case any amendment). Add Chemicals Details Add Manager Details Add Occupier Details Add Owner Details Add Process of Factory Select the payment mode and make the payment either by printing the challan generated online or pay the requisite fee online through the Payment Gateway using Net-banking, debit card etc. 	Applicant/ Online Application
4	This concludes the application submission procedure done online directly by the applicant.	Applicant
5	Online application registers the service request made by the applicant.	Online Application
6	Applicant can check the status by logging into the application.	Online Application
7	Online Application routes the Application request along with attached documents to the Dealing Assistant for primary scrutiny of applications.	Online Application

8	Dealing Assistant review the application request along with the attached documents and may forward the application to Deputy Director (factories) with comments/ observations (if any) in online mode.	Dealing assistant
9	When the application is received by the Deputy Director (factories), he/she may: <ul style="list-style-type: none"> • For any additional/incomplete info required to process the application, Deputy Director (factories) may send back the application to the applicant. • If details are satisfactory, then the application is recommended to the Chief Inspector of Factories for grant of approval. 	Deputy Director (factories)
10	Application is reviewed and amendment approve. Approval letter is uploaded by the competent authority in the application and applicant may download the same.	Chief Inspector of Factories
11	Applicant is updated with the status of the application requested through auto generated SMS and automated e-mail.	Online Application

Note: Department has mandated timelines (20 days after completion of all codal formalities) through the Public Service Delivery Guarantee Act for approval of complete application vide notification No. Shram (A)6-2/10-Part-File-1-L dated 27.02.2016.

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E. Fee Schedule

Number of persons to be employed on any day during the year										
Quantity of Horse Power installed (Maximum Horse Power)	Up to 09	From 10 to 20	From 21 to 50	From 51 to 100	From 101 to 250	From 251 to 500	From 501 to 1000	From 1001 to 1500	From 1501 to 2000	Above 2000
Nil	250	500	750	1000	2000	3000	4500	6000	9000	12000
Upto 20	500	750	1000	2000	3000	4500	6000	9000	12000	16000
Exceeding 20 but not exceeding 50	750	1000	2000	3000	4500	6000	9000	12000	16000	20000
Exceeding 50 but not exceeding 100	1000	2000	3000	4500	6000	9000	12000	16000	20000	25000
Exceeding 100 but not exceeding 250	-	3000	4500	6000	9000	12000	16000	20000	25000	28000
Exceeding 250 but not exceeding 500	-	4500	6000	9000	12000	16000	20000	25000	28000	32000
Exceeding 500 but not exceeding 1000	-	6000	9000	12000	16000	20000	25000	28000	32000	36000
Exceeding 1000 but not exceeding 1500	-	9000	12000	16000	20000	25000	28000	32000	36000	40000
Exceeding 1500 but not exceeding 2000	-	12000	16000	20000	25000	28000	32000	36000	40000	45000
Exceeding 2000 but not exceeding 3000	-	16000	20000	25000	28000	32000	36000	40000	45000	50000
Exceeding 3000 but not exceeding 5000	-	20000	25000	28000	32000	36000	40000	45000	50000	55000
Exceeding 5000 but not exceeding 7000	-	25000	28000	32000	36000	40000	45000	50000	55000	60000
Exceeding 7000 but not exceeding 10000	-	28000	32000	36000	40000	45000	50000	55000	60000	65000
Exceeding 10000 but not exceeding 15000	-	32000	36000	40000	45000	50000	55000	60000	65000	70000
Above 15000	-	36000	40000	45000	50000	55000	60000	65000	70000	75000