

(Authoritative English text of this Department Notification No: Shram (A)4-29/98 Dated _____ as required under clause (3) of article 348 of the Constitution of India).

Government of Himachal Pradesh
Department of Labour and Employment

Notification

Dated, Shimla-2, 15-6-2005

Please circulate to
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JNC, JNC, AOF (H.A.),
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publicity
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16/6
Supt-II (H.A.)
In Person

Whereas, in pursuance of the provisions of Section 112 read with Section 115 of the Factories Act, 1948 (Act No- LXIII of 1948), the draft Himachal Pradesh Factories (Amendment) Rules, 2004 were published in the Rajpatra, Himachal Pradesh on 20/11/2004 vide this Department Notification of even number dated 1/11/2004 for inviting the objections & suggestions of the person(s) likely to be affected thereby;

And whereas, the objections/suggestions received have been considered by the State Government;

Now, therefore, in exercise of the powers conferred by Section 112 of the Factories Act, 1948 (Act No: LXIII of 1948), the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Factories Rules, 1950 notified vide Industries Department Notification No: D80-12/48-III dated 6th May, 1952, namely:-

Short Title.

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1 These rules may be called Himachal Pradesh Factories (Amendment) Rules, 2004.

Substitution of rule 5.

2 For rule 5 of the Himachal Pradesh Factories Rules, 1950 (hereinafter called the said rules), the following shall be substituted, namely:-

“5. Grant of License. (1) A license for a factory shall be granted by the Chief Inspector in Form No-4 for a period of one year, or five years, as may be requested in the application for registration and grant of License, as the case may be, on payment of fees as specified under sub-rule (2) of this rule.

(2) The fee for grant of a license for one year shall be such as specified in the following schedule and in case an application for license has been made for a period of five years, the license fee shall be five times of the fee payable for grant of license for one year:-

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SCHEDULE

Fee for grant of license for a factory for one year

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

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(3) A license granted under rule 5 (1) may be renewed for a period of one year or five years, as may be requested by the licensee in accordance with the provisions of rule 7.

(4) Every licence shall remain in force up to the 31st December of the same year for which such licence is granted or renewed."

Substitution of
rule 6.

3 For rule 6 of the said rules, the following shall be substituted, namely:-

"6. Amendment of Licence.- (1) A licence granted under rule 5 may be amended by Chief Inspector.

(2) No licensee shall---

(i) change the name of his factory;

(ii) employ persons in excess of the number as specified in the license; and

(iii) use motive power in excess of the limits of horsepower specified in the licence.

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without getting his license amended under sub-rule (1).

(3) A licensee may make an application to the Chief Inspector, for amendment of his license, stating therein the nature of the amendment and reasons thereof.

(4) The application under sub-rule(3) shall be accompanied by a fee of Rupees one hundred plus the amount, if any, by which the fee that would have been payable if the license had originally been issued in the amended form exceeds the fee originally paid for the license."

Substitution of
rule 7.

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For rule 7 of the said rules, the following shall be substituted, namely:-
"(7) Renewal of Licence.-(1) A licensee shall be

renewed by the Chief Inspector.

✓ (2) Every application for the renewal of a licensee shall be made in Triplicate, in Form No.3 together with the receipt of payment of fee for a period of one year or five years, as the case may be, and shall be submitted not

less than two months before the date which the licence expires and if application is so made, the premise shall be deemed to be duly licensed until such date the Chief Inspector renews the licence.

(3) The fee for renewal of licence for one year shall be the same as fee for the grant thereof and in case an application for renewal has been made for five years, the renewal fee shall be five times of the fee payable for the renewal of licence for one year, as specified in the schedule under sub-rule (2) of rule 5:

Provided that if application for renewal, complete in all respect, is not received within the time specified in sub-rule (2), the licence shall be renewed only on payment of fee twenty-five percent in excess of the fee ordinarily payable for the renewal of licence for one year or five years, as the case may be."

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Amendment of
rule 8.

5 In rule 8 of the said rules, in sub-rule (3), for the word "Five", the words "one hundred" shall be substituted.

Amendment of
rule 10.

6 In rule 10 of the said rules, for the word "Five", the words "one hundred" shall be substituted.

By Order

Secretary (Lab & Emp)
to the Govt. of Himachal Pradesh.

Endst. No: As above.

Dated, Shimla-2, 15-6-2005.

Copy to: -

1. Controller, Printing and Stationary Department, Himachal Pradesh, Shimla-5 for publication in the official Gazette.
2. Director General, Factory Advice Service and Labour Institute, Sion Bombay.
3. All the Heads of Departments in the Himachal Pradesh.
4. All the Deputy Commissioners in Himachal Pradesh.
5. The Director, Labour Bureau, Govt. of India, Shimla-4 (Himachal Pradesh)
6. The Labour Commissioner, Himachal Pradesh Shimla-1 along with 50 spare copies.

15/6/05
Under Secretary (LEP)
to the Govt. of H.P.