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PART - II

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GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G. O. Ms. No. 20/2017/Lab./CIFB.
Puducherry, dated 3rd November 2017)

NOTIFICATION

In exercise of the powers conferred under section 112 of the Factories Act, 1948 (Central Act 63 of 1948), the Lieutenant-Governor, Puducherry, hereby makes amendment to the Puducherry Factories Rules, 1964, the draft of the same which were issued in the Labour Department's notification under G. O. Ms. No. 13/2017/Lab., dated

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the 5th July, 2017, were pre-published in the Extraordinary Part-II, No. 42 of the Gazette of Puducherry, dated 11th July, 2017 as required under sub-section (1) of section 115 of the said Act. And after examining the objections and suggestions with regard to the draft rules received from the petitioner associations, the Government have decided to confirm the said rules, namely:—

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

(2) These rules shall extend to the whole of the Union territory of Puducherry.

(3) They shall come into force on and from the date of publication in the Official Gazette.

2. *Amendment to Title.*— In the Pondicherry Factories Rules, 1964, in the Title for the existing word 'Pondicherry' the word 'Puducherry' shall be substituted.

3. *Amendment to Rule 1.*— In the Pondicherry Factories Rules, 1964 (hereafter referred to as the said rules) in sub-rule(1) of rule 1, for the word 'Pondicherry' the word 'Puducherry' shall be substituted.

4. *Amendment to Rule 110.*— In the said rules, for the existing rule 110, the following shall be substituted, namely:-

“110. Returns

The Manager of every factory shall furnish to the Inspector having jurisdiction over the area where the factory is located the following returns, namely:

(1) Annual yearly returns.- On or before the 31st January of each year, a combined annual return, in duplicate, in Form No. 19;

(2) Half-yearly returns.- On or before the 31st January and 31st July of each year, a half-yearly return in duplicate in Form No. 20.”

5. *Amendment to Rule 111.*— In the said rules, the existing rule 111 shall be deleted.

6. *Amendment to Rule 112.*— In the said rules, for the existing rule 112, the following shall be substituted, namely:

“112. Seasonal Factories- Returns:-

In the case of a factory in which work is carried on only during certain period or period of the year the Manager shall, if so required by the State Government or if, the State Government so directs, through the Chief Inspector shall submit the annual or half-yearly returns mentioned in rule 110 within fifteen days after the close of that period or after the close of the last of those periods in the year, as the case may be.

AMENDMENT TO THE FORMS

7. The existing Form-19 prescribed under sub-rule (1) of rule 110, shall be replaced with the Form-19 appearing at the end of this notification.

8. The existing Form-21 prescribed under sub-rule (3) of rule 110, the existing Form-22 prescribed under sub-rule (4) of rule 110, the existing Form-29 prescribed under sub-rule (1) of rule 111, the existing Form-30 prescribed under sub-rule (2) of rule 111, the existing Form-31 prescribed under sub-rule (3) of rule 111, the existing Form-32 prescribed under sub-rule (5) of rule 110 shall be deleted.

FORM-19

[Prescribed under sub-rule (1) of rule 110]

COMBINED ANNUAL RETURN

(to be submitted before 31st January)

For the year ending 31st December, 2.....

1. Registration number of factory :
2. Name of factory :
3. Name of occupier :
4. Name of the Manager :
5. District :
6. Full postal address of factory :
7. Nature/Type of industry :

Number of workers and particulars of employment

8. Number of days worked in the year :
9. Number of man-days worked during the year
 - (a) Men :
 - (b) Women :
 - (c) Adolescents-Male :
 - (d) Adolescents-Female :
10. Average number of workers employed daily (*See explanatory note*)
 - (a) Adults
 - (i) Men :
 - (ii) Women :
 - (b) Adolescents
 - (i) Male :
 - (ii) Female :

11. Total number of man-hours worked including overtime.

	Normal	Overtime	Total
(a) Men :			
(b) Women :			
(c) Adolescents-Male :			
(d) Adolescents-Female :			

12. Average number of hours worked per week (*see explanatory note*)

- (a) Men :
- (b) Women :
- (c) Adolescents-Male :
- (d) Adolescents-Female :

13. (a) Does the factory carry out:
any process or operations
declared as dangerous under
section 87 (*see rule 105*).

- (b) If so, give the following :
information.

Name of the dangerous process or operations carried on	Average number of persons employed daily in each of the processes or operations given in column 1
(i)	
(ii)	
(iii) <i>etc.</i>	

Leave with Wages

14. Total number of workers employed during the year

- (a) Men :
- (b) Women :
- (c) Adolescents :

15. Number of workers who were entitled to annual leave with wages during the year—

- (a) Men :
- (b) Women :
- (c) Adolescents :

16. Number of workers who were granted leave during the year—

- (a) Men :
- (b) Women :
- (c) Adolescents :

17. (a) Number of workers who were discharged, or dismissed from the service, or quit employment, or were superannuated, or died while in service during the year

- (b) Number of such workers in respect of whom wages *in lieu of* leave were paid:

Compensatory Holidays

18. Number of workers exempted from section 52 of the Act—

- (a) Men :
- (b) Women :
- (c) Adolescents :

19. Number of workers who were granted compensatory holidays during—

- (a) Same month :
- (b) Following month :
- (c) Third month :

Safety Officers

20. (a) Number of Safety Officers :
required to be appointed as
per notification under
section 40-B
- (b) Number of Safety Officers :
appointed

Ambulance Room

21. Is there an ambulance room :
provided in the factory as
required under section 45?

Occupational Health Centre

22. Is there an Occupational Health :
Centre provided as per rule 65 AC.

Canteen

23. (a) Is there a canteen provided :
in the factory as required
under section 46?
- (b) Is the canteen provided/
managed—
- (i) Directly by :
Management? or
- (ii) Through a :
contractor?

Shelters or Rest Rooms and Lunch Rooms

24. (a) Are there adequate and :
suitable shelters or rest
rooms provided in the
factory as required under
section 47?

- (b) Are there adequate and suitable lunch rooms provided in the factory as required under section 47?

Creches

25. Is there a Creche provided in the factory as required under section 48?

Welfare Officers

26. (a) Number of Welfare Officers to be appointed as required under section 49.
- (b) Number of Welfare Officers appointed.

Accidents

27. (a) Total number of accidents (*See explanatory notes*)—
- (i) Fatal :
 - (ii) Non-Fatal :
- (b) Accidents in which workers returned to work during the year to which this return relates.
- (i) Accidents (workers injured) occurring during the year in which injured workers returned to work during the same year.
 - (aa) Number of accidents.
 - (ab) Man-days lost due to accidents.
 - (ii) Accidents (workers injured) occurring in the previous year in which injured workers returned to work during the year to which this return relates.

(aa) Number of :
accidents.

(ab) Man-days :
lost due to
accidents.

(c) Accidents (workers injured) occurring during the year in which injured workers did not return to work during the year to which this return relates.

(i) Number of accidents :

(ii) Man-days lost due :
to accidents.

Certified that the information furnished above is to the best of my knowledge, belief and correct.

Date :

Signature of the Manager.

Explanatory Notes:

1. The average number of workers employed daily should be calculated by dividing the aggregate number of attendance on working days (that is, man-days worked) by the number of working days in the year. In reckoning attendance, attendance by temporary as well as permanent employee should be counted, and all employees should be included, whether they are employed directly or through contractors. Attendance on separate shifts (*e.g.* night and day shifts) should be counted separately. Days on which the factory was kept closed for whatever reason and the days on which the manufacturing processes were not carried out should not be treated as working days. Partial attendance for less than half a shift on a working day should be ignored, while attendance for half a shift or more on such day should be treated as full attendance.

2. For seasonal Factories, the average number of workers employed during the working season and the off-season should be given separately. Similarly, the number of days worked and average number of man-hours worked per week during the working and off-season should be given separately.

3. The average number of hours worked per week means the total actual hours worked by all workers during the year excluding the rest intervals but, including overtime work divided by the product of total number of workers employed in the factory during the year by 52. In case, the factory has not worked for the whole year, the number of weeks during which the factory worked should be used in place of the figure 52.

4. Every person killed or injured should be treated as one separate accident. If, in one occurrence six persons were injured or killed, it should be counted as six accidents.

5. In item 27(a), the number of accidents which took place during the year should be given. In case of non-fatal accidents only those accidents which prevented workers from working for 48 hours or more, should be indicated.

(By order of the Lieutenant-Governor)

E. VALLAVAN,
Additional Secretary to Government (Labour).