

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Government Notification, Industries, Energy and Labour Department No. FAC.2019/C.R.253/Lab-4, dated the 10th February 2020 is hereby published under the authority of the Governor of Maharashtra.

By order and in the name of Governor of Maharashtra,

DR. S. L. PULKUNDWAR,  
Deputy Secretary to Government.

## **INDUSTRIES, ENERGY AND LABOUR DEPARTMENT**

Mantralaya, Mumbai 400 032, dated the 10th February 2020

### *NOTIFICATION*

FACTORIES ACT, 1948.

No.FAC.2019/C.R.253/LAB-4.—The following draft of rules further to amend the Maharashtra Factories Rules, 1963 (hereinafter referred to as “the principal Rules”), which the Government of Maharashtra proposes to make in exercise of the powers conferred by section 112 and 115 of the Factories Act, 1948 (63 of 1948), in its application to the State of Maharashtra and clause (3) of section 23 of the General Clauses Act, 1897 (X of 1897) and of all other powers enabling it in that behalf, is hereby published as required by sub-section (1) of section 115 of the said Act, for information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra on or after the expiry of forty-five days from the date of publication of this notification in the *Maharashtra Government Gazette*.

2. Any objection or suggestion, which may be received by the Director, Directorate of Industrial Safety and Health, Kamgar Bhavan, 5<sup>th</sup> Floor, Block-E, C-20, Bandra-Kurla Complex, Bandra (E), Mumbai 400 051, on or before the expiry of the abovesaid period from any person with respect to the said draft, will be considered by the Government.

### *DRAFT RULES*

1. These rules may be called the Maharashtra Factories (Amendment) Rules, 2020.
2. In chapter III of Maharashtra Factories Rules, 1963, for the existing rule 18A, the following new rule 18-A shall be substituted, namely :—

#### **18-A-Medical examinations of workers:—**

(1) Every worker in the factory except workers engaged in dangerous operations and processes or hazardous processes shall be medically examined once in a year by a registered medical practitioner possessing a degree of Bachelor of Medicine and Bachelor of Surgery (MBBS) and Diploma in Industrial Health (DIH) or posses a certificate of Associate fellow of Industrial Health (AFIH) approved by Directorate General Factory Advice Service and Labour Institute or State Government. He should be registered with medical Council of India or Maharashtra Medical Council.

(2) Record of medical examination conducted under this rule shall be maintained in form 7-A and shall furnish to the inspector and also uploaded by Occupier online on department website within seven days of receipt of form 7-A from the registered medical practitioner.

(3) Registered medical practitioner shall conduct medical tests required to ascertain health status of worker depending on his nature of work or work environment.

(4) The fees to be paid for medical examination shall be payable to the registered medical practitioner by the occupier.

(5) The Occupier of a factory shall provide for the purpose of medical examination to conduct at the factory a room which shall be properly cleaned and adequately ventilated and lighted and furnished with a table and chairs.

(6) The Occupier of a factory Shall preserved a register or record of medical examination and tests of any workers for a period of three years after the last medical examination and shall be produced before the Inspector on demand.

### FORM 7-A

(See Rule 18-A)

### Health Register

(In respect of persons employed in factories except workers engaged in dangerous operations and processes or hazardous processes)

Name and address of the factory

Sr. No.	De-partment	Name of worker	Sex	Age (last birthday)	Date of employment of present work	Nature of job or occupation	Date of medical examination	Symptoms/ Sign observed during examination	Test conducted to ascertain health of worker	health status of workers/ disease	Signature of registered medical practitioner with date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

*Note* : I certify that I examined the person mentioned above personally .

Date :

Name and Signature of registered medical practitioner

Place :

MMC Registration No. \_\_\_\_\_ valid upto \_\_\_\_\_

By order and in the name of the Governor of Maharashtra,

DR. S. L. PULKUNDWAR,

Deputy Secretary to Government.