



TAMIL NADU GOVERNMENT GAZETTE

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General Statutory Rules, Notifications, Orders, Regulations, etc.,
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NOTIFICATIONS BY GOVERNMENT

CONTENTS

	<i>Pages.</i>
HOME DEPARTMENT	
Draft Amendments to the Tamil Nadu Motor Vehicles Rules ..	20
HOME, PROHIBITION AND EXCISE DEPARTMENT	
Amendments to the Tamil Nadu Brewery Rules	20-21
LABOUR AND EMPLOYMENT DEPARTMENT	
Amendments to the Tamil Nadu Factories Rules	21-23
PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT	
Amendment to the Tamil Nadu State Information Commission (Appeal Procedure) Rules, 2012	23

NOTIFICATIONS BY GOVERNMENT

HOME DEPARTMENT

Draft Amendments to the Tamil Nadu Motor Vehicles Rules

[G.O. Ms. No. 112, Home (Tr.I), 14th February 2018.]

No. SRO A-8/2018.—The following draft amendments to the Tamil Nadu Motor Vehicles Rules, 1989, which is proposed to be made in exercise of the powers conferred by Section 96 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) is hereby published for the information of all persons likely to be affected thereby, as required under sub-section (1) of Section 212 of the said Act.

2. Notice is hereby given that the draft amendments will be taken into consideration on or after the expiry of thirty days from the date of publication of this Notification in the *Tamil Nadu Government Gazette* and that any objection or suggestion, which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Government of Tamil Nadu.

3. Objection or suggestion, if any, should be addressed in duplicate to the Additional Chief Secretary to Government, Home, Prohibition and Excise Department, Chennai-600 009.

DRAFT AMENDMENTS

In the said Rules,

(1) in rule 3, after clause (z), the following clauses shall be inserted, namely:-

"(za) **"Sleeper Coach"** means a contract carriage designed and constructed with berth for passengers to sleep while travelling;

(zb) **"Sleeper Coach-cum-Seater"** means a contract carriage designed and constructed with berth for passengers to sleep while travelling and with seat;"

(2) in FORM CCPA,

(i) after serial number 3 and the entry relating thereto, the following serial Number and entry shall be inserted, namely:-

"3-A. Type of the contract carriage:"

(ii) in the entries against serial numbers 7 and 8, for the expression "Seating Capacity", the expression "Seating Capacity or Berth Capacity or both" shall be substituted;

(3) in FORM PC, after serial number 3 and the entry relating thereto, the following, serial number and entry shall be inserted, namely:-

"3-A Type of the Contract Carriage;"

NIRANJAN MARDI,

Additional Chief Secretary to Government.

HOME, PROHIBITION AND EXCISE DEPARTMENT

Amendments to the Tamil Nadu Brewery Rules.

[G.O. Ms. No. 11, Home, Prohibition and Excise (III), 14th February 2018,

மாதிரி 2, ஹோலிஸம்பி, திருவள்ளூர் ஆண்டு-2018.]

No. SRO A-9/2018.—In exercise of the powers conferred by Section 54 of the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Brewery Rules, 1983.

AMENDMENTS

In the said Rules,-

(1) in rule 9, in sub-rule (7), for the expression "for bottling and sealing of bottles and for storage of bottled beer", occurring in two places, the expression "for bottling, sealing and for storage of beer" shall be substituted;

(2) in rule 29,-

(i) after sub-rule (3), the following sub-rule shall be inserted, namely:-

"(3A). Before the cans are filled with beer, they shall be printed with a label which shall contain the following particulars, namely:-

- (i) The name of the manufacturer;
- (ii) Brand of the beer;
- (iii) The place of manufacture;
- (iv) Batch number of the product and date of bottling;
- (v) The alcoholic percentage.
- (vi) The slogan as follows:-

"Drinking liquor will ruin the family. Drinking liquor is injurious to health".

"மது நாட்டுக்கு, வீட்டுக்கு, உயிருக்கு கேடு".

(vii) Place of sale:

The expression 'for sale in Tamil Nadu only' or 'Not for sale in Tamil Nadu', as the case may be, shall be printed on the front side of the cans depending on whether the stocks are intended for consumption within the State of Tamil Nadu or for export outside the State of Tamil Nadu and the expression "For Export only" shall be printed on the front side of the cans meant for export to foreign countries; and

(viii) Such other matters, as may be specified by the Commissioner.

Provided that the labels affixed in the bottles, cans, casks or kegs to be exported may contain slogans as per the requirement of the importing State or Union Territory or Country which may differ from clause (vi) above.:"

(ii) for sub-rule (4), the following sub-rule shall be substituted, namely:-

"(4) The guaranteed fluid contents of each bottle, can, cask or keg shall be clearly indicated in bold letters on the label or printed on the cans.:"

(iii) for sub-rule (7), excluding the proviso thereunder, the following sub-rule shall be substituted, namely:-

"(7) Immediately after the bottles, cans, casks or kegs are filled up with beer, they shall be corked or sealed, capsuled and labelled and removed to the finished store room.:"

(3) in rule 32, for the expression, "All stocks of beer or draught beer either in bottles or otherwise than in bottles including casks or kegs shall be removed from a brewery", the expression "All stocks of beer or draught beer either in bottles or otherwise than in bottles shall be removed from a brewery" shall be substituted.

NIRANJAN MARDI,
Additional Chief Secretary to Government.

LABOUR AND EMPLOYMENT DEPARTMENT

Amendments to the Tamil Nadu Factories Rules.

[G.O. Ms. No. 15, Labour and Employment (M2), 31st January 2018,
தை 18, ஹேவிளம்பி, திருவள்ளூர் ஆண்டு-2049.]

No. SRO A-10/2018.—In exercise of the powers conferred by Section 112 of the Factories Act, 1948 (Central Act LXIII of 1948), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Factories Rules, 1950 the draft of the same having been previously published as required by Section 115 of the said Act.

AMENDMENTS

In the said Rules,-

(1) in rule 3, in sub-rule (2), for the expression "in Form No.1 in triplicate", the expression "in Form No.1 through online portal of Directorate of Industrial Safety and Health" shall be substituted;

(2) in rule 4, -

(a) in sub-rule (2), for the expression "in Form No.2 in triplicate", the expression "in Form No.2 through online portal of Directorate of Industrial Safety and Health" shall be substituted:

(b) in sub-rule (3), after -the expression "Deputy Chief, Inspector of Factories of the region" the expression "or by online payment through online portal of Directorate of Industrial Safety and Health", be inserted;

(c) in sub-rule (6A), for the expression "five consecutive calendar years", the expression "ten consecutive calendar years" shall be substituted;

(3) in rule 6, in sub-rule (2), after the expression "Deputy Chief Inspector of Factories of the region", the expression "or by online payment through online portal of Directorate of Industrial, Safety and Health" shall be added;

(4) in rule 7, -

(a) in sub-rule (2), for the expression "in Form No.2 in triplicate", the expression "in Form No.2 through online portal of Directorate of Industrial Safety and Health" shall be substituted:

(b) in the second proviso to sub-rule (3), for the expression "five consecutive calendar years", the expression "ten consecutive calendar years" shall be substituted;

(5) in rule 11, in sub-rule (1), after the expression "Deputy Chief Inspector of Factories of the region:", the expression "or by online payment through online portal of Directorate of Industrial Safety and Health:" shall be added;

(6) in rule 56-B, -

(a) in sub-rule (1), after the expression "Deputy Chief Inspector of Factories", the expression "through online portal of Directorate of Industrial Safety and Health" shall be added;

(b) in sub-rule (3), after the expression "Deputy Chief Inspector of Factories", the expression "or by online payment through online portal of Directorate of Industrial Safety and Health shall be inserted;

(7) in rule 100, for the expression "The Manager of every factory shall furnish to the Inspector, the following returns, namely:-;" the expression "The Manager of every factory shall furnish to the Inspector through online portal of Directorate of Industrial Safety and Health, the following returns, namely:-, shall be substituted;

(8) in FORM No. 22,-

(a) in clause 11, in sub-clauses (i) and (ii), for the expression "not more than Rs.18,000/- per month", the expression "not more than the monthly salary specified by the Central Government under sub-section (6) of Section 1 of the Payment of Wages Act, 1936 (Central Act IV of 1936)" shall respectively be substituted.

(b) after clause 13, the following clauses, shall be added, namely:-

"14. Inter-state Migrant Workmen:

Name and address of contractors

Period of contract

Nature of work

Maximum number of migrant workmen employed by each contractor

Number of days worked

Number of man-days worked

15. Conferment of Permanent Status to workmen:

Total Number of workmen employed in the factory
 Number of non-permanent workmen who have completed 480 days of service during the calendar year ending 31 st December
 Number of workmen made permanent during the calendar year ending 31 st December
 Number of workmen yet to be made permanent as on 1st January
 Reasons for delay

MANGAT RAM SHARMA,
Principal Secretary to Government.

PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT

Amendment to the Tamil Nadu State Information Commission (Appeal Procedure) Rules, 2012.

[G.O. Ms. No. 10, Personnel and Administrative Reforms (AR-III), 24th January 2018,
 கை 11, ஹேலிளம்பி, திருவள்ளூர் ஆண்டு-2018.]

No. SRO A-11/2018.—In exercise of the powers conferred by sub-section (1) and clause (e) of sub-section (2) of Section 27 of the Right to Information Act, 2005 (Central Act 22 of 2005), the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu State Information Commission (Appeal Procedure) Rules, 2012.

2. The amendment hereby made shall come into force on with effect from the data of issue of order.

AMENDMENT

In the said Rules, in rule 7, for sub-rule (2), the following sub-rule shall be substituted, namely:-

"2. (i) The appellant shall be present in person at the time of hearing of the appeal under sub-section (3) of Section 19 of the Act:

Provided that if the appellant is unable to attend the hearing, he shall inform the Commission accordingly and is at liberty to submit in advance any additional material or written argument to be taken into account at the time of the hearing.

(ii) During the hearing of a complaint under Section 18 of the Act, the complainant shall be present in person:

Provided that, the Commission may at its discretion allow the presence of the complainant to be dispensed with, without prejudice to the powers vested in the Commission under clause (a) of sub-section (3) of Section 18 of the Act".

S. SWARNA,
Secretary to Government.

Regulatory ALERT

28 Feb 2018

Regulatory ALERT



TeamLease is uniquely positioned to address the requirements in the domain of regulatory and labour law compliances. At TeamLease, our key focus is to translate the knowledge on upcoming developments in the area of Labour Law Compliances.

We thought one such way to solve that is through our, "Regulatory ALERT" system. This will provide information on recent regulatory changes happened in Labour Laws and also explains the implications and says how to implement those changes in order to make the regulatory functioning Smooth.

We had extended this platform to all our esteemed clients to create awareness on these changes in regulatory functioning so as to ensure complied in all Labour Law related areas.

Regulatory ALERT

28th February 2018



Notifications and Circulars..,

Title: **Amendments under Tamil Nadu Factories Rules**

Description: As per the notification dated 28th February 2018, the Government of Tamil Nadu has amended The Tamil Nadu Factories Rules. The amendment now introduced the following features as,

- All Factory Licenses, Renewals, Amendments, Returns (Half yearly and Annual Returns) can be done through online. (<https://dish.tn.gov.in/>).
- The registration and renewal of the factory license can be made for ten years consecutively now from the earlier tenure of five years
- Annual Return Form 22 has been amended with relevant changes.

Notified and effective from: **28th February 2018.**

Applicability: This applies to all Industry/Factories and this extends to the state of Tamil Nadu Only.

Regulatory ALERT

28th February 2018



Team Lease Views Points and Required Actions:

The Following are the amendments which has happened under Tamilnadu Factories Rules namely,

Table represents the new changes that are amended under The Tamilnadu Factories Rules, 1975

S.No	Content	Existing Provisions	Amended Provisions
1	Act	The Tamilnadu Factories Rules, 1950	The Tamilnadu Factories Amendment Rules, 2018
2	Effective date	Came to force on <u>15th March 1950</u>	Came to force on <u>28th February 2018</u>
3	In Rule 3	Approval of Site, Construction or extension of factory - Application for such permission or submission of plans shall be made in Form 1 in Triplicate.	Now it is amended that such permission and Submission of plans shall made in <u>Form 1 and can apply through Online Portal</u> <u>https://dish.tn.gov.in</u>
4	In Rule 4	Registration and Grant of License for a factory - Application shall be submitted to Chief Inspector of Factories in Form 2 in Triplicate along with Treasury Challan favouring to Deputy Chief Inspector of Factories.	Now it is amended that Such feature shall be made in <u>Form 2 can be apply through online portal https://dish.tn.gov.in and feature of Online Payment is introduced. DD or Treasury challan is not required.</u>
5	In Rule 6	Amendment of License - Application shall be submitted to Deputy Chief Inspector of Factories along with the treasury challan favouring to Deputy Chief Inspector of Factories.	Now it is amended that such feature can be made and apply through <u>Online Portal https://dish.tn.gov.in and feature of online payment is introduced.</u>

Regulatory ALERT

28th February 2018



S.No	Content	Existing Provisions	Amended Provisions
6	In Rule 7	Renewal of License - Renewal application shall be made and submitted to Deputy Chief Inspector of Factories in Form 2 in triplicate along with the Treasury Challan favouring to Deputy Chief Inspector of Factories. Factory License can be taken for 5 years based of the percentage of fees paid.	Now it is amended that Such feature shall be made in <u>Form 2 can be apply through online portal https://dish.tn.gov.in and feature of Online Payment is introduced. DD or Treasury challan is not required. Employers has the option to take fresh license or renewal options extended to Ten Consecutive Years based on the percentage of fees paid.</u>
7	In Rule 56-B	Application for Pressure Vessels shall be made in Form 8-B along with the treasury Challan favouring to Deputy Chief Inspector of Factories for obtaining Pressure Vessels certificate.	Now it is amended that Such feature shall <u>be apply through online portal https://dish.tn.gov.in and feature of Online Payment is introduced. DD or Treasury challan is not required.</u>
8	In Rule 100	Manager of the Every Factory shall furnish to the Inspector the following returns, namely Half Yearly and Combined Annual Returns.	Now it is amended that <u>Manager of every factory shall submits a Online return through Online Portal https://dish.tn.gov.in</u>
9	In Form 22	In earlier Form 22, there is no provision to file return under InterState Migrant Act and Conferment of Permanent Status to workmen.	Now the <u>feature of filing returns under InterState Migrant Act and Conferment of Permanent Status to workmen is also combined in FORM 22 and the same has to filed every year through online portal https://dish.tn.gov.in</u>

Overall the above mentioned factory amendments are benefit to employers of Tamil Nadu Factories and Industries whereby making the compliance digital and thereby reducing time and costs. Effective 28th Feb, 2018 it is advised to do all factory compliances through Online Portal of Directorate of Industrial Safety and Health