



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

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No.

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GOVERNMENT OF KERALA

Labour and Skills (B) Department

NOTIFICATION

G.O(P) No.48/2020/LBR

Dated, Thiruvananthapuram, 29th May, 2020
15th Idavam, 1195

S. R. O. No. 385/2020

WHEREAS, the draft rules further to amend the Kerala Factories Rules, 1957 were published as required under section 115 of the Factories Act, 1948 (Central Act 63 of 1948) as per notification number B2/223/2019/LBR dated 30th November, 2019 in the Kerala Gazette extraordinary number 3092 dated 12th December, 2019 inviting objections or suggestions from all persons likely to be affected thereby;

AND WHEREAS, the objections and suggestions received from the public in respect of



the said draft rules have been considered by the Government.

NOW, THEREFORE, in exercise of the powers conferred by section 112 of the Factories Act (Central Act 63 of 1948), the Government of Kerala hereby make the following rules further to amend the Kerala Factories Rules 1957 namely:

RULES

1. Short title and commencement – (1) These rules may be called the Kerala Factories (Amendment) Rules, 2020.
(2) They shall come into force at once.
2. Amendment of the Rules .– In the Kerala Factories Rules, 1957,-
 - (1) in rule 40, after clause (b), the following clauses shall be inserted, namely:-
 - (c) “Sanitary napkin of adequate quantity conforming to Indian standards shall be provided and maintained in the custody of a women supervisor/welfare officer or women store keeper or such other women staff, as the case may be, and shall be given free of cost to those women workers who request for the same. Wherever sanitary napkins are provided in women's toilets itself, the same shall be replenished on daily basis.
 - (d) Disposable bins with lids shall be provided within the women’s toilets for the collection of the used napkins. The used napkins shall be disposed off as per the procedure approved by local body or any other authority prescribed by the Government.”
 - (2) in rule 81J, for the words “certification by ISI,” the following sentence shall be substituted, namely:-

“ISI standards or any other standard approved by the Directorate General of Factory Advice Service and Labour Institute (DGFASLI).”;
 - (3) for rule 81 (K), the following rule shall be substituted, namely:-

“81K. Personal Protective Equipments. - (1) All workers should be mandatorily provided with Personal Protective Equipments (PPEs) as required under this Act or the rules and such Personal Protective Equipments shall conform to the relevant ISI standards or any other standard approved by DGFASLI. The occupiers shall require the workers to use such Personal Protective Equipments and the same shall be maintained in proper working conditions by the occupier. No charge, what so ever, shall be levied by the occupier from the workers for providing such Personal Protective Equipments.



(2) Without prejudice to the generality of the provisions contained in sub-rule (1), the various types of Personal Protective Equipments to which this rule shall extend for use in factories shall be as prescribed below.

(i) Safety Helmet. – All workers who are likely to be exposed to any hazard which may cause head injury shall be provided with safety helmets conforming to relevant ISI standards or any other standard approved by Directorate General of Factory Advice Service and Labour Institute. All the workers shall be adequately trained on proper use of such Personal Protective Equipment. When work at height is being carried out, such safety helmet shall be provided with a nape strap. No safety helmet which has resisted an impact shall be reused. Periodic cleaning and visual inspection to check any deformation in size or shape shall be carried out.

(ii) Protective Footwear .-Protective footwear should be provided to workers who are exposed to hazards which are likely to cause injury to them by way of materials being dropped on their feet or nail or other sharp objects penetrating their sole. The type and nature of foot wear to be used at workplaces shall be decided by the occupier based on the nature of work being carried at such work places. Proper disinfection shall be carried out to prevent contagious fungal infection of the skin that causes scaling, flaking and itching of the affected areas. Proper medical check up shall be carried out to protect workers suffering from ingrown nails, metatarsalgia, heel spur, hammer toes and nerve damage after wearing safety shoes.

(iii) Safety Goggles and Spectacles.-The relevant ISI standards or any other standard approved by DGFASLI shall be applicable for eye-protection equipment intended for use in industrial undertakings to provide protection for the eyes of the workers against hazards such as flying particles and fragments, splashing materials and molten metals, harmful dust, gases or vapours, aerosols and radiations which are likely to impair vision or damage the eyes. Additional eye protection over their prescription lenses shall be used ensuring that the protective eye wear does not disturb the proper positioning of the prescription lenses.

(iv) Equipment for eye and face protection during welding.- Relevant ISI standards or any other standard approved by Directorate General of Factory Advice Service and Labour Institute shall be followed for the requirements of goggles, hand shield and helmet intended to protect an operator above the shoulder from harmful radiation, spark and particles of hot metal during welding, cutting and similar operations employing a gas flame or electric arc.

(v) Gloves and Protective Clothing.- Suitable gloves, leather gauntlets and mittens conforming to relevant ISI standards or any other standard approved by Directorate General



of Factory Advice Service and Labour Institute shall be used for protection of hand of the workers from getting injured. Such protective gloves shall be provided where the hands are exposed to hazards such as those from skin absorption of harmful substances, severe cuts or lacerations, severe abrasions, punctures, chemical burns, thermal burns, and harmful temperature extremes. Suitable protective clothing as per relevant ISI standards or any other standard approved by Directorate General of Factory Advice Service and Labour Institute available for apron (rubberized, acid and alkali resistant) shall be used for protection of workers who are likely to be exposed to any hazard which may cause injury to their skin.

(vi) Ear Protection when exposed to noise.- Protection against the effects of noise exposure shall be provided when the sound levels exceed the prescribed standards. The relevant ISI standards or any other standard approved by Directorate General of Factory Advice Service and Labour Institute shall be followed while selection of suitable ear protection. Periodic disinfection of reusable ear protectors shall be carried out.

(vii) Respiratory Protection.- Respiratory protective equipment based on the nature of hazard as per the relevant ISI standards or any other standard approved by Directorate General of Factory Advice Service and Labour Institute shall be provided by the occupier of the factory to the workers for their respiratory protection against dust, fumes, gases, particulates etc. Periodic clinical examination and appropriate medical check-up shall be undertaken to avoid irritant dermatitis, nose bridge sores, etc. because of the prolonged use of respiratory personal protective equipment.

(viii) Other Protective Equipments.- Appropriate personal protective equipment based on the nature of hazards as per the relevant ISI standards or any other standard approved by Directorate General of Factory Advice Service and Labour Institute shall be provided by the occupier to the workers. These shall include the following:-

- (a) Safety harnesses with independently secured lifelines where protection against falls cannot be provided by other appropriate means.
- (b) Life vests and life preservers where there is a danger of falling into water.
- (c) Distinguishing clothing or reflective devices or otherwise conspicuously visible material when there is regular exposure to danger from moving vehicles.

(3) The Inspector may, having regard to the nature of the hazards involved in work and process being carried out, order the occupier or the manager in writing to supply to the workers exposed to particular hazard any personal protective equipment conforming to relevant ISI standards or any other standard approved by Directorate General of Factory



Advice Service and Labour Institute as may be found necessary.

(4) for APPENDIX I, the following APPENDIX shall be substituted, namely:-

APPENDIX I

[See rule 5 (1)]

Total Power Installed Maximum number of persons to be employed in any day during the year

(Maximum Power in Kilowatt)	9	20	50	100	200	300	500	1000	2000	2500	3000	Above 3000
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
(₹)	(₹)	(₹)	(₹)	(₹)	(₹)	(₹)	(₹)	(₹)	(₹)	(₹)	(₹)	(₹)
Nil	315	630	1150	1840	2365	2890	4990	6565	13125	18115	30190	39245
Up to 10	630	1105	1575	2625	3285	3940	6565	13125	18115	30190	39245	48300
Up to 20	1150	1575	1575	3285	4200	5250	13125	18115	30190	39245	48300	60375
Up to 50	1575	1575	2625	4595	7875	10500	18115	30190	39245	48300	60375	78490
Up to 100	1575	2625	3415	9190	13125	14490	30190	39245	48300	60375	78490	90565
Up to 200	2890	3940	7220	13125	15700	19320	35020	44680	55545	68225	86340	98415
Up to 300	3940	5250	10500	14490	19320	24150	41055	51925	64605	78490	95395	108675
Up to 500	6565	13125	18115	30190	35020	41055	48300	60375	75470	90565	105660	120750
Up to 1000	13125	18115	30190	39245	44680	51925	60375	75470	90565	105660	120750	135845
Up to 2000	18115	30190	39245	48300	55545	64605	75470	90565	105660	120750	135845	150940
Up to 5000	30190	39245	48300	60375	68225	78490	90565	105660	120750	135845	150940	166035
Up to 7500	39245	48300	60375	75470	83320	93585	105660	120750	135845	150940	166035	181125
Up to 10000	48300	60375	75470	90565	98415	108675	120750	135845	150940	166035	181125	196220
Up to 15000	60375	75470	90565	105660	113505	123770	135845	150940	166035	181125	196220	211315
Up to 25000	75470	90565	105660	120750	128600	138865	150940	166035	181125	196220	211315	235465
Up to 35000	90565	105660	120750	135845	143695	153960	166035	181125	196220	211315	235465	253575
Up to 50000	105660	120750	135845	166035	169655	174485	181125	217350	235465	253575	271690	289800
Up to 75000	120750	135845	166035	181125	191995	204070	217350	235465	253575	271690	289800	307915
Up to 100000	135845	166035	181125	199240	210105	222180	235465	253575	271690	289800	307915	326025
Up to 500000	166035	181125	235465	253575	271690	276520	282555	289800	307915	344140	362250	386400
Above 500000	217350	235465	253575	271690	289800	294630	300670	307915	344140	362250	386400	422625



Note:- (1) All remittance shall be as per this Schedule even if it relates to a period prior to the commencement of this Schedule.

(2) 1 H.P. = 0.746 KW

(5) for APPENDIX III, the following APPENDIX shall be substituted , namely:-

APPENDIX – III

SCHEDULE OF FEES PRESCRIBED UNDER THE KERALA FACTORIES RULES, 1957 OTHER THAN THE FEES PRESCRIBED IN APPENDIX I.

Sl. No.	Description	Rules under which fees are prescribed	Fees
1	2	3	4
1.	Recognition of Competent person	Rule 2A(3)	Rs.1,575/- for recognition under each provision of the said rule subject to a minimum fee of Rs.3,285/- for a person and Rs.13,125/-for an institution.
2.	Medical examination by certifying Surgeon	Rule 81 A1 Rule 122	Rs.240/-per medical examination per worker.
3.	Approval of plan for construction, modification extension etc. of factory building including layout of machinery and grant of permit thereof first time scrutiny.	Rule 3	Rs.160/-per every 10 sq. m of plinth area or part thereof subject to a minimum Rs.1,575/- for each application.
4.	Approval of plan for construction, modification extension etc. of factory building including layout of machinery and grant of permit thereof second and subsequent scrutinies revision.	Rule 3	Rs.1,575/-for each application
5.	Approval of plan for additional installation or for rearrangement of layout of machinery which do not involve the approval of building plans.	Rule 3	Rs1,575/-for each application
6.	Revalidation of permit issued under rule 3	Rule 3	100% of the fee paid for the permit.
7.	Amendment of license	Rule 6(4)	Rs.790/- for each amendment



8.	Transfer of licence	Rule 8(3)	25% of licence fee in case of transfer of licence to the legal heirs. 100% of licence fee for other applicants.
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By order of the Governor,
SATYAJEET RAJAN, I A S,
Additional Chief Secretary to Government

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

As per the direction from Director General , Factory Advice Service and Labour Institute (DGFASLI) and the report submitting by the rule amendment committee with consensus with Chief Inspector, Government have arrived at a proposal for amending the various provisions of the Kerala Factories Rules, 1957 incorporating Model Factories rules with a purpose of modern work practices evolved over the years with the vision to inculcate right attitude among workers and employers and healthy environment, so as to keep in pace with the changing scenario. Further, the Government have decided to increase the various licence fees prescribed under the Factories Rules, 1957 in order to meet the tremendous increase in the expenditure. Hence, the Government have decided to make suitable amendments in the said Rules.

The notification is intended to achieve the above object.

