

Rajasthan Factories Rules, 1951

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Rajasthan Factories Rules, 1951

In exercise of the powers conferred by section 112 of the Factories Act, 1948 (LXIII of 1948), the Government of Rajasthan is pleased to make the following Rules, namely

CHAPTER 1

Preliminary

1. Short title, extent and commencement :-

(1) These Rules may be cited as the Rajasthan Factories Rules, 1951. 1[(2) These Rules extend to the whole of the State of Rajasthan (including the Abu, Ajmer and Sune! area).] (3) These Rules, except rules 29 to 33, 53, 66, 68 to 80 and 100 shall come into force on 1st September, 1952 and rules 29 to 33, 53, 60, 68 to 80 and 100 shall come into force on such dates as are specified therein.

2. Definitions :-

In these Rules unless there is anything repugnant in the subject or context:- (a) "Act" means the Factories Act, 1948, and a "Section" means a section of the Act. (b) "Appendix" means an appendix appended to these Rules. (c) "Artificial Humidification means the introduction of moisture into the air of a room by any artificial means, whatsoever, except the unavoidable escape of steam or water vapour into the atmosphere directly due to a manufacturing process: Provided that the introduction of air directly from outside through moistened mates or screens placed in openings at times when the temperature of the room is 80 degrees or more, shall not be deemed to be artificial humidification. 1. Substituted vide Notification No. F. 3(4) Ind. (c) 60, dated 12-12-1960, published in

Raj. Gazette, Part 4-(Ga), dated 2.2.1961. 2 Raj. Factories Rules (d) "Belt" includes any driving strap or rope. (e) "Degree" {of temperature) means degree on the Fahrenheit scale. (f) "District Magistrate" includes such other official as may be appointed by the State Government in that behalf. "Form" means a form prescribed in these rules. (g) "Fume" includes gas or vapour. (h) "Health Officer" means the Municipal Health Officer or District Health Officer or such other official, as may be appointed by the State Government in that behalf, (t) "Hygrometer" means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards constructions and maintenance. G) 1[xxx] (k) "Maintained" means maintained in an efficient state, in efficient working order and in good repair. (I) "Manager" means the person responsible to the occupier for the working of the factory for the purposes of the Act. 2[2A. Competent Person.- (1) The Chief Inspector may recognise any person as a competent person within such area and for such period as may be specified for the purposes of carrying out tests, examinations, inspections and certifications for such buildings, dangerous machinery hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system and such other process or plant and equipment as stipulated in the Act and the Rules made thereunder, located in a factory, if such person possess the qualifications, experience and other requirements as get out in the schedule annexed to this rule: Provided that the Chief inspector may relax the requirements of qualifications in respect of a competent person if such a person is exceptionally experienced and knowledgeable, but not the requirements in respect of the facilities at his command: Provided further that where it is proposed to recognise a person employed under the Chief Inspector as a competent person, concurrence of the State Government shall be taken and such a person after being so recognised, shall not have powers of an Inspector: Provided further that the competent person recognised under this provision shall be physically fit for the purpose of carrying out the tests, examination and inspection. 1. Deleted vide Notification No. F. 4(3) Shram/88, dated 8.1.1991, published in Raj. Gazette Part 3(Kh), dated 25.6.1992. 2. Adde/1 vide Notification No. F4(3) Shram/88, dated 8.1.1991, published in Raj. Gazette Part-3 (Kh), dated 25.6.1992. Raj. Factories Rules 3 (2) The Chief Inspector may recognise an institution of repute, having persons, possessing qualifications and experience as set out in the schedule annexed to sub-rule (1) for the purpose of carrying out tests, examinations,

inspections and certification for buildings, dangerous machinery, hoists and lifts, lifting machines, and lifting tackles, pressure plant, confined space, ventilation system and such other process or plant and equipment as stipulated in the Act and the Rules made thereunder, as a competent person within such area and for such period as may be specified. (3) The Chief Inspector on receipt of an application in the prescribed form, from a person or an institution intending to be recognised as a competent person for the purposes of this Act and the Rules made thereunder, shall register such application and within a period of sixty days of the date of receipt of application, either after having satisfied himself as regards competence and facilities available at the disposal of the applicant recognise the applicant as a competent person and issue a certificate of competency in the prescribed form or reject the application specifying the reasons therefore. (4) The Chief Inspector may, after giving an opportunity to the competent person of being heard, revoke the certificate of competency:- (I) If he has reason to believe that a competent person- (a) has violated any condition stipulated in the certificate of competency; or (b) has carried out a test, examination and inspection or has acted in the manner inconsistent with the intent or the purpose of this Act or the Rules made thereunder or has omitted to act as required under the Act and the Rules made thereunder; or {II) For any other reason to be recorded in writing.

3. Explanation :-

For the purpose of this Rule, an institution includes an organisation. (5) Any person aggrieved by an order of the Chief Inspector under sub-rule 3 and 4 may appeal within a period of 30 days of the date of the orders. After giving him an opportunity of hearing the State Government may dispose of the appeal. (6) The Chief Inspector may, for reasons to be recorded in writing, require recertification of lifting machines, lifting tackles, pressure plant or ventilation system, as the case may be which has been certified by a competent person outside the State.

4. Raj. Factories Rules :-

Form of Application for grant of Certificate of Competency to a person under sub-rule (2) of Rule 2A. 1. Name 2. Date of Birth 3. Name of the organisation (if not self-employed) 4. Designation 5. Educational qualification (Copies of testimonials to be attached). 6. Details of professional experience (in Chronological order) Name of the Period of Designation Area of Organisation Service

Responsibility 7. Membership, if any, of professional bodies. 8. (i) Details of facilities (examination, testing etc.) at his disposal. (ii) Arrangements for calibrating and maintaining the accuracy of these facilities. 9. Purpose for which Competency Certificate is sought (section or sections of the Act should be stated). 10. Whether the applicant has been declared as a competent person under any statute (if so, the details). 11. Any other relevant information. 12. Declaration by the applicant. I..... hereby declare that the information furnished above is true. I undertake: (a) that in the event of any change in the facilities at my disposal (either addition or deletion) or my leaving the aforesaid organisation, I will promptly inform the Chief Inspector; (b) to maintain the facilities in good working order, calibrated periodically as per manufacturers instructions or as per National Standards; and (c) to fulfil and abide by all the conditions stipulated in the certificate of competency and instructions issued by the Chief Inspector from time to time. Place: Date: Signature of the applicant. DECLARATION BY THE INSTITUTION (IF EMPLOYED)..... certify that Shri..... whose details are furnished above, is in our employment and nominate him on behalf of the organisation for the purposes of being declared as a competent person under the Act, I also undertake that I will, Raj. Factories Rules 5 notify the Chief Inspector in case the competent person leaves our