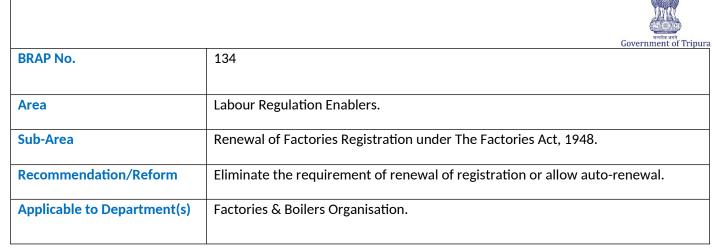
## **Government of Tripura**

Factories & Boilers Organisation

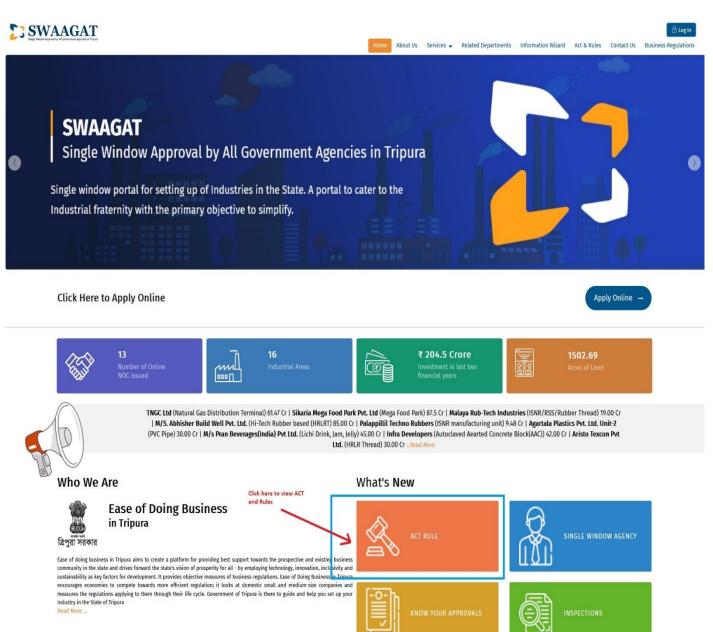
### **Business Reforms Action Plan 2024-25**



# **Compliance Supporting Documentation**

Approach to reform	A notification has been issued for auto-renewal of registration through SWAAGAT Portal subject to online payment of prescribed fees for ease of doing business.					
Act/GO/ Circular/ Notification	The Tripura Industries (facilitation) (amendment) Rules, 2020	F.No.DI/TIDA/4(35)/2020/20,466 dated, 03.12.2020				
	Notification of The Tripura Factories Rules, 2007 (Eight Amendment) Rules	No.F.2(345)-FB/EoDB(SRAP)2020/1442-52 Dtd.19.10.2020				
	URL for swaagat website applicant login is provided	https://swaagat.tripura.gov.in/#/page/home				
	Link to the Notification page	https://swaagat.tripura.gov.in/#/page/acts-rules				
URL	Direct link to the notification -The Tripura Industries (facilitation) (amendment) Rules, 2020	https://swaagat.tripura.gov.in/assets/documents/The %20Tripura%20Industries%20(Facilitation) %20(Amendment)%20Rules,%202020.pdf				
	Website of Factories & Boilers Organisation	https://factory.tripura.gov.in				
	Direct link to the notification -The Tripura Factories Rules, 2007 (Eight Amendment) Rules	https://factory.tripura.gov.in/sites/default/files/2024- 06/Tripura-Factories-Eight-Amendment-Rules.pdf				
Screenshots of Process/ documents	Screenshot of the notification enclosed					

1. Please visit the swaagat online portal and click on the "ACT RULE" present under "What's New" dashboard in the middle of the page as shown



# 2. You will be directed to this page where you can view all the relevant ACT and Rules issued by clicking on the links

Act & Rule X 🐉 The Tripura Indust	inies (Facilitati X +			<mark>0 - 0</mark>
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🕹 Swaagat		🕹 Policies		
➔ The Tripura Industries (Facilitation) Ac		Industrial Policy and Schemes		
<ul> <li>→ Tripura Industries (Facilitation) Rules, 2020</li> <li>→ The Tripura Industries (Facilitation) (Amendment) Act, 2020</li> </ul>		➔ TIIPS 2017 Amendment➔ North East Industrial Development Scheme NEIDS	2017	
<ul> <li>→ The Tripura Industries (Facilitation) (Amendment) Rules, 2020</li> <li>→ Timelines of services</li> </ul>		➔ Udyam Registration		
		ٹ RTI		
		➔ Right to Information Act		
Department Governme	nt Order(s)			
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# GAZETTE

# Published by Authority EXTRAORDINARY ISSUE

Agartala, Saturday, December 5, 2020 A. D., Agrahayana 14, 1942 S. E.

PART--I-- Orders and Notifications by the Government of Tripura, The High Court, Government Treasury etc.

### GOVERNMENT OF TRIPURA DEPARTMENT OF INDUSTRIES & COMMERCE SHILPA UDYOG BHAWAN, KHEJURBAGAN.

F.No. DI/TIDA/4(35)/2020/20,466

TRIPURA

Dated, Agartala, the 3rd December, 2020.

### NOTIFICATION

WHEREAS, Section 28 of the Tripura Industries (Facilitation) Act, 2018 (Act No.5 of 2019), empowers the State Government to make Rules to give effect to the provision of the Act and for matters connected therewith or incidental thereto;

AND WHEREAS, according to Section 28(a) of the Tripura Industries (Facilitation) Act, 2018 (Act No.5 of 2019), draft rules under the Act were published in the Tripura Gazette on 09<sup>th</sup> October, 2020, inviting objections and suggestions from all persons likely to be affected thereby within a period of 30 days from the date of publication of the notification;

AND WHEREAS, the objections and suggestions received within the specified time have been duly considered and the draft rules have accordingly been finalized;

NOW THEREFORE, having regard to that and considering all aspects, the State Government publishes the following Rules namely "The Tripura Industries (Facilitation) (Amendment) Rules, 2020".

#### The Tripura Industries (Facilitation) (Amendment) Rules, 2020

#### 1. Short title, extent and commencement:

- These may be called "The Tripura Industries (Facilitation) (Amendment) Rules, 2020" and also to be known as Single Window Approval by All Government Agencies in Tripura (SWAAGAT) (Amendment) Rules, 2020
- (2) They shall extend to the whole of the State of Tripura.
- (3) They shall come into force on and from the date of their final publication in the Tripura Gazette.

#### 2. Amendment of Rule 7 :

- (1) In sub-rule (1) of rule 7 of the principal Rules, the words 'SWAAGAT Approval Certificate' shall be substituted with the words "desired approvals"
- (2) In sub-rule (3) of rule 7 of the principal Rules, the expression '(either manually or online)' shall be substituted with the words "(online)"
- (3) The sub-rule (6) of rule 7 of the principal Rules is substituted as follows :-"(6) The Combined Application Form filled and submitted by the applicant should be scrutinized and accepted for issue of relevant clearances by the concerned Department/organization."
- (4) The sub-rule (7) of rule 7 of the principal Rules is substituted as follows:-"(7) The authorized representative of the nodal agency/concerned Department shall satisfy himself /herself that:
  - (i) The application is in complete shape;
  - (ii) All relevant and prescribed documents have been attached online
  - (iii) The prescribed fees receipts have been paid online;
  - (iv) Filled up Self-Certification format has been submitted online:"

### Tripura Gazette, Extraordinary Issue, December 5, 2020 A. D.

- the provision of auto renewal of license/registration wherever specified for services under Schedule –I and implementation thereof;
- (j) the provision of a Central Inspection System (CIS) for conduct of compliance inspections, allocation of inspectors is done centrally, the same inspector is not assigned to the same business establishment in subsequent years, inspection report uploading, scheduling of inspections, selection of establishments for inspection using computerized risk assessment, allocation of inspectors and differentiate compliance inspection requirements based on risk profile, prior inspection notice is provided to the business establishment and implementation thereof;
- (k) the provision of allowing the users to view and download submitted inspection reports of at least past three years and implementation thereof;
- the provision of display of proposed regulation or license on Legal Basis, its necessity, business-friendliness and implementation thereof;
- (m) the provision to publish draft business regulation online and invite public comments/ feedback on the same prior to enactment with period of display to be at least 30 days and implementation thereof.
- (n) the provision to publish the comments/feedback received on the draft business regulation and how they were addressed in the final regulation and implementation thereof.
- (2) The Single Window Clearance System may, for purpose of the effective functioning of the system, include any other provision not mentioned in sub-section (1), subject to approval of the State Government.

### 16. Right to Clearances and Grievance Redressal Mechanism:

In exercise of the powers conferred by Section 23A (1) of the Tripura Industries (Facilitation) (Amendment) Act, 2020 (Act No. 10 of 2020), the Government hereby specifies the following mechanism:

The applicant has the right to seek queries, ask for approval or seek explanation for the delay in approvals being sought through the Single Window Clearance System if they are not issued within time limit as prescribed in the rules and where clearances are not pending with agencies other than state government. It will be incumbent upon the respective departments/organizations officer concerned to answer to queries, delays and HoD of the concerned Department shall be accountable for timely processing.

#### Implementation:

- Queries, if any sought by the applicant through online to be addressed within a timeline of 7 days from the date of raising the queries by the concerned department/organization in online mode.
- (2) Delay, if any, can be pointed out by the industry applicant or has to be initiated suomoto by the concerned Head of Department (HOD) whenever there is a delay within his /her department from the time limit as prescribed.
- (3) Any aggrieved applicant shall submit a grievance through online. Any delay in granting licence / approval /clearance as per timelines can also be Suo-moto taken up by the Nodal agency as a grievance.
- (4) On receipt of the grievance from the nodal agency / applicant (including online), the same shall be forwarded to the concerned HoD (including online) and the HoD shall scrutinize the details and take views of the Officer/official who is accountable and take into consideration the reasons whether the delay has been caused willing fully. The action taken is to be communicated to the aggrieved applicant duly marking a copy to the Nodal Agency (including online) within 7 working days. In case of non-redressal of any grievance beyond 7 working days, fine will be levied against Concerned Officer/official by HOD duly informing the nodal agency.

# Tripura Gazette, Extraordinary Issue, December 5, 2020 A. D.

SL	Service	Department	Stage	Timeline (Working days)	
1.	Incentives under State Industrial/Sectoral Policy	Industries & Commerce	Post CFO	Eligibility certificate – 15 days Approval (Upto SLC/DLC) – 30 days Disbursement – 30 days from issuance of fund sanction letter	
2.	Registration of Partnership Firms	Industries & Commerce	Special	7 days	
3.	Allotment of land in Industrial Area	TIDC Ltd.	Special, All Time	14 days	
4.	Water Connection for Industrial Unit within Industrial Areas	TIDC Ltd.	Special, All Time	10 days	
5.	Change in Land use/conversion of land	Land Records & Settlement, Revenue Department	Any Time	30 days	
6.	Consent to Establish under the Air & Water (Prevention and Control of Pollution) Act, 1974	Pollution Control Board	CFE	21 days	
7.	Consent to Operate/Renewal under the Air & Water Act (Prevention and Control of Pollution) Act, 1981	Pollution Control Board	CFO & Renéwal	Green Category – 10 days Orange Category – 15 days Red Category – 21 days Renewal – 7 days	
8.	Authorization/ Renewal under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016	Pollution Control Board	Authorization & Renewal	Authorization- 21 days Renewal – 21 days	
9.	Registration/ Renewal under The E-waste (Management and Handling) Rules, 2011 (under Chapter III) (effective from May 2012)	Pollution Control Board	CFE/CFO & Renewal	Registration - 21 days Renewal – 21 days.	
10.	Registration and renewal under Plastic Waste (Management and Handling) Rules, 2011	Pollution Control Board	CFE/CFO & Renewal	Registration - 21 days Renewal- 21 days	
11.	Registration and Renewal of license under The Factories Act, 1948	Factories & Boilers Organization	CFO & - Renewal	Registration - 30 days Renewal- Auto on payment of fees	
12.	Approval of plan and permission to construct/extend/or take into use any building as a factory under the Factories Act, 1948	Factories & Boilers Organization	CFE	21 days	
13.	Registration and Renewal of Boilers under The Boilers Act, 1923	Factories & Boilers Organization	All Time & Renewal	Registration - 30 days Renewal- 7 days	

# Schedule- I (See amendment rule section 3)

1

7

## To view the Notification in the website of Factories & Boilers Organisation

**Step-1**: To view the Notification first go to the website of Factories & Boilers Organisation, Govt. of Tripura and click on '**BRAP-2024**' menu. URL: <u>https://factory.tripura.gov.in/</u>



BRAP



### BRAP-2024

BRAP-2024 SI. No.	Departments	Sub-Area	Reform Details	
129	Factories & Boilers	Registration of Factories under The Factories Act, 1948	Introduce a provision for allowing the validity of license under the Factories Act, 1948 to be 10 years or more.	View D
130	Factories & Boilers	Registration of Factories under The Factories Act, 1948	Ensure that information is available on website on all necessary components for availing a service such as comprehensive list of documents required, procedure with stage wise details, cost and time for completion of each procedure/ step, searchable based on risk category, size of firm, business location and Foreign/ Domestic investor	
131	Factories & Boilers	Registration of Factories under The Factories Act, 1948	Mandate time-bound delivery through a legislation such as: 1. Right to Services Act / Public Service guarantee Act 2. Equivalent act with punitive provisions and grievance mechanism in case the stipulated timelines are not met.	View 2 <u>View</u>
132	Factories & Boilers	Registration of Factories under The Factories Act, 1948	Design and implement an online system and mandate the following features without the requirement of physical visit to the department: i. Submission of application ii. Payment of application fee iii. Track status of application iv. Download the final signed certificate v. Third party verification	View 2 <u>View</u> 2
133	Factories & Boilers	Registration of Factories under The Factories Act, 1948	Ensure safety conditions are prescribed in line with the provision made in the OSH Code which permits women to work at night and in all occupations subject to their consent	
134	Factories & Boilers	Renewal of Factories Registration under The Factories Act, 1948	Eliminate the requirement of renewal of registration or allow auto-renewal	View D
			Ensura that information is available on website on all necessary components for availing a service.	

Step-3: Look for 'Tripura Factories (Eighth Amendment) Rules, 2020' and click on it to view the notification.

### Government of Tripura Labour Department (Factories & Boilers Organisation)

No. F. 2(345)-FB/EoDB(SRAP)/2020/ 1442-57 Dated, Agartala, the 19th October, 2020.

### **NOTIFICATION**

In exercise of the powers conferred under Section 6 read with Section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948), the Governor of Tripura hereby makes the following rules further to amend the Tripura Factories Rules, 2007 (hereinafter referred to as the Principal Rules), namely :-

### 1. Short title and commencement:

- a) These may be called the 'Tripura Factories (Eighth Amendment) Rules, 2020';
- b) They shall come into force on and from the date of their publication in the Tripura Gazette;

### 2. Insertion of New Rule 22A:

In the Principal Rules, after rule 22, a new rule 22A shall be inserted as follows:-

### "22A. Online Application:

- (1) An applicant may make an online application along with required documents, by online payment of fees, as prescribed under the rules, for the purpose of
  - (a) approval of site, construction or extension of factory building/ shed and layout of plant & machinery in a factory.
  - (b) registration and grant of license of a factory.
  - (c) renewal of licence.
  - (d) amendment of licence.
  - (e) transfer of licence.
- (2) (i) (a) For the purpose of making online application for clause (a) of sub-rule(1), the scanned copy of the documents mentioned in rule 5(2) shall be uploaded;

(b) If the Chief Inspector of Factories is satisfied that the plans are in consonance with the requirements of the Act and rule, he shall subject to such condition as he may specify, approve them and shall upload the digitally signed or system generated copy of plan within 21(twenty one) days;

- (ii) For the purpose of making online application for clause (b) of sub-rule (1), the scanned copy of the following documents shall be uploaded
  - (a) Filled up "Notice of Occupation" duly signed by the Occupier and Manager with date and seals respectively;
  - (b) Plan drawing of the factory and reference number of the approved plans, if deviated from the approved plan drawing;

- (c) In case of any change in occupier, the relevant document relating to such change;
- (d) A Self Certified compliance report on statutory provisions under the Act and rules, as prescribed by the Chief Inspector of Factories;
- (e) Such other particulars as the Chief Inspector of Factories may require to enable such approval to be given;
- (iii) On being satisfied with the online application and if there is no objection to the grant of licence applied for, the Chief Inspector of Factories shall register the factory and grant licence to the applicant for using the premises described in the licence and upload the digitally signed or system generated copy of license within30(thirty) days;

(3) On making an online application for renewal of licence, it shall be auto renewed within the timeline of 7(seven) days, if there is no objection to renew the licence;

(4) For the purpose of amending a licence under clause (d) of sub-rule (1), a licensee may make online application by uploading the scanned copy of the documents mentioned in rule 11(3) and the Chief Inspector shall grant the amendment and the licence thus amended, shall be uploaded with digital signature or system generated copy of it within 30(thirty) days, if there is no objection to amend the licence;

(5) For the purpose of transfer a licence under clause (e) of sub-rule (1), a licensee may make online application by uploading the scanned copy of the documents mentioned in rule 12(5) and the Chief Inspector shall grant the transfer and the licence thus transferred, shall be uploaded with digital signature or system generated copy of it within 30(thirty) days, if there is no objection to transfer the licence;

(6) All the funds accrued towards the online payment of fees under this rule shall be deposited to the head of Account "0230-Labour & Employment, 104 - fees realised under the Factories Act;

(7) In case any revocation of licence under rule 18, the Chief Inspector of Factories shall upload the revocation in the system."

### 3. Insertion of New Rule 25A:

In the Principal Rules, after rule 25, a new rule 25A shall be inserted as follows:-

### "25A. Miscellaneous:

- 1) Self-certification for Medium Risk factories instead of Departmental inspections may be submitted by the occupier once in a year under the Act & Rules which may be clearly mentioned in the format / form;
- 2) Inspector should follow the inspection procedures and submit the inspection report online within 48 hours to Central Inspection System (CIS);
- 3) The inspections (except in case of complaint-based inspections) shall be limited to the prescribed checklist and the same inspector will not inspect the same establishment twice consecutively;

Contd.

- Joint inspection committee may be formed by the department with the members of other related Departments for conducting joint inspection for specific purpose like complaints, accidents etc.;
- 5) Institutionalize a Central Inspection System (CIS) responsible for undertaking compliance inspections of the Departments concerned.

The department may devise, in consistence with the Act & rules and notify the format/form of self-certification, procedures for submission of online application, timelines, list of documents for services, well defined inspection procedure and checklist, standard inspection report form, returns, reports, constitution of committee etc. required for the purpose of implementation of above sub-rule (1) to (5)."

By order of the Governor

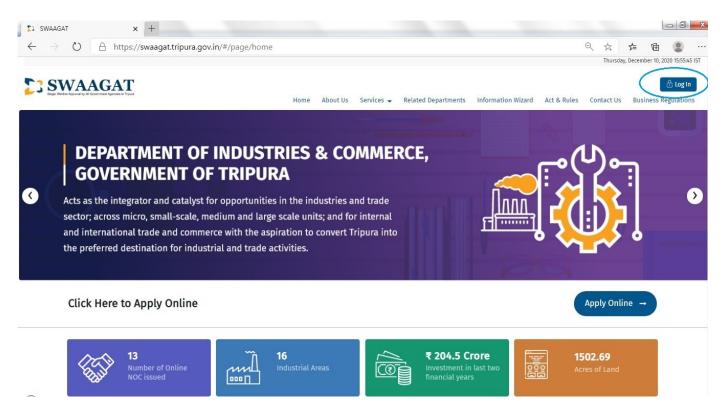
( Abhishek Chandra, IAS )H11077 Special Secretary to the <u>Government of Tripura.</u>

#### Copy to:-

- 1. The Principal Secretary to the Governor, Tripura for kind information of Hon'ble Governor.
- 2. P.S. to the Hon'ble Chief Minister, Tripura for kind information of Chief Minister.
- 3. P.S. to the Chief Secretary, Tripura for kind information of Chief Secretary.
- 4. The Director, Dept. of Industries & Commerce, Tripura.
- 5. The Director, Directorate of Information Technology, Tripura for uploading the **Notification** in the Factories & Boilers Organisation's website.
- 6. The Joint Secretary, G.A. (Confidential & Cabinet) Dept., Govt. of Tripura.
- 7. The Chief Inspector of Factories & Boilers, Tripura.
- 8. The Inspector of Factories, HQs/ West /Gomati / Unakoti Districts.
- 9. The Manager, Tripura Government Press, Agartala with a request to publish the **Notification** in the next issue of Extra Ordinary Issue of Tripura Gazette. 20 copies of the Notification may kindly be sent to this Department in due course for record.
- 10. All registered Trade Union.
- 11. Guard File.

### For the Auto-renewal process of License/Certificate kindly follow the process as shown below

3. Please visit the swaagat online portal and click on the "Login" tab on the right top corner



### 4. You will be directed to the login page. Enter your credentials and click login.

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5. Once logged in, you will be visited with the "dashboard" page. On the left side menu click on the "Application Process tab"

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6. If there are any license that needs to be renewed in the next few weeks, those details will be display on the screen and option for renewal will be available in the "Action" column. From this page the user will be able to renew his NOC/License by clicking on the 3 horizontal bars that will appear below the "Action" tab corresponding to the NOC/License the user wants to renew.

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