

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


**NOTIFICATION**

**Jammu the 28<sup>th</sup> of January, 2021**

**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, UT 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, J&K State Pollution Control Board and Food, Civil Supplies and Consumer Affairs. Under the Central Inspection System (CIS) all the inspections prescribed under various Acts and Rules will be directly reported online by the Inspectorates to synchronize multiple inspections.
3. Now, in suppression of the Notification issued vide No: IND/DIC-102/2014-VIII dated 02.07.2019; revised guidelines are hereby notified which shall oversee the Central Inspection System covering Labour, Factories and Boilers, Legal Meteorology and Pollution Control Board.

**I. The Inspection Framework:**

- 
- i. 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.
  - ii. 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.

- iii. Further, the inspections shall be strictly as per the relevant checklists, except for complaint based inspections. The report shall be uploaded on the CIS portal within 48 hours of the inspection. Furthermore, same inspector shall not visit an establishment in two consecutive inspections. The users shall be able to view and download the inspection reports of the last three years.

## II. UT Level Planning Committee (UTLPC):

- i. The policy matters with reference to the Central Inspection System shall be decided by the UT Level Planning Committee (UTLPC). The Committee shall be a UT Level Body mainly to implement advice, regulate and monitor the functioning of the CIS. The constitution of UT Level Planning Committee shall be as follows:

Administrative Secretary, Industries and Commerce Department.	Chairman
Administrative Secretary, Food Civil Supplies and Consumer Affairs	Member
Labour Commissioner.	Member
Member Secretary, J&K State Pollution Control Board	Member
Director Industries and Commerce , Kashmir	Member
Director Industries and Commerce , Jammu	Member
Managing Director, SICOP.	Member Secretary

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

## III. Powers and Functions of the UT Level Planning Committee

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

- a. Design and develop online inspection system for scheduling of inspections.
- b. Establish framework for risk based inspections.
- c. 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.

- d. Allow third party certification instead of Departmental Inspection under all the Labour and Environment / Pollution Control Laws and under Laws related to Consumer Affairs for low and medium risk industry.
- e. Decide quarterly plan for inspection by various concerned departments.
- f. Review the functioning of the CIS and the performance of each office integrated in the CIS.
- g. Mandating the surprise inspection(s) based on complaints are conducted with specific permissions from the respective HODs.
- h. Establish Helpdesk and Grievance Redressal Mechanism.

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

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:

- a. To build capacity of the Inspectors by introducing training to enhance skill.
- b. To introduce cross training of the Inspectors for different inspection to optimize use of resources.
- c. Develop modalities for conducting surprise inspections.
- d. Monitor conduct of inspection reports.
- e. Operationalization of Helpdesk and Grievance Redressal Mechanism.



#### **V. Risk Based Criteria for Inspections**

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:

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"> <li>17 Categories of highly polluting industries as categorized by JKSPCB.</li> <li>Red Category of Industries other than those mentioned above</li> </ul>	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	<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
II	<b>Moderately Hazardous:</b> 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	<b>Less Hazardous:</b> 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

## ANNEXURE- I

### LIST OF APPLICABLE LAWS/ACTS APPLICABLE UNDER THE JAMMU AND KASHMIR CENTRAL INSEPCTION 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 (Regulation and Abolition) 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. Boiler Act, 1991.
10. Equal Remuneration Act, 1976.
11. Maternity Benefit Act, 1961.
12. Shops and Establishments Act, 1966.

#### **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, 198.
4. The J&K Non-Biodegradable Material (Management, Handling & Disposal) Act 2007.

#### **Food Civil Supplies and Consumer Affairs Department**

1. The Jammu and Kashmir Standards of Weights & Measures (Enforcement) Act, 1997.

\*\*\*\*\*