

**Government of Himachal Pradesh**  
**Department of Industries**

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No. Ind.-A(F)13-3/2017

Dated: Shimla-2,the

30<sup>th</sup> December, 2020.

**NOTIFICATION**

**Subject: Himachal Pradesh Online Random Central Inspection System**

A good regulatory practice for business inspections requires coordination among various inspection agencies to ensure that all relevant provisions under the relevant Acts are properly addressed during the inspection process. However, State agencies often carry out inspections in silos. They refrain from sharing information with other departments and do not communicate regularly with the businesses.

2. Hence, it is proposed to develop an **Online Random Central Inspection System** covering **Department of Labour and Employment, Department of Industries, Himachal Pradesh Pollution Control Board and Department of Weights and Measures** along with compliance behaviour of specific businesses. In this context, inspections refer to periodic compliance inspections prescribed under various Acts and Rules. The Central Inspection System (CIS) shall be responsible for inspections, whereby inspectorates will directly report online in the system.

3. Keeping in view the reforms suggested by **Department of Promotion for Industries and Internal Trade (DPIIT), Government of India under Ease of Doing Business**, the Governor Himachal Pradesh after due consultation and consideration hereby notifies the following revised framework of “**Online Random Central Inspection System**” in supersession of previous Notification No. Ind.-A(F)13-3/2017 issued on 17<sup>th</sup> August 2017.

**The Inspection Framework:**

4. The framework will integrate the independent inspection systems in various departments to form a Central Random Online Inspection System, responsible for synchronizing multiple inspections and all inspections will be directed through the Central Random Online Inspection System.

5. The online system will comprise of computerized list of enterprises and the selection of establishments from this list for inspection would be done through computerized risk assessment. The risk levels will depend on sector, history of compliance etc. It will improve the inspection framework by ensuring clarity on procedures, frequency and reducing duplicity of inspections. Industrial establishments are receiving multiple visits from different bodies and sometimes contradicting one another. It will also improve co-operation and co-ordination between inspection authorities.

6. The list of industries to be inspected would be prepared in accordance with the set parameters based on which an inspection calendar will be prepared. The compliance inspection will be executed by respective departments as per the schedule of inspection, allocation of inspectors and subsequent intimations by the Central Random Online Inspection System.

**Following points to be ensured:**

- a) Whenever any Inspecting Authority of the department conducts the inspection of the establishment, it will **be mandatory to submit the inspection report online within 48 hours to the department as well as to employer.**
- b) Whenever inspection of any establishment is carried out, the establishment will be allowed to view and download the inspection report of at least past 3 years, so that employer is aware about the violations detected during inspection.
- c) The online system shall be designed in such a way that in any case, the same inspector shall not inspect the same establishment twice consecutively.
- d) Based on complaint/ instructions received from **State Government/ District Collector/ Human Right Commission/ Lokayukta/ Elected Public Representatives/ Trade Unions/ Workers**, inspection of the establishment may be carried out at any time. It shall be ensured that the surprise inspections (other than scheduled inspections) conducted are recorded in the online system.

**Central Inspection Agency (CIA):**

7. The Central Inspection Agency shall implement and monitor setting-up of the Central Inspection Framework in the State. It would direct for scheduling synchronised inspections, submission of inspection reports, resolving conflicts, monitoring the procedural requirements, **monitor the overall implementation**, approve inspection checklists/ procedures under various laws and address/ resolve queries of applicants and inspectors. The Central Inspection Agency will consist of the following:

- |   |                     |
|---|---------------------|
| 1. Chief Secretary to the Govt. of Himachal Pradesh                     | ...Chairman         |
| 2. Admin. Secretary (Industries) to the Govt. of Himachal Pradesh       | ...Member           |
| 3. Admin. Secretary (Labour and Emp.) to the Govt. of Himachal Pradesh  | ...Member           |
| 4. Admin. Secretary (FCS&CA) to the Govt. of Himachal Pradesh           | ...Member           |
| 5. Admin. Secretary (Env. Sci & Tech.) to the Govt. of Himachal Pradesh | ...Member           |
| 6. Director (FCS&CA), Himachal Pradesh                                  | ...Member           |
| 7. Commissioner (Department of Labour and Emp.), Himachal Pradesh       | ...Member           |
| 8. Member Secretary (HP Pollution Control Board)                        | ...Member           |
| 9. Commissioner/ Director (Industries), Himachal Pradesh                | ...Member Secretary |

8. The Agency may co-opt any other member or expert whenever required.

**Powers and Functions of the Central Inspection Agency:**

9. The Central Inspection Agency will have the following powers and functions: -

- a) Develop transparent checklists, procedures, benchmarks and modalities for synchronised inspections for the Department of Industries, Labour & Employment, Himachal Pradesh Pollution Control Board (HPPCB), Department of FCS&CA .
- b) Develop an online platform for the conduct of inspections.
- c) Establish framework for risk-based inspections.
- d) Develop modalities for conducting surprise inspections.
- e) Monitor conduct of inspection reports.



- f) Empanel third party inspectors, if required.
- g) Undertake capacity building initiatives.
- h) Establish Helpdesk and Grievance Redressal Mechanism.

**Formation of Central Inspection Cell (CIC) in the Directorate of Industries:**

10. The Director of Industries, Member Secretary of the Committee, shall create a cell in the Directorate staffing it with adequate staff, consultants, experts, etc., which shall provide necessary secretarial assistance to the Central Inspection Agency to perform its role.

11. Each participating Department will designate their Nodal Officer for the implementation of the central inspection framework under the guidance of their respective Head of Department (HoD), for the conduct of inspections in accordance with the guidelines issued by the Central Inspection Agency from time to time.

12. The concerned authority will develop and finalize the checklists on the basis of which the inspections shall be conducted. The checklist for conducting inspections shall be uploaded on the portal. Inspections conducted (except in case of complaint-based inspections) shall be limited to the checklist uploaded on the portal. No inspections should not be done beyond that checklist.

**Coverage:**

13. The Central Inspection Framework will be implemented across departments in a phased manner. In the first phase it will be restricted to the following four departments in relation to the Acts mentioned against them:

**Department of Labour & Employment:**

- a) The Himachal Pradesh Shops and Commercial Establishments Act, 1969.
- b) The Payment of Bonus Act, 1965.
- c) The Contract Labour (Regulation and Abolition) Act, 1970.
- d) The payment of Gratuity Act, 1972.
- e) The Equal Remuneration Act, 1976.
- f) The Payment of Wages Act, 1936.
- g) The Factories Act, 1948.
- h) The Minimum Wages Act, 1948.

**Industries Department:**

- a) The Boiler Act, 1923.

**Himachal Pradesh State Pollution Control Board:**

- a) The Water (Prevention & Control of Pollution) Act, 1981.
- b) The Air (Prevention & Control of Pollution) Act, 1981.

**Department of Weights and Measures:**

- a) Legal Metrology Act, 2009 and Rules.

14. The Central Inspection System may at a later stage broaden the coverage of this framework and bring in more Acts and departments for inspections.


By Order

Ram Subhag Singh  
Addl. Chief Secretary (Industries) to the  
Government of Himachal Pradesh.

**Endst: No. Ind.-A(F)13-3/2017. Dated Shimla – 171002 the 30<sup>th</sup> December, 2020.**

Copy forwarded for information and necessary action to:-

1. The Chief Secretary to the Government of Himachal Pradesh, Shimla-2.
2. The Secretary to the Governor, Himachal Pradesh, Shimla-2.
3. The Pr. Private Secretary to the Chief Minister, Himachal Pradesh, Shimla-2.
4. All Administrative Secretaries, Government of Himachal Pradesh, Shimla-2.
5. All Head of Departments, Himachal Pradesh.
6. The Commissioner of Industries, Himachal Pradesh, Udyog Bhawan, Shimla-1.
7. All Divisional Commissioners, Himachal Pradesh.
8. All Deputy Commissioners, Himachal Pradesh.
9. Sr.Spl.P.S./Sr. P.S./P.S. to all Ministers, Himachal Pradesh, Shimla-2.



(Dinesh Sharma)  
Additional Secretary (Industries) to the  
Government of Himachal Pradesh.