# **Government of Tripura**

## Factories & Boilers Organisation

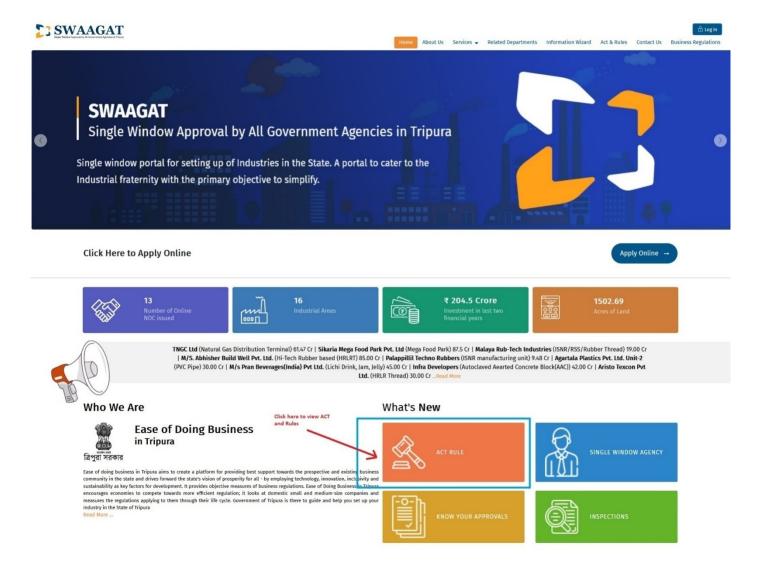


Business Reforms Action Plan 2024-25		
BRAP No.	140	
Area	Labour Regulation Enablers	
Sub-Area	Registration and Renewal of Boilers under the Boilers Act, 1923	
Recommendation/Reform	Mandate time-bound delivery through a legislation such as:  1. Right to Services Act / Public Service guarantee Act  2. Equivalent act with punitive provisions and grievance mechanism in case the stipulated timelines are not met.	
Applicable to Department(s)	Factories & Boilers Organisation	

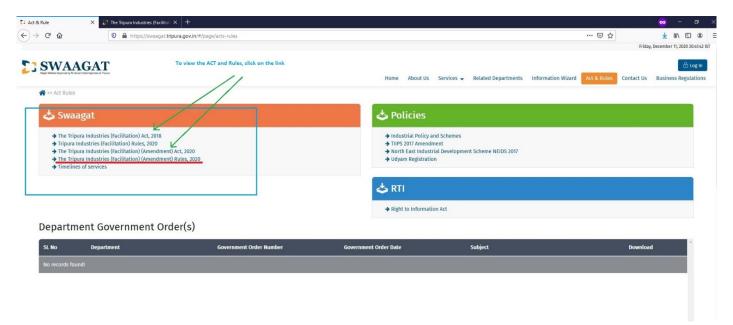
## **Compliance Supporting Documentation**

Approach to reform	Clear timelines with punitive provisions and grievance mechanism are mandated through the Tripura Industries(Facilitation) Rules, 2020 for approval of complete application for Registration of Factories under the Factories Act, 1948 and Rules made there under.  The timelines are also inserted in the Tripura Factories Rules, 2007 by Eighth amendment.			
Act/GO/ Circular/	The Tripura Industries (Facilitation) (Amendment) ACT, 2020	No. F.8(10) Law/Leg-I/2020 Dated 06.05.2020		
Notification No. (Attached)	The Tripura Industries (Facilitation) (Amendment) Rules, 2020	F.No.DI/TIDA/4(35)/2020/20,466 dated, 03.12.2020		
, ,	Boilers: Application Procedure, Timeline, Fees & Comprehensive List	No.F.2 (345)-FB/EoDB(SRAP)/2020/1639-45 dated, 10.11.2020.		
URL	Link to the Notification page	https://swaagat.tripura.gov.in/#/page/acts-rules		
	Direct link to the notification -The Tripura Industries (Facilitation) (Amendment) ACT, 2020	https://swaagat.tripura.gov.in/assets/documents/Tripura %20Industries%20Faciltation%20(Amendment)%20Act.pdf		
	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		
	Factories & Boilers home page	https://factory.tripura.gov.in/		
	Direct link to thenotification-Tripura Guaranteed Services to Citizens Act,2020	https://factory.tripura.gov.in/sites/default/files/2024-06/ Tripura%20Guranteed%20Services%20to%20Citizens %2CAct%202020%20%282%29.pdf		
	Direct link to the notification - Boilers: Application Procedure, Timeline, Fees & Comprehensive List	https://factory.tripura.gov.in/sites/default/files/2024-06/ Application.%20Procedure%2C%20Timeline%20for %20Boiler.pdf		
Screenshot of process/ documents		notification attached for your reference		

1. Please visit the Swaagat online portal and click on the "ACT RULE" 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



No.1171

Registered No. N. E. 930.



# Published by Authority **EXTRAORDINARY ISSUE**

Agartala, Wednesday, May 13, 2020 A.D., Vaisakha 23, 1942 S.E.

PART--III-- Acts of Tripura Legislature.

### GOVERNMENT OF TRIPURA LAW DEPARTMENT SECRETARIAT: AGARTALA

No. F.8(10) Law/Leg-I/2020

Dated, Agartala, the 6th May, 2020

#### NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor of Tripura on the 5<sup>th</sup> of May, 2020 and is hereby published for General information.

(Sopan Chaudhuri) Deputy Secretary, Law Government of Tripura

#### The Tripura Act no. 10 of 2020

#### THE TRIPURA INDUSTRIES (FACILITATION) (Amendment) ACT, 2020

AN ACT

to amend the Tripura Industries (Facilitation) Act, 2018

**BE** it enacted by the Legislature of the State of Tripura in the seventy first year of the Republic of India as follows:-

#### 1. Short title and commencement

This may be called the "Tripura Industries (Facilitation) (Amendment) Act, 2020;";

(b) It shall come into force on the date of its publication in the Tripura Gazette.

#### 2. Amendment of Section 3:

In the Tripura Industries (Facilitation) Act, 2018, (hereinafter referred to as the principal Act,) after sub-section (o) of section 3 the following new subsection shall be inserted, namely:-

"3 (p). Single Window Clearance System" means a system for grant or time bound issue of no objection certificates, allotments, consents, approvals, permissions, registrations, enrolments, licenses, renewals or the likes, by any Authority or Authorities, or any other bodies in connection with setting up of an industrial undertaking in the State of Tripura.".

#### 3. Insertion of new Section 23 A:

After section 23 of the principal Act the following new section shall be inserted, namely:-

"23A. Right to Clearances and Grievance Redressal Mechanism: (1)
The State Government may by framing rules under the provisions of this

Act, create a suitable Grievance Redressal Mechanism to effectively deal with the grievances filed by the applicants in relation to delay in clearances of applications.

(2) Willful delay, if any, on the part of an official involved in the process of according clearance, beyond the time limit fixed under the provisions of section 18, pointed out either by the industry applicant or by the concerned Head of Department (HOD), shall attract a penalty of Rs.1000/-(Rupees One Thousand only), for each day of such delay, till approval is accorded or reasons of rejection or delay is furnished, subject to a maximum of Rs.25,000/- (Rupees Twenty Five Thousand only) in any particular matter. The state government shall, by framing rules, in accordance with the provisions of law in force, prescribe a fair and reasonable mechanism of impositions of such penalty. The amount of money, so collected as penalty, shall be credited to the consolidated fund of the state".

#### 4. Amendment of Section 25

- (i) In section 25 of the principal Act, the words 'with the office of 'shall be substituted with the words "by two or more authorities from among".
- (ii) In section 25 of the principal Act after the words 'Municipal Authorities' the words "and such other authorities as the State Government by notification specify," shall be inserted.

#### 5. Insertion of new Section 25A:

After section 25 of the principal Act the following new section shall be inserted, namely:-

**"25A. Clearances from Tripura Urban Planning and Development Authority (TUDA):** The State Government may by notification specify the clearance process, for according layout and building approval by Tripura Urban Planning and Development Authority (TUDA) and issue of permission for change of land use, for industrial or manufacturing purposes."

(SOPAN CHAUDHURI) Deputy Secretary, Law Government of Tripura No.2488

Registered No. N. E. 930.



# **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

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 09th 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:

- (1) 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;"

including, inter-alia, recurring expenditure like purchase of consumables, travel cost, conducting prescrutiny meetings, District and State level meetings, maintaining the online SWAAGAT system and other incidental expenses."

#### 5. Amendment of Rule 11:

In rule 11 of the Principal Rules, the following provision shall be inserted "provided that, the following approvals are exempted for issuance of Deemed Approval:

Sl	Approval	Department/Organization TSECL	
1.	Temporary Electricity Connection for Industrial Unit		
2.	Permanent Electricity Connection for Industrial Unit	TSECL	
3.	Water Connection for Industrial Unit	PWD(DWS)/TIDC Ltd	
4.	Incentives under State Industrial/Sectoral Policy	Industries & Commerce "	

#### 6. Amendment of Rule 13:

The sub-rule (2) of rule 13 of the Principal Rules is substituted with the provisions: -: "(2) Every appeal shall be made in Schedule-III and shall be accompanied by a fee of Rupees five hundred payable to the revenue head of the Government. The application for appeal shall be presented either in person or by an agent duly authorized."

#### 7. Amendment of Rule 14:

The Sub-rule (i) of rule 14 of the Principal Rules will be substituted with the following:-"(i) There will be a Central Inspection System for conduct of compliance inspections by two or more authorities jointly from the office of the Labour Commissioner, Chief Inspector of Factories and Boilers, Tripura State Pollution Control Board, Municipal Authorities, Controller of Legal Metrology and such other authorities as the State Government by notification specify once in a year hereinafter referred to as participating departments."

- (ii) The Sub-rule (vi) of rule 14 of the Principal Rules is substituted as follows: "(vi) The Department of Industries & Commerce, Labour Directorate, Factories & Boiler Organization, Tripura State Pollution Control Board (TSPCB), Municipal authorities, Controller of Legal metrology and such other authorities as the State Government by notification specify shall take further necessary action accordingly."
- (iii) After Sub-rule (viii) of rule 14 of the Principal Rules the following new sub-rules shall be inserted: "(ix) The inspections conducted (except in case of complaint-based inspections) shall be limited to the checklist;
  - (x) The inspection report shall be submitted online within 48 hours to Centralized Inspection system."

#### 8. Insertion of new Rule- 15 & 16:-

In the principal rules, after Rule 14 the following new rules shall be inserted

#### "15. Single Window Clearance System

An online portal in the name of "Single Window Approval by All Government Agencies in Tripura (SWAAGAT)" functioning as part of the Single Window Clearance System will have the following provisions and mandate:

- (a) All applications for setting-up of industrial or service sector undertakings in the State of Tripura including incentive application which are provisioned in the Single Window Clearance System would be submitted in the online portal with no requirement for submissions of a hard copy and necessary action will be taken up by respective Departments/Organizations for grant or time bound issue of no objection certificates, allotments, consents, approvals, permissions, registrations, enrolments, licenses, renewals, incentives or the likes online in the portal.
- (b) All queries regarding the application from the investor will be recorded and addressed within a timeline of 15 days from the date of queries.
- (c) Queries/clarifications related to application are sought in one go by respective Departments/Organizations and within 7 days of receipt of the application
- (d) Inclusion of additional new regulation or license in the online wizard/system within 30 day.
- (e) The list of services to be made available under the portal with timelines are specified under Schedule-I

**Provisions and mandate of Single Window Clearance System – (1)** The Single Window Clearance System shall have the following provisions with the following mandate —

- (a) the provision of online wizard/system with addition of new regulation or license in the online wizard/system within 30 days and implementation thereof;
- (b) the provision of online submission of application through Combined Application Form (CAF) generated online by attaching the relevant enclosures, certificates, attachments etc and implementation thereof;
- the provision of online payment merging all fees, applicable under various Acts, rules, policies and schemes, for which an application is submitted in Combined Application Form (CAF), into a single transaction and implementation thereof;
- (d) the provision of electronic transfer of the fees and application by attaching the relevant enclosures, certificates, attachments etc. to respective Government agencies for processing and implementation thereof;
- (e) the provision of online approval, tracking of real time status of application and delivery of services (downloading the issued certificate online) and implementation thereof;
- (f) the provision of sending out alert through short message service (SMS) or e-mail notification to the applicant including respective users of Department/Organization or authority concerned as and when the application is submitted and/or query is raised and/or application is approved/rejected including any inspection scheduled and implementation thereof;
- (g) the provision of sending automated short message service (SMS) or e-mail notification to the respective users of Department/Organization or authority concerned with status information on the applications in which clearances are likely to breach the stipulated time and implementation thereof;
- (h) the provision of third party verification and implementation thereof;

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- (i) 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;
- (I) 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:

- (1) 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.

- (5) The penalty so levied will be Rs.1000/- (Rupees one thousand only) for each day of such delay till approval is accorded or reason for rejection or delay in according approval is furnished. However, the total amount of such penalty shall not exceed Rs.25,000/- (Rupees Twenty Five Thousand only) in any particular matter.
- (6) The amount of money, so collected as penalty, shall be credited to the consolidated fund of the state by the HOD."

(BY ORDER OF THE GOVERNOR OF TRIPURA)

Special Secretary, Industries & Commerce

# Schedule- I [See amendment rule section 3]

## TIMEFRAME

(CFE - Consent for Establishment) (CFO - Consent for Operation)

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

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# Schedule-III (See amendment Rule 6)

<u>To</u>

### Form of Appeal

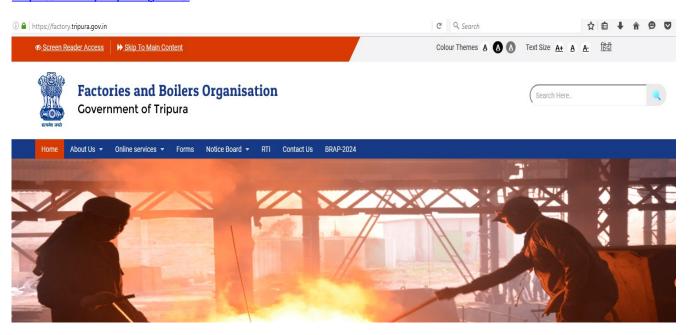
1)	Name & Address of the Unit	
2)	Location of the Unit	
3)	Line of Activity	
4)	Project Cost (in lakhs)	
5)	Employment	
6)	Application No./ID	
7)	Particulars of Clearance rejected by the Competent Authority	
8)	Reasons for rejection/Modification suggested, if any by Competent Authority	*
9)	Details of Fees paid for appeal	
10)	Brief Details of appeal	

Place:		
Date:		
Date.		Signature
		Name of the applicant:
		ContactNo.

To view the notification in the Factories and Boilers website, kindly follow the following steps or directly visit the links provided above on the first page.

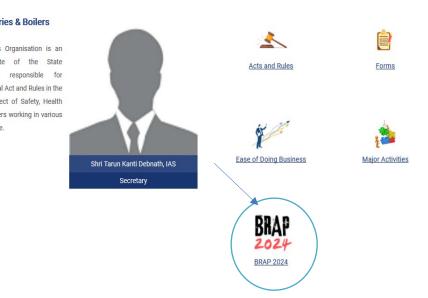
#### Step-1:

To view the notification first go to the website of Factories & Boilers Organisation, URL: <a href="https://factory.tripura.gov.in/">https://factory.tripura.gov.in/</a>



Step-2:
Click on the 'BRAP 2024'



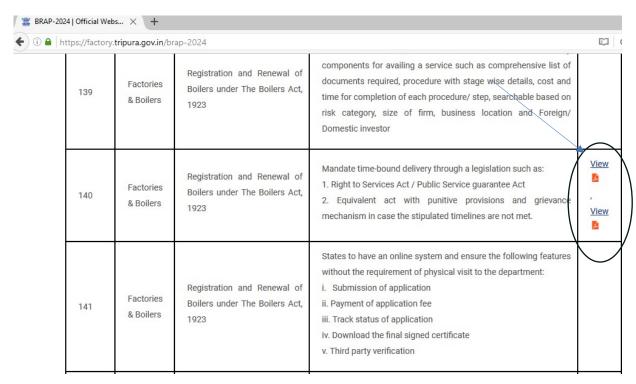


#### Step-3:

#### Then Go toBRAP2024 SI No. 140

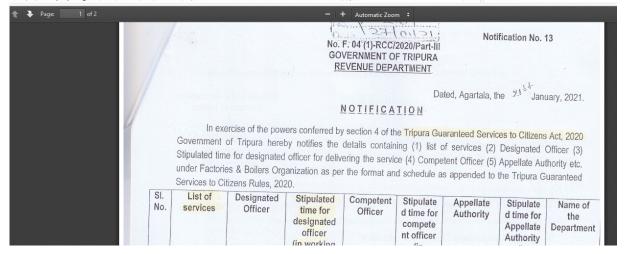
#### BRAP-2024

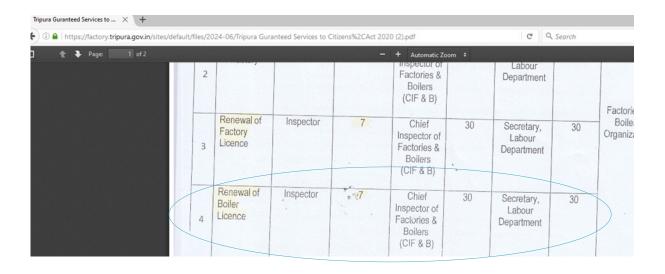
BRAP-2024 Sl. No.	Departments	Sub-Area	Reform Details	/ View
129	Factories & Boilers	Registration of Factories under The Factories Act, 1948	Introduce a provision for allowing the validity of license under the Factories Act, 1948 to be 10 years or more.	<u>View</u>
130	Factories & Boilers	Registration 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	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	<u>View</u>



#### Step-4

Then Click on View, both the notifications will appear





# No. F.2(345)-FB/EoDB(SRAP)/2020/16 39 - 45 Government of Tripura (Factories & Boilers Organisation) Labour Department

Dated, Agartala, the **10<sup>th</sup>November**, 2020.

NOTIFICATION

In exercise of the powers conferred under sub-section (3) of Section 34 of the Boilers Act, 1923, the Government of Tripura in Factories & Boilers Organisation (Labour Department) hereby notify the procedure, list of documents, timelines and fees for delivery of services under the Boilers Act, 1923, Indian Boiler Regulations, 1950 and Rules made thereunder for submission of online application for renewal of licence and procedure, list of documents, timelines for service delivery under the Boilers Act, 1923, Indian Boiler Regulations, 1950 and Rules thereunder for submission of application for renewal and registration of boiler and boiler manufacturer.

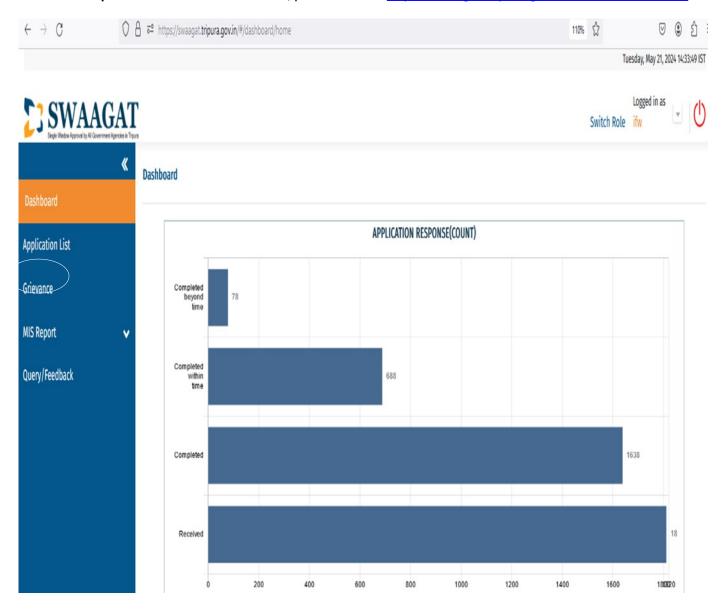
#### 1. Application for Registration of Boiler.

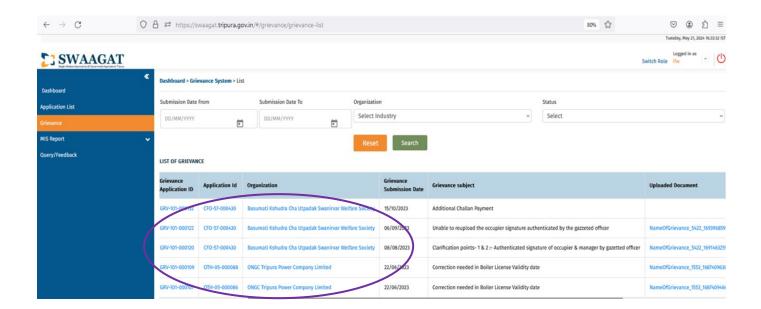
- A. Procedure for submission of application:
- The Entrepreneur shall submit online application.
- The online application, to be verified whether all required documents are attached with fee details.
- · The deficiencies, if any, in the application, will be informed to the applicant.
- B. Documents to be submitted with the Application:

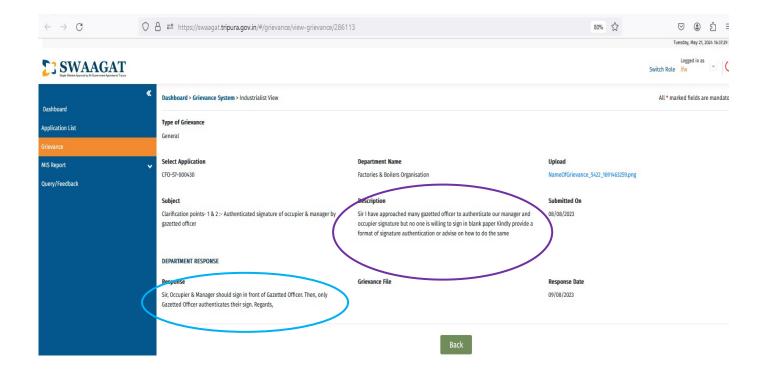
- The inspector then uploads the inspection report to the Department.
- Based on the report, if all are in order, Chief Inspector will sign and upload in the portal.
  - o Counter signed of Provisional Order (Form-V) issued by the Inspector.
  - o Registration number will be allotted after successful Steam Test.
  - o Engraving of registry number.
  - o Final Operation certificate (Form-VI) will be issued for 12 months from the date of hydrau
- The entrepreneur can view and download the digital copy of the approval in his login.
- D. Timeline: Registration of Boiler: 30 days.
- E. Fee: As per IBK, 1950, notified in time to time.
- 2. Application for Renewal of Boiler Licence.
  - A. Procedure for submission of application:
    - B. Documents to be submitted with the application:
    - · Form-B No.-1 with deposition of fees.
    - C. Processing of the application:
    - If the application is found to be in order, the department will allocate an Inspector to conduct an inspection for hydraulic test of boiler & others .
    - After satisfactory result of hydraulic test of boiler, operation certificate (Form-VI) will be issued for next 12 months from the date of hydraulic test.
    - . The entrepreneur can view and download the digital copy of the approval in his login.
    - D. Timeline: Renewal of Boiler License: 7 days
    - F Fee : As no 100 1000 morning in time to time

#### Step-5:

To view the option of Grievance Mechanism, please Click on <a href="https://swaagat.tripura.gov.in/#/dashboard/home">https://swaagat.tripura.gov.in/#/dashboard/home</a>







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