THE MADHYA PRADESH BOILERS RULES, 1969

[As amended by Notfn. No. F. 2-1-98-A-XI, dated 30th Sept., 1999]

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THE MADHYA PRADESH BOILERS RULES, 1969

AMENDING NOTIFICATIONS

(1)Notification dated 27-5-1972, published in M.P. Gaz. Part IV, dated 16-6-1972, p. 283 and 286;

(ii) Notification dated 12-3-1980, published in M.P. Gaz. Part IV, dated 18-4-1980, p. 86; and

(iii) Notification No. F. 23(iii)-2-88-A/XI, dated 26-11-1990, published in M.P. Rajpatra, Part IV (Ga), dated 1-2-1991, p. 73 [1-2-1991].

(iv) Notification No. F. 2-1-98-A-XI, dated 30th Sept. 1999, published in M.P. Rajpatra Part IV (Ga), dated 22-10-1999.

In exercise of the powers conferred by Sections 29 and 30 of the Indian Boilers Act, 1923 (V of 1923), the State Government hereby makes the following rules, the same having been previously published as required by sub -section (1) of Section 31 of the said Act.

1. Short title.—(1) These rules may be called The Madhya Pradesh Boilers Rules, 1969.

(2) They shall extend to the whole of the State of Madhya Pradesh .

2. Definitions.— In these rules, unless the context otherwise requires,—

(a) "Act" means the Indian Boilers Act 1923 (No. V of 1923);

(b) "Chief Inspector"; "Deputy Chief Inspector", "Inspectors", "Inspecting Authority", "Inspecting Officer", "Owners ", "competent authority", and "prescribed" shall have the respecting meanings as assigned to them in the Act and the regulations;

(c) "Government" means the Government of-Madhya Pradesh;

(d) "Regulation" means regulation framed by the Central Boilers Board under Section 28 of the Act;

(e) "Section" means a Section of the Act.

3. Payment of fees and costs.— All fees and costs payable under the Act or regulations or rules framed thereunder shall be deposited into a Government treasury. An application to which the treasury receipt is affixed shall be deemed to be accompanied by the prescribed fee. All fees and costs levied under the Act shall be disposed of in such manner as the Government shall direct,

form line to time.

4. Calculation of registration and inspection fees.— Every application under sub-section (1) of Section 7 and sub-section (4) of Section 8 shall be accompanied by a fee calculated on the basis of boiler rating as prescribed under Regulation 384. The formula for calculating the boiler rating shall be as prescribed in Regulation 383.

5. Registration fees.—Fees for registration and first inspection of boilers shall be as prescribed in Regulation 385.

6. Fee required to accompany the application for inspection.—Every application for inspection, for the renewal of certificate under sub -section (4) of Section 8 shall be accompanied by a fee on the following scales:—

For boiler rating not exceeding 70 Rs. 1000/-

For boiler rating exceeding 70 but not exceeding 200. Rs. 2000/

For boiler rating exceeding 200 but not exceeding 800. Rs. 3500/-

For boiler rating exceeding 800 but not exceeding 1600. Rs. 7000

For boiler rating exceeding 1600 but not exceeding 2400. Rs. 8000/

For boiler rating exceeding 2400 but not exceeding 3000. Rs. 15000/-

Above 3000 for every 200 or part thereof an additional fee of Rs. 200 shall be charged:

Provided that when any owner is willing to accept any renewed certificate for less than twelve months in order to approximate the date of annual inspection to the date on which other boilers in the locality are inspected, a certificate for such period less than twelve months as may be necessary for such approximation of dates may be granted at the reduced fee to be calculated at one twelfth of the ordinary fee for each full month, portion of a month not being reckoned; Provided further that an additional fee equal to inspection fee may be charged for the inspection of a boiler on Sunday or on other public holidays under the Negotiable Instruments Act, 1881 (26 of 1881), if such inspection is made at the request of the owner. The additional fee, so charged shall be paid in the manner specified in Rule 3. The Officer who makes the inspection shall be entitled to an allowance equal to half of the additional fee so charged. Holiday fee so received will be sanctioned by the director of Boilers to the concerned officer.

Note :—In Rule 6 the heating surface has been given in square meters.

7. Fee for inspection, examination, testing and certificate of boilers and scantling under construction.—(1) The inspection fee for inspection of boilers, scantlings, tubes and pipes constructed in India shall be calculated on the following basis:

(i) At four times the registration fee for a boiler or revetted construction.

(ii) At four times the registration fee for a boiler of welded construction.

(iii) Fees for inspection of spares—Fees for all types of coils super heater, Re-heater, Economiser will be as per Regulation 385 of I.B.R. 1950.

(iv) Fees for inspection of scantling shall be charged as under

(a) For outside surface area not exceeding 1sq.m. Rs.500/-

(b) For outside surface area exceeding 1 sq. m. but not exceeding 3 sq. m. Rs.600/-

(c) For outside surface area exceeding 3 sq. m. but not exceeding 5 sq. m. Rs. 700/-

(d) For outside surface area exceeding 55g. m. but not exceeding 7sq. m. Rs. 800/-

(e) For outside surface area exceeding 7 sq.m. but not exceeding 9 sq.m Rs.900/-

(f) for outside surface area exceeding 9 sq. m. but not exceeding 11 sq.m. Rs. 1000/-

For OSA exceeding 11 sq. m. a fee of Es. 50/- shall be charged for every 2 sq. m. or part there of subject to a maximum of Es. 5000/- fee of the boiler.

(v) For inspection of tubes and pipes the fee shall be charged at the rate of Es. 150/- per metric tonne or fraction thereof; Finned, and studded tubes Es. 150/- per metric tonne or a fraction thereof on the basis of raw material tube weight.

(vi) At the rate of Es. 2.00 per meter length of tubes subject to a minimum of Es. 150/-for inspection during manufacture and fabrication of tubes at the fabricator end.

The manufacturers shall in addition supply free of charge the l abour and appliances that may be necessary for such mechanical test may be carried out in his premises or thereof steel maker or tube makers in accordance with Standards laid

down in Regulation failing to provide facilities himself for the prescribed test, the manufacturer shall bear cost of carrying out the test elsewhere.

(2) The fees for examination of plans and the particulars of materials design and construction of steam pipes shall be at the rate of Rs. 100/ - for 30 meters of piping or part thereof inclusive of all fittings, excepting the fittings like de -super heater, steam-receivers, feed-heaters and separately fired super heaters. For any fittings like de-super heaters, steam-receivers, separators, valves and flanges, the fees shall be Rs. 300/- for each category of such identical fittings. Similar fees shall be charged at the site of erection.

(3) Fees for inspection of pipes at site of constructions :—

(a) For the pipes of nominal bore not exceeding 100 mm inclusive of all fittings excepting fittings like de-super heaters, steam receivers, feed heaters and separately fired super heaters shall be Rs. 200/ - for 30 meters of pipes or part thereof.

(b) For pipes of nominal bore exceeding 100 mm inclusive of all fittings excepting fittings like de-super heaters, steam receivers, feed heaters and separately fired super heaters shall be Rs. 500/ - for 30 meter or part thereof.

(4) (A) Fees for inspection of valves—Fees for inspection of valves shall be charged as under:— Subject to a minimum inspection fee of Rs. 500/- per inspection for the valves,

(a) Upto 25mm Rs. 5/- per piece (b) Above 25 mm and upto 100 mm Rs. 25/- per piece (c) Above 100 mm and upto 250 mm Rs. 150/- per piece (d) Above 250mm Rs. 150/- per piece (B) Fees for inspection of forged and cost flanges shall be charged as under:—

(a) Upto and including 25 mm for a batch of 50 or part thereof Rs120/- (b) Over 25 mm upto and including 50 mm for a batch of 50 or part thereof Rs. 240/-

(c) Over 50 mm upto and including 100 mm for a batch of 25 or part thereof Rs.240/-

(d) Over 100 mm upto and including 250 mm for a batch of 10 or part thereof Rs. 260/-

(e) Over 250 mm for a batch of 5 or part thereof. Rs. 300/- For plate flanges the fee shall be charged at half the rate as charged for forged and cast flanges.

(5) Fee for inspection of fitting like de-super heater, steam receiver, separators and separately fired super heater Rs. 500/- for each such fittings. The manufacturers in addition shall provide free of charge the. labour and appliances which may be necessary for such mechanical test etc. as, are required under the Regulation failing to provide facilities himself for the prescribed tests the manufacturers shall bear the cost for carrying out the test elsewhere.

(6) Fee for examination, inspection, test and periodic check test of indents and stores relating to Boiler and its scantlings.—A fee equivalent to 1 per cent of the value of store inspected shall be charged with a minimum of Rs. 400/ - for each visit.

(7) The charges for the examination of drawing only for mountings and fittings to be manufactured be Rs. 300/- for each such drawings.

(8) Fee for examination of steam pipes during manufacture and fabrication for grant of certificates in Form III-A of the Regulations shall be charged as follows:-

(i) Pipes of sizes upto and including 102 mm outside diameter for expansion bends Rs. 100/- each and for reducers, bends, tees and straight Rs. 20/- each subjected to a minimum of Rs. 200/-.

(ii) Pipes of size over 102 mm outside diameter for expansion bends Rs. 150/- each and reducers, bends, tees and straight Rs. 30/ - each, subjected to a minimum of Rs. 300/-.

(9) For the qualification or re-qualification tests of welders engaged in welding of boilers and steam pipes under construction, erection and fabrication or their repairs in accordance with the requirements of Chapter XIII or the Regulations.

A fee—

(a) of Rs. 500/- shall be borne by the applicant/sponsor in addition the applicant/sponsor shall bear all other expenses like cost of materials and workshop and testing facilities as fixed by the Competent Authority;

(b) of Rs. 100/- shall be charged for issue of duplicate certificate of welder.

(c) Fee for endorsement of welder certificate shall be Rs.100/- to be borne by Applicant/Sponsor.

8. Fees to cover complete inspection.—The fees mentioned in Rule 6 shall cover complete inspection including hydraulic test and steam test, where such are necessary, subject to the provision of sub-section (2) of Section 14.

9. Second fee for reinspection of defective boilers and inspection in default.—A second fee shall be leviable for reinspection of defective boiler and al so in cases where the inspection of a boiler is begun, but owing to the fault or neglect of the owner or person in charge is not complete within a period of six months from the date of commencement of inspection.

10. Sanction of Chief Inspector to second fee.—No extra fee shall be levied except with the sanction of the Chief Inspector.

11. Fee for duplicate certificate.—(l) A duplicate certificate for bona fide purpose may be issued to a boiler owner under the order of the Chief Inspe ctor on receipt of a fee Rs. 50.

(2) A fees of Rs. 25.00 shall be charged for issue of each duplicate certificate in forms other than V and VI of boilers and parts thereof for bona fide purposes to manufacturers.

12. Fee for copy of Registration Book—Fee for a copy of Registration Book containing only particulars and dimensions of the boiler shall be Rs. 100 while issuing copies of Registration Book. Copies of official inspection Notes shall not be furnished.

13. Payment of Inspector's travelling expenses in certain cases. —If the owner of a boiler requires an inspection at a time which would necessitate a special travel by an Inspector, he shall in addition to the registration or inspection fee, pay an additional sum as the Chief Inspector may determine to cover the conveyance a nd travelling allowance charges of the Inspector from his headquarters and for any attending staff accompanying him. The payment of such fees shall also be made in the manner as prescribed in Rule 3.

14. Refund of fees.—Fees paid in excess and fees paid for inspection which for any reason not due to any fault or omission of the owners or persons in charge of

boilers have not been made shall be refunded by the Chief Inspector or adjusted against the fees for the Inspection of any other boiler or boilers of the same owner or owners, if the refund is applied for within one year of the date of payment.

15. Qualifications of Chief Inspector of Boilers.—(1) No person shall be appointed to the post of Chief Inspector of Boilers unless he has obtained a degree in Mechanical Engineering of a recognised university or any qualification declared by the Union or State Public Service Commission as equivalent thereof and has served for not less than seven years as—

(i) an Inspector of Boilers or Deputy Chief Inspector of Boilers; or

(ii) an Inspector or Boilers or Deputy Chief Inspector of Boilers for a minimum period of five years and in a responsible position involving operation, supervision and maintenance of boiler plants or in any works where boilers re manufactured for the remaining period.

(2) Qualifications of Deputy Chief Inspector of Boilers.—No person shall be appointed to the post of a Deputy Chief Inspector of Boilers unless he has the requisite qualifications of an Inspector and has worked as an Inspector fo r not less than five years.

(3) Qualifications of an Inspector of Boilers.—No person shall be appointed to the post of an Inspector of Boilers unless he has obtained a degree in Mechanical Engineering of a recognised University or any qualification declar ed by the Union or State Public Service Commission as equivalent thereof and has received training as a practical engineer in the design, construction, operation or maintenance of boilers for not less than two years.

16. Administrative Control.—(1) '[The Chief Inspector shall work under the administrative control of the Director of Industries, Madhya Pra desh and shall submit to him—]

(i) an annual report on the administration of the Act;

(ii) such other reports and returns as may be called for.

(2) The Deputy Chief Inspector shall be subordinate to and shall work under the administrative control of the Chief Inspector.

(3) An Inspector shall be subordinate to and shall work under the administrative control of the Chief Inspector. He shall ordinarily be ap pointed to take charge of a specific area.

17. Duties of Chief Inspector.—(l) The Chief Inspector shall exercise the powers and perform the duties conferred and imposed on him by or under he Act but

his principal duty shall normally be the supervision and control of the work of the Deputy Chief Inspectors and inspectors. He shall inspect and examine boilers only in exceptional cases and where he considers that the work of an Inspector requires a personal check.

(2) The Chief Inspector shall—

(a) have the registration particulars and calculations submitted by the Inspectors for all boilers inspected for registration checked as prescribed in Chapter IX of the Regulations and enter under his own signature the approved working pressure and all orders required under Section 7, or (b) pass orders on the proposals under Section 7 or Section 8 of the Act; (c) recommend to the Government the area of jurisdiction of each Inspector, (d) pass orders in all cases in which an Inspector proposed to increase or reduce the pressure allowed for any boiler under sub-clause (a) (ii) of the second proviso to sub-section (5) of Section 8, withdraw or revoke the certificate or provisional order under Section 11 or to order important repairs, structural alterations or renewals in a boiler under Section 8;

(e) pass orders in all cases in which it is reported that after due notice the boiler has not been properly prepared for inspection under sub -section (2) of Section 14;

(f) decide all appeals preferred against an order of an Inspector under Section 19;

(g) sanction prosecutions under the Act;

(h) enquire into serious accidents to boilers;

(i) prepare the annual report on the administration of the Act in the State; (j) perform the duties conferred on an Inspecting Authority under the Regulations;

(k) depute the Deputy Chief Inspector or Inspector, to perform the duties of an Inspecting

Officer under the Regulations;

(l) pass orders on the reports of the Inspecting Officers and perform all the duties conferred on an Inspecting Authority under the Regulations; (m) perform the duties conferred on a competent authority under the Regulations.

(n) approve all drawings and plans for, boilers or parts thereof submitted under Regulation 393 or Regulation 395.

(3) Advice to owners.—The Chief Inspector may advice owners regarding the proper maintenance, safe working, feed water treatment and cleaning of boilers.

(4) Maintenance of registers.—The Chief Inspector shall keep in his office—

(a) a register of appeals; and

(b) a register of accidents.

(5) Refund.—The Chief Inspector shall be the authority for the grant of refund of fees paid in excess.

18. Duties of Deputy Chief Inspector.—(1) The Deputy Chief Inspector shall—

(a) check the registration and memorandum of inspection books of all boilers proposed for registration;

(b) scrutinise plans and drawings submitted in advance under Regulation 393 or Regulation 395;

(c) examine and countersign the memorandum of Inspection Book of each boiler after each inspection;

(d) enter his own signature any subsequent entries required in the registration book;

(e) enquire into serious accidents to boilers within his jurisdiction and submit reports to the Chief Inspector for a personal enquiry by him if considered necessary;

(f) maintain a register in Form A attached to these rules, of all boilers registered within the State and those which have been transferred to the State;

(g) keep in his office the memorandum of inspection books of all boilers borne on the register;

Form II, Form III, Form Ill-A, Form Ill-B, Form Ill-C and Form IV;

(i) perform the duties of an Inspecting Officer when deputed to do so by the Inspecting Authority;

(j) keep a register of all registration and inspection fees received;

(k) generally assist the Chief Inspector in the administration of the Act.

(2) Deputy Inspector to advise owners.—The Deputy Chief Inspector may, from time to time, examine boilers in commission to ascertain, if they are being operated in conformity with the terms and conditions specified in the certificate and advise owners on the safety in operation, good maintenance and periodical cleaning of boilers and feed water treatment.

19. Duties of Inspector.—(l) The principal duties of an Inspector shall be inspection and examination of boilers and steam pipes and other connected fittings for registration or renewal of certificates. He shall also perform the duties of an Inspecting Officer when required to do so by the Inspecting Authority. Inspection shall be carried out in strict accordance with the Regulations and these Rules;

(2) Kinds of Inspection—There shall be three kinds of inspection of boilers—.

(a) when a boiler has been offered for registration as required under Section 7;

(b) when the certificate granted under the Act is about to expire or when it has been revoked or withdrawn under Section 11 and the owner desires that it shall be renewed under Section 8;

(c) an inspection at any time for the purpose of ascertaining if the boiler is being operated in conformity with the provisions of the Act and rules framed thereunder.

(3) Search for unregistered boilers.—It shall be a duty of an Inspector to search for unregistered or uncertificated boilers within his area and to see that certificate d boilers are worked in accordance with the terms of the certificate and with the regulation or rules under the Act.

(4) Inspector to advise owners.— At the time of inspection, Inspectors may advise the owners and the persons in charge of the boiler on the safety in operation, good maintenance and periodical cleaning of boilers and feed water treatment.

(5) Specific duties.—Inspectors shall—

(a) maintain a memorandum of inspection book for each boiler as prescribed in Regulation 386 under their charge and submit it to the Deputy Chief Inspector or Chief Inspector for examination and countersignature after each inspection;

(b) receive applications for registration or inspection under Se ction 7 or Section 8 in Form B-1;

(c) enquire into accidents of boilers, steam pipes or connected fittings and report to the Deputy Chief Inspector;

(d) report to the Chief Inspector cases of unreported accidents discovered at the time of inspection;

(e) submit for the orders of the Deputy Chief Inspector or Chief Inspector—

(i) the memorandum of inspection books of all boilers proposed for registration under Section 7;

(ii) proposals for increasing or reducing pressure of a boiler after inspection under clause (a) (ii) of the second proviso to subsection (5) of Section 8;

(iii) proposals for necessary repairs, structural alterations or renewals to a boiler after inspection under clause (b) of the second proviso to sub -section (5) of Section 8;

(iv)proposals of refusing to renew a certificate under Section 8 and proposals for revoking or withdrawing a certificate or provisional order under Section 11;

(v) report when boilers have not been properly prepared for inspection under Section 14;

(vi) proposal for prosecution under the Act and forward the same with his recommendation to the Deputy Chief Inspector or Chief Inspector of Boilers;

(f) receive report of accidents under Section 18 and forward the same with his recommendation to the Deputy Chief Inspector or Chief Inspector of Boilers;

(g) Submission of declaration by the Inspector.—When an inspection under the Act is completed, the Inspector making it shall prepare a declaration in Form 'C' appended to these rules in column 8 in which the limit of the working pressure shall be clearly noted, and shall forward the same with the application to the Deputy Chief Inspector or Chief Inspector.

20. Inspection at special times.—No examination of a boiler shall be made by an Inspector for the purpose of registering or renewing the certificate of a boiler on a Sunday or on a public holiday under the Negotiable Instruments Act, 1881, or between the hours of sunset and sunrise without the specific orders of the Chief Inspector in each case.

21. Duties as an Inspecting Officer.—As an Inspecting Officer an Inspector shall—

(a) maintain a schedule of such examination of boilers or parts thereof in such form as may be required by the Inspecting Authority;

(b) submit to the Inspecting Authority reports in such form as may be required by the Inspecting Authority on the results of the examination carried out on boilers or parts thereof in accordance with the standards laid down in the regulation and with particular reference to the variations therefrom;

(c) report the results of the tests carried out on materials or scantlings in his presence;

(d) maintain records of all tests (both destructive and non destructive) carried out by him or under his supervision; and

(e) when radiographic examinations are carried out to boilers or parts thereof or to other scantlings, give his opinion in writing to the Inspecting Authority with regard to the acceptability or otherwise of the parts examined in such form as may be required by the Inspecting Authority.

22. Receipt of application for registration.—Application for registration of the boiler shall be made under sub-section (1) of Section 7 either to the Deputy Chief Inspector or Chief Inspector or Inspector of the local area in which the boiler is situated and shall be accompanied by a receipt for the prescribed fee. No application shall be accepted without the receipt. No boiler shall be registered if on measurement the fee is found to be deficient until the deficit has been paid. Excess payment, if any, shall be refunded after registration.

23. Registration.—The Inspector shall fix a date for the examination of the boiler as required under sub-section (2) of Section 7. He shall proceed to take action under sub-section (3) of Section 7 on the date fixed and submit his report to the, Chief Inspector as early as practicable. The Chief Inspector shall issue his orders under sub-section (4) of Section 7 with delay.

24. Register of registered boilers.—The Deputy Chief Inspector or Chief Inspector shall maintain a register of registered boilers in serial order in Form A in two parts. In Part I (boilers originally registered in the State)—the registered number of a boiler shall be the one immediately following the last serial number in the register. Gap number due to boilers being broken up or transferred to another State shall not be filled up. In Part II (boiler originally registered in other States)—entries shall be made as prescribed in Rule 18 (1) (f). The Inspector in charge of an office shall keep in a similar register for all boilers within his jurisdiction.

25. Procedure on transfer of a boiler.— Whenever a boiler is transferred from another State (to Madhya Pradesh) the owner shall under clause (b) of Section 6 apply to the Chief Inspector for the registration of the transfer. The Chief Inspector

shall then obtain the registration book and memorandum of inspection book of the boiler from the State from which the boiler was transferred. No fee shall be charged for recording transfer. The boiler cannot be used before the transfer is recorded.

26. Entry of transferred boilers in register.—On receipt of the registration and memorandum of inspection book, the Deputy Chief Inspector or Chief Inspector shall enter the boiler under its original number in Part II of his register and shall instruct the Inspector of the area in which the boiler is situate d to enter it similarly in his register. The registration book and the memorandum of Inspection Book shall be kept in the office of the Deputy Chief Inspector or the Chief Inspector.

27. Note of transferred and dismantled boilers.—Whenever a boiler has been transferred to another State or broken up, the fact shall be noted in the register. In the case of a boiler that has been permanently dismantled, the registration book and the memorandum of inspection book shall be destroyed.

28. Investigation of accidents.— On receipt of a report of an accident to a boiler or steam pipe under Section 18, the Inspector shall with the least possible delay proceed to the place to investigate the accident. If the report is received by the Deputy Chief Inspector or Chief Inspector, he shall forward it at once to the Inspector within whose jurisdiction, the accident has occurred for necessary action.

29. Procedure during enquiry.—The Inspector at his enquiry shall make a careful examination of the damaged parts and shall take such measurements and make such sketches for the purpose of his report as he may deem necessary. He shall enquire into the circumstances attending the accident and note the time of its occurrence, its nature and extent, the injury caused to persons and th e damage to property. The report shall be given in

Form D appended to these rules.

30. Power to hold enquiry in writing.—The Inspector shall take the written statement of witnesses and all persons immediately concerned with the accident. In order to comply with the provision of sub-section (2) of Section 18, the Inspector shall present to the owner or person in charge of the boiler a series of written questions on all points that are material to the enquiry.

31. Use of boiler after accident.—The Inspector shall decide whether the use of the boiler can be permitted at the same or at a lower pressure without repairs or pending the completion of any repairs or alterations that he may order. In no case shall he issue a provisional order or renew a certificate until his orders have been carried out.

32. Procedure in case of serious accidents.—The report shall be sent without delay to the Deputy Chief Inspector, or Chief inspector, who if he considers that the investigation has been sufficient shall record the facts in his register of the accidents and shall enter a brief account of the accident in the register and

memorandum of Inspection Books. If, however, the accident is of a serious nature and in all cases in which an explosion has occurred, the Chief Inspec tor on receipt of the report shall proceed to investigate the accident personally either alone or with the Deputy Chief Inspector or any other Inspector as considered necessary.

33. Reference in the annual report.— A brief account of all accidents and their causes shall be included in the annual report on the working of the Act.

34. Unreported accidents.—If in the course of any Inspection or at any other time, the Inspector discovers damage which goes within the definition of an accident, but it has not been reported, he shall report the fact at once to the Chief Inspector for action under clause (d) of Section 24.

35. Attendance during hearing of appeals under Section 19.-Under orders of the Chief Inspector, the Inspector shall attend during the hearing of appeals with regard to boilers within his area before the Chief Inspector or appellate authority.

36. Appellate Authority.— The Government shall constitute an appellate authority under Section 20 for such period as it may deem fit. The appellate author ity shall be presided over by an officer who has exercised or is exercising the powers of District Judge or a District Magistrate.

37. Panel of assessors.—The Government shall constitute a panel of assessors for the purpose of assisting the appellate authority in the hearing of appeals. Assessors shall be competent persons with necessary technical knowledge and experience and must be qualified mechanical engineers.

38. Attendance of assessors.— Whenever the date for hearing of an appeal before the appellate authority has been fixed, the Chief Inspector shall under the orders of appellate authority arrange for the attendance of at least 3 members of the panel to act as assessors.

39. Fees to assessors.—An assessor shall be entitled to such daily fee not exceeding a maximum of Rs. 50 (Rupees fifty) per day as may be fixed by the appellate authority and he shall also be entitled to travelling allowance at the rates prescribed under the orders for the time being in force relating to the attendance of witnesses in Civil Courts.

40. Filing of ay peal.—Every appeal shall be made in writing either in English or in the official language of the State and shall be presented to the Chief Inspector within thirty days of the communication to him of the order against whi ch an appeal is preferred.

41. Form of appeal.—The appeal shall be accompanied by the original order, notice or report appealed against, or by certified copy therefor where no such

order, notice or report has been made in writing, by a clear statement of facts appealed against, the grounds of appeal and the relevant Sections of the Act.

42. Fixing date for hearing.— On receipt of an appeal, the Chief Inspector shall at once fix a date for hearing of the appeal if the appeal is to be heard by himself and obtain date for the hearing of the

appeal from the appellate authority, if it is to be heard by the appellate authority. No delay shall be made in deci ding appeals.

43. Procedure during hearing.—When the date for hearing has been fixed the Chief Inspector shall at once issue a notice to the appellants stating the date for hearing and informing him that if he wishes to be heard in support of the appeal or to produce evidence, he must be present either in person or by an authorised agent with his evidence on the date fixed. The notice shall be sent by registered post to such address as shall be entered in the petition.

44. Presence of Inspector.— In all appeals the Chief Inspector shall decide whether the presence of the Inspector is necessary and issue order s accordingly.

45. Attendance of witnesses.—The appellate authority shall have power to secure the attendance of witnesses and to make local enquiries and for this purpose shall exercise the powers of a Court under the provisions of the Code of Civil Procedure, 1908.

46. Ex-parte decision.—If the appellant is not present on the date fixed the appeal may be decided in his absence.

47. Costs in appeal.— In appeals before the appellate authority, the appellate authority shall decide the costs and recover them from the appellant in any case in which the appeal is dismissed. In all cases of appeals in which a local inspection is required by the appellant, he shall deposit in advance the full costs of such inspection.

48. Fees required for certificates granted on appeals.—Any order on appeal authorising the registering of a boiler or the grant of the renewal of a certificate shall be deemed to be subject to the payment of such fees as are prescribed by rules or regulations framed under the Act.

49. Repeal and savings.—On coming into force of these rules, the Madhya Pradesh Boiler Inspection Rules, 1959 shall stand repealed; provided that any order made or action taken or thing done under the rules so repealed shall be deemed to have been made or taken or done under the corresponding provisions of these rules.

FORM 'A'

[Rules 18, 24 and 26]

Registry no.	Type of Boiler	Boiler Rating	Name of manufacturer	Year and place of construction
(1)	(2)	(3)	(4)	(5)
Date of registration	Name of owner	Place where in use	Remark	Transfers etc.
(6)	(7)	(8)	(9)	(10)

In part II of the register, column I should contain Registry Numbers and letter. Issue by the Inspector of Boilers…… Registered No……..

Certificate No ……..year ……

FORM B-1

[Rule 19 (5) (6)]

Application for the Inspection of Boilers and Steam Pipes under the Indian Boilers Act, 1923 (Act V of 1923)

Division I

Registered Number boiler	Number of owner or agent	Where situated	Date of Inspection desirable	Description of boiler and age
(1)	(2)	(3)	(4)	(5)

I hereby submit application to the Inspector of Boilers for inspection of and the agent of a certificate for the boiler/above named, together with the Treasury receipt in original obtained on payment of the prescribed fee specified below .

Dated……. This……. day of……. 20……

……..

Owner or Agent **Division II**

I certify that the following fees and expenses are payable:

Boiler number	Boiler rating	fees	Extra fees for Sunday and holiday Total Number rating inspection and other expenses	Total
(1)	(2)	(3)	(4)	(5)

N.B.—This form with Division I, duly filled in together with the Treasury receipt in original obtained on payment of the prescribed fees and expenses specified

above may be forwarded to the office of the Chief Inspector of Boilers……. in order that the necessary inspection may be made. Payment of fees by Book Transfer is applicable in the case of Government Departments only.

Dated ……..this…….. day of ……..20

Chief Inspector of Boiler

Division III

This is to certify that Rupees……. Paise…… have:…… been deposited in……. Treasury as per receipt No……..... dated ……..20…… on account of the inspection of the boiler above named.

Dated……. This…….. day of …….20 ……

…….

Office of the Chief

Inspector of Boilers

FORM C

[Vide Rule 19 (5) (g)]

Declaration of Inspector

Registered number of boiler	Description and material, when and where made	Repairs and alteration since last inspection	Purpose for which used	Boiler rating
(1)	(2)	(3)	(4)	(5)
Date of last hydraulic test and pressure applied	Date of Inspection	Limit of working pressure of boiler in pounds per square inch	Date of last hydraulic test of steam pipe	Remarks
(6)	(7)	(8)	(9)	(10)

I hereby declare, viz. :—

(1) That the above named boiler was duly inspected by me on the..... 20…… and found to be in accordance with the rules and requirements of the Indian Boilers Act, 1923 (Act V of 1923).

(2) That the boiler with attached steam pipes is in charge of and is not so exposed as to be dangerous.

(3) That the said boiler will, in my judgment, be safe for period of…… months, at a working pressure, which is on no account to exceed the pressure stated in column (8) of this Form.

Dated……. this …….day of……. 20

…….Inspector

FORM D

(See Rule 29)

Report into the investigation of the accident to boiler

No……..

To

The Chief Inspector of Boilers,
Madhya Pradesh ……

Sir,

In accordance with the instructions, I have held a preliminary enquiry into the accident and the circumstances attending it, to Boiler No……... and now make the following report:

1. Date and place of accident
2. Date of investigation
3. Name and address of owner
4. Persons killed or injured
5. Name of maker
6. Short description of the Boiler's general condition, its location with respect to other boilers, the purpose for which it is used and the age of the boiler.
7. Particulars of previous repairs with dates
8. The boiler was last inspected on……. By……
9. Nature of accident
10. Cause of accident
11. General remarks

……
Inspector of Boilers

Remark by the chief inspector of boilers

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