

**FAQ's for obtaining plan approval under the Factories Act, 1948 and
Rules made there under.**

(1) What is the Form to apply for plan approval?

The common application form under Industrial Guidance Bureau (IGB) along with Form-1C prescribed under the Factories Act, 1948

(2) Is there any fee applicable for scrutiny of plans?

Yes. The fee for scrutiny of plans has to be remitted to Govt. Account by way of Challan in The State Bank of India, Pondicherry as per the following schedule, namely:-

Small Scale Industry	₹ 250/-
Medium Scale Industry	₹ 2,000/-
Large Scale Industry	₹ 5,000/-

(3) What are the other prerequisites to be ensured before deciding on the site/ building?

- If the proposed factory is in an existing building which has been previously used as a factory, it shall be ensured that the previous occupier has surrendered his licence and has de-registered the erstwhile factory under Rule 121 of the Puducherry Factory Rules, 1964. This can be verified from the Factory Inspectorate.
- If new building is proposed to be constructed, 1% cess under the provisions of Building and other Construction Workers' Welfare Cess Act, 1996 has to be remitted to the Puducherry Building and Other Construction Workers Welfare Board as per the rates fixed vide G.O. No. 32/Lab/AIL/G/2013, dated 16-09-2013 of Labour Department, Puducherry.

(4) How is cess calculated?

- (a) The rates of construction of Cess are fixed vide G.O. Ms. No.32/Lab/AIL/G/2013, dated 16-09-2013 (Annexure-I).
- (b) A cess calculation sheet detailing the area of construction and cess shall be enclosed with the application (Annexure-II).

(5) What are the enclosures to be submitted along with the application?

An application shall be made in Form No. 1-C which shall be accompanied by the following documents:-

- (a) Fee for Scrutiny of Plans by way of paid challan
- (b) Lease / sale deed for the premises.
- (c) Details of the constitution of the firm i.e., partnership deed in case of partnership firm, memorandum and article of association in case of limited or private limited firm and copy of office bearer and constitution in case of co-operative sector.
- (d) NOC from other partners / directors nominating the occupier.
- (e) Flow chart of the manufacturing process supplemented by a brief description of the process in its various stages
- (f) Four copies of detailed plans drawn to the scale (1:100)

(6) What are the details to be shown in the plans?

- (a) The site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains etc.,
- (b) The plan elevation and necessary cross-section of the various buildings, 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 passage ways

- (c) Colour marking of the building and machineries to demarcate existing ones and proposed ones, in case of expansion by an existing factory.

(8) Who can prepare the plans?

As per Rule 13(2) of Puducherry Factories Rules, 1964, a person possessing a diploma or degree in civil/Architecture/structural engineering can prepare and sign the plans.

(8) Whose sign should be affixed on the plans?

The Engineer who prepared the plans and the occupier of the factory should affix his / her signature in the plans.

(9) When should revised plans be submitted for approval?

Whenever the occupier proposes to carry out alterations and additions in buildings and machineries, revised plans should be submitted for obtaining prior approval from Factory Inspectorate, before the said alterations are made.

(10) Consequent to plan approval, how to obtain factory licence?

- (a) Consequent to obtaining plan approval, the occupier has to set up the factory as approved in the plans.
- (b) Thereafter, to obtain Factory Licence;
 - (i) An application in Form 2 duly filled in and signed by both the occupier and manager of the factory.
 - (ii) SBI remitted challan towards licence fee as per the Schedule based on HP and number of workers (Annexure-III).
 - (iii) Original Certificate of Stability of the buildings issued by competent person recognized under Section 6 of the Factories Act, 1948. Stability Certificate shall include basement, first and other higher floors if any.

- (iv) Details regarding constitution of the factory (i.e. whether Proprietary/ Partnership/ Private Limited Company/ Public Limited Company)
 - (v) List of Directors/ Partners with residential address.
 - (vi) Registration Certificate from Registrar of Companies in case of Company/ Registrar of Firms in case of Partnership Firm.
 - (vii) Declaration of occupier of the factory in case of partnership/ Private limited/ public limited company
 - (viii) Details of workers , their name, age, address and nature of duty
 - (ix) Certificate for compressor under Rule 60.
 - (x) Certificate for hoists & lifts under Rule 58.
 - (xi) Certificate for cranes under Rule 59.
 - (xii) Such other details as specified in the approval of Plans.
- } If applicable.

**GOVERNMENT OF PUDUCHERRY
ABSTRACT**

LABOUR DEPARTMENT – The Building and Other Construction Workers' Welfare Cess Act, 1996 and the Building and Other Construction Workers Welfare Cess Rules, 1998 – Assessment of Cess and recommendation of guideline to work out the cost of Construction of Buildings – Notification - Issued.

LABOUR DEPARTMENT

G.O.Ms.No. 32/7Lab/AIL/G/2013

Puducherry, the

READ: This Department's I.D Note No.10189/AIL/LAB/G/2013 dated: 01.08.2013

16 SEP 2013

ORDER:

The following notification shall be published in the next issue of the Official Gazette.

NOTIFICATION

WHEREAS for the benefit of the Construction Workers in this Union territory 1 % of the cost of construction of the buildings under construction is being collected as Cess as per the provisions of Building and Other Construction Workers' Welfare Cess Act, 1996 (Central Act 28 of 1996) for the purposes of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996);

AND WHEREAS due to non-availability of reliable data on the expenditure involved in the construction of buildings, the collection of cess is not commensurate with the actual cost of the buildings;

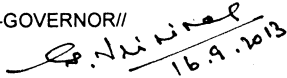
AND WHEREAS to derive a reliable data on the expenditure involved in the construction of buildings, a meeting was held on 22.04.2013 Chaired by the Secretary to Government (Labour) and the Officials from the Public Works Department, Puducherry Planning Authority and Labour Department participated in the meeting and in this meeting it was recommended to revise the methods of assessment of cess under the said Act;

NOW THEREFORE, the Lieutenant-Governor, Puducherry has been pleased to order that the cess collected under the provisions of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 shall be calculated on the basis of the following standard value, namely:-

TABLE

Sl. No.	Category of Building	Rate per square feet
(1)	(2)	(3)
1.	Residential Building:- RCC frame structure Load bearing structure (Brick Work +RCC roof)	Rs.1400/- Per sqft Rs.1200/- Per sqft
2.	Commercial Buildings:- (Shops,Malls, Plazzas, marriage hall, Cinema theatre and any other buildings which has not been mentioned with specific rate)	Rs.1400/- Per sqft
3.	School buildings	Rs.1300/- Per sqft
4.	College buildings	Rs.1400/- Per sqft
5.	Industrial Buildings:- a)With sheet roofing Less than 1000 sqft and 1000 sqft b) More than 1000 sqft c) With RCC framed structure	Rs.800/- Per sqft Rs.1000/- Per sqft Rs.1400/- Per sqft
6.	Hotel Buildings:- (a) Without lodging (b) With Boarding & Lodging having 3star rating and above (c) Less than 3 stars rating	Rs.1400/- Per sqft Rs.2000/- Per sqft Rs.1800/- Per sqft

//BY ORDER OF THE LIEUTENANT-GOVERNOR//


(G.SRINIVAS)
JOINT SECRETARY TO GOVERNMENT
(LABOUR)

To

The Directorate of Stationary & Printing – Puducherry- with a request to kindly arrange the publication of the above notification in the official Gazette and supply 100 copies to this department.

Copy to:-

1. The Chief Engineer, P.W.D., Puducherry.
2. The Executive Engineer (Planning)/ All Asst. Engineers (Planning), Central Office, P.W.D., Puducherry.
3. The Deputy Labour Commissioner, Puducherry
4. The Chief Town Planner, Town and Country Planning Department, Puducherry.
5. The Member Secretary, Puducherry Planning Authority, Puducherry.
6. The Jt. Chief Inspector of Factories, Puducherry.
7. The Labour Officer, PBCWWB/Labour Officer (Enforcement), Puducherry / Karaikal.
8. The Asst. Inspector of Labour, Puducherry/Karaikal/Mahe/Yanam.
9. The Web Master, Labour Department, Puducherry.
10. P.A. to Commissioner of Labour, Puducherry.
11. G.O. File.
12. Spare copy.

Calculation sheet for payment of Cess as per provisions of the Building & other Construction Workers' Welfare cess Act, 1996.

(i)	Name of Work	:	
(ii)	Name of company/ establishment & its location	:	
(iii)	Name of owner	:	
(iv)	Estimated cost of construction	:	
(v)	Amount of Cess	:	

The details of calculation of estimated cost and cess in respect of work cited above (i) are tabulated below:-

Sl. No.	Name of portion/ identification of building	Area measurement			Category of building (Residential/ Commercial/ School/ College/ Industrial/ Hotel)	Rate per sq.ft	Estimate Amount (5 x 7)	
		Length x Breath	Sq.m	Sq.ft.				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
		Total						
		Amount of Cess (1% on total estimate cost)						

It is certified that;

- (a) Estimated cost of construction and Cess amount are calculated as per Government Order communicated vide G.O. Ms.No.32/Lab/AIL/G/2013, dt.16-09-2013 of Labour Department, Puducherry.
- (b) All the portions of proposed building cited at Sl.No.(i) and plan submitted for

approval to Factory Inspectorate vide Ref. No. _____, dt. _____
are taken for calculation of estimate.

- (c) Both of them i.e. Building Owner and Registered Engineer who prepared the estimate are held responsible for any deviation in excess of portions proposed with this Plan, noticed by the officials.

Signature :

Name & address of :
Owner:

Signature :

Name & address of :
Registered Engineer

**GOVERNMENT OF PUDUCHERRY
ABSTRACT**

Labour – The Factories Act, 1948 read with the Puducherry Factories Rules, 1964 –
Amendment of the Puducherry Factories Rules, 1964 – Final Notification – Issued.

LABOUR DEPARTMENT

G.O.Ms.No.38/AIL/Lab/G/2013

Puducherry, the **10 OCT 2013**

READ: This Department's I.D. No.369/AIL/LAB/G/2013/313, dated 26.7.2013.

ORDER:

The following Notification shall be published in the next issue of the Official Gazette:-

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.27/AIL/Lab/G/2013, dated the 20th August, 2013, were pre-published in the Extra-ordinary Part-II No.36 of the Gazette of Puducherry dated 22.8.2013 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 and commencement.*-- (1) These rules may be called the Puducherry Factories (Amendment) Rules, 2013.

(2) They shall come into force with effect from the date of their publication in the official gazette.

2. *Amendment of rule 3.* – In the Puducherry Factories Rules, 1964 (hereinafter referred to as the said rules), in rule 3,--

(i) in sub-rule (2A), for the figures and words

“2230- Labour and Employment, 101-Fees realized under the Factories Act – Fees for scrutiny of plans”, the following shall be substituted, namely: --

“00-0230-00-104-00-00-00-0230 Labour and Employment, 104-Fees realized under the Factories Act- Fees for scrutiny of plans” ;


(ii) in sub-rule (5) in the schedule appended thereunder,

(a) for the words letters and figures “Small Scale Industries – Rs. 100”, the words, letters and figures “Small Scale Industries ...Rs. 250/-” shall be substituted,

(b) for the words, letters and figures “Medium Scale Industries –Rs.500/-”, the words, letters and figures “Medium Scale Industries ... Rs.2,000/-” shall be substituted,

(c) for the words, letters and figures “Large Scale Industries – Rs.1000/-”, the words, letters and figures “Large Scale Industries ...Rs. 5,000/-” shall be substituted;


.. 2..


10.10.2013

3. *Amendment of rule 4.--* In the said rules, for the schedule appended thereunder in rule 4, the following schedule shall be substituted, namely:--

“ SCHEDULE

“Total horse Power Installed inclusive of Mobile equipments	Maximum number of persons to be employed on any day during the year										
	9	20	50	100	250	500	1000	2000	5000	10000	Above 10000
Fee payable in Rupees											
Nil Horse Power	400	800	1,200	1,600	3,600	5,400	12,000	18,000	33,000	48,000	60,000
Upto 10 Horse Power	800	1,200	1,600	2,400	5,400	9,000	24,000	36,000	54,000	72,000	90,000
Above 10 Horse Power upto 50 Horse Power	1,200	1,600	2,400	3,600	9,000	14,400	36,000	54,000	72,000	90,000	1,08,000
Above 50 Horse Power upto 129 H.P	1,600	2,400	3,600	6,000	14,400	24,000	54,000	72,000	90,000	1,08,000	1,20,000
Above 129 Horse Power upto 250 Horse Power	2,400	3,600	6,000	9,600	24,000	36,000	72,000	90,000	1,08,000	1,20,000	1,32,000
Above 250 Horse Power upto 500 Horse Power	3,600	6,000	8,000	12,800	36,000	48,000	90,000	1,08,000	1,20,000	1,32,000	1,44,000
Above 500 Horse Power upto 1000 Horse Power	6,000	6,400	12,800	24,000	48,000	60,000	1,08,000	1,20,000	1,32,000	1,44,000	1,56,000
Above 1000 Horse Power upto 2000 Horse power	6,400	12,800	24,000	32,000	60,000	72,000	1,20,000	1,32,000	1,44,000	1,56,000	1,68,000
Above 2000 Horse Power upto 5000 Horse Power	12,800	24,000	32,000	40,000	72,000	84,000	1,32,000	1,44,000	1,56,000	1,68,000	1,80,000
Above 5000 Horse Power upto 7500 Horse Power	24,000	32,000	40,000	48,000	84,000	96,000	1,44,000	1,56,000	1,68,000	1,80,000	1,92,000
Above 7500 Horse Power upto 10000 Horse Power	32,000	40,000	48,000	56,000	96,000	1,08,000	1,56,000	1,68,000	1,80,000	1,92,000	2,04,000
Above 10000 Horse Power	40,000	48,000	56,000	64,000	1,08,000	1,20,000	1,68,000	1,80,000	1,92,000	2,04,000	2,16,000”.


10.10.2013

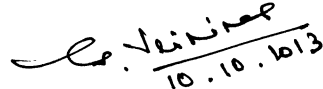
4. *Amendment of rule 5.* -- In the said rules, in rule 5, in sub rule (3), for the words "**five rupees**", the words "**fifty rupees**" shall be substituted.

5. *Amendment of rule 7* -- In the said rules, in rule 7, in sub rule (2), for the words "**five rupees**", the words "**one hundred rupees**" shall be substituted.

6. *Amendment of rule 9* - In the said rules, for the words "**fifty rupees**", the words "**one hundred rupees**" shall be substituted.

7. *Amendment of rule 105.*- In the said rules, in rule 105, in sub-rule (2-A), in clause (a) for the letters, figures and words "**Rs. 25 per year per worker**", the letters, figures and words, "**Rs. 50 per year per worker**" shall be substituted.

// By order of the Lieutenant-Governor //


10.10.2013

(G.SRINIVAS)

JOINT SECRETARY TO GOVT.(LABOUR)

To

The Director of Stationery and Printing,
Puducherry

-- With a request to supply 100
copies of the notification to this Department.

Copy to:

1. The Deputy Labour Commissioner, Puducherry.
2. The Joint Chief Inspector of Factories, Puducherry.
3. The Labour Officer (Enforcement), Puducherry.
4. The Inspector of Factories, Puducherry/Karaikal.
5. The Asst. Inspector of Labour, Puducherry / Karaikal / Mahe / Yanam.
6. The Web Master, Labour Department, Puducherry.
7. G.O. copy.
8. Spare.