



ABSTRACT

The Factories Act, 1948 (Central Act LXIII of 1948) and the Tamil Nadu Safety Officers (Duties, Qualifications and Conditions of Service) Rules, 2005 – Amendment to the Tamil Nadu Safety Officers (Duties, Qualifications and Conditions of Service) Rules, 2005 - Preliminary Notification Issued – Confirmation – Orders Issued.

LABOUR WELFARE AND SKILL DEVELOPMENT (M2) DEPARTMENT

G.O.(Ms) No.150

Dated: 15.09.2023

சுபகிருது வருடம், ஆவணி 29,
திருவள்ளூர் ஆண்டு 2054

Read:-

1. G.O.(Ms) No. 45, Labour and Employment (M2) Department, dated 09.04.2018.
2. From the Director of Industrial Safety and Health (FAC), Chennai – 600 032, Letter No.B1/6164/2017, dated 17.04.2023.

ORDER:

In the Government Order first read above, a Preliminary Notification was issued to amend the rules 3 and 5 of the Tamil Nadu Safety Officers (Duties, Qualifications and Conditions of Service) Rules, 2005.

2. The Director of Industrial Safety and Health (FAC) in his letter second read above, has stated that, objections and suggestions have been received from the persons likely to be affected by the amendment and he has stated that Objections have been received from the Safety Officers who are already working in the factory for the omission of Degree in Physics or Chemistry and requested the Government to re-consider and withdraw the amendment since, the life and opportunities of many Physics and Chemistry graduates would be in trouble and would lost their jobs & reputation in the field even though having vast experience and requested to consider the said suggestions and also requested to omit the word “with equivalent syllabus” in the proposed amendment in rule 3, in sub-rule (1), in clause (b). He has also requested the Government to allow the factory managements to advertise the vacancy in the post of safety officers in prominent Online Job Portal adopting the online recruitment.

3. The Government after careful examination, have decided to confirm the orders issued in the Preliminary Notification, with certain modifications based on the request of the Director of Industrial Safety and Health (FAC), Chennai-600 032.

4. The appended Notification will be published in the **Tamil Nadu Government Gazette** both in English and Tamil.

5. The Director (Translation), Tamil Development and Information Department, Secretariat, Chennai-600 009 is requested to send the Tamil translation of the Notification to the Works Manager, Government Central Press, Chennai-600 001.

6. The Works Manager, Government Central Press, Chennai-600 001 is requested to publish the Confirmation Notification and send five copies of the Gazette Notification to the Government for reference and record.

(BY ORDER OF THE GOVERNOR)

**KUMAR JAYANT
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.**

To
The Works Manager, Government Central Press, Chennai-600 001.
(for Publication in the Tamil Nadu Government Gazette)
The Director (Translation), Tamil Development and Information Department,
Secretariat, Chennai – 600 009.
The Director of Industrial Safety and Health (FAC), Chennai-600 032.

Copy to:

The Law Department, Chennai – 600 009.

The Special Personal Assistant to the Hon'ble Minister (L.W.&S.D),
Chennai-600 009.

The Senior Principal Private Secretary to the Additional Chief Secretary to Government,
Labour Welfare and Skill Development Department, Chennai-600 009.

The Labour Welfare and Skill Development Department (OP 2) Department,
Chennai-600 009.

✓ Stock File / Spare Copy / Clean Copy to file (C.No.2947/M2/2023)

//FORWARDED BY ORDER //

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15/9/23
SECTION OFFICER

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sub-section (2) of section 40B read with section 112 of the Factories Act, 1948 (Central Act LXIII of 1948), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Safety Officers (Duties, Qualifications and Conditions of Service) Rules, 2005 and the draft of the same having been previously published, as required by section 115 of the said Act:-

AMENDMENTS.

In the said Rules, —

(1) in rule 3, in sub-rule (1),—

(i) for clause (b), the following clause shall be substituted, namely:—

"possesses any Diploma in Industrial Safety conducted by any Institute under the Directorate General, Factory Advice Service and Labour Institutes (DGFASLI), Ministry of Labour and Employment, Government of India or possesses a full time degree or a full time Diploma in Industrial Safety and duration of not less than one year awarded by any University incorporated under the Central or State Acts or Department of Technical Education or Board of Technical Education of any State / Union Territories / Government of India; and";

(ii) in sub-rule (2), after the second proviso, the following proviso shall be added, namely:— "Provided also that the occupier shall ensure that the Safety Officer appointed in the factory acquires adequate knowledge of the language spoken by majority of the workers in the factory within one year from the date of such appointment.";

(2) in rule (5),—

(i) in sub-rule (1),—

(a) for the expression "other in English:", the expression "the other in English and in a Prominent online job portal:";

(b) in the second proviso, for the expression "the Department of Inspectorate of Factories on deputation basis.", the expression "the Directorate of Industrial Safety and Health on deputation basis and that the procedures laid down in sub-rule (1) need not be followed, while filling up on deputation basis.";

(c) after the second proviso, the following proviso shall be added, namely:—

"Provided also that when the post is proposed to be filled by transfer or promotion from among the members of staff in the factory or group of factories belonging to the same Occupier, the Central or State Government Public Sector Undertakings or Government Establishment or Quasi - Government Establishment, the vacancy shall be widely published among the prospective staff by suitable methods";

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) Selection for appointment to the post of Safety Officer by direct recruitment or by transfer or promotion or nomination shall be made from among the candidates applying for the post, through a Selection Committee appointed by the Occupier of the factory."

KUMAR JAYANT
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.

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