



Government of Jammu and Kashmir  
Industries & Commerce Department  
Civil Secretariat, Srinagar

**NOTIFICATION**

**Subject: The Jammu and Kashmir Central Inspection System (JKCIS).**

1. For a proficient business environment, synergy in inspections of various agencies regulating business is necessary to ensure that all relevant risks are properly addressed during inspection process. However, State agencies often carry out inspections in silos and refrain from sharing information with other Departments.
2. Hence, it is proposed to develop and implement a Central Inspection System (integrated risk based shared inspection system) covering Department of Industries and Commerce, Department of Labour and Employment and J&K State Pollution Control Board. Under the Central Inspection System (CIS) all the inspections prescribed under various Acts and Rules, as mentioned in **Annexure-I**, will be directly reported online by the Inspectorates to synchronize multiple inspections.

**The Inspection Framework:**

3. The CIS online system will comprise of computerized list of units drawn from the Data Base of the Single Window Portal. The selection for inspection of an establishment would be done through computerized risk assessment. The risk levels will depend on sector, history of compliance, etc.
4. The list of industries to be inspected would be prepared in accordance with the set parameters based on which an inspection calendar shall be prepared. The compliance inspection shall be executed by respective Departments as per the schedule of inspection, allocation of Inspectors and subsequent intimations by the CIS online system.

**State Level Planning Committee (SLPC):**

5. The policy matters with reference to the Central Inspection System shall be decided by the State Level Planning Committee (SLPC).

The Committee shall be a State Level Body mainly to implement advice, regulate and monitor the functioning of the CIS. The constitution of State Level Planning Committee shall be as follows:

Principal Secretary to Government, Industries and Commerce Department.	Chairman
Labour Commissioner.	Member
Member Secretary, J&K State Pollution Control Board	Member
Director Industries and Commerce , Jammu	Member
Director Industries and Commerce , Kashmir	Member
Managing Director, SICOP.	Member Secretary

6. The Committee may co-opt any other member or expert whenever required.

### **Powers and Functions of the State Level Planning Committee**

7. State Level Planning Committee will look after the broad policy and procedure of the CIS. The function of State Level Planning Committee will be as follows:

- i. Design and develop online inspection system for scheduling of inspections.
- ii. Establish framework for risk based inspections.
- iii. The system shall further assign inspections automatically and shall allow online filing of inspections reports and generation of reports, if needed. It shall also support mobile and email alerts. Avoid multiplicity of inspections and inspectors.
- iv. Allow Third party certification instead of Departmental Inspection depending on the risk assessment.
- v. Decide quarterly plan for inspection by various concerned departments.
- vi. Review the functioning of the CI system and the performance of each office integrated in the CIS.

- vii. Mandating the surprise inspection(s) based on registered and recorded complaints are conducted with specific permissions duly recorded from the respective HODs.
- viii. Establish Helpdesk and Grievance Redressal Mechanism.

**Central Inspection Cell (CIC) in the Directorate of Industries:**

8. The actual functioning of the Central Inspection System shall be carried out by a Central Inspection Cell (CIC). The CIC shall be headed by Director Industries and Commerce (concerned) who shall staff it adequately. Each participating Department will designate a Nodal Officer who shall be member of the Central Inspection Cell. The function of Central Inspection Cell (CIC) will be as follows:

- i. To build capacity of the Inspectors by introducing training to enhance skill.
- ii. To introduce cross training of the Inspectors for different inspection to optimize use of resources.
- iii. Develop modalities for conducting surprise inspections.
- iv. Monitor conduct of inspection reports.
- v. Operationalization of Helpdesk and Grievance Redressal Mechanism.

**Risk Based Criteria for Inspections**

9. Risk Based Inspection tool, where resources are focused on those enterprises carry a higher risk to the public is developed by the respective department. This risk based inspection tool shall form the basis to prioritize and determine the frequency of visit of each industrial establishment which shall form part of the annual inspection plans and detail visit schedule. The risk based schedule of the offices integrated in the JKCIS is as follows:

**a) J&K State Pollution Control Board**

As defined by Government Order No 82-SPCB of 2018 dated 22-05-2018. Priorities of industries will be as follows:

Category	Inspection schedule based on risk/ pollution	
Red Category (High Risk)	17 Categories of highly polluting industries as categorized by JK SPCB	Three months (Quarterly basis)

	Red Category of Industries other than those mentioned above	Half Yearly
Orange Category (Medium Risk)	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.

**b) 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	
<b>I</b>	<b>Highly Hazardous:</b> 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, LPG (Bottling and Storage), Pesticides, Chemical and Pharmaceutical units and other red category units.	Once in six Months
<b>II</b>	<b>Moderately Hazardous:</b> All factories with medium hazard i.e. having on-site risk only and wherein the accidents could be controlled by the resources of the plant itself or with the help of neighboring units.	Solvent Extraction Plants, Hydrogenating Plants, Paper Mills, Chlorine, Distilleries, Breweries and Sugar Factories.	Once in six Months
<b>III</b>	<b>Less Hazardous:</b> All factories except (i) & (ii) with less hazardous	Electroplating, Heat Treatment Plant, Rubber Factories and	Once in a year

	potential i.e. where accidents can be controlled by unit by own resources.	Factories covered under S 85 of the Factories Act 1948.	
<b>A</b>	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>B</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
<b>C</b>	Factories which are less prone to accidents.	Not included in categories A & B	Once in a year

(Sanjeev Kumar)

Under Secretary to the Government

No: IND/DIC-102/2014-VIII

Dated 22-07-2019

Copy to the :-

1. Commissioner/Secretary to the Government, Forest, Ecology and Environment Department.
2. Commissioner/Secretary to the Government, Labour and Employment Department.

3. Member Secretary, State Pollution Control Board.
4. Private Secretary to the Principal Secretary to the Government, Industries and Commerce Department.
- ✓ 5. Concerned Officer/Official. *T/O I&C Dept.*
6. I/C Website, Industries and Commerce Department.
7. Govt. Order file.
8. Stock file.

## ANNEXURE- I

### **LIST OF APPLICABLE LAWS/ACTS APPLICABLE UNDER THE JAMMU AND KASHMIR CENTRAL INSPECTION FRAMEWORK**

#### **Labour and Employment Department:**

1. Payment of Wages Act, 1936
2. Payment of Gratuity Act, 1972
3. Payment of Bonus Act, 1965
4. Minimum Wages Act, 1948
5. Contract Labour Act, 1970
6. Factories Act, 1948
7. Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996
8. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
9. J&K Boiler Act, 1934

#### **Jammu & Kashmir State Pollution Control Board:**

1. The Environment (Protection) Act, 1986
2. The Water (Prevention & Control of Pollution) Act, 1974
3. The Air (Prevention & Control of Pollution) Act, 1981
4. The J&K Non-biodegradable Material (Management, Handling & Disposal) Act 2007.

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