

STANDARD OPERATING PROCEDURE (SOP)

Registration of Factories under
The Factories Act, 1948

Department of Labour and Employment

Government of J&K

Name of Service

Registration of Factories under The Factories Act, 1948.

Name of Department

Department of Labour and Employment, GoJK

Policy/Government Order

The Factories Act, 1948

Documents Checklist

#	Document name	Type	Mandatory
1	Certificate of consent to establish/operate from J&K State Pollution Control Board	PDF	Yes
2	NOC/License from the concerned department/ authority in case of sawmills, peeling of wood logs factories, explosive factory, arms and ammunition factory, drug and pharmaceuticals factory, brick kilns and stone crushers.	Pdf	Yes
3	Authorization letter of manager from the occupier.	PDF	Yes
4	Copy of power sanction certificate from Power Development Department.	PDF	Yes
5	Copy of safety certificate in duplicate indicating the safety measures adopted in the factory.	PDF	Yes
6	Passport size photograph of the Manager or Occupier.	JPEG	Yes
7	ID proof of the applicant (Aadhaar Card/ Ration card/Driving License).	PDF/JPEG	Yes
8	Any Other supporting documents, if any	PDF	No
9	Application on prescribed form no 1.	PDF	Yes
10	Form 2 & 3 (combined) 1 copy every year	PDF	Yes
11	Copy of Jamabandhi/ Missal Haquiyat/Tatima of the site on which the factory is situated. If the factory is situated in rented premises, copy of rent deed may be submitted. In case of factory situated in industrial area, copy of allotment letter regarding plot may be submitted. If the factory is situated in leased premises, copy of leased deed may be submitted.	PDF	Yes
12	Copy of approval from department of industries. (DIC Registration)	PDF	Yes

#	Document name	Type	Mandatory
13	List of machineries along with size (L'*B') ft	PDF	Yes
14	Flow chart of manufacturing of process	PDF	Yes
15	Project report of the factory	PDF	Yes
16	Site plan of the factory, building including elevations, plan and cross sections and all the drawings are required to signed by the occupier in triplicate as per sub rule 3 (b)	PDF	Yes
17	Resolution passed by board of directors in which one of the directors has been declared as occupier or resolution passed by partners in case of firms in which one of the partners have been declared as occupier or declaration of proprietor in case of proprietorship concerns on affidavit duly attested either by magistrate or notary	PDF	Yes
18	List of directors /partners (parentage and completely registration addresses /partners may be clearly mentioned if applicable	PDF	No
19	Memorandum of articles of association in case of company. If applicable	PDF	No
20	Legible copy of partnership deeds duly attested either by magistrate or by notary in case of partnership concern.	PDF	Yes
21	Copy of excise department from excise department in case of alcohols units, if applicable.	PDF	Yes
22	Pan card of occupier.	PDF	Yes

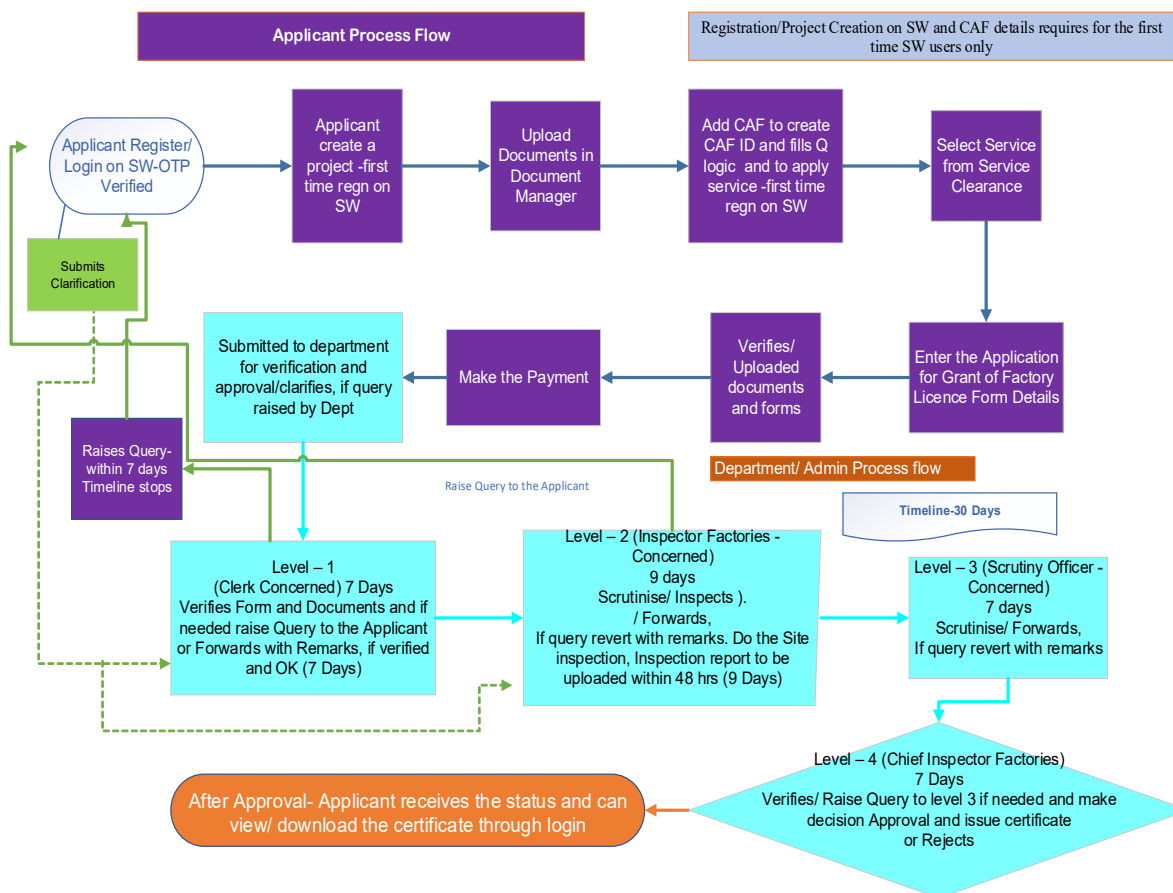
Fees

Schedule A							
Quantity of H.P installed	Minimum number of workers employed on any day during the year						
	20	50	100	250	500	750	1000
Nil	200	380	680	1580	3080	4580	6080
10	250	430	730	1630	3130	4630	6130
50	450	630	930	1830	3330	4830	6330
100	700	880	1180	2080	3580	5080	6580
250	1450	1630	1930	2830	4330	5830	7330
500	2700	2880	3180	4080	5580	7080	8580

Schedule A							
Quantity of H.P installed	Minimum number of workers employed on any day during the year						
	20	50	100	250	500	750	1000
1000	5200	5380	5680	6580	8080	9580	11080
1500	7700	7880	8180	9080	10580	12080	13580
2000 & Above	10200	10380	10680	11580	13080	14580	16080

Schedule B (Electricity Generating, Transforming & Transmitting Factories)		
#	Total Installed Capacity of the Generating Plant in KW	Fee Payable
1.	50 KW or Hrs	25
2.	Over 50 KW not over 100 KW	50
3.	Over 100 KW not over 150 KW	75
4.	Over 150 KW not over 300 KW	100
5.	Over 300 KW not over 700 KW	150
6.	Over 700 KW not over 1000 KW	225
7.	Over 1000 KW not over 5000 KW	450
8.	Over 5000 KW not over 10000 KW	750
9.	Over 10000 KW not over 50000 KW	1250
10.	Over 50000 KW not over 60000 KW	1500
11.	Over 60000 KW not over 80000 KW	1750
12.	Over 80000 KW not over 100000 KW	2000
13.	Over 100000 KW not over 150000 KW	2500
14.	Over 150000 KW not over 200000 KW	3000
15.	Over 200000 KW not over 300000 KW	3500
16.	All Over 300000 KW (Without Limit)	4000

Process Flow: Registration of Factories under The Factories Act, 1948



Step by Step Procedure for the application for Registration of Factories under The Factories Act, 1948 from Applicant and Departmental side along with timelines.

Applicant side:

- I. Applicant registers himself/herself on single window system <http://www.singlewindow.jk.gov.in>. If, already registered on the portal then login with the registered user id and password
- II. Applicants get the registration information on registered email id and registered mobile number.
- III. Your first step is to create a Project (a Project can be your new or existing Business/Industry).
- IV. Once a Project is created, you can fill the Common Application Form for the Project where all the common details required for the project are filled.
- V. Once CAF Id is created, from all the available Forms, click on the Form/Registration you want to apply for.

- VI. Before filling the forms, you will be given instructions about the documents required to submit along with the form. You need to upload these documents before filling the form.
- VII. Now you can apply for Application for Factory licence.
- VIII. Make payment of necessary application processing fees online using your debit card/ credit card/ net banking facility
- IX. Filled application form will be submitted to Concerned Clerk

Department Side:

- X. After online receipt of application form for issuance of Factory licence with all the necessary documents mentioned above the Concerned Clerk shall scrutinize the application along with uploaded documents
- XI. In case of deficiency Clerk shall report the deficiency to the applicant within **7 working days.(Timeline 7 working days)**
- XII. If there is no deficiency the Clerk shall recommend the application to Inspector Factories having jurisdiction of the area, who is turn will conduct the Physical inspection of the Site and submit the inspection report within **9 working days to Scrutiny officer.(Timeline 9 working days)**
- XIII. Scrutiny officer (Clerk) will scrutinize the application and in case of deficiency Clerk shall report the deficiency to the inspector within **7 working days. (Timeline 7 working days)**
- XIV. If there is no deficiency the Clerk shall recommend the application to Chief Inspector Factories if satisfied shall issue or reject the same within **7 working days (Timeline 7 working days)**
- XV. The certificate can be downloaded from the applicant login.

Form Fields:

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
1		Full name of the factory	Alpha/numeric	Yes
2	Full Postal Address of the Factory	Address 1	Alpha/numeric	Yes
3		Address 2	Alpha/numeric	Yes
4		City	Alpha	Yes
5		District	Alpha/Dropdown	Yes
6		Circle*	Alpha/numeric	Yes
7		Pincode: *	Numeric	Yes
8		Location of the factory	Province	Alpha/numeric
9	District		Alpha/Dropdown	Yes
10	Town or Village		Alpha/numeric	Yes
11	Nearest Railway Station		Alpha/numeric	Yes
12	Nearest Steamer Ghat, if any		Alpha/numeric	Yes
13	Postal address for communication	Address 1	Alpha/numeric	Yes
14		Address 2	Alpha/numeric	Yes
15		City	Alpha	Yes
16		District	Alpha/Dropdown	Yes
17		Pincode	Numeric	Yes
18	Nature of manufacturing processes	Manufacturing process carried on in the factory in the last twelve months	Alpha/Numeric	Yes
19		Manufacturing process to be carried on in the factory during the next twelve months	Alpha/Numeric	
20		Names and value of principal products to be manufactured during the next 12 months	Upload Option	Yes
21	Workers employed	Maximum number of workers proposed to be employed during the year	Numeric	Yes
22		Maximum number of workers employed during the last twelve months on any day	Numeric	Yes
23		Number of workers ordinarily employed in the Factory	Numeric	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
24	Power installed	Total rated horsepower (installed or to be installed)	Alpha/Numeric/Upload Option	Yes
25		Maximum amount of power (H.P.) Proposed to be used*	Alpha/numeric	Yes
26	Particulars of the Factory Manager	Full name of the person	Alpha	Yes
27		Address	Alpha/Numeric	
28		City	Alpha	Yes
29		District	Dropdown	Yes
30		Pincode	Numeric	Yes
31		Contact Number	Numeric	Yes
32	Particulars of Occupier	Full Name	Alpha	Yes
33		Residential Address	Alpha/Numeric	Yes
34	Land & Building	In the case of a factory constructed or extended after the date of the commencement of the Rules	Select Unit	Yes
35		Reference number of approval of the plans for site whether for old or new building and or construction of extension of factory by the State Government/Chief Inspector	Numeric/Alpha	Yes
36		Date of approval of the plans for site whether for old or new building and or construction of extension of factory by the State Government/Chief Inspector	Calendar	Yes
37		Reference number of approvals of the arrangement if any made for the disposal of trade waste and effluent (NOC from JKPCB)	Numeric/Alpha	Yes
38		Date of approval of the arrangement if any made for the disposal of trade waste and effluent (NOC from JKPCB)	Calendar	Yes
39		Name of the authority granting approval of the arrangement if any made for the disposal of trade waste and effluent (NOC from JKPCB)	Alpha	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
40	Industry Category	Choose Category based on your Industry	Select Option	Yes
41	Type of Industry	Type of Industry	Select Option	Yes
42	Documents	Certificate of consent to establish/operate from J&K State Pollution Control Board	Upload Option	Yes
43		NOC/License from the concerned department/authority in case of sawmills, peeling of wood logs factories, explosive factory, arms and ammunition factory, drug and pharmaceuticals factory, brick kilns and stone crushers*	Upload Option	Yes
44		Authorization letter of manager from the occupier	Upload Option	Yes
45		Copy of power sanction certificate from Power Development Department	Upload Option	Yes
46		Copy of safety certificate in duplicate indicating the safety measures adopted in the factory	Upload Option	Yes
47		Passport size photographs of the Manager or Occupier	Upload Option	Yes
48		Other Supporting document, if any	Upload Option	Yes
49		Application on prescribed form no 1.	Upload Option	Yes
50		Form 2 & 3 (combined) 1 copy every year	Upload Option	Yes
51		Copy of Jamabandhi/ Missal Haquiyat/Tatima of the site on which the factory is situated. If the factory is situated in rented premises, copy of rent deed may be submitted. In case of factory situated in industrial area, copy of allotment letter regarding plot may be submitted. If the factory is situated in leased premises,	Upload Option	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
		copy of leased deed may be submitted.		
52		Copy of approval from department of industries. (DIC Registration)	Upload Option	Yes
53		List of machineries along with size (L'*B') ft	Upload Option	Yes
54		Flow chart of manufacturing of process	Upload Option	Yes
55		Project report of the factory	Upload Option	Yes
56		Site plan of the factory, building including elevations, plan and cross sections and all the drawings are required to signed by the occupier in triplicate as per sub rule 3 (b)	Upload Option	Yes
57		Resolution passed by board of directors in which one of the director has been declared as occupier or resolution passed by partners incase of firms in which one of the partners have been declared as occupier or declaration of proprietor in case of proprietorship concerns on affidavit duly attested either by magistrate or notary	Upload Option	Yes
58		List of directors /partners (parentage and completely registration addresses /partners may be clearly mentioned if applicable	Upload Option	Yes
59		Memorandum of articles of association in case of company. If applicable	Upload Option	No

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
60		Legible copy of partnership deeds duly attested either by magistrate or by notary in case of partnership concern.	Upload Option	Yes
61		Copy of excise department from excise department in case of alcohols units, if applicable.	Upload Option	Yes
62		Pan card of occupier.	Upload Option	Yes

Risk categorization pertaining to Labour Department J&K.

- i. J&K State Pollution Control Board
 As defined by Government Order No 82-SPCB of 2018 dated 22-052018. Priorities of industries will be as follows:

Category	Inspection Schedule Based on Risk/pollution	
Red Category (High Risk)	<ul style="list-style-type: none"> 17 Categories of highly polluting industries as categorized by JKSPCB. Red Category of Industries other than those mentioned above 	Three months (Quarterly basis) Half Yearly
Orange Category	Orange Category of Industries	Once in a year
Green Category (Low Risk)	Green Category of Industries	Once in two years
	Exemption from inspection	To be inspected only in case of Public Complaints, Legal Cases and other mandatory requirements.

- ii. Department of Labour and Employment
- As defined by Government Order No 56-L&E of 2018 dated 26-7-2018.
 - For boilers, as defined by government from time to time.
 - The risk based inspection of the Labour and Employment department is as follows:



Category	Name of the Category	Inspection schedule based on risk/pollution	
I	Highly Hazardous: All factories posing high risk to workers and general public i.e. having off-site and which would require outside help to combat serious accident.	Fertilizer, (Bottling and Storage), Pesticides, Chemical and Pharmaceutical units and other red category units.	LPG and Once in six Months
II	Moderately Hazardous: All factories with medium hazard i.e. having on-site risk	Solvent Extraction Plants, Hydrogenating Plants, Paper Mills,	Once in six Months

	only and wherein the accidents could be controlled by the resources on the plant itself or with the help of neighboring units.	Chlorine, Distilleries, Breweries and Sugar Factories.	
III	Less Hazardous: All factories except (i) & (ii) with less hazardous potential i.e. where accidents can be controlled by unit by own resources.	Factories covered under S 85 of the Factories Act 1948.	Once in a year
A	Factories involving mechanical and health hazards.	Rule framed under 21(2) Factories Act 1948 including Paper Mills, Textile Mills, Ice Plants/ Cold Storages, Thermal Power stations and Primary Metallurgical producing units i.e. Zinc, Cadmium, Lead, Mercury Nickel, Aluminum, Copper and Steel.	Once in a year
B	Factories involving health hazards.	Tanneries, Paper Mills not using Chlorine, Board Mills and factories employing 20 or more workers excepting Brick Kiln, Electronic Goods, Printing Press and Saw Mills.	Once in a year
C	Factories which are less prone to accidents	Not included in categories A & B	Once in a year



iii. Food, Civil Supplies and Consumer Affairs Department

As defined under the Legal Meteorology (General Rules) 2011. However, following High Risk category establishments shall come under the preview of JKCIS:

- a. Non- Automatic weighing Instruments
- b. Dispensing Units
- c. Automatic Gravimetric Filling Instruments

Sd/-
(Manoj Kumar Dwevidi) IAS
Commissioner Secretary to the Government
Industries and Commerce Department

No: IND/DIC-102/2014-III

Dated: 28.01.2021

Copy to the:-

1. All Financial Commissioners.
2. Principal Secretary to the Lieutenant Governor.
3. Director General, J&K Institute of Management, Public Administration and Rural Development, Jammu.
4. Commissioner/ Secretaries to the Government, Labour & Employment Department.
5. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
6. Director, Information J&K.
7. Administrative Secretary, Food Civil Supplies and Consumer Affairs Department.
8. Director, Archives, Archaeology and Museums.
9. Member Secretary, Jammu & Kashmir State Pollution Control Board.
10. Private Secretary to Commissioner/ Secretary to the Government, Industries and Commerce Department.
- ✓ 11. In-charge website, I&C Department.
12. Notification file.


(Sartaj Hussain Madni)
Deputy Secretary to the Government

Do's and Don'ts

Do's

1. Ensure that relevant document as mentioned in the Standard Operating Procedure is uploaded at appropriate place.
2. Reply at the earliest or in 7 days to the clarification raised by the Department Officer for the Application.
3. Raise grievances on Single Window, if Approval is not granted within specified timeline.
4. Download your Approval certificate/ License/Registration etc. from the portal only.

Don'ts

1. There is no need to visit the Dept. for approval or any clarification.
2. Don't submit any physical hard copy of document to the Dept.
3. Don't upload irrelevant documents in the Application which is not mentioned in the Document Checklist

References:

1. The Factories Act, 1948 ([Factories Act 1948.pdf \(labour.gov.in\)](#))
2. PSGA General Administration Department, Jammu & Kashmir.
([showpdf.aspx \(jkgad.nic.in\)](#))

Appendix

Form 2&3 (Combined)
(See Rules 4 & 12)

Application for registration and grant or renewal of Licence for the year _____ and notice of occupation specified in sections 6&7 (to be submitted in triplicate)

1. Full name of the factory with licence number if already registered from before.
2. (a) Full postal address and situation of the Factory
(b) Full address to which communication Relating to the factory should be sent.
3. (a) Carried on the factory during the last twelve months in case of factories already in existence).
(b) To be carried on in the factory during the next twelve months (in case of all factories).
4. Names and value of principal products manufactured During the last 12 months.
5. (i) Maximum number of workers proposed to be employed on any one day during the year.
(ii) Maximum number of workers employed on Any day during the last 12 months
(iii) Number of workers to be ordinarily employed in the factory.
6. (i) Nature and total amount of power (H.P) installed of proposed to be in employed.
(iii) Maximum amount of power (H.P.) Proposed to be used.
7. Full name and residential address of the person who shall be the manager of the factory for the purpose of the Act.
8. Full name and residential address of the occupier.
(i) The proprietor of the factory case of private from Proprietary concern.
(ii) Directors, in case of public limited liability company/firm.
(iii) Where a Managing Agents has been appointed the name of managing Agents and Directors thereof.
(iv) Shareholders in case of Private Company where no managing agent have been appointed.
9. Full name and address of the owner of the premises or building (including the precincts thereof) referred to in section 93.
10. In the case of a factory constructed or extended after the date of the commencement of the Rules.
(i) Reference number and date of approval of the plans for site whether for old or new building and or construction of extension of factory by the State Government/Chief Inspector.
(ii) Reference number and date of approval of the arrangement if any made for the disposal of trade waste and effluents and the name of the authority granting such approval.
11. Amount fee Rs. _____ (Rupees _____)
(i) Paid in _____ Treasury on _____ vide Challan No _____
(ii) Dated _____ (Enclosed)

Signature of the Occupier

Signature of the Manager.

-2-

Note:-

1. This form should be completed in ink in block letters or Type.
2. If power is not used at the time of filling up this form but is introduced later, the fact should be communicated to the Chief Inspector immediately.
3. If any of the persons named against item 8 is minor, the factory should be clearly stated.
4. In the case of factory, where under the proviso to sub-section (1) and (2) of section 100, a person has been nominated as the occupier, information required in item 8 should be supplied only in respect of that person.
5. In the case of factory where a managing agent or agents have been appointed as occupiers the Indian Companies Act.1923 (VII of 1923) information required in item 8 should be supplied only in respect of that person or persons.