

GOVERNMENT OF PUDUCHERRY

ABSTRACT

Act and Rules- "Third Party Inspection Scheme for Boilers and Economizers, 2018" - Final Notification- Orders - Issued.

11.8 JAN 2019

LABOUR DEPARTMENT

GO Ms. No. 145 /Lab/2018

Puducherry the

Read: Letter No 4118/CIF&B/A9/2018 dated 6th September, 2018 from the Joint Chief Inspector of Factories, Puducherry.

ORDER:

The following notification shall be published in the next issue of the Official Gazette.

NOTIFICATION

Whereas in order to achieve better services in this Union territory of Puducherry and policies of Government of India, viz. "Make in India" and "Ease of Doing Business", the Government of Puducherry is in the process of rationalising and simplifying the various Acts and Rules etc., of the Office of the Chief Inspector of Factories and Boilers, Puducherry, so as to create more conducive environment for industries without compromising safety and security of workers engaged in the enterprises. Currently, the inspecting officers of the Boiler Inspectorate physically inspect the boiler/economiser and certify the boiler/economiser in accordance with the provisions of the Boilers Act, 1923 and the Indian Boiler Regulations, 1950.

Whereas the Government of Puducherry, is fully aware of the material, design or construction of boilers and is committed for rapid industrialization in the Union territory of Puducherry, and to achieve this objective it has become necessary to exempt the boilers/economisers having heating surface area less than 1000m², from some provisions of the Indian Boilers Act, 1923 (No.5 of 1923) without compromising safety and security of human life and properties;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (3) of section 34 of the Boilers Act 1923 (No.5 of 1923), the Lieutenant-Governor is hereby pleased to exclude the boilers, having

heating surface area less than 1000m² and for exempting such boilers/economisers, is proposing the introduction of the Third Party Inspection Scheme for Boilers and Economizers, 2018, namely:-

**THIRD PARTY INSPECTION SCHEME FOR BOILERS AND
ECONOMISERS, 2018**

- 1. Title and commencement:-** (1) This scheme may be called the "Third Party Inspection Scheme for Boilers and Economizers 2018".
(2) It shall come into force from the date of its notification in the Official Gazette.
- 2. Objective:-** The objective of this Scheme is to reduce visits of the Inspecting officers of the Chief Inspectorate of boilers for inspection of those boilers, which opt for this scheme without compromising the safety and security of human life and properties.
- 3. Application and Scope of the scheme:-** This scheme of "Third Party Inspection Scheme for Boilers and Economizers 2018" is open to all the boilers/ economizers having heating surface area of less than 1000 m² and will apply only to those owners, who opt to join the scheme by making written application for the same as specified in annexure I and II with a self-declaration as given in annexure III.
- 4. Resolution:-** Keeping the above context in view, The Chief Inspector of Factories and Boilers, Labour Department, Government of Puducherry has proposed to introduce a new system for enforcement of the Boilers Act, 1923 with simplification in inspection norms and certification of boilers. The Government has thus decided to introduce a "Third Party Inspection Scheme for Boilers and Economizers 2018" for various boilers/ economizers having heating surface area of less than 1000m² and which are in use in this Union Territory. This step is intended to minimize the visits of the Officers to the Industries, while at the same time ensuring compliance with the Boilers Act, 1923 by the owners. As per section 34 of the Boilers Act, 1923 the State Government has power to exempt certain provisions of the Act, if it is satisfied having regard

to the material design or construction of boilers and the need for the rapid industrialization of the State.

In exercise of these powers, the Government has decided to exclude the boilers/economisers having heating surface area less than 1000m² from the operation of the provisions of sub-section (c) of section 6, sub-section (3),(4),(5) and (6) of Section-8, Section-10, sub-section-1(a) and 1(b) of Section-19, 20, 21 of this Act subject to the conditions and restrictions specified as under:

- (a) The boiler/ economiser covered under Third Party Inspection Scheme shall be inspected every year in case of boilers and every two year in case of economisers by engaging a Competent Person from Third Party Inspection Agency as defined under section 2 (cb) of the Boiler Act, 1923. Further, for the purpose of granting a certificate under this scheme, a "**Competent Person**" also means a person, not more than 65 years of age, a native of Union territory of Puducherry and who is a Boiler Operation Engineer (BOE) recognised as per The Boiler Operation Engineers' Rules, 2011 and who has a Degree in Mechanical or Production or Power Plant or Metallurgical Engineering from a recognized university and having an experience of at least five years in maintenance /operation of Boilers after completing BOE. Such Competent Persons should not be under the direct employment of the owner of Boiler.
- (b) The inspection shall be carried out as per the guidelines provided by the Boilers Act, 1923, Indian Boiler Regulations, 1950, and The Puducherry Boilers Rules, 1988 or any other rules/ notifications framed by the Central Boiler Board and/or Government of Puducherry or by Government of India from time to time.
- (c) Every owner who wishes to opt for above scheme, shall follow the procedure as laid down hereunder:-
- (I.) The owner of boiler /economiser shall be able to engage any Third party inspection agency as approved by the Central Boilers Board from time to time or competent person as defined

under rule 4(a) of scheme for the purpose of renewal of the certificate of boiler/ economiser. The name and full particulars of such competent person who shall be inspecting the boiler for the purpose of the renewal of certificate shall be communicated to the Chief Inspector of Boilers, Puducherry before fifteen days of expiry of current certificate/ use of the boiler /economiser. The date fixed for inspection shall be communicated and half the inspection fees (rounded up to next higher ten) prescribed by the regulation 385 (A) of the Indian Boiler Regulations, 1950, shall be submitted along with the application. All such communication should be done preferably by email on official e-mail address of the Chief Inspector of Boilers, with a hard copy marked to Inspector of Boilers. The necessary inspection fees to be paid online and copy of challan to be submitted by email.

- (II.) The owner should prepare the boiler/economiser for inspection as per regulation 376 & 524 respectively of Indian Boiler Regulations & the competent person should carry out the inspection as per procedure prescribed in regulation 390 of the Indian Boiler Regulations, 1950.
- (III.) If the competent person is satisfied that the boiler/economizer is in good condition, then he shall inform the owner accordingly & shall instruct the owner to prepare the boiler/economiser for hydraulic test as per regulation 378 of the Indian Boiler Regulations, 1950.
- (IV.) After necessary preparation for hydraulic test of boiler/economiser, the competent person shall carry out the hydraulic test as per regulation 379 & 527 respectively of the Indian Boiler Regulations, 1950.
- (V.) If hydraulic test found satisfactory, the competent person shall issue the boiler owner a certificate authorising the use of boiler/economiser in form VI/XI provided by the Indian Boiler Regulations, 1950.

- (VI.) Within two days the owner shall communicate in writing the report of inspection, hydraulic test or of both and Annexure IV appended herewith & a copy of certificate in Form VI/XI issued by the competent person to the Chief Inspector of Boilers, Puducherry. On receipt of such reports, Inspector of Boilers shall make entries in the records of inspection in Form I (Memorandum of Inspection Book).
- (VII.) If the competent person is not satisfied with the inspection and is in his opinion, boiler/economiser is in defective condition, then the competent person should immediately communicate in writing to the owner of the boiler about the defect in boiler/economiser and shall suggest necessary repairs to the boiler/economiser. On receipt of such report, the boiler/economiser owner shall, within one day communicate to the Chief Inspector of Boilers, Puducherry that the boiler/economiser is defective and shall not be used till completion of necessary repairs. After receipt of the detailed report from competent person, the owner shall apply to the Chief Inspector of Boilers, Puducherry for necessary permission for the repairs, along with inspection report issued by the competent person and by communicating the name of approved boiler repairer who shall be carrying out necessary repairs to the boiler/economiser. The competent person shall also mark a copy of the report to the Chief Inspector of Boilers, Puducherry
- (VIII.) During repairs of the boiler, the owner shall submit necessary stage inspection reports with requisite test certificates of the new materials being used in the repairs from time to time to the Chief Inspector of Boilers, Puducherry. After completion of repairs boiler/economiser shall be subjected to hydraulic test as per regulation. If satisfactory, owner should submit the report as per annexure IV along with copy of certificate in form VI/XI issued by the competent person, within two days.
- (IX.) The boiler/economiser shall be stopped immediately, if any accident /leakage occurs through pressure parts of boiler or

boiler components attached to it and inform the same to the Chief Inspector of Boilers, Puducherry, within twenty four hours. In such case the certificate issued in form VI/XI shall be revoked/ suspended. The boiler shall be necessarily inspected by the Inspector of Boilers, Puducherry after payment of full inspection fees as prescribed by the regulations & necessary remedial measures and repairs shall be suggested. The owner shall carry out the repairs by engaging the services of approved boiler repairer and shall communicate the name of approved boiler repairer who shall be carrying out necessary repairs to the boiler/economiser. After completion of repairs boiler/economiser shall be subjected to hydraulic test by engaging the competent person other than the one who certified earlier & will follow the procedure given by point no. VIII. After necessary compliance of repairs, etc., to pressure parts of boiler/economiser or boiler components in the prescribed manner, certification in form VI/XI shall be issued by the competent person.

- (X.) It, however, is abundantly clarified here for the benefit of all the concerned that the safety under the Boilers Act, 1923 is at apex, and it will be the responsibility of the owner to follow and ensure that the provisions of the Act, Rules and Regulations framed under the Act for safe operation of boiler are scrupulously complied with. The owner will also be responsible for any violation of any of the provisions of The Boilers Act, 1923. In addition, any owner who violates, misuses the provisions of the Third party Inspection scheme shall be liable for fine which may extend upto Rs.1,00,000/- (Rupees one lakh only) & other proceedings as prescribed in the Act.
- (XI.) The third party inspection scheme is optional for the owners. The owner may continue to avail the services of Office of Chief Inspector of Boilers, Puducherry.

5. Procedure for Inspection under the Scheme :

(a) 20% of the boilers /economisers covered under the scheme shall be selected randomly to ascertain the working condition of boiler during a year. The Boilers/Economisers randomly selected every year shall be inspected only once in the five years to verify implementation of the Boilers Act, 1923 under the Scheme. The Boilers /Economisers inspected once during 5 years period will not be inspected again during remaining period of 5 years unless any complaint is received by the Chief Inspector of Boilers, Puducherry in this respect. If violations are detected during the course of inspection, it will be processed as per the provisions of the Boilers Act, 1923.

(b) Visits for inspections for enquiry into complaints shall be made by Inspector of Boilers or Deputy Chief Inspector of Boilers only on specific authorization by the Chief Inspector of Boilers, Puducherry.

6. EXCEPTION: The scheme shall not cover any inspections/visits made by the Inspectors of Office of the Chief Inspector of Boilers, Puducherry for the purpose of conducting enquiry into accident, dangerous occurrence. Also, this scheme shall only apply to Boilers/Economizers registered under the scheme in the Union territory of Puducherry.

//By order of the Lieutenant-Governor//

18/12

(E.VALLAVAN)

ADDL. SECRETARY TO GOVERNMENT (LABOUR)

To

The Director of Stationery and Printing, -
Puducherry.

With a request to supply 100
copies of the notification to this
Department.

Copy to:

1. The Deputy Labour Commissioner, Puducherry.
2. The Joint Chief Inspector of Factories, Puducherry.
3. The Inspector of Factories, Karaikal.
4. The Labour Officer(Enforcement), Puducherry/Karaikal
5. The Asst. Inspector of Labour, Mahe / Yanam.
6. The Web Master, O/o CIF&B - for hosting in Web-site.
7. G.O. copy and spare.

ANNEXURE-1
APPLICATION FORM

From,
M/s

To,
The Chief Inspector of Boilers,
Office of the Chief Inspector of Factories and Boilers,
Labour Department,
Puducherry 605009

Sub. : Application for registration to be covered under Third Party Inspection Scheme under the Boilers Act, 1923, as per the terms & conditions of the Scheme.

Ref. : Government of Puducherry, Labour Department, G.O. Ms. No. _____, dated _____ regarding Third Party Inspection Scheme for Boilers and Economizers, 2018.

Sir,

I/We have gone through the above said Scheme and have understood the same. I/We wish to be covered under the said Scheme. As such I/we request you to kindly issue me/us necessary registration under the same. The necessary information and other documents, as required under the Scheme are enclosed. I/We undertake to abide by all terms and conditions of the Scheme. It is also certified that I/We am/are owner of the boiler/economiser and are competent and duly authorized to make any statement or provide any information to any Central /State Government, on behalf of this Factory/Establishment name -----.

Kindly issue the necessary approval at the earliest. I/We shall submit Annexure-II and III duly filled and signed in time.

Yours faithfully,

(Name and Address of the Owner with seal)

- Encl.: 1. Annexure-II [List of documents]
2. Annexure-III (undertaking)
3. Copy of last Certificate of the boiler/economiser.

ANNEXURE-II

LIST OF DOCUMENTS TO BE ATTACHED WITH ANNEXURE-I.

1. Status of the Factory/ Establishment [Company/ Firm/Shop/Others. Pl. specify] :
2. Nature of work of the Factories/ Establishment :
[What work/business, it is carried out]
3. Registry Number of Boiler/Economiser under the :
Boilers Act,1923
4. List of raw materials used & end products, if the :
factory is a manufacturing or processing unit.
5. Details of e-challan paid online :
6. Name & address of the Establishment / Factory with :
telephone/mobile/ fax. Nos. and email address, if
any.*
7. Name & residential address of the Owner with :
telephone /mobile/ fax. Nos. and email address, if
any.
8. Name & residential address of the Competent :
Person/BOE with Certificate No., date and issuing
authority/Nativity certificate & experience certificate
for BOE's/telephone/ mobile/fax Nos. and email
address, if any.
9. Name and certificate details of Boiler Attendants' :
presently working at the Boiler/ Economiser
10. Nature of Industry/ activities :

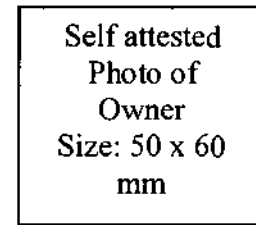
*Note:- Any communication send to this address shall be final unless the change is not communicated to Office of the Chief Inspector of Factories and Boilers, Puducherry

Signature of Owner

(Name and signature of authorized signatory
along with the company Stamp)

ANNEXURE - III
UNDERTAKING

(To be filled by the Owner)



I/We Shri/Ms..... son/daughter/wife of
Shri/Ms.....of residing at
..... is/are the Owner of
Boiler/Economiser located at
M/s..... *(Complete name and
address of establishment/factory where the boiler is installed)*, hereby apply for
Third Party Inspection Scheme for Boilers and Economisers, 2018 for
boiler/Economiser having registration No..... under the Boilers Act, 1923 and
state as under :-

1. That I/We have applied for grant of coverage of boiler/economiser having
Registration No..... situated
at..... *(Complete name and address of
establishment/factory where the boiler is installed)* under the “Third Party
Inspection Scheme for Boilers and Economisers, 2018” notified by Labour
Department, Government of Puducherry vide notification No..... dated
2. That I/We have gone through the Scheme and have fully understood the
contents of the Scheme and undertake to abide by the same.
3. That it is declared that I/We am/are complying and will continue to comply
with all provisions of Boilers Act, 1923, Rules and Regulations made there
under. In case of any violation of the said Act will make us liable for the
penalty or their legal provisions as per the existing legal frame work in this
regard.

OWNER

(Name and signature of authorized signatory
along with the company Stamp)

PLACE:

DATE:

ANNEXURE-IV

**FORM TO BE SUBMITTED BY OWNER FOR COMPLIANCE OF
THE BOILERS ACT, 1923 UNDER THIRD PARTY INSPECTION
SCHEME.**

I/We Mr/Mrs/Miss.....hereby,
certify that I/We am/are the Owner of the Boiler/Economiser, whose
identification and general details are as follows-

I/We hereby certify that my/our Boiler/Economiser have fully and
correctly complied with all the provisions under the Scheme and .the status
of compliance of following the Boilers Act, 1923 and Annual Return of
my/our Boiler/Economiser, during the year.....is as under:

1. Boiler/Economiser Registration number:
2. Name of Establishment/Factory, its postal address and location:
3. Name and address of the Owner along with e-mail ID , telephone and
mobile number:
4. Name/CBB Authorization no. of Competent Person/ Name of the certified
Boiler Operation Engineer along with certificate:
5. Name and address of the Third Party Inspection Agency/Certified
Boiler Operation Engineer:
6. Details of Repairs carried:
7. Nature of business, industry or trade or occupation carried on by the
employer:
8. Employer's No. under ESI/EPF/PAN card No., if any:
9. Details of fees paid (Challan, amount, date of payment):

PLACE:

OWNER

DATE:

(Name and Address of the Owner with
seal)

Encl.: Copy of certificate issued by Competent Person



(E. VALLAVAN)

ADDL. SECRETARY TO GOVERNMENT (LABOUR)