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PART I- Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

L.W. Branch

NOTIFICATION

No. 1044-L.W./IR-2/2001

Dated, the 20th December, 2005.

In exercise of the power conferred by section 112 and, in particular, by sub-section (1) of section 6 of the Factories Act, 1948 (63 of 1948) (hereinafter referred to as the said Act), the Governor is pleased hereby to make after previous publication, as required under section 115 of the said Act and after consideration of the suggestions and objections received thereto, the following amendments in the West Bengal Factories Rules, 1958, as subsequently amended (hereinafter referred to as the said rules) :-

AMENDMENTS

In the said rules, in sub-rule (1) of rule 4, for the existing Schedules A, B and C, substitute the following Schedules :-

“SCHEDULE A

**Scale of Fees payable for Licence and Annual Renewal of Licence for
Factories defined under section 2(m)(i) of the Factories Act, 1948
other than Electricity Generating Stations**

Note : 1 H.P. = 0.7457 K.W.

Total amount of installed power in K.W. (H.P.)

		Maximum number of workers to be employed on any day during the year													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14
Over	Not over	10 to 20	21 to 50	51 to 100	101 to 250	251 to 500	501 to 750	751 to 1000	1001 to 1500	1501 to 2000	2001 to 3000	3001 to 5000	5001 to 7500	7501 to 10000	10000 and over
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A	7.457 (10) or under	250	500	875	1900	3750	6600	9450	12300	18150	21900	25650	32500	40500	48750
B	7.457 (10)	37.285 (50)	450	700	1075	2200	4050	6900	9750	12600	18750	22500	26250	33250	41250
C	37.285 (50)	74.57 (100)	700	950	1325	2550	4400	7250	10100	12950	19500	23250	27000	34500	42500
D	74.57 (100)	186.425 (250)	950	1200	1600	2950	4800	7650	10500	13350	20250	24000	27750	36000	44250
E	186.425 (250)	372.85 (500)	1200	1500	1900	3350	5200	8050	11250	14100	21000	24750	28500	37500	46500
F	372.85 (500)	745.7 (1000)	1450	1800	2200	3800	5650	8500	12000	14850	21750	25500	29250	39000	48750
G	745.7 (1000)	1491.4 (2000)	1750	2100	2500	4250	6100	8950	12750	15600	22500	26250	30000	40500	51000
H	1491.4 (2000)	3728.5 (5000)	2050	2400	2800	4700	6600	9450	13500	16500	24000	27750	33000	43500	54000
I	3728.5 (5000)	7457 (10000)	2450	2850	3250	5150	7100	9950	15000	18000	27000	30750	36000	46500	57500
J	7457 (10000)	and over	2900	3300	3700	5600	7600	10500	16500	19500	30000	33750	39000	50000	61500

SCHEDULE B

**Scale of Fees payable for Licence and Annual Renewal of Licence
for Electricity Generating Stations only**

Total installed capacity of the Generating Plant in K.W.		Number of workers to be employed	Fees payable
1	2	3	4
A	50 K.W. or less	10 or above	Rs. 325.00
B	Over 50 K.W.—not over 100 K.W.	-do-	Rs. 650.00
C	Over 100 K.W.—not over 150 K.W.	-do-	Rs. 1050.00
D	Over 150 K.W.—not over 300 K.W.	-do-	Rs. 1500.00
E	Over 300 K.W.—not over 750 K.W.	-do-	Rs. 2250.00
F	Over 750 K.W.—not over 1000 K.W.	-do-	Rs. 3500.00
G	Over 1000 K.W.—not over 5000 K.W.	-do-	Rs. 6500.00
H	Over 5000 K.W.—not over 10000 K.W.	-do-	Rs. 11250.00
I	Over 10000 K.W.—not over 50000 K.W.	-do-	Rs. 18750.00

1	2	3	4
J	All over 50000 K.W.—		
	(a) up to 60000 K.W.	10 or above	Rs. 22500.00
	(b) up to 80000 K.W.	-do-	Rs. 26250.00
	(c) up to 100000 K.W.	-do-	Rs. 30000.00
	(d) up to 1,50,000 K.W.	-do-	Rs. 37500.00
	(e) up to 200000 K.W.	-do-	Rs. 45000.00
	(f) up to 300000 K.W.	-do-	Rs. 52500.00
K	All over 300000 K.W. (without limit)	-do-	Rs. 60000.00

SCHEDULE C

1. Scale of Fees payable for Licence and Annual Renewal of Licence for Factories wherein no power is used, i.e. Factories as defined in Section 2(m)(ii) of the Factories Act, 1948

	Maximum number of workers to be employed on any day during the year	Fees payable Rs.
A.	20 to 30	— 250.00
B.	31 to 50	— 375.00
C.	51 to 100	— 650.00
D.	101 to 200	— 950.00
E.	201 to 300	— 1250.00
F.	301 to 500	— 2200.00
G.	501 to 750	— 3150.00
H.	751 to 1000	— 4125.00
I.	All over 1000 without any upward limit	— 6000.00

2. Fees payable for granting Licence and Annual Renewal of Licence by Factories declared under section 85 of Act—Rs. 250.

Note : (1) These Schedules of fees shall come into force with effect from the first of January of 2006.

- (2) For deposit of the difference of fees between the old and the revised rates, in respect of the year 2006, the specified time for the purpose of rules 6 and 7 shall be on or before the expiry of three months from the date of publication of this amendment of the rules in the *Official Gazette*.”;

2. In sub-rule (4) of rule 7, for the words “rupees ten” in the two places where they occur, *substitute* the words “rupees fifty”;

3. In sub-rule (3) of rule 8, for the words “rupees ten”, *substitute* the words “rupees fifty”;

4. For Form No. 2, substitute the following Form :-

Unregistered/Registered
(Strike out whichever is not applicable)

"Classification No.

Registration No.

FORM NO. 2

(See rules 4, 6, 7, 8 and 13)

**Application for Registration and Grant or Renewal of Licence and Notice of
Occupation specified in sections 6 and 7 of the Factories Act, 1948**

(To be submitted in duplicate)

1. (a) Full name of the factory
- (b) Previous name of the factory (if different from the present name)
2. (a) Situation of the factory:
 - Address
 - Post Office Telegraph Office
 - District Sub-divisional Headquarters
 - Police Station
- (b) Address of the Registered Office/Head Office
3. Address to which communications relating to the factory may be sent
4. Name and residential address of the owner of the premises occupied as a factory
5. Nature of the manufacturing process/processes:—
 - (a) Carried on in the factory during the preceeding twelve months (if the factory was then in existence)
 - (b) To be carried on in the factory during the next twelve months
6. Name, Age, Father's name, present and permanent residential address and P.S. of the Manager for the purpose of the Fatories Act:—
 - Name Age
 - Father's Name
 - Present Address P.S.
 - Permanent Address P.S.

7. Father's name and residential addresses of Directors/Partners/Proprietor:—

(a) Directors in case of company:

(b) Partners/Proprietor

(Enclose separate sheet if necessary.)

8. Name, age, father's name and present and permanent residential address and P.S. of the occupier as per provision of section 2(n) of the Act (a) Director in case of a company, (b) a partner in case of a firm or proprietor:—

Name in full Age

Father's name

Present address P.S.

Permanent address P.S.

9. (a) Nature and total amount of power installed or proposed to be installed (Total rated H.P. in all cases except electricity generating station)

(b) In case of change in power installed, state the date of change

10. Maximum number of workers (including contract labour), likely to be employed in the factory on any day during the next twelve months:—

(i) Men (ii) Women

(iii) Adolescents (over 15 but under 18 years of age):

(a) Male (b) Female

(iv) Children (over 14 but under 15 years of age):

(a) Male (b) Female

Total:

11. (a) Maximum number of workers (including staff, officers, contract labour, etc.) employed on any day during the previous twelve months

(b) In case of change in number of workers, state the date of change

12. In case of a factory constructed or extended or taken into use after the date of commencement of the Rules:—

(a) Reference number and date of approval of plans by the State Government/Chief Inspector

(b) Reference number and date of approval of the arrangements, if any, made for disposal of trade waste and effluents

13. Amount of fee/renewal fee Rs. (Rupees

.....) paid in Treasury/Bank on

(vide Challan No. Date enclosed) for the year/years ending 31st December, 20.....

14. In case of registered factories, number and date of issue of original licence:—

(a) Licence No. (b) Date of issue.....

Signature of Manager

(Full name of the Manager in block letters should be stated)

Signature of Occupier

(Full name of the Occupier in block letters should be stated)

- Note :*
- (i) 'Occupier' of a factory means the person who has ultimate control over the affairs of the factory, as defined under the provisions of section 2(n) of the Factories Act, 1948 as amended by the Factories (Amendment) Act, 1987.
 - (ii) This Form should be completed in ink, block letters or typed, clearly and legibly, and submitted to the Chief Inspector of Factories, accompanied by the Licence and original Treasury Challan.
 - (iii) Information not included above may be submitted in separate sheets, if necessary."

By order of the Governor.

S. R. SANYAL

Deputy Secretary
to the Govt. of West Bengal