



Government of West Bengal
Labour Department

New Secretariat Buildings (12th Floor), 'A'-Block, I, K.S Roy Road, Kolkata – 700001

No: Labr./718/(LC-LW)
LW/4L-5/15

Dated: 17th October, 2017

NOTIFICATION

In exercise of the power conferred by section 112 of the Factories Act, 1948 (hereinafter referred to as the said Act), the Governor is pleased hereby to make the following amendments in the West Bengal Factories Rules, 1958 (hereinafter referred to as the said rules):-

AMENDMENTS

In the said rules :-

1. In sub rule 1 of Rule 4, for the words and figure “a period of three years or more but not exceeding 10 consecutive years”, the words and figure “a period upto the maximum of 15 consecutive years” shall be substituted.
2. In sub rule 1 of Rule 4, for the words “physically in duplicate or electronically”, the word “electronically” shall be substituted.
3. In sub rule 2 of Rule 5, for the words and figure “a period of three years or more but not exceeding 10 consecutive years”, the words and figure “a period upto the maximum of 15 consecutive years” shall be substituted.
4. In sub-rule (1) of rule 6, the word “duplicate” be deleted.

5. In sub rule (5) of rule 6, for the words and figure “a period of three years or more but not exceeding 10 consecutive years”, the words and figure “a period upto the maximum of 15 consecutive years” shall be substituted.
6. In sub rule (3) of rule 8, for the words “physically in duplicate or electronically”, the word “electronically” shall be substituted.
7. In sub-rule (1) of rule 3, for the words “physically in duplicate or electronically”, the word “electronically” shall be substituted.
8. In sub-rule (1) of rule 3, for the words “Plan in duplicate showing”, the words “Plan showing” shall be substituted.

By order of the Governor,

Sd/-

GOPAL KRISHNA, IAS
Additional Chief Secretary to the
Government of West Bengal

ORDERED THAT

This Notification be published in The Kolkata Gazette Extraordinary.

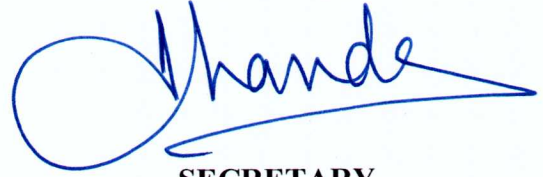
Sd/-

GOPAL KRISHNA, IAS
Additional Chief Secretary to the
Government of West Bengal

No: Labr./718/(LC-LW)/1(1)

Date: 17th October, 2017

✓ Copy of the Notification forwarded to the Managing Director, Saraswati Press Limited, 32, APC Road, Kolkata-700009, with the request to publish this Notification in the Kolkata Gazette Extraordinary and send 100 (hundred) copies of the same to this Department for official use.



SECRETARY
to the Government of West Bengal

No: Labr./718/(LC-LW)/2(2)

Date: 17th October, 2017

Copy forwarded for information to: –

- 1) Additional Chief Secretary, Department of Industry, Commerce & Enterprises, GoWB.
- 2) Managing Director, West Bengal Industrial Development Corporation.

SECRETARY
to the Government of West Bengal

No- Labr./718/(LC-LW)/3(1)

Date: 17th October, 2017

Copy forwarded for information and necessary action to: –

- 1) The Chief Inspector of Factories, New Secretariat Buildings, Kolkata – 700001

SECRETARY
to the Government of West Bengal

The

Kolkata **Gazette**
सत्यमेव जयते

Extraordinary
Published by Authority

PAUSA 9]

FRIDAY, DECEMBER 30, 2016

[SAKA 1938

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

**New Secretariat Buildings, 12th Floor,
1, K. S. Roy Road, Kolkata-700 001**

NOTIFICATION

No. Labr/638/(Law)
LW/4L-5/15

Dt. 29.12.2016.

In exercise of the power conferred by section 112 of the Factories Act, 1948 (hereinafter referred to as the said Act), the Governor is pleased hereby to make after previous publication as required by sub section (1) of section 115 of the said Act, the following amendments in the West Bengal Factories Rules, 1958 (hereinafter referred to as the said rules):—

Amendments

In the said rules:—

(1) in rule 4,—

(a) for sub-rule (1) substitute the following sub-rule;—

“(1) The occupier of every factory shall submit to the Chief Inspector an application in Part (A) and Part (C) of common application Form (CAF), physically in duplicate or electronically in the official portal of the Directorate of Factories, Government of West Bengal for its registration and grant of licence at least fifteen days before the occupier begins to occupy or use any premises as a factory. Such application can be made for a period of three years or more but not exceeding 10 consecutive years.”

(b) for sub-rule (2) of, substitute the following sub-rule;—

“(2) Every such application shall be accompanied by the receipts showing payment of Registration fee amounting to Rupees One Thousand only and the required licence fees specified in Schedule 'A', 'B' & 'C' hereto, as the case may be. Such payments shall be paid electronically in a manner as may be specified by the Government of West Bengal from time to time.”

However, in case of any factory found to be running without obtaining registration and licence, then the licence fees payable shall be double the amount specified in the schedules but the registration fee shall be the same.

Provided that all the formalities prescribed in this regard have been duly complied with.

SCHEDULE A

Scale of Fees payable per year for grant of licence and renewal of licence for factories defined under section 2 (m)(i) of the Factories Act, 1948 other than Electricity generation station

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 period of application													
	Over	Not Over	1	2	3	4	5	6	7	8	9	10	11	12	13	14
			10	21	51	101	251	501	751	1001	1501	2001	3001	5001	7501	10001
			to	to	to	to	to	to	to	to	to	to	to	to	to	to
			20	50	100	250	500	750	1000	1500	2000	3000	5000	7500	10000	Over
			Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A	0 (0)	7.457 (10)	1,500	2,000	2,500	4,500	9,000	16,500	23,500	30,000	45,000	55,000	65,000	80,000	100,000	115,000
B	7.457 (10)	37.285 (50)	2,000	2,500	3,000	5,500	10,000	17,000	24,000	31,500	46,500	56,000	66,000	83,000	103,000	120,000
C	37.285 (50)	(74.57) (100)	2,500	3,000	3,500	6,000	11,000	18,000	25,000	32,000	48,500	58,000	67,500	85,000	106,000	125,000
D	74.57 (100)	186.425 (250)	3,000	3,500	4,000	7,500	12,000	19,000	26,000	33,000	50,500	60,000	70,000	90,000	110,000	130,000
E	186.425 (250)	372.85 (500)	3,500	4,000	4,500	8,000	13,000	20,000	28,000	35,000	52,500	61,500	75,000	95,000	115,000	135,000
F	372.85 (500)	745.7 (1000)	4,000	4,500	6,000	9,500	14,000	21,500	30,000	37,000	54,000	63,500	80,000	97,500	120,000	145,000
G	745.7 (1000)	1491.4 (2000)	4,500	5,000	6,500	10,500	15,000	22,500	32,000	39,000	56,000	65,000	85,000	100,000	130,000	155,000
H	1491.4 (2000)	3728.5 (5000)	5,000	6,000	7,000	12,000	16,500	23,500	34,000	41,000	60,000	70,000	90,000	110,000	160,000	180,000
I	3728.5 (5000)	7457 (10000)	8,500	9,500	11,500	18,000	25,000	34,500	50,000	63,000	80,000	100,000	125,000	160,000	200,000	220,000
J	7457 (10000)	11,185.5 (15000)	10,000	11,500	13,000	19,500	26,500	36,500	58,000	68,000	105,000	120,000	135,000	175,000	225,000	260,000
K	11,185.5 (15000)	Over	12,000	14,000	15,500	23,500	32,000	44,000	70,000	85,000	125,000	145,000	165,000	210,000	270,000	300,000

Note: Fees to be paid electronically in the manner as may be specified by the Government of West Bengal from time to time

SCHEDULE B*(Scale of fees payable per year for Grant of Licence and Renewal of Licence for Electricity Generating Stations only)*

	Total Installed capacity of Generation Stations in KW	Number of workers to be employed	Fees payable (₹)
(1)	(2)	(3)	(4)
A.	Not over 1000 KW	10 or above	10000
B.	Over 1000 KW but Not over 5000 KW	-do-	20000
C.	Over 5000 KW but Not over 10,000 KW	-do-	33500
D.	Over 10,000 KW but Not over 50,000 KW	-do-	63500
E.	Over 50,000 KW but Not over 60,000 KW	-do-	73500
F.	Over 60,00 KW but Not over 80,000 KW	-do-	87000
G.	Over 80,000 KW but Not over 100,000 KW	-do-	100000
H.	Over 100,000 KW but Not over 150,000 KW	-do-	127000
I.	Over 150,000 KW but Not over 200,000 KW	-do-	150000
J.	Over 200,000 KW but Not over 300,000 KW	-do-	175000
K.	Over 300,000 KW but Not over 500,000 KW	-do-	200000
L.	Over 500,000 KW but Not over 10,00,000 KW	-do-	300000
M.	Over 10,00,000 KW -up to 15,00,000 KW	-do-	400000
N.	Over 15,00,000 KW -up to 20,00,000 KW	-do-	500000
O.	Over 20,00,000 KW	-do-	667000

Note : Fees to be paid electronically in the manner as may be specified by the Government of West Bengal from time to time

SCHEDULE C

Scale of fees payable per year for Grant of Licence and 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 period of application	Fees Payable(Rs.)
A. 20 TO 50	1500
B. 51 TO 100	3000
C. 101 TO 200	5000
D. 201 TO 300	7000
E. 301 TO 500	9000
F. 501 to 750	12000
F. 751 TO 1000	15000
G. ALL OVER 1000	20000

Fees payable for grant of registration shall be rupees one thousand and the fees payable per year for grant of licence and Renewal of Licence for Factories declared under Section 85 of the Factories Act shall be rupees one thousand.

Note : Fees to be paid electronically in the manner as may be specified by the Government of West Bengal from time to time

(2) for sub-rule (2) of rule 5, substitute the following sub-rule:—

"(2) Every licence granted under this rule shall remain in force for a period of three years or more but not exceeding ten years considering the year when the premises comes under the purview of the said Act, as the first year.

In respect of the premises which comes under the purview of the said Act after 31.12.2015, the licence so granted shall remain in force for a period of three years or more but not exceeding ten years from the date when the premises comes under the purview of the said Act."

Explanation- The term 'Year' shall have the same meaning as defined in the General Clauses Act, 1897.

(3) in rule 6,—

(a) for sub-rule (2), substitute the following sub-rule ;—

"(2) The fee that shall be charged for the renewal of a licence shall be subject to the scale of fees laid down in Schedule A or Schedule B or Schedule C as may then be applicable to the factory in respect of which application for renewal of licence is submitted to the Chief Inspector:

Provided that if the application for renewal of licence along with requisite fee is not submitted before the date of expiry of the licence, then, notwithstanding any other action which may be taken in accordance with law, the amount of the fee payable for renewal of the licence shall be 50 percent in excess of the amount which would otherwise be payable, if the application is made within 90 days of the time specified and shall be 100 percent in excess of the amount which would otherwise be payable for further default beyond 90 days."

(b) for sub-rule (5), substitute the following sub-rule :—

"(5) Every licence renewed under this rule shall remain in force for a period of three years or more but not exceeding 10 years with effect from the date of expiry of the license, so granted or renewed."

Explanation- The term 'Year' shall have the same meaning as defined in the General Clauses Act, 1897.

(4) for sub-rule (4) of rule 7, substitute the following sub-rule:—

"(4) A licensee whose licence requires to be amended by virtue of increase in the number of workers to be employed or additional power to be installed shall pay a fee of rupees one thousand plus the amount by which the fee payable for the amended licence exceeds the fee already paid for the licence.

Provided that if the application together with receipt showing payment of fee payable for amendment under this sub-rule is not submitted prior to the date on which the licence requires to be amended, then, notwithstanding any other action which may be taken, the amount of fee payable for such amendment shall be Rs. one thousand plus 100 percent in excess of the amount by which the fee payable for the amended licence exceeds the fee already paid for the licence."

(5) for sub-rule (3) of rule 8, substitute the following sub-rule:—

"(3) A fee of one thousand rupees shall be charged on each endorsement. The occupier to whom the licence is to be transferred shall submit a notice of occupation as nearly as possible in Part (A) and Part (C) of common application form (CAF) either physically in duplicate or electronically in the official portal of the Directorate of Factories, Government of West Bengal and shall pay the endorsement fee."

(6) for rule 11, substitute the following rule:—

"11. **Loss of Licence.** Where a licence granted under these rules is lost or accidentally destroyed, duplicate may be granted on payment of a fee of rupees one hundred."

(7) for the "COMMON APPLICATION FORM" substitute the following Form:—

"COMMON APPLICATION FORM

Business Identification Number(BIN) _____

Application for permission to construct, extend or take into use any building as a factory

&

Application for Registration and Grant or Renewal of licence and notice of occupation specified in section 6 & 7 of the Factories Act, 1948)

(See Rule 3, 4, 6, 7, 8, 13)

Unregistered/Registered
(Strike out whichever is not applicable)

PART A

A. GENERAL INFORMATION

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 – Pin Code –
Sub Divisional Headquarter – District –
Police Station –
Nearest Railway Station /Steamer Ghat –
- (b) Address of the Registered Office/Head Office –
3. PAN Number of the factory under the Income Tax Act, 1961:
4. Address to which communications relating to the factory may be sent –
5. Telephone No. Mobile No. Fax No. E-mail ID
6. Name, age, father's/Husband'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/Husband's name
Present address P.S.
Permanent address P.S.
Telephone No. Mobile No. Fax No. E-mail ID
7. In case of Registered Factory please provide the following information:
Classification No. Registration No. Licence No. Date of issue of licence

- 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 e- Challan showing payment of fees.
- (iii) Information not included above and not accommodated in single sheet may be submitted in separate sheets, if necessary, duly signed by the occupier and manager

FORM - 1

PART B
(See Rule 3)

Additional information for permission to construct, extend or take into use any building as a factory

8. Particulars of plant to be installed:
This application shall be accompanied by the following documents
 - (a) A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages
 - (b) Plans, in duplicate, showing—
 - I. The site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains etc. and
 - II. The plan, elevation and necessary cross-sections of the various buildings, drawn to scale, indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant and machinery, aisles and passageways

Signature of the Occupier

(Full name of the Occupier in Block Letter should be stated)

FORM - 2**PART C**

(See Rule 4, 6, 7, 8, 13)

Additional information for Registration and Grant or Renewal of licence and notice of occupation specified in Section 6& 7 of the Factories Act, 1948

9. Name and residential address of the owner of the premises occupied as a factory —
10. Nature of the manufacturing process/processes —
 (a) Carried on in the factory during the preceding Twelve months (if the factory was then in existence) —
 (b) To be carried on in the factory during the period of application —
11. Name, Age, Father's/Husband's name, present and permanent residential address and P. S. of the Manager for the purpose of the Factories Act —
 Name —
 Age—
 Father's/Husband's Name —
 Present Address — P.S. —
 Permanent Address — P.S. —
 Telephone No. Mobile No. Fax No. E-mail ID
12. Names, age, Father's/Husband's names and residential addresses of Directors/Partners/Proprietor
 (a) Directors in case of company—
 (b) Partners/Proprietor - (Enclose separate sheet if necessary)
13. (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- © Total generating capacity in KW(In case of generating station)—
14. Maximum number of workers (including staff, officers, contract labour etc.) likely to be employed in the factory on any day during the period of application —
 (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 —
15. (a) Maximum number of workers (including staff, officers, contract labour, etc.) employed in the factory on any day during the previous twelve months—
 (b) In case of change in number of workers, state the date of change—
16. 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—
17. Amount of fee/renewal fee Rs. (Rupees) Paid through
 Date (enclosed) for the period from to

Signature of Manager

(Full name of the Manager in Block Letter should be stated)

Signature of the Occupier

(Full name of the Occupier in Block Letter should be stated)

FORM - 3

[See rules 5(1), 6(4), 7(1) and 8(2)]
GOVERNMENT OF WEST BENGAL



DIRECTORATE OF FACTORIES

LICENCE TO WORK A FACTORY

Licence No. Reg. No. Date of amenability H.P.
Workers Fee Licence is hereby granted to
valid only for the factory known as situated at
subject provisions of the Factories Act, 1948, and the rules made thereunder.

The licence shall remain in force till

The 20

Chief Inspector of Factories, West Bengal

RENEWALS

Valid up to	H.P	Workers	Fee for renewal	Date of payment	Late fee for renewal	Signature of Chief Inspector of Factories, West Bengal

TRANSFERS

To whom transferred	Date of Transfer	Date of payment of transfer fee	Signature of Chief Inspector of Factories, West Bengal

AMENDMENTS

Date of amendment	Amended worker	Amended H.P	Date of payment of amendment fee	Additional fee	Signature of Chief Inspector of Factories, West Bengal

By order of the Governor,

GOPAL KRISHNA

Addl. Chief Secretary to the Government of West Bengal.