

Dated: 28.01.2022

MEMORANDUM

Sub: The Factories Act, 1948 and The Tamil Nadu Factories Rules, 1950 - Registration of Petrol, Diesel and LPG dispensing pumps / stations under the Factories Act, 1948 - Permission accorded - Necessary action taken - Requested -Regarding.

- Ref: 1. Government letter No. 8280/M2/2014-1, dated: 22.12.2015 Labour and Employment Dept.,
2. Government letter No. 15061/M2/2021-2, dated: 21.12.2021 Labour Welfare and Skill Development Dept.,

The attention of all the subordinate officers of this Directorate is drawn to the references cited and in the Government letter 1st cited instructions were issued by the Government not to register the Petrol / Diesel / LPG Dispensing Pumps under the Factories Act, 1948 as the pumping of oil done in the Petrol, Diesel dispensing pumps which are of dispensing station were already covered under the Legal Metrology Act which has been enforced by the Commissionerate of Labour.

In this regard, a proposal has been sent to Government to permit Directorate of Industrial Safety and Health to register the Petrol, Diesel & LPG dispensing pumps under the Factories Act 1948 focusing the hazards and occupational safety & health of the workers which are not covered in Shops and Establishments Act and Legal Metrology Act.

Government considered the proposal and decided to expand the definition of 'Factory' to Petrol, Diesel & LPG dispensing pumps / stations and withdrawn the orders issued in Government letter in the reference 1st cited and accorded permission to continue the registration process under the Factories Act, 1948 vide reference 2nd cited.

Hence, all the subordinate officers of this Directorate are hereby instructed to take necessary action to register all the Petrol, Diesel and LPG dispensing pumps / stations under Section 2(m)(i) & Section 85(1) of the Factories Act, 1948.

Further it is instructed that the provisions as stipulated under Section 2(cb) [Schedule I (item No.29 - Highly flammable liquids and gases)] and Section 87 of the Factories Act, 1948 (Schedule XXXI in Rule 95 of the Tamil Nadu Factories Rules, 1950) and all other statutory provisions as stipulated under the Factories Act, 1948 & other allied labour enactments shall be strictly enforced.

Asarika
28/1/22

For Director of Industrial Safety and Health(FAC),
Chennai-32.

h
28/1/22

To

1. All the Additional Directors of Industrial Safety and Health.
2. All the Joint Directors of Industrial Safety and Health (by e-mail).

(A copy of Memorandum shall be communicated to their subordinate officers for taking necessary action)

Copy to (by e-mail)

1. Officers in H.Q.
2. The Additional Director of Industrial Safety and Health, Mobile Team
3. The Joint Director of Industrial Safety and Health (Training Centre, Sivakasi)
4. The Joint Directors of Industrial Safety and Health (BOCW), Chennai & Madurai.

(A copy of Memorandum shall be communicated to their subordinate officers for information)