

#### 4. REGISTRATION AND GRANT OF LICENCE FOR A FACTORY :

*[Rules 3 to 10 prescribed under sub-section 1 of section (6)]*

- (1) No premises shall be used as a factory nor any manufacturing process carried on in any factory except under and in accordance with the registration and licence granted under these rules; and

Provided that if a valid application for grant of licence has been submitted and the required fees has been paid the premises shall be deemed to be fully licenced until such dates as the Chief Inspector grants the licence or refuses in writing to grant licence.

- (2) The fees payable for registration and grant of a licence to a factory shall be as specified in the schedule hereto. The application in Form No. 2 shall be accompanied by a chalan receipt evidencing payment of the appropriate fee specified in the Schedule hereto.

Provided that the fee payable for registration and grant of licence to "Rice and Flour Mill" employing 9 or less number of workers at installed capacity of power being 25HP or less shall be ₹200/- with effect from 1<sup>st</sup> January 2006.

- (2A) Where the fees for the grant or renewal of licence for the year 2006 is paid before the 1<sup>st</sup> January 2006 and the fees so paid is in excess than the fees prescribed in the schedule under sub-rule(2) then the excess fees so paid shall be adjusted towards the licence fee payable for the subsequent years.

- (3) Every application received by the Chief Inspector shall be registered in Form No. 3.

- (4) No licence shall be granted until the notice specified in section 7 has been received in Form No. 2 by the Chief Inspector.

- (5) If the Chief Inspector is satisfied that the registration and licence may be granted, such registration and licence shall be issued in Form No. 4:

Provided that the Chief Inspector may call for such other particulars as he may require before registration or grant of such licence.

Provided further that the Chief Inspector may register and grant licence subject to such conditions as he may consider necessary and which shall be specified in the licence.

## **5. AMENDMENT OF LICENCE:**

*[Rules 3 to 10 prescribed under sub-section 1 of section (6)]*

- (1) The limits specified in the licence in regard to horse- power or the number of persons employed shall not be altered or the name of the factory changed unless the licence has been amended by the Chief Inspector.
- (2) An application for the amendment of a licence shall be submitted to the Chief Inspector, specifying the nature of the amendment sought and the reasons there for at least fifteen days prior to the date on which the applicant desires the amendment to take effect. The application shall be accompanied by the original licence if it is not already available with the Chief Inspector and a chalan receipt evidencing payment of the appropriate fee.
- (3) The fee for the amendment of a licence shall be five rupees plus the amount, if any by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the fee originally paid for the licence.
- (4) On the receipt of such application together with the fee prescribed the Chief Inspector may amend the license suitably;  
  
Provided that the Chief Inspector may call for such other particulars as he may require before amending the licence:  
  
Provided further that Chief Inspector may amend the licence subject to such conditions as he may consider necessary and which shall be specified in the licence.
- (5) The amendment made shall be incorporated in the licence and the Register of Factories.

## **6. RENEWAL OF LICENCE:**

*[Rules 3 to 10 prescribed under sub-section 1 of section (6)]*

- (1) "No premises shall be used as a factory nor any manufacturing process carried on in any factory except under and in accordance with, the licence renewed under these rules".
- (2) The occupier of every factory licenced under rule 4, shall submit to the Chief Inspector, an application in Form No. 2 for the renewal of the licence. An application for renewal shall be made not less than

two months before the date on which the licence expires and shall be accompanied by the original licence if it is not already with the Chief Inspector.

- (3) The same fee shall be charged for the renewal of a licence as for the grant thereof:

“Provided that if the application for renewal is not received within the time specified in sub-rule (2), the licence shall be renewed only on payment of an additional fee of-

- (i) ten per centum of the fee payable, if the application for renewal is received not less than one month before the date of expiry of the licence;
- (ii) twenty per centum of the fee payable, if the application for renewal is received within a month before the expiry of the licence; and
- (iii) thirty per centum of the fee payable, if the application for renewal is received after the expiry of the licence”.

- (3A) The occupier of a factory may opt to remit the licence fee for obtaining initial licence or renewal of licence for a period upto three consecutive calendar years instead of getting it renewed every year. The occupier shall make a specific request in Form No.2 indicating the number of years for which licence is sought for. In such cases, the fees payable for grant of or renewal of licence of a factory shall be proportionate to the annual fees as per multiplied by number of years for which licence is sought for.

Provided that the occupier of the factories involving hazardous processes as defined under Section 2 (cb) of the Act shall get their licenses renewed annually.

- (4) If the application has been made in accordance with this rule, the premises shall be held to be duly licensed until such date as the Chief Inspector may pass orders on the application for the renewal.

- (5) The Chief Inspector may renew the licence:

Provided that the Chief Inspector may call for such other particulars as he may require before renewing the licence: