



ABSTRACT

Industries – Implementation of Central Inspection System (CIS) Integrated risk based shared inspection system - Formation of State-level Inspection Group (SIG) in the State of Tamil Nadu – Orders – Issued.

Industries (MIB.2) Department

G.O.(Ms) No.219

Dated 14.10.2020

புரட்டாசி 28, சார்வரி
திருவள்ளூர் ஆண்டு-2051

Read:

Email received from the Managing Director and Chief Executive Officer, Guidance, Tamil Nadu, dated 25.07.2020

ORDER:

In the email read above, the Managing Director and Chief Executive Officer, Guidance Tamil Nadu has stated that the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce & Industry, Government of India has initiated an annual assessment of ranking for all the states and union territories on relative ease of doing business from 2015 onwards. A comprehensive list of reforms is released every year viz. Business Reforms Action Plan (BRAP), based on which the assessment is carried out. The Government of Tamil Nadu in line with the guidelines outlined by DPIIT, has been implementing the Ease of Doing Business (EoDB) Reforms in the State with the aim of improving the overall business climate in the State and bringing at transparency in public service delivery to an enterprise for establishing and running business in the State.

2. He has also stated that Department for Promotion of Industry and Internal Trade (DPIIT), as part of the BRAP 2017-18, Business Reforms Action Plan (BRAP) 2019, and Ministry of Finance, Government of India letter No. F. No.40 (06)/PF-S/2017-18/Vol. V, dated 17 May 2020, recommended the States and Union Territories to develop and implement a Central Inspection System (CIS) which is an integrated risk based shared inspection system covering departments responsible for enforcing labour laws, and environmental regulations involving the following four departments:-

- i. Directorate of Industrial Safety and Health (DISH)
- ii. Tamil Nadu Pollution Control Board (TNPCB)
- iii. Commissionerate of Labour
- iv. Directorate of Boilers

3. In this regard, the Managing Director and Chief Executive Officer, Guidance Tamil Nadu has stated that a Central Inspection System has to be institutionalized to ensure transparency in conduct of compliance inspection, effective monitoring of inspections and mutual sharing of information among the inspecting departments. Further, he has requested the Government to issue a Government Order for institutionalization of the Central Inspection System and to form State-level Inspection Group(SIG).

4. The Government, after careful examination orders for institutionalization of the Central Inspection System and to form State-level Inspection Group(SIG) as follows:-

(a) Operating Model of Central Inspection System in Tamil Nadu

A Central Inspection System shall be established by integrating the web based online inspection system of four departments/ organization namely Directorate of Industrial Safety and Health (DISH), Tamil Nadu Pollution Control Board (TNPCB), Labour Department, and Directorate of Boilers. The key features of the Central Inspection System model in Tamil Nadu will be as follows:

- i. **Scheduling of Inspections:** The Central Inspection System shall display computerized list of units scheduled for inspection based on risk levels of the enterprise as defined by the concerned department.
- ii. **Allocation of the inspection resources:** The Central Inspection System shall display the computerized allocation of staff for inspection as determined by the concerned department's online system. This is based on a risk assessment done by the department based on analysis of industries data and/ or predefined parameters. The Central Inspection System shall also display the Inspection forms/ templates/ notice sent by department to concerned industry before the inspection process.
- iii. **Inspection Reports:** The Central Inspection System shall make available the inspection reports prepared and uploaded by Inspection Officer of the concerned department as per the timelines defined by concerned department. In case of non-compliance identified during inspection, the Central Inspection System shall trigger an alert email along with the inspection report substantiating the same to all the other departments that are part of the System. This will help other departments to re-assess the risk categorization of the industry concerned or take pro-active corrective measures.

(b) List of Acts and Rules covered under the Central Inspection System will be the following:-

Directorate of Industrial Safety and Health (Inspections to be carried out as per G.O.(Ms).No.134 dated 03.08.2017 issued by Labour and Employment Department)

1. The Factories Act, 1948

2. The Building and other Construction workers (Regulation of Employment and Conditions of service) Act, 1996.
3. The Contract Labour (Regulation & Abolition) Act, 1970
4. The Child Labour (Prohibition & Regulation) Act, 1986.
5. The Equal Remuneration Act, 1976.
6. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.
7. The Labour Laws (Exemption from furnishing Returns and maintaining Registers by certain Establishment) Act, 1988.
8. The Maternity Benefit Act, 1961.
9. The Minimum Wages Act, 1948.
10. The Payment of Wages Act, 1936.
11. The Payment of Gratuity Act, 1972.
12. The Payment of Bonus Act, 1965.
13. Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989.
14. The Tamil Nadu Industrial Establishments (Conferment of Permanent Status) Act, 1981
15. The Tamil Nadu Industrial Establishments (National & Festival Holidays) Act, 1958
16. Tamil Nadu Labour welfare Fund Act, 1972.
17. The Tamil Nadu Payment of Subsistence Allowance Act, 1981.
18. The Tamil Nadu Control of Industrial Major Accident Hazards Rules, 1994.

Commissionerate of Labour (Inspections to be carried out as per G.O.(Ms).No.151 dated 31.08.2017 issued by Labour and Employment Department)

1. The Tamil Nadu Shops and Establishments Act, 1947
2. The Tamil Nadu Catering Establishments Act, 1958
3. The Contract Labour (Regulation and Abolition) Act, 1970
4. The Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979
5. The Child and Adolescent Labour (Prohibition & Regulation) Act, 1986
6. The Maternity Benefit Act, 1961
7. The Motor Transport Workers Act, 1961

8. The Minimum Wages Act, 1948
9. The Tamil Nadu Labour Welfare Fund Act, 1972
10. The Payment of Bonus Act, 1965
11. The Payment of Gratuity Act, 1972
12. The Equal Remuneration Act, 1976
13. The Tamil Nadu Industrial Establishments (National and Festival Holidays) Act, 1958
14. The Payment of Wages Act, 1936
15. The Tamil Nadu Industrial Establishments (Conferment of Permanent Status to workmen) Act, 1981
16. The Legal Metrology Act, 2009
17. The Industrial Employment Standing Orders Act, 1946
18. The Working Journalists and other Newspaper Employees (Conditions of service and Miscellaneous Provisions) Act, 1955
19. The Sales Promotion Employees (Conditions of Services) Act, 1976
20. The Beedi & Cigar workers (Conditions of Employment) Act, 1966
21. The Cine Workers and Cinema Theatre Workers Act, 1981.
22. The Payment of Subsistence Allowance Act, 1981

Tamil Nadu Pollution Control Board (Inspections to be carried out as per Proc. No. TNPCB/OCMMS/F. No. 6517/2017-2 dated 04.07.2017 issued by Tamil Nadu Pollution Control Board)

1. Water (Prevention and Control of Pollution) Act, 1974
2. Air (Prevention and Control of Pollution) Act, 1981

Directorate of Boilers (Inspections to be carried out as per G.O. (Ms).No.156 dated 23.06.2020 issued by Public Works Department)

1. The Boilers Act, 1923

(c) Institutional Mechanism for reviewing Central Inspection System

To review the Central Inspection System regularly, a State-level Inspection Group (SIG) is constituted under the Chairpersonship of

the Managing Director and Chief Executive Officer of Guidance Tamil Nadu with the following officials as members:

Sl. No	Members	Designation
1.	Managing Director and Chief Executive Officer, Guidance Tamil Nadu	Chairperson
2.	Director, Directorate of Industrial Safety and Health	Member
3.	Chairman, Tamil Nadu Pollution Control Board	Member
4.	Commissioner, Labour Department	Member
5.	Director, Directorate of Boilers	Member

The State-level Inspection Group (SIG) shall perform the following functions:-

- i. Ensure that inspection checklists and procedures are transparent and published on Central Inspection System portal, and periodically updated to reflect the changes that may be made by concerned departments
- ii. Recommend and monitor implementation of changes to respective departmental IT inspection system to improve the effectiveness of Ease of Doing Business (EoDB) and knowledge sharing across departments
- iii. Generate reports from Central Inspection System for viewing and downloading by the departments and users
- iv. Review the framework for risk based inspections, based on changes in regulatory requirements
- v. Suggest empanelment of third party inspector, wherever applicable
- vi. Review the compliance of departments to the timelines defined in inspection framework
- vii. Review the actions taken by departments based on non-compliance inspection report uploaded in Central Inspection System
- viii. Monitor the usage of Central Inspection System by the concerned departments
- ix. Evaluate and recommend the integration of other departments that conduct compliance inspection, into the Central Inspection System

- x. The State-level Inspection Group (SIG) shall meet at least once a quarter and send a report on the decisions taken to the Chief Secretary and respective Secretaries

5. The Departments/ organization mentioned above are requested to take necessary action as per the orders at para 4 above.

(BY ORDER OF THE GOVERNOR)

**N. MURUGANANDAM
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Additional Chief Secretary to Government,
Environment and Forest Department, Chennai – 600 009.

The Additional Chief Secretary to Government,
Labour and Employment Department, Chennai – 600 009.

The Principal Secretary to Government,
Public Works Department, Chennai – 600 009.

The Managing Director and Chief Executive Officer,
Guidance Tamil Nadu, Chennai – 600 035.

The Executive Director,
Guidance Tamil Nadu, Chennai – 600 035.

The Commissioner of Labour,
DMS Complex, Teynampet, Chennai- 600 006.

The Director of Industrial Safety and Health,
T.S.No.47/1, Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai – 600 032.

The Director of Boilers,
1st Floor(North Wing), PWD office Compound
Chepauk, Chennai – 600 005.

The Chairman,
Tamil Nadu Pollution Control Board,
76, Anna Salai, Guindy, Chennai – 600 032.

Copy to:-

Industries (OP II) Department, Chennai – 600 009.

SF/SCs

// Forwarded / By Order //

Subramanian 14.10.2020
SECTION OFFICER

6.2m
14.10.2020