GOVERNMENT OF KERALA

Labour and Skills (B) Department

NOTIFICATION

No. B2/300/17/LBBD.  
Dated, Thiruvananthapuram, 12th Thulam, 1193.

28th October, 2017

In exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act LXIII of 1948) and as required by sub-section (1) of section 115 of the said Act, the Government of Kerala hereby publish for general information the Draft Rules to amend to the Kerala Factories Rules, 1957.
Notice is hereby given any objection or suggestion with respect to the draft received from any person within 30 days from the date of publication of this notification in the Official Gazette will be considered by Additional Chief Secretary to Government, Labour and Skills (B) Department, Government of Kerala, Thiruvananthapuram.

**DRAFT RULES**

1. *Short title and commencement.*—(1) These rules may be called the Kerala Factories (Amendment) Rules, 2017.

   (2) They shall come into force at once.

2. *Amendment of the rules.*—In the Kerala Factories Rules, 1957,—

   (a) in rule 3, in item No. (c) in sub-rule (2), in clause (c), after the words “Kerala State Pollution Control Board” the words “or an acknowledgment obtained from the Chief Town Planner and the Kerala State Pollution Control Board for having submitted the applications for obtaining a certificate of approval/no objection certificate in case the applicant could not submit certificate/no objection certificate along with the application.” shall be inserted;

   (b) in rule 5,—

   (i) in sub-rule (1), for clause (e) the following clause shall be substituted, namely:

       “(e) Where the approval of location of factory from the Chief Town Planner and no objection certificate from the Kerala State Pollution Control Board are not obtained by the applicant”;

   (ii) in sub-rule (2) for the words “up to 31st December of the year”, the words “for a period of one year”, shall be substituted;
(iii) to sub-rule (3) the following proviso shall be inserted, namely:

"Provided that no licence shall be required for factories employing less than 25 people and not involving any hazardous process listed in the First Schedule under clause (cb) of 2 of the Factories Act, 1948 (Central Act LXIII of 1948) and the applicant is required to submit only an application in the prescribed form along with a self-certificate in the prescribed form and the prescribed fee."

(c) in rule 7, in sub-rule (5),—

(i) for the words "up to 31st December of the year(s)”, the words “for a period of one year” shall be substituted;

(ii) in the proviso after the words “not exceeding 5 years”, the words “in respect of factories involving hazardous processes listed in the First Schedule under clause (cb) of 2 of the Factories Act, 1948 (Central Act LXIII of 1948) and not exceeding 10 years in respect of factories not involving hazardous processes listed in the First Schedule under clause (cb) of section 2 of the Factories Act” shall be inserted.

By order of the Governor,

TOM JOSE,
Additional Chief Secretary.