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GOVERNMENT OF KERALA

Labour and Skills (B) Department

NOTIFICATION

No.B2/161/2025/LBR

Dated, Thiruvananthapuram, 9th October, 2025

23rd Kanni, 1201

The following draft rules further to amend the Kerala Factories Rules, 1957, which the Government of Kerala propose to make, in exercise of the powers conferred under section 112 of the Factories Act, 1948 (Central Act 63 of 1948) is hereby published as required by sub-section (1) of section 115 of the said Act.

Notice is hereby given that the said draft rules will be taken up for consideration on or after 45 days from the date of publication of this notification in the Official Gazette and that any objections or suggestions, if any, that be received from any person or firm on or before the date specified above in respect of the said draft rules will be considered by the Government. Objections or suggestions, if any, shall be addressed to the Secretary to Government, Labour and Skills (B) Department, Government Secretariat, Thiruvananthapuram – 695 001.



DRAFT RULES

1. *Short title and commencement.* – (1) These rules may be called the Kerala Factories (Amendment) Rules, 2025.

(2) They shall come into force at once.

2. *Amendment of the Rules.*– In the Kerala Factories Rules, 1957,-

(1) after rule 81M, the following rule shall be inserted, namely: -

81N: Safety Audit.– (1)The Safety Audit shall apply to the factories, -

(i) in which manufacturing processes, which involves use, storage, handling or processing of toxic or highly inflammable or explosive or hazardous chemicals or wherein such toxic or highly inflammable or explosive substances are likely to be generated or given out, are carried out; or

(ii) in which the hazardous processes as listed in first Schedule appended to clause (cb) of section 2 of the Factories Act, 1948 is carried out; or

(iii) employing 100 workers or more.

(2) Definition – (a) for the purpose of this rule,-

(i) "Safety audit" means a systematic, objective, physical and documented evaluation of a factory's occupational safety and health management systems, policies, practices, and physical workplace conditions, encompassing on-site verification of equipment and processes, to identify hazards, assess risks, ensure regulatory compliance and recommend improvements for continuous safety performance enhancement.

(ii) "Safety Auditor" means an institution recognized by the Chief Inspector to carry out safety audit in accordance with this rule.

(iii) "hazardous chemical" means any chemical as defined in sub-rule (a) of rule 2 of the Kerala Factories (Major Accident Hazard Control) Rules, 2005.

(iv) "Institution" means a firm, association, body, corporate, society or a trust, whether registered in accordance with the law for the time being in force or not, and dealing mainly with the object of ensuring safety and health of workers engaged in factories.

(b) Words or expressions used, but not defined herein, shall have their respective meanings as assigned to them in the Act or rules made thereunder.

(3) The occupier of the class a factories mentioned in sub-rule (1) shall arrange to carry out the safety audit to supplement the provisions of Chapter IV and Chapter IVA of the Act, whichever is applicable as a measure for securing the safety of persons employed therein, in the following manner, namely :-

(a) internally, once in a year by a team of plant personnel;

(b) externally, once in two years by the Safety Auditor:

Provided that, in the year, when an external audit is carried out, it shall not be necessary to carry out an internal audit: Provided further that, in case of any changes, total or partial, in the manufacturing process or in the factory, the occupier shall within one month prior to such change, carry out the safety audit externally by the Safety Auditor.

(4) The safety audit shall be carried out as per the standards laid down as IS 14489 : 1998 in the Indian Standard Code of Practice on Occupational Safety and Health Audit or any such standards prevailing at the relevant time, whichever is latest, by the Safety Auditor recognized by the Chief



Inspector to carry out safety audit in accordance with this rule.

(5) The Chief Inspector may recognize any institution employing at least three persons as a Safety Auditor for the purpose of carrying out safety audit as provided by this rule:

Provided that every person employed in that capacity possesses the qualifications, experience, age and other requirements set out in schedule - A and that among them there is a minimum of one person from each of the fields of mechanical, electrical and chemical engineering thereby ensuring a comprehensive, multidisciplinary approach to safety auditing:

Provided further that, where the institute to which such recognition has been granted ceases to employ at least three persons possessing the qualifications, experience and other requirements set out in the Schedule - A, the recognition granted to such institute shall deemed to be cancelled:

Provided also that, the Chief Inspector may for reasons to be recorded in writing, relax the requirements of qualification, if such institute or person(s) employed by such institute is (are) exceptionally specialized in the field of carrying out safety audit for not less than five years.

(6) An application for grant or renewal of certificate of recognition as a Safety Auditor for carrying out safety audit shall be made to the Chief Inspector by an institution in Form A. Every application for grant or renewal of certificate of recognition of safety auditor shall be accompanied by a treasury challan receipt towards the remittance of the fees specified in Appendix-III.

(7) On receipt of an application duly made in accordance with sub-rule (6), the Chief Inspector shall register such application and within a period of thirty days of the date of receipt of application, either after having satisfied himself as regards competence and facilities available at the disposal of the applicant may approve the applicant as a 'Safety Auditor' and shall issue a certificate of recognition in Form B or reject the application specifying the reasons therefore within fifteen days, subject to the following conditions and any other condition as may be specified by the Chief Inspector, namely:-

(i) Safety Auditor shall maintain a log book of all safety audits undertaken, indicating the name and address of the audited factory, name of the person who has carried out safety audit, contact number of persons, date of the audit and date of submission of the audit report to the occupier. It shall be produced as and when required by concerned officers of the Department of Factories and Boilers;

(ii) Safety Auditor authorized to carry out shall not conduct a safety audit of any factory where such auditor is employed or an occupier, partner, director or manager of that factory or of any factory owned, operated, managed or conducted by immediate family members, relatives or extended family members or wherein that auditor or such person has any direct or indirect interest whatsoever. An auditor shall not carry out the safety audit of those factories to which that auditor supplies any plant, machinery, raw material, safety equipment or other materials or equipment;

(iii) Safety Auditor authorized to carry out safety audit shall not disclose, even after they ceasing to be a recognized auditor or employee of the institution, any manufacturing or commercial or trade secrets or working processes or other confidential information which may come to his knowledge in the course of their duties as an auditor. Any failure in this regard may make such auditor or person liable for criminal or civil proceedings, in accordance with the law for the time being in force.

(8) The recognition granted under sub-rule (7) shall be valid for three years from the date of issue of certificate of recognition.

(9) The application for renewal of recognition as a safety auditor shall be made at least three months before the expiry of the period of recognition and the procedure stated in sub-rules (6) and (8) shall apply mutatis mutandis for its renewal.



(10) The Chief Inspector may, after giving an opportunity to the Safety Auditor of being heard, revoke the certificate of recognition in Form B, if he has reasons to believe that a Safety Auditor,-

(i) has violated any condition stipulated in the Form B; or

(ii) has carried out the safety audit or has acted in a manner inconsistent with the intent or the purpose of the Act or the rules made thereunder or has omitted to act as required under the Act and the rules made thereunder; or

(iii) for any other reason to be recorded in writing.

(11) A Safety Auditor aggrieved by an order of Chief Inspector may prefer an appeal before the Government within a period of thirty days on receipt of the order of Chief Inspector. The Government shall give an opportunity to the Safety Auditor of being heard and pass an order. The order of the Government shall be final.

(12) The occupier of the factory as well as the Safety Auditor shall inform in writing to the concerned office of the Department of Factories and Boilers, fifteen days in advance before commencement of the safety audit in a factory.

(13) The Safety Auditor shall within one month from the date of completion of safety audit forward to the occupier of the factory and to the Chief Inspector, a Safety Audit Report in proforma specified under schedule-B on the letter head and his recommendations regarding improvement of the occupational safety and health in a factory:

Provided that, if during safety audit, auditor finds any hazard posing danger of causing an accident, he shall immediately communicate in writing to the occupier as well as to the Chief Inspector. In such case, the occupier shall take immediate corrective action.

(14) The occupier shall, within thirty days of the receipt of the Safety Audit Report in proforma specified under schedule-B, forward the same to the Chief Inspector along with the action taken report in pursuance to the recommendations made in the Safety Audit Report.

(15) On scrutiny of the Safety Audit Report, if it is found that the safety audit is not carried out in accordance with sub-rule (6), the Chief Inspector may communicate the discrepancies to the occupier and Safety Auditor and shall direct the occupier to carry out re-audit only with respect to the discrepancies pointed out by him. The re-audit shall be completed within thirty days from the date of such direction. The provisions of sub-rules (6), (11), (12) and (13) shall mutatis mutandis apply to such re-audit.

(16) If an accident involving the major accident as defined in clause (d) of rule 2 of the Kerala Factories (Major Accident Hazard Control) Rules, 2005 takes place in a factory, re-audit shall be carried out within a period of thirty days from the date of such accident or re-start of the factory, whichever is earlier.

The provisions of sub-rules (6), (11), (12) and (13) shall apply mutatis mutandis to such re-audit.

(17) The Chief Inspector may, by order in writing, exempt any factory or category of factories from all or any of the provisions of these rules subject to such conditions as it may specify in such order.

(18) No order under sub-rule (17) shall be issued unless, in the opinion of the Government, the requirements of these rules having regard to the frequency or the nature of manufacturing process carried out in that factory, which involves use, storage, handling or processing of hazardous chemicals or which involves generation of such substances are impracticable or otherwise not necessary for the



safety, health and protection of workers.

(19) Notwithstanding anything contained in sub-rule (17) and (18), the Chief Inspector or the Government may, in its discretion, by order, revoke the exemption granted under sub-rule (17), at any time.

SCHEDULE-A

[see rule 81 N (5)]

Qualification of Safety Auditor

The institution, for being recognized as Safety Auditor, shall employ the persons possessing following qualifications, age and experience etc.: -

1. *Academic Qualification and Experience.* - The person shall hold,-

(i) Degree of Bachelor of Technology or Engineering in branch of Chemical or Mechanical or Electrical or Equivalent and having five years' experience in manufacturing or maintenance or design or project or safety department in the supervisory or above capacity in factories; or

(ii) Diploma in branch of Chemical or Mechanical or Electrical or Equivalent and having seven years' experience in manufacturing or maintenance or design or project or safety department in the supervisory or above capacity in factories; and one-year full time Post Diploma/Post Graduate Diploma/Diploma/International Diploma/International Degree in Industrial Safety or Occupational Health and Safety recognized by the Board of Technical Education or All India Council of Technical Education or any recognized University; or

(iii) Degree of Bachelor of Technology or Engineering in branch of Fire and Safety having five years' experience in manufacturing or maintenance or design or project or safety department in the supervisory or above capacity in factories; or

(iv) Degree of Masters of Technology or Engineering or Science in branch of Industrial Safety or Equivalent having two years' experience manufacturing or maintenance or design or project or safety department in the supervisory or above capacity in factories; or;

(v) Degree of Bachelor of Technology or Engineering/Diploma in branch of Chemical or Mechanical or Electrical or Equivalent and having five years of experience in any Factory Inspectorate or in Directorate or the Director General Factory Advisory Services and Labour Institute or Regional Labour Institute in the capacity of Assistant Director/Inspector or an equivalent post or above.

2. The person shall not be directly or indirectly interested in the factory or in any process or business carried on therein or in any patent or machine connected therewith, in respect of which the safety audit is to be conducted.

3. The age of the person shall not exceed 65 years and the persons more than 62 years of age shall submit a certificate of physical fitness for carrying out safety audit of factories issued by civil surgeon or certifying surgeon along with the application for recognition or renewal of recognition.

SCHEDULE-B

[See rule 81 N (13) and (14)]

Proforma for Safety Audit Report

- | | |
|-------------------------------------|---|
| (1) Name and address of the factory | : |
| (2) Name of the occupier | : |
| (3) Date of Audit | : |



- (4) List of raw material with maximum storage quantity :
- (5) List of finished products with maximum storage quantity :
- (6) Manufacturing process flow chart :
- (7) Pie Diagram of all plants (For Factories involving Hazardous chemicals defined as per item (iii) of sub-rule (2) of rule 81N of Kerala Factories Rule 1957) :
- (8) Name of the Safety Auditor and Certificate No. and name of the person who has carried out safety audit :
- (9) Whether enclosed Safety Audit Report as per IS 14489 or any such standards prevailing at the relevant time, whichever is latest :

Date :

Signature of Safety Auditor/
Person or employee of an Institution
authorized to carry out safety audit.

I (occupier) (name) undertake to submit the action taken report on recommendations of Safety Audit on or before

Date :

Signature of the occupier.

Form A

[See sub-rule (7) of rule 81N]

Application for recognition or renewal of recognition to an institution as
Safety Auditor

- (1) Name and full address of the Institution :
- (2) Institution status (specify whether Government, autonomous, cooperative, corporate or private) with registration number :
- (3) (a) Name of head of Institution :
(b) Phone/Mobile No :
(c) E-Mail address :
(d) Fax :
- (4) Whether the Institution has been declared as a Safety Auditor by this State or any other State? If so, give details :
- (5) Attach bio-data with photographs, copies of educational and :



technical qualification and experience certificates and age proof document of at least three employed persons to this application

- (6) Any other relevant information :
- (7) Certificate No. (in case of renewal) :

Declaration

I hereby declare that,

(a) recognition of the institution as Safety Auditor was not revoked or cancelled by any State Government or any Chief Inspector in the past;

(b) the institution has carried out three or more than three, safety audits in the past three years, the list showing the name, address of the factory and date of audits are attached herewith (in case of renewal of recognition).

(c) I, hereby declare that the persons whose bio-data attached to the application are employees of the institution whose copies of appointment letters are attached herewith.

(d) I, hereby declare that the information furnished above for (name of the institution) is correct to the best of my knowledge. I undertake to,-

(i) notify to the Chief Inspector immediately, in case the employed person on the basis of which this recognition was procured leaves the employment,

(ii) Maintain the facilities in good working order;

(iii) fulfill and abide by all the conditions stipulated in the certificate of recognition.

(e) I also undertake to not to disclose, as a recognized Safety Auditor or after ceasing to be a recognized Safety Auditor, any manufacturing or commercial or trade secrets or working processes or other confidential information which may come to my knowledge in the course of my duties as an auditor and any failure in this regard may make me liable for criminal or civil proceedings, in accordance with the provisions of the law for the time being in force or any rules made thereunder.

Place :

Signature of the Head of the Institution

Date:

Designation:

Form B

[see rule 81N (7)]

Certificate of recognition/renewal of recognition as a Safety Auditor.

Certificate No.:

M/S....., (address), has been recognized/ renewed the recognition as a "SAFETY AUDITOR", vide Order/File No. dated for the purpose of carrying out safety audit under the Factories Act, 1948 and the Kerala Factories Rules, 1957.

The Certificate is valid from to



This certificate is issued subject to the conditions stipulated hereunder:-

- (1) Safety audit shall be carried out in accordance with the provisions of the Factories Act, 1948 and the Kerala Factories Rules, 1957.
- (2) Every safety audit shall conform to the IS 14489:1998 or latest relevant standard.
- (3) The persons authorized to carry out safety audit shall be physically present at the time of conducting the safety audit and shall maintain the record of the work done in the Log Book as specified in sub-rule (7) of rule 81N of the Kerala Factories Rules, 1957,
- (4) Certificate No. and validity period shall be invariably recorded on Safety Audit Report.
- (5) No safety audit shall be carried out after expiry of validity period.
- (6) The Chief Inspector reserves the right to revoke, annul or amend this Certificate at any time during its validity with respect to sub-rule (10) of rule 81N of Kerala Factories Rules, 1957.
- (7) The persons authorized, to carry out safety audit shall not conduct a safety audit of any factory where such auditor is employed, or an occupier, partner, director or manager of that factory, or of any factory owned, operated, managed or conducted by immediate family members, relatives or extended family members or wherein that auditor or such person shall not carry out a safety audit of those factories to which that auditor supplies any plant, machinery, raw material, safety equipment or other materials, equipment.
- (8) The persons authorized to carry out safety audit shall not disclose, even after ceasing to be a recognized Safety Auditor or the employee of the institution, any manufacturing or commercial secrets or working processes or other confidential information which may come to his knowledge in the course of their duties as an auditor. Any failure in this regard may make such auditor or person liable for criminal or civil proceedings, in accordance with the law for the time being in force.
- (9) The application for renewal of the recognition as a Safety Auditor shall be made at least three months before the expiry of the period of recognition.

Place:

Name

Date :

Office Seal

Signature of the Chief Inspector

(2) in rule 122,-

(i) wherever the words “Prohibition relating to women and young persons” occurs, the words and symbols “Prohibition relating to pregnant women, lactating mothers, adolescents and children” shall be substituted;

(ii) wherever the words and symbol “Prohibition of employment of women and young persons”, “Prohibition relating to employment of women and young persons”, “Prohibition of employment of women, children and adolescents” occurs, the words and symbols “Prohibition of employment of pregnant women, lactating mothers, adolescents and children” shall be substituted;

(iii) wherever the words and symbols “No women or young person”, “No woman or young person”, “No women or any person”, “No women, child or adolescent”, “No women, adolescent or



child” occurs, the words and symbols “No pregnant women, lactating mothers, adolescents and children” shall be substituted according to its context,

(iv) in Part A,-

(a) in schedule XII, Part IX,-

(aa) for the existing heading, the following shall be substituted,
namely:-

“Restriction on the Employment”;

(ab) for existing paragraph (1), the following shall be substituted,
namely:- |

“Restriction on the employment of pregnant women, lactating mothers, adolescents and children.- (1) The Chief Inspector of Factories may by an order in writing, restrict or prohibit the employment of pregnant women, lactating mothers, adolescents and children in any of the processes covered in Appendix ‘A’ of this schedule on considerations of health and safety of pregnant women, lactating mothers, adolescents and children.”

(b) in schedule XVIII, for the existing paragraph 15, the following shall be substituted,
namely:-

“15 Employment of pregnant women, lactating mothers, adolescents and children.- No pregnant women, lactating mothers, adolescents and children shall be employed in the solvent extraction plant”.

(3). *In APPENDIX - III*, after serial number 9, the following shall be added, namely:-"

10	Recognition of Safety Auditor	Rule 81N (6)	Rs. 50000/- for each application
11	Renewal of Recognition of Safety Auditor	Rule 81N (6)	Rs. 50000/- for each application

By order of the Governor,
Shanavas.S
Special Secretary to Government.

