

THE INDIAN BOILERS (AMENDMENT) ACT, 2007

(Act No. 49 of 2007)

AN ACT

further to amend the Indian Boilers Act, 1923.

BE it enacted by Parliament in the Fifty-eighth Year of the Republic of India as follows:—

1. *Short title, and Commencement.*—(1) This Act may be called the Indian Boilers (Amendment) Act, 2007.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act.

2. *Amendment of section 1.*—In section 1 of the Indian Boilers Act, 1923 (5 of 1923) (hereinafter referred to as the principal Act), in sub-section (1), the word “Indian” shall be omitted.

3. *Amendment of section 2.*—In section 2 of the principal Act,—

(1) for clause (a), the following clause shall be substituted, namely:—

‘(a) “accident” means an explosion of boiler, or boiler component, which is calculated to weaken the strength or an uncontrolled release of water or steam therefrom, liable to cause death or injury to any person or damage to any property;’;

(2) for clause (b), the following clauses shall be substituted, namely:—

‘(b) “boiler” means a pressure vessel in which steam is generated for use external to itself by application of heat which is wholly or partly under pressure when steam is shut off but does not include a pressure vessel,—

(i) with capacity less than 25 litres (such capacity being measured from the feed check valve to the main steam stop valve);

(ii) with less than one kilogram per centimetre square design gauge pressure and working gauge pressure; or

(iii) in which water is heated below one hundred degrees centigrade;

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(ba) “boiler component” means steam piping, feed piping, economiser, superheater, any mounting or other fitting and any other external or internal part of a boiler which is subject to pressure exceeding one kilogram per centimetre square gauge;’;

(3) after clause (c), the following clauses shall be inserted, namely:—

(ca) “Competent Authority” means an institution recognised in such

manner as may be prescribed by regulations for issue of certificate to the welders for welding of boiler and boiler components;

(cb) "Competent Person" means a person recognised in such manner as may be prescribed by regulations for inspection and certification of boilers and boiler components during manufacture, erection and use. All Inspectors shall be *ipso facto* competent persons;';

(4) after clause (ccc), the following clauses shall be inserted, namely:—

`(ccd) "Inspecting Authority" means an institution recognised in such manner as may be prescribed by regulations for the inspection and certification of boilers and boiler components during manufacture. All Chief Inspectors of Boilers shall be *ipso facto* Inspecting Authorities;

(cce) "manufacture" means manufacture, construction and fabrication of boiler or boiler component, or both;

(ccf) "manufacturer" means a person engaged in the manufacture;';

(5) in clause (d), for the words "includes any person", the words "includes any person possessing or" shall be substituted;

(6) for clause (f), the following clause shall be substituted, namely:—

`(f) "steam pipe" means any pipe through which steam passes if—

(i) the pressure at which steam passes through such pipe exceeds 3.5 kilogram per square centimetres above atmospheric pressure, or

(ii) such pipe exceeds 254 millimetres in internal diameter and the pressure of steam exceeds 1 kilogram per square centimetres above the atmospheric pressure,

and includes in either case any connected fitting of a steam-pipe;';

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(7) for clause (g), the following clauses shall be substituted, namely:—

`(g) "structural alteration, addition or renewal" means,—

(i) any change in the design of a boiler or boiler component;

(ii) replacement of any part of boiler or boiler component by a part which does not conform to the same specification; or

(iii) any addition to any part of a boiler or boiler component;

(h) "superheater" means any equipment which is partly or wholly exposed to flue gases for the purpose of raising the temperature of steam beyond the saturation temperature at that pressure and includes a re-heater;

(i) "Technical Adviser" means the Technical Adviser appointed under sub-section (l) of section 4 A.'.

4. *Substitution of new section for section 3. Limitation of application.—*

For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. Nothing in this Act shall apply to—

(a) locomotive boilers belonging to or under the control of the railways;

(b) any boiler or boiler component,—

(i) in any vessel propelled wholly or in part by the agency of steam ;

(ii) belonging to, or under the control of, the Army, Navy or Air Force; or

(iii) appertaining to a sterilizer disinfector used in hospitals or nursing homes, if the boiler does not exceed one hundred litres in capacity.”.

5. *Insertion of new sections 4A to 4F. Technical Adviser.*—After section 4 of the principal Act, the following sections shall be inserted, namely:—

“4A (1) The Central Government shall appoint a Technical Adviser from amongst the persons having such qualifications and experience as may be prescribed by rules.

(2) The terms and conditions of service of the Technical Adviser shall be such as may be prescribed by the Central Government.

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(3) The Technical Adviser shall, in addition to exercising the powers and discharging the functions assigned to him under this Act or rules or regulations made thereunder, exercise such other powers and discharge such functions as the Central Government and the Board may delegate to him.

4B. *Welders certificate.*— (1) Any person who proposes to undertake any welding work connected with or related to a boiler, or a boiler component or both shall apply to a Competent Authority for issue of a Welders certificate.

(2) On receipt of an application under sub-section (1), the Competent Authority shall follow such procedure for examination and grant of Welders certificate as may be prescribed by regulations.

(3) The Competent Authority may, if satisfied that the person applying for Welders certificate under sub-section (2) has complied with the conditions precedent for issue of the Welders certificate, issue such certificate, to such person subject to the payment of such fee and such other conditions as may be prescribed by regulations:

Provided that the Competent Authority shall not refuse Welders certificate to any person unless such person is given an opportunity of being heard.

4C. *Conditions Precedent for manufacture of boiler and boiler*

component.—(1) No person shall manufacture or cause to be manufactured any boiler or boiler component, or both unless—

- (a) he has provided in the premises or precincts wherein such boiler or boiler component, or both are manufactured, such facilities for design and construction as may be prescribed by regulations;
- (b) the design and drawings of the boiler and boiler component have been approved by the Inspecting Authority under clause (a) of sub-section (2) of section 4D;
- (c) the materials, mounting and fittings used in the construction of such boiler or boiler component, or both conform to the specifications prescribed by regulations; and
- (d) the persons engaged for welding boiler or boiler component hold Welders certificate issued by a Competent Authority.

4D. *Inspection during manufacture.*—(1) Every manufacturer, before commencing manufacture of a boiler or boiler component, shall engage an Inspecting Authority for carrying out inspection at such stages of manufacture as may be prescribed by regulations.

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- (2) The Inspecting Authority engaged under sub-section (1) shall follow such procedure for inspection and certification of boiler or boiler component as may be prescribed by regulations and after inspection, if it is—
 - (a) satisfied that the boiler or the boiler component conforms to the standards prescribed by regulations, it shall issue a certificate of inspection and stamp the boiler, or boiler component, or both; or
 - (b) of the opinion that the boiler, or boiler component, or both does not conform to the standards prescribed by regulations, it may for reasons to be recorded in writing refuse to issue such certificate;

Provided that no certificate shall be refused unless the Inspecting Authority had directed the manufacturer of the boiler component, or both in writing to carry out such modifications or rectifications as it deems necessary and the Inspecting Authority is of the opinion that in spite of such direction the manufacturer of the boiler or boiler component, or both did not carry out the direction.

- (3) The Inspecting Authority may, for the purposes of inspection under this section, charge such fee as may be prescribed by regulations.

4E. *Inspection during erection.*—(1) The owner who proposes to register a boiler under section 7, shall engage an Inspecting Authority for carrying out

inspection at the stage of erection of the boiler.

(2) The Inspecting Authority shall follow such procedure for inspection and certification of a boiler or boiler component, or both as may be prescribed by regulations and after inspection, if it is—

(a) satisfied that the erection of the boiler is in accordance with the regulation, it shall issue a certificate of inspection in such form as may be prescribed by regulations; or

(b) of the opinion that the boiler has not been erected in accordance with the regulations, it may for reasons to be recorded in writing, refuse to grant the certificate and shall communicate such refusal to the manufacturer of the boiler or boiler component forthwith:

Provided that no such certificate shall be refused unless the Inspecting Authority had directed to owner in writing to carry out such modifications or rectifications as it deems necessary and the Inspecting Authority is of the opinion that in spite of such direction the owner did not carry out the direction.

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(3) The Inspecting Authority may, for the purposes of inspection under this section, charge such fee as may be prescribed by regulations.

4F. *Conditions precedent for repairing boiler and boiler component:—*

No person shall repair or cause to be repaired any boiler or boiler component or both, unless—

(a) he has provided in the premises or precincts, where in such boiler or boiler component or both are being used, such facilities for repairs as may be prescribed by regulations;

(b) the design and drawings of the boiler or boiler component, as the case may be, and the materials, mountings and fittings used in the repair of such boiler or boiler component conform to the regulations;

(c) persons engaged in welding, holds a Welders certificate issued by a Competent Authority;

(d) every user who does not have the in house facilities for repair of boiler or boiler component shall engage a Boiler Repairer possessing a Boiler Repairer certificate for repair of a boiler or boiler component or both, as the case may be,

(e) every user shall engage a Competent Person for approval of repairs to be carried out in-house or by the repairers.”.

6. *Amendment of section 5.—*In section 5 of the principal Act, after subsection (4), the following sub-section shall be inserted, namely:—

“(4A) No person shall be appointed as the Chief Inspector, Deputy Chief Inspector or Inspector unless he possesses such qualifications and experience as may be prescribed by the Central Government.”.

7. *Amendment of section 6.*—In section 6 of the principal Act, in clause (e), for the words “State Government” the words “Central Government” shall be substituted.

8. *Amendment of section 7.*—In section 7 of the principal Act,—

(a) in sub-section (1), for the words “may apply to the Inspector to have the boiler registered”, the words “may apply to the Inspector along with such other documents as may be prescribed by regulations to have the boiler registered” shall be substituted;

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(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) On the said date the Inspector shall inspect the boiler with a view to satisfying himself that the boiler has not suffered any damage during its transit from the place or manufacture to the site of erection and forward a report of the inspection alongwith the documents to the Chief Inspector within seven days.”.

9. *Amendment of section 8.*—In section 8 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (c), for the figures “18.58”, the figures “20” shall be substituted;

(ii) for clause (d), the following clause shall be substituted, namely:—

“(d) save as provided in section 12, when any structural alteration, addition or renewal is made in or to the boiler;”;

(iii) in clause (f), for the words “it or any steam pipe” , the words “it or any boiler component” shall be substituted;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) When a certificate ceases to be in force, the owner of the boiler may apply to the Competent Person for renewal thereof for such period as may be prescribed by regulations.”;

(c) for sub-sections (4) and (5), the following sub-sections shall be substituted, namely:—

“(4) On receipt of an application under sub-section (3), the Competent Person shall, within fifteen days from the date of such receipt,

inspect the boiler in such manner as may be prescribed by regulations.

(5) If the Competent Person is—

(a) satisfied that the boiler and the boiler components attached thereto are in good condition he shall issue it certificate for such period as may be prescribed by regulations.

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(b) of the opinion that the boiler or boiler component, or both does not conform to the standards prescribed by regulations, it may, for reasons to be recorded in writing, refuse to issue such certificate:

Provided that no certificate shall be refused unless the Inspecting Authority had directed the owner of the boiler or the boiler component, or both in writing to carry out such modifications or rectifications as it deems necessary and the Competent Person is of the opinion that in spite of such direction the owner of the boiler or boiler component, or both did not carry out the direction:

Provided further that the Competent Person shall, within forty-eight hours of making the examination, inform the owner of the boiler or boiler component any defect in his opinion and the reasons therefor and shall forthwith report the case to the Chief inspector.

(6) The Competent Person may for the purpose of inspection under this section charge such fee as may be prescribed by regulations.”.

10. *Amendment of section 9.*—In section 9 of the principal Act, the words, brackets and figures “or sub-section (5) of section 8” shall be omitted.

11. *Amendment of section 11.*—In section 11 of the principal Act,—

(a) in clause (c), for the words “State Government”, the words “Central Government” shall be substituted;

(b) clause (d) and the proviso shall be omitted.

12. *Amendment of section 12.*—In section 12 of the principal Act, the following proviso shall be inserted at the end, namely:—

“Provided that no such sanction is required where the structural alteration, addition or renewal is made under the supervision of a Competent Person.”.

13. *Substitution of new section for section 13.*—For section 13 of the principal Act, the following section shall be substituted, namely:—

“13. *Alternation or renewal of boiler component:*—(1) Before the owner of any boiler registered under this Act makes any structural alteration, addition or renewal in or to any boiler component attached to the boiler, he shall transmit to the Chief Inspector a report in writing of his intention and send therewith such particulars of proposed alteration, addition or renewal as may be

prescribed by regulations.

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(2) Any structural alteration, addition or renewal to in sub-section (1) shall be made by a person possessing a Boiler Repairer certificate under the supervision of the Competent Person.”.

14. *Amendment of section 14.*—In section 14 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (a), for the word “Inspector”, the words “Competent Person” shall be substituted;

(ii) in clause (b), for the words, “prescribed manner”, the words “manner prescribed by regulation” shall be substituted;

(iii) in clause (c), for the words “be prescribed”, the words “be prescribed by regulations” shall be substituted;

(b) in sub-section (2), for the word “Inspector”, the words “Competent Person” shall be substituted.

15. *Amendment of section 15.*—In section 15 of the principal Act, for the words and figures “the Indian Factories Act, 1911 (12 of 1911)”, the words and figures “the Factories Act, 1948 (63 of 1948)” shall be substituted;

16. *Amendment of section 18.*—In section 18 of the principal Act,—

(a) in sub-section (1), for the word “steam-pipe”, at both the places where it occurs, the words “boiler component” shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Without prejudice to the provisions of sub-section (1), where any death has resulted due to any accident, an inquiry may be conducted by such person and in such manner as may be prescribed by the Central Government.”.

17. *Amendment of section 19.*—Section 19 of the principal Act shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

“(2) Every appeal under sub-section (1) shall be made in such manner as may be prescribed by the State Government.

(3) The procedure for disposing of an appeal shall be such as may be prescribed by the State Government.”

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18. *Amendment of section 20.*—Section 20 of the principal Act shall be

renumbered as sub-section (1) and—

(a) in sub-section (1) as so renumbered, for the words “lodge with the Chief Inspector an appeal to an Appellate Authority to be constituted by the State Government under this Act”, the words “prefer an appeal to the Central Government” shall be substituted;

(b) after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:—

“(2) Any person considering himself aggrieved by the refusal of an Inspecting Authority to grant a certificate of inspection of manufacture or erection, as the case may be, may within thirty days from the date of communication of such refusal, prefer an appeal to the Central Government.

(3) Every appeal under sub-section (1) shall be made in such manner as may be prescribed by the Central Government.

(4) The procedure for disposing of an appeal shall be such as may be prescribed by the Central Government.”.

19. *Amendment of section 21.*—In section 21 of the principal Act, for the words, figures and letters “An order of the Central Government under section 20A and save as otherwise provided in sections 19, 20 and 20A, an order of an appellate authority”, the words, figures and letter “An order of the Central Government under sections 20 and 20A” shall be substituted.

20. *Amendment of section 22.*—In section 22 of the principal Act, for the words “one hundred rupees”, the words “five thousand rupees” shall be substituted.

21. *Amendment of section 23.*—In section 23 of the principal Act,—

(a) for the words “five hundred rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “one hundred rupees”, the words “one thousand rupees” shall be substituted.

22. *Amendment of section 24.*—In section 24 of the principal Act, for the words “punishable with fine which may extend to five hundred rupees”, the words “punishable with imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both” shall be substituted.

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23. *Amendment of section 25.*—In section 25 of the principal Act,—

(a) in sub-section (1), for the words “five hundred rupees”, the words “one lakh rupees” shall be substituted;

(b) in sub-section (2), for the words “fine or with both”, the words

“fine which may extend to one lakh rupees or with both” shall be substituted.

24. *Amendment of section 27A.*—In section 27A of the principal Act, for sub-section (2) and (3), the following sub-sections shall be substituted, namely:—

“(2) The Board shall consist of the following members, namely:—

(a) the Secretary to the Government of India incharge of the Department of the Central Government having administrative control of the Board who shall be the Chairperson *ex-officio*;

(b) a senior technical officer conversant with the inspection and examination of boilers, to be nominated by the Government of each State (other than a Union territory);

(c) equal number of other persons as in sub-section (b) above to represent—

(i) Central Government,

(ii) the Bureau of Indian Standards,

(iii) boiler and boiler component manufacturers,

(iv) National laboratories,

(v) engineering consultancy agencies,

(vi) users of boilers, and

(vii) such other interests which in the opinion of the Central Government ought to be represented on the Board,

to be nominated by the Central Government;

(d) Technical Adviser, Member-Secretary *ex-officio*.

(3) The term of office of the members nominated under clauses (b) and (c) of sub-section (2) shall be such as may be prescribed by the Central Government.”.

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25. *Amendment of section 28.*—In section 28 of the principal Act, in subsection (1),—

(i) for clause (a), the following clause shall be substituted, namely:—

“(a) for laying down the standard conditions in respect of material, design, construction, erection, operation and maintenance which shall be required for the purposes of enabling the registration and certification of boilers, boiler components, boiler mountings and fittings under this Act;”;

(ii) in clause (d), for the word “steam-pipes”, the words “boiler components, boiler mountings and fittings” shall be substituted;

(iii) after clause (e), the following clauses shall be inserted, namely:—

“(ea) for prescribing the qualifications and experience subject to which the Inspecting Authorities, Competent Authorities and Competent Persons shall be recognised under this Act;

(eb) the conditions subject to which and the manner in which manufacturer of boiler components or material may be recognised;

(ec) facilities for design and construction which are required to be provided in the premises in which the manufacturing of any boiler or boiler component is carried out;

(ed) fee for the purposes of inspection or grant of recognition or any certificate under this Act;

(ef) procedure for examination and grant of Welders Certificate;

(eg) powers and functions which the Board may delegate to the Technical Adviser;

(eh) documents to be enclosed alongwith the application for registration of boilers or renewal of a certificate authorising the use of boilers;

(ei) the manner of inspection of boilers;

(ej) the period for which a certificate authorising the use of a boiler may be renewed;

(ek) the conditions subject to which and the form in which Competent Person shall renew a certificate authorising the use of boilers;

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(el) the manner and the form in which a Repairer’s certificate shall be issued;

(em) the manner in which the boilers shall be prepraed for examination;

(en) drawings, specification, documents and other particulars which owner of a boiler is required to make available to the Competent Person;

(eo) the manner in which a person may be authorised to conduct energy audit and the manner in which such audit shall be conducted;

(ep) the manner in which disputes between the States with respect to registration of boilers shall be resolved.”.

26. *Amendment of section 28A.*—In section 28A of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(1A) in particular, and without prejudice to the generality of the

foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the procedure to be followed in making applications under section 20A and the fees payable in respect of such application;
- (b) the qualifications and experience of persons to be appointed as Chief Inspectors, Deputy Chief Inspectors and Inspectors;
- (c) the manner in which appeals may be preferred to the Board, the fees payable in respect of appeals and the procedure to be followed of disposing such appeals;
- (d) the term of office of the members and the manner in which they shall be nominated under clause (b) and (c) of sub-section (2) of section 27A;
- (e) the qualifications and experience of the Technical Adviser;
- (f) for requiring boilers to be under the charge of persons holding certificate of proficiency or competency and for prescribing the conditions on which such certificate may be granted;

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(g) the manner in which and the person who shall conduct inquiry into the accident.”.

27. *Amendment of section 29.*—In section 29 of the principal Act, in subsection (1),—

(i) for clause (a), the following clause shall be substituted, namely:—

“(a) the powers and duties of the Chief Inspector, Deputy Chief Inspectors and Inspectors;”;

(ii) clause (d) shall be omitted ;

(iii) for clause (f), the following clause shall be substituted, namely:—

“(f) fee payable for registration of boilers;”;

(iv) for clause (h), the following clause shall be substituted, namely:—

“(h) the manner in which appeals shall be preferred to the Chief Inspector and the procedure to be followed for hearing such appeals;”;

(v) clause (j) shall be omitted,

28. *Amendment of section 30.*—In section 30 of the principal Act,—

(a) for the words “one hundred rupees”, the words “one thousand rupees” shall be substituted;

(b) for the words “one thousand rupees”, the words “one lakh rupees” shall be substituted;

29. *Amendment of section 33.*—In section 33 of the principal Act, for the word “steam-pipe”, the words “boiler components” shall be substituted.

30. *Amendment of section 34.*—In section 34 of the principal Act, in subsection (3), the following sub-section shall be substituted, namely:—

“(3) If the State Government is satisfied that having regard to the material, design or construction of boilers and to the need for the rapid industrialisation of the country, it is necessary so to do, it may, by notification in the Official Gazette and subject to such conditions as may be prescribed by regulations, exempt any boiler or boiler components in the whole or any part of the State from the operation of all or any of the provisions of this Act.”.

THE INDIAN BOILERS (AMENDMENT) ACT, 2007

(ACT No. 49 OF 2007)

AN ACT

further to amend the Indian Boilers Act, 1923.

BE it enacted by Parliament in the Fifty-eighth Year of the Republic of India as follows:—

1. *Short title, and Commencement.*—(1) This Act may be called the Indian Boilers (Amendment) Act, 2007.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act.

2. *Amendment of section 1.*—In section 1 of the Indian Boilers Act, 1923 (5 of 1923) (hereinafter referred to as the principal Act), in sub-section (1), the word “Indian” shall be omitted.

3. *Amendment of section 2.*—In section 2 of the principal Act,—

(1) for clause (a), the following clause shall be substituted, namely:—

‘(a) “accident” means an explosion of boiler, or boiler component, which is calculated to weaken the strength or an uncontrolled release of water or steam therefrom, liable to cause death or injury to any person or damage to any property;’;

(2) for clause (b), the following clauses shall be substituted, namely:—

‘(b) “boiler” means a pressure vessel in which steam is generated for use external to itself by application of heat which is wholly or partly under pressure when steam is shut off but does not include a pressure vessel,—

(i) with capacity less than 25 litres (such capacity being measured from the feed check valve to the main steam stop valve);

(ii) with less than one kilogram per centimetre square design gauge pressure and working gauge pressure; or

(iii) in which water is heated below one hundred degrees centigrade;

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(ba) “boiler component” means steam piping, feed piping, economiser, superheater, any mounting or other fitting and any other external or internal part of a boiler which is subject to pressure exceeding one kilogram per centimetre square gauge;’;

(3) after clause (c), the following clauses shall be inserted, namely:—

(ca) “Competent Authority” means an institution recognised in such manner as may be prescribed by regulations for issue of certificate to the welders for welding of boiler and boiler components;

(cb) “Competent Person” means a person recognised in such manner as may be prescribed by regulations for inspection and certification of boilers and boiler components during manufacture, erection and use. All Inspectors shall be *ipso facto* competent persons;’;

(4) after clause (ccc), the following clauses shall be inserted, namely:—

‘(ccd) “Inspecting Authority” means an institution recognised in such manner as may be prescribed by regulations for the inspection and certification of boilers and boiler components during manufacture. All Chief Inspectors of Boilers shall be *ipso facto* Inspecting Authorities;

(cce) “manufacture” means manufacture, construction and fabrication of boiler or boiler component, or both;

(ccf) “manufacturer” means a person engaged in the manufacture;’;

(5) in clause (d), for the words “includes any person”, the words “includes any person possessing or” shall be substituted;

(6) for clause (f), the following clause shall be substituted, namely:—

‘(f) “steam pipe” means any pipe through which steam passes if—

(i) the pressure at which steam passes through such pipe exceeds 3.5 kilogram per square centimetres above atmospheric pressure, or
(ii) such pipe exceeds 254 millimetres in internal diameter and the pressure of steam exceeds 1 kilogram per square centimetres above the atmospheric pressure,
and includes in either case any connected fitting of a steam-pipe;’;

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(7) for clause (g), the following clauses shall be substituted, namely:—

‘(g) “structural alteration, addition or renewal” means,—

- (i) any change in the design of a boiler or boiler component;
- (ii) replacement of any part of boiler or boiler component by a part which does not conform to the same specification; or
- (iii) any addition to any part of a boiler or boiler component;
- (h) “superheater” means any equipment which is partly or wholly exposed to flue gases for the purpose of raising the temperature of steam beyond the saturation temperature at that pressure and includes a re-heater;
- (i) “Technical Adviser” means the Technical Adviser appointed under sub-section (1) of section 4 A.’

4. *Substitution of new section for section 3. Limitation of application.*—

For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. Nothing in this Act shall apply to—

- (a) locomotive boilers belonging to or under the control of the railways;
- (b) any boiler or boiler component,—
 - (i) in any vessel propelled wholly or in part by the agency of steam ;
 - (ii) belonging to, or under the control of, the Army, Navy or Air Force; or
 - (iii) appertaining to a sterilizer disinfector used in hospitals or nursing homes, if the boiler does not exceed one hundred litres in capacity.”

5. *Insertion of new sections 4A to 4F. Technical Adviser.*—After section 4 of the principal Act, the following sections shall be inserted, namely:—

“4A (1) The Central Government shall appoint a Technical Adviser from amongst the persons having such qualifications and experience as may be prescribed by rules.

(2) The terms and conditions of service of the Technical Adviser shall be such as may be prescribed by the Central Government.

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(3) The Technical Adviser shall, in addition to exercising the powers and discharging the functions assigned to him under this Act or rules or regulations made thereunder, exercise such other powers and discharge such functions as the Central Government and the Board may delegate to him.

4B. *Welders certificate.*— (1) Any person who proposes to undertake any welding work connected with or related to a boiler, or a boiler component or both shall apply to a Competent Authority for issue of a Welders certificate.

(2) On receipt of an application under sub-section (1), the Competent Authority shall follow such procedure for examination and grant of Welders certificate as may be prescribed by regulations.

(3) The Competent Authority may, if satisfied that the person applying for Welders certificate under sub-section (2) has complied with the conditions precedent for issue of the Welders certificate, issue such certificate, to such person subject to the payment of such fee and such other conditions as may be prescribed by regulations:

Provided that the Competent Authority shall not refuse Welders certificate to any person unless such person is given an opportunity of being heard.

4C. *Conditions Precedent for manufacture of boiler and boiler*

component.—(1) No person shall manufacture or cause to be manufactured any boiler or boiler component, or both unless—

- (a) he has provided in the premises or precincts wherein such boiler or boiler component, or both are manufactured, such facilities for design and construction as may be prescribed by regulations;
- (b) the design and drawings of the boiler and boiler component have been approved by the Inspecting Authority under clause (a) of sub-section (2) of section 4D;
- (c) the materials, mounting and fittings used in the construction of such boiler or boiler component, or both conform to the specifications prescribed by regulations; and
- (d) the persons engaged for welding boiler or boiler component hold Welders certificate issued by a Competent Authority.

4D. *Inspection during manufacture.*—(1) Every manufacturer, before commencing manufacture of a boiler or boiler component, shall engage an Inspecting Authority for carrying out inspection at such stages of manufacture as may be prescribed by regulations.

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- (2) The Inspecting Authority engaged under sub-section (1) shall follow such procedure for inspection and certification of boiler or boiler component as may be prescribed by regulations and after inspection, if it is—
 - (a) satisfied that the boiler or the boiler component conforms to the standards prescribed by regulations, it shall issue a certificate of inspection and stamp the boiler, or boiler component, or both; or
 - (b) of the opinion that the boiler, or boiler component, or both does not conform to the standards prescribed by regulations, it may for reasons to be recorded in writing refuse to issue such certificate;

Provided that no certificate shall be refused unless the Inspecting Authority had directed the manufacturer of the boiler component, or both in writing to carry out such modifications or rectifications as it deems necessary and the Inspecting Authority is of the opinion that in spite of such direction the manufacturer of the boiler or boiler component, or both did not carry out the direction.

- (3) The Inspecting Authority may, for the purposes of inspection under this section, charge such fee as may be prescribed by regulations.

4E. *Inspection during erection.*—(1) The owner who proposes to register a boiler under section 7, shall engage an Inspecting Authority for carrying out inspection at the stage of erection of the boiler.

- (2) The Inspecting Authority shall follow such procedure for inspection and certification of a boiler or boiler component, or both as may be prescribed by regulations and after inspection, if it is—
 - (a) satisfied that the erection of the boiler is in accordance with the regulation, it shall issue a certificate of inspection in such form as may be prescribed by regulations; or
 - (b) of the opinion that the boiler has not been erected in accordance with the regulations, it may for reasons to be recorded in writing, refuse to grant the certificate and shall communicate such refusal to the manufacturer of the boiler or boiler component forthwith;

Provided that no such certificate shall be refused unless the Inspecting Authority had directed to owner in writing to carry out such modifications or rectifications as it deems necessary and the Inspecting Authority is of the opinion that in spite of such direction the owner did not carry out the direction.

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- (3) The Inspecting Authority may, for the purposes of inspection under this section, charge such fee as may be prescribed by regulations.

4F. *Conditions precedent for repairing boiler and boiler component:*—

No person shall repair or cause to be repaired any boiler or boiler component or both, unless—

- (a) he has provided in the premises or precincts, where in such boiler or boiler component or both are being used, such facilities for repairs as may be

prescribed by regulations;

(b) the design and drawings of the boiler or boiler component, as the case may be, and the materials, mountings and fittings used in the repair of such boiler or boiler component conform to the regulations;

(c) persons engaged in welding, holds a Welderes certificate issued by a Competent Authority;

(d) every user who does not have the in house facilities for repair of boiler or boiler component shall engage a Boiler Repairer possessing a Boiler Repairer certificate for repair of a boiler or boiler component or both, as the case may be,

(e) every user shall engage a Competent Person for approval of repairs to be carried out in-house or by the repairers.”.

6. *Amendment of section 5.*—In section 5 of the principal Act, after subsection (4), the following sub-section shall be inserted, namely:—

“(4A) No person shall be appointed as the Chief Inspector, Deputy Chief Inspector or Inspector unless he possesses such qualifications and experience as may be prescribed by the Central Government.”.

7. *Amendment of section 6.*—In section 6 of the principal Act, in clause (e), for the words “State Government” the words “Central Government” shall be substituted.

8. *Amendment of section 7.*—In section 7 of the principal Act,—

(a) in sub-section (1), for the words “may apply to the Inspector to have the boiler registered”, the words “may apply to the Inspector along with such other documents as may be prescribed by regulations to have the boiler registered” shall be substituted;

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(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) On the said date the Inspector shall inspect the boiler with a view to satisfying himself that the boiler has not suffered any damage during its transit from the place or manufacture to the site of erection and forward a report of the inspection alongwith the documents to the Chief Inspector within seven days.”.

9. *Amendment of section 8.*—In section 8 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (c), for the figures “18.58”, the figures “20” shall be substituted;

(ii) for clause (d), the following clause shall be substituted, namely:—

“(d) save as provided in section 12, when any structural alteration, addition or renewal is made in or to the boiler.”;

(iii) in clause (f), for the words “it or any steam pipe”, the words “it or any boiler component” shall be substituted;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) When a certificate ceases to be in force, the owner of the boiler may apply to the Competent Person for renewal thereof for such period as may be prescribed by regulations.”;

(c) for sub-sections (4) and (5), the following sub-sections shall be substituted, namely:—

“(4) On receipt of an application under sub-section (3), the Competent Person shall, within fifteen days from the date of such receipt, inspect the boiler in such manner as may be prescribed by regulations.

(5) If the Competent Person is—

(a) satisfied that the boiler and the boiler components attached thereto are in good condition he shall issue it certificate for such period as may be prescribed by regulations.

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(b) of the opinion that the boiler or boiler component, or both does no

conform to the standards prescribed by regulations, it may, for reasons to be recorded in writing, refuse to issue such certificate:

Provided that no certificate shall be refused unless the Inspecting Authority had directed the owner of the boiler or the boiler component, or both in writing to carry out such modifications or rectifications as it deems necessary and the Competent Person is of the opinion that in spite of such direction the owner of the boiler or boiler component, or both did not carry out the direction:

Provided further that the Competent Person shall, within forty-eight hours of making the examination, inform the owner of the boiler or boiler component any defect in his opinion and the reasons therefor and shall forthwith report the case to the Chief inspector.

(6) The Competent Person may for the purpose of inspection under this section charge such fee as may be prescribed by regulations.”.

10. *Amendment of section 9.*—In section 9 of the principal Act, the words, brackets and figures “or sub-section (5) of section 8” shall be omitted.

11. *Amendment of section 11.*—In section 11 of the principal Act,—

(a) in clause (c), for the words “State Government”, the words “Central Government” shall be substituted;

(b) clause (d) and the proviso shall be omitted.

12. *Amendment of section 12.*—In section 12 of the principal Act, the following proviso shall be inserted at the end, namely:—

“Provided that no such sanction is required where the structural alteration, addition or renewal is made under the supervision of a Competent Person.”.

13. *Substitution of new section for section 13.*—For section 13 of the principal Act, the following section shall be substituted, namely:—

“13. *Alteration or renewal of boiler component.*—(1) Before the owner of any boiler registered under this Act makes any structural alteration, addition or renewal in or to any boiler component attached to the boiler, he shall transmit to the Chief Inspector a report in writing of his intention and send therewith such particulars of proposed alteration, addition or renewal as may be prescribed by regulations.

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(2) Any structural alteration, addition or renewal to in sub-section

(1) shall be made by a person possessing a Boiler Repairer certificate under the supervision of the Competent Person.”.

14. *Amendment of section 14.*—In section 14 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (a), for the word “Inspector”, the words “Competent Person” shall be substituted;

(ii) in clause (b), for the words, “prescribed manner”, the words “manner prescribed by regulation” shall be substituted;

(iii) in clause (c), for the words “be prescribed”, the words “be prescribed by regulations” shall be substituted;

(b) in sub-section (2), for the word “Inspector”, the words “Competent Person” shall be substituted.

15. *Amendment of section 15.*—In section 15 of the principal Act, for the words and figures “the Indian Factories Act, 1911 (12 of 1911)”, the words and figures “the Factories Act, 1948 (63 of 1948)” shall be substituted;

16. *Amendment of section 18.*—In section 18 of the principal Act,—

(a) in sub-section (1), for the word “steam-pipe”, at both the places where it occurs, the words “boiler component” shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Without prejudice to the provisions of sub-section (1), where any death has resulted due to any accident, an inquiry may be conducted by such person and in such manner as may be prescribed by the Central Government.”.

17. *Amendment of section 19.*—Section 19 of the principal Act shall be

renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—
“(2) Every appeal under sub-section (1) shall be made in such manner as may be prescribed by the State Government.
(3) The procedure for disposing of an appeal shall be such as may be prescribed by the State Government.”

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18. *Amendment of section 20.*—Section 20 of the principal Act shall be renumbered as sub-section (1) and—

(a) in sub-section (1) as so renumbered, for the words “lodge with the Chief Inspector an appeal to an Appellate Authority to be constituted by the State Government under this Act”, the words “prefer an appeal to the Central Government” shall be substituted;

(b) after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:—

“(2) Any person considering himself aggrieved by the refusal of an Inspecting Authority to grant a certificate of inspection of manufacture or erection, as the case may be, may within thirty days from the date of communication of such refusal, prefer an appeal to the Central Government.

(3) Every appeal under sub-section (1) shall be made in such manner as may be prescribed by the Central Government.

(4) The procedure for disposing of an appeal shall be such as may be prescribed by the Central Government.”.

19. *Amendment of section 21.*—In section 21 of the principal Act, for the words, figures and letters “An order of the Central Government under section 20A and save as otherwise provided in sections 19, 20 and 20A, an order of an appellate authority”, the words, figures and letter “An order of the Central Government under sections 20 and 20A” shall be substituted.

20. *Amendment of section 22.*—In section 22 of the principal Act, for the words “one hundred rupees”, the words “five thousand rupees” shall be substituted.

21. *Amendment of section 23.*—In section 23 of the principal Act,—

(a) for the words “five hundred rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “one hundred rupees”, the words “one thousand rupees” shall be substituted.

22. *Amendment of section 24.*—In section 24 of the principal Act, for the words “punishable with fine which may extend to five hundred rupees”, the words “punishable with imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both” shall be substituted.

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23. *Amendment of section 25.*—In section 25 of the principal Act,—

(a) in sub-section (1), for the words “five hundred rupees”, the words “one lakh rupees” shall be substituted;

(b) in sub-section (2), for the words “fine or with both”, the words “fine which may extend to one lakh rupees or with both” shall be substituted.

24. *Amendment of section 27A.*—In section 27A of the principal Act, for sub-section (2) and (3), the following sub-sections shall be substituted, namely:—

“(2) The Board shall consist of the following members, namely:—

(a) the Secretary to the Government of India incharge of the Department of the Central Government having administrative control of the Board who shall be the Chairperson *ex-officio*;

(b) a senior technical officer conversant with the inspection and examination of boilers, to be nominated by the Government of each State (other than a Union territory);

(c) equal number of other persons as in sub-section (b) above to represent—

- (i) Central Government,
- (ii) the Bureau of Indian Standards,
- (iii) boiler and boiler component manufacturers,
- (iv) National laboratories,
- (v) engineering consultancy agencies,
- (vi) users of boilers, and
- (vii) such other interests which in the opinion of the Central Government ought to be represented on the Board, to be nominated by the Central Government;
- (d) Technical Adviser, Member-Secretary *ex-officio*.
- (3) The term of office of the members nominated under clauses (b) and (c) of sub-section (2) shall be such as may be prescribed by the Central Government.”.

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25. *Amendment of section 28.*—In section 28 of the principal Act, in subsection (1),—

- (i) for clause (a), the following clause shall be substituted, namely:—
“(a) for laying down the standard conditions in respect of material, design, construction, erection, operation and maintenance which shall be required for the purposes of enabling the registration and certification of boilers, boiler components, boiler mountings and fittings under this Act;”;
- (ii) in clause (d), for the word “steam-pipes”, the words “boiler components, boiler mountings and fittings” shall be substituted;
- (iii) after clause (e), the following clauses shall be inserted, namely:—
“(ea) for prescribing the qualifications and experience subject to which the Inspecting Authorities, Competent Authorities and Competent Persons shall be recognised under this Act;
(eb) the conditions subject to which and the manner in which manufacturer of boiler components or material may be recognised;
(ec) facilities for design and construction which are required to be provided in the premises in which the manufacturing of any boiler or boiler component is carried out;
(ed) fee for the purposes of inspection or grant of recognition or any certificate under this Act;
(ef) procedure for examination and grant of Welders Certificate;
(eg) powers and functions which the Board may delegate to the Technical Adviser;
(eh) documents to be enclosed alongwith the application for registration of boilers or renewal of a certificate authorising the use of boilers;
(ei) the manner of inspection of boilers;
(ej) the period for which a certificate authorising the use of a boiler may be renewed;
(ek) the conditions subject to which and the form in which Competent Person shall renew a certificate authorising the use of boilers;

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- (el) the manner and the form in which a Repairer’s certificate shall be issued;
- (em) the manner in which the boilers shall be prepared for examination;
- (en) drawings, specification, documents and other particulars which owner of a boiler is required to make available to the Competent Person;
- (eo) the manner in which a person may be authorised to conduct energy audit and the manner in which such audit shall be conducted;
- (ep) the manner in which disputes between the States with respect to registration of boilers shall be resolved.”.

26. *Amendment of section 28A.*—In section 28A of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(1A) in particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the procedure to be followed in making applications under section 20A and the fees payable in respect of such application;
- (b) the qualifications and experience of persons to be appointed as Chief Inspectors, Deputy Chief Inspectors and Inspectors;
- (c) the manner in which appeals may be preferred to the Board, the fees payable in respect of appeals and the procedure to be followed of disposing such appeals;
- (d) the term of office of the members and the manner in which they shall be nominated under clause (b) and (c) of sub-section (2) of section 27A;
- (e) the qualifications and experience of the Technical Adviser;
- (f) for requiring boilers to be under the charge of persons holding certificate of proficiency or competency and for prescribing the conditions on which such certificate may be granted;

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(g) the manner in which and the person who shall conduct inquiry into the accident.”.

27. *Amendment of section 29.*—In section 29 of the principal Act, in subsection (1),—

(i) for clause (a), the following clause shall be substituted, namely:—

“(a) the powers and duties of the Chief Inspector, Deputy Chief Inspectors and Inspectors;”;

(ii) clause (d) shall be omitted ;

(iii) for clause (f), the following clause shall be substituted, namely:—

“(f) fee payable for registration of boilers;”;

(iv) for clause (h), the following clause shall be substituted, namely:—

“(h) the manner in which appeals shall be preferred to the Chief Inspector and the procedure to be followed for hearing such appeals;”;

(v) clause (j) shall be omitted,

28. *Amendment of section 30.*—In section 30 of the principal Act,—

(a) for the words “one hundred rupees”, the words “one thousand rupees” shall be substituted;

(b) for the words “one thousand rupees”, the words “one lakh rupees” shall be substituted;

29. *Amendment of section 33.*—In section 33 of the principal Act, for the word “steam-pipe”, the words “boiler components” shall be substituted.

30. *Amendment of section 34.*—In section 34 of the principal Act, in subsection (3), the following sub-section shall be substituted, namely:—

“(3) If the State Government is satisfied that having regard to the material, design or construction of boilers and to the need for the rapid industrialisation of the country, it is necessary so to do, it may, by notification in the Official Gazette and subject to such conditions as may be prescribed by regulations, exempt any boiler or boiler components in the whole or any part of the State from the operation of all or any of the provisions of this Act.”.

THE GAZETTE OF INDIA, EXTRAORDINARY, SECTION 3, SUB-SECTION

(ii)

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
(DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION)

NOTIFICATION

New Delhi, Dated 15 March, 2011.

G.S.R.213 (A) – In exercise of the powers conferred by clause (f) of sub-section (1A) of section 28A of the Boilers Act, 1923 (5 of 1923), the Central Government hereby makes the following rules, namely:-

CHAPTER-I Preliminary

1. Short title and commencement.–

- (1) These Rules may be called the Boiler Operation Engineers' Rules, 2011.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.–

In these rules, unless the content otherwise requires,-

- (a) "Act" means the Boilers Act, 1923, (5 of 1923);
- (b) "Board" means the Board of Examiners constituted under these rules;
- (c) "Boiler Operation Engineer" means a person granted with a certificate of proficiency as a boiler operation engineer under these rules;
- (d) "Chairman" means the Chairman of the Board;
- (e) "Chief Inspector" shall have the meaning assigned to it under clause (c) of section 2 of Boilers Act, 1923 (5 of 1923);
- (f) "Form" means a form appended to these rules;
- (g) "Government" means the State Government or Administration of Union Territory ;
- (h) "Secretary" means the Secretary to the Board;

- (i) "Section" means a section of the Act;
- (j) any reference in these rules to a boiler or boilers shall be deemed to include also a reference to an economiser or economisers;

CHAPTER-II GENERAL

3. Supervision of operation of Boilers.–

The owner of a single boiler or two or more boilers connected in a battery or of many separate individual boilers situated within a radius of 50 meters having a total heating surface exceeding one thousand square meters in any of the cases shall not use the same or permit the same to be used unless the boiler or boilers are placed in direct charge of a competent person specified in rule 4 in addition to such number of boiler attendants as specified in these rules:

Provided that the Chief Inspector may permit any Boiler Attendant to remain in-charge of a Boiler for a maximum period of three months not withstanding any thing contrary contained in these rules:

Provided further that nothing in these rules shall debar a person holding a First Class Certificate of Competency granted under the Boiler Attendants' Rules, 2011 from remaining in attendance and in charge of a boiler or boilers of any size and any such certificate shall for the purpose of these rules be deemed to have been granted under these rules.

4. Competent person shall possess certificate and extent of qualification.–

No person who does not possess a Certificate of Proficiency as a Boiler Operation Engineer under these rules shall be deemed a fit and proper person to hold charge of a boiler or boilers exceeding the limits laid down in rule 3.

5. Production of Certificate. –

Boiler Operation Engineer holding a Certificate of Proficiency under these rules shall, at all reasonable times during the period any boiler is in his charge or attendance, be bound to produce such certificate when called upon to do so by any of the persons empowered under section 15 to call for the production of a certificate or provisional order granted under the Act.

6. Owner to furnish Chief Inspector or Director of Boilers with particulars of Certificates .–

(1) The owner of a boiler who engages any person to be incharge thereof, shall within seven days of such engagement furnish to the Chief Inspector or Director of Boilers with full particulars of such person including the serial number, date and place of issue of his certificate to hold as such.

(2) The owner of a boiler who engages any person to hold charge of such boiler in place of a person who is incharge under sub-rule (1), in the event of such person leaving his employment or in the event of the death of such person, report that fact within seven days to the Chief Inspector or Director of Boilers.

7. Limits of daily period of attendance, reliefs, and sphere of action.–

(1) A person in-charge of a boiler shall be deemed to be in direct and immediate charge of the same when he is within 100 meters of such boiler.

(2) A person in-charge of a boiler for which a Certificate of Proficiency is required under these rules may be relieved of charge in any one day for not more than two periods, which when combined do not exceed two hours in duration by a person holding a first class certificate of competency as a Boiler attendant.

(3) The holder of a first class Certificate of Competency as a Boiler attendant may also with the consent in writing of the Chief Inspector or Director of Boilers, relieve a person holding a Certificate of Proficiency as Boiler Operation Engineer for a period which may extend to ten consecutive days which, in special circumstances, the Chief Inspector or Director of Boilers may extend to any length of time not exceeding thirty days at a time.

8. When Boiler shall be deemed to be in use.–

(1) Boiler shall be deemed to be in use for the purpose of these rules when there is fire in the furnace fire box or fire place for the purpose of heating the water in the boiler or under banked fire condition. A boiler shall be deemed to be not in use only when the fire is removed and all steam and water connections are closed.

- (2) An economiser or waste heat boiler shall be deemed to be in use for the purpose of these rules when there is a flow of flue gases or other heating media past the economiser or waste heat boiler and an appreciable heat transfer takes place between the water and the heating gases or media.

CHAPTER III

BOARD OF EXAMINERS

9. Constitution of the Board of Examiners.–

- (1) A Board of Examiners shall be constituted for the State or Union territory consisting of the Chief Inspector or Director of Boilers, a Deputy Chief Inspector or Inspector or equivalent as nominated by the Chief Inspector or Director of Boilers, and not less than three other members having academic and practical knowledge of prime movers and modern boiler practices to be appointed by the Government from time to time.
- (2) The Chief Inspector or Director of Boilers shall be the ex-officio Chairman and Deputy Chief Inspector or Inspector or equivalent nominated by the Chief Inspector or Director of Boilers shall be the ex-officio Secretary to the Board.

10. Term of Office of the Members.–

The term of office of each of the members other than the ex-officio members of the Board shall be three years. If a member leaves the State or Union Territory permanently or absents himself from three consecutive meetings without the permission of the Board, he shall be deemed to have vacated his seat on the Board and another person may be appointed in his place for the unexpired portion of his term.

11. Functions of the Board.–

The Board of Examiners shall –

- i) conduct examinations and practical tests of candidates for the grant of certificates of proficiency as a Boiler Operation Engineer;

- ii) have power to appoint any person as a paper setter or examiner at any examination;
- iii) grant Certificate of Proficiency as a Boiler Operation Engineer; and
- iv) consider the reports of enquiries into allegations of drunkenness, negligence of duty, misconduct on the part of Boiler Operation Engineers.

12. Meeting of the Board.–

The Board shall meet as often as may be in the opinion of the Chairman be necessary for transacting its business and at such place and time as may be appointed by the Chairman.

13. Notice of meeting and list of business.–

- (1) Notice of not less than fifteen days from the date of posting shall be given of the time and place fixed for each meeting of the Board to every member of the Board, and with such notice shall be attached the list of business to be discussed at the meeting:

Provided that if the Chairman calls any meeting for considering any matter which in his opinion is urgent, a notice giving such reasonable time as he may consider necessary, shall be deemed sufficient;

- (2) Any business which is not on the list shall not be considered at the meeting except with the permission of the Chairman.

14. Quorum.–

The Chairman or the Secretary and two members of the Board of Examiners shall form a quorum.

15. Chairman to preside at meetings of the Board –

The Chairman shall preside over all meetings of the Board and in his absence, a member chosen by the members present at the meeting shall preside over the meeting.

20. Actions of the Board.–

No action of the Board shall be deemed to be invalid by reasons of any defect in the constitution of the Board or by reason of such action having been done during the period of any vacancy in the Board.

**CHAPTER IV
EXAMINATION**

21. Examination.–

Examination for the grant of Certificate of Proficiency as a Boiler Operation Engineer shall be held by the Board at such place and on such dates as may be notified by the Secretary from time to time in the State or Union Territory.

22. Postponement of examination.–

When a date fixed for the examination is declared as a gazetted holiday or when for any unforeseen reason the examination cannot be held on the date fixed, the Chairman may fix some other date for holding the examination and the same shall be duly notified to the candidates and the members of the Board of Examiners.

**CHAPTER V
CERTIFICATE**

23. Capabilities of holders of Certificate.–

(1) The Certificate of Proficiency as a Boiler Operation Engineer shall qualify the holder thereof to be incharge of a boiler or boilers of any type and size provided that the boilers are so situated that none of them is at a distance of more than fifty meters radius from any one of them.

(2) The holder of a Certificate of Proficiency as a Boiler Operation Engineer shall for all intents and purposes be deemed to have fulfilled the requirements of the Boilers Attendants' Rules, 2011:

Provided that a Boiler Operation Engineer holding Certificate of Proficiency prior to the publication of this notification in the official Gazette as a Boiler Operation Engineer issued by a Government prior to the date of this Notification shall be eligible to be in-charge of boilers(s) as mentioned in the Certificate of Proficiency.

24. Endorsement on a Certificate.–

A person holding a Certificate of Proficiency as a Boiler Operation Engineer granted by a Board of any other State or Union Territory shall on application have the certificate endorsed for validity in the State or Union Territory in which he applies for services. Such endorsement shall be made by the Chairman of the Board.

25. Fee.–

A Fee of Rs. 200/- (Rupees Two hundred only) shall be paid for endorsement on the certificate which shall not be refundable. Fee shall be paid by Treasury Challan or such other mode as the Government may notify in this behalf.

**CHAPTER VI
APPLICATION FOR EXAMINATION**

26. Form of application.–

Every application for examination shall be in Form 'A'. The applicant shall fill in such part of the Form as are to be filled in by a candidate and shall sign the form in the presence of a Gazetted Officer or any Magistrate or his employer who shall attest his signature. The application so filled in shall be forwarded to the Secretary accompanied by –

- (a) one attested copy of each of the testimonials in respect of academic qualifications, and originals alongwith their copies for practical experience of the candidate. All originals in respect of academic qualifications shall be produced at the time of interview;
- (b) testimonials of good character from his employer with a certificate of age;
- (c) a Treasury Challan or such other mode as the Government may specify in this behalf in support of payment of the fee specified in these rules for the examination at which the applicant prefers to appear; and

(d) two copies of recent passport size photographs (size 50mm x 65mm) one of which shall bear the signature of the applicant on the back, duly attested by a Gazetted Officer or candidate's employer.

27. Candidate to produce satisfactory testimonials.–

(1) No candidate shall be admitted to an examination who cannot produce satisfactory testimonials certifying his experience, ability, and good conduct for the whole period of his qualifying service or any unaccounted break in the period of qualifying service. Such testimonials shall clearly state the capacity in which candidate was employed, whether as an Apprentice Engineer, Supervisor, Assistant Engineer etc. and the periods of such employment stating the dates between which candidate was so employed.

(2) A testimonial shall be signed by a person under whom the candidate was employed and be countersigned by the owner or agent of the mill, factory or workshop or by such other persons as the Government may notify in this behalf.

(3) Candidate who have undergone a course of training at a recognised Engineering College or Technical Institution must produce either the degree or diploma of the course or a certificate from the Principal or Superintendent of the Institution giving the period devoted in completing the course.

(4) A testimonial in respect of service in a steamship may be signed by the Chief Engineer and counter signed by the master of the vessel or may be in the form of a seaman's discharge certificate issued by a Shipping Master.

(5) A testimonial of service rendered on railway boilers or boilers belonging to a Government Department or local bodies, shall be signed by a responsible officer under whom the candidate has directly served and countersigned by the head of the Department concerned.

28. Doubtful testimonials.–

If the Secretary has reason to doubt the truth of any statement made in any application or testimonials, he may make such enquiries as he thinks fit to verify the same.

29. False testimonials.–

- (1) If on enquiry the Secretary is satisfied that any testimonial submitted by a candidate is false in any material particulars, he shall submit his findings to the Chairman who may by a written order debar such candidate from being admitted to any examination held under these rules. If, on the strength of any such testimonials, a candidate has already been admitted to an examination, he shall be deemed to have failed in such examination and any certificate granted to him as a result of his having been declared to have passed such examination, shall be forthwith recalled and be cancelled by a notification published in the Official Gazette:

Provided that no action shall be taken under this rule without giving the applicant an opportunity of being heard in the matter.

- (2) Anybody aggrieved by the decision of the Chairman may, within thirty days of the date of the receipt of the order, appeal to the Government whose decision thereon shall be final.

30. Keeping of applications and copies of testimonials.–

Applications and copies of testimonials submitted by candidates shall be kept as records in the office of the Chairman. The Original testimonials shall be returned to the candidate as soon as possible.

CHAPTER VII

ELIGIBILITY CRITERIA

31. Age, qualifications and experience.–

A candidate for a certificate of proficiency as a Boiler Operation Engineer shall not be less than twenty three years of age and shall not be admitted to the examination unless he:-

(a) possesses a degree or diploma in Mechanical or Electrical or Chemical or Power Plant or Production or Instrumentation Engineering from a recognised Institution;

(b) has served for not less than two years in case of Degree holders and for five years in case of Diploma holders in the operation and / or maintenance of a Boiler of not less than one thousand square meters heating surface or a Battery of Boilers of not less than one thousand square meters heating surface in aggregate out of which at least

one Boiler of not less than five hundred square meters heating surface. However, for degree holders or post graduate diploma holders from a National Power Training Institute, requirement of minimum working experience shall be one year.

CHAPTER VIII

SYLLABUS FOR EXAMINATION

32. Syllabus for examination.–

A candidate in order to be qualified for a certificate of proficiency under these rules, shall, inter alia, satisfy the examiner that he -

- (a) can calculate loads, areas, volumes, quantities and weights;
- (b) can give description of the principal types of steam boilers used on land and to state the purposes and reasons for which different types of boilers are employed; and from the data and formulae supplied, calculate the safe working pressure for any part of a boiler in accordance with the Indian Boiler Regulations;
- (c) can calculate the direct stress, the torsional stress and the bending stress in round bars and shafts and the bending stress in rectangular bars and levers with given load;
- (d) understands the working and management of steam boilers, super heaters and economizers;
- (e) understands the use and purpose of various valves, cocks, mountings, fitting and other safety devices;
- (f) can give a description of and explain the functions of feed pumps, feed injectors, feed regulators, feed water filters and softeners, feed heaters, air heaters, calorifiers, steam accumulators, forced draught, induced draught and automatic draught control devices;
- (g) can answer questions on fact relating to combustion, heat and steam and calculate consumption of coal and water and quantity of steam that may be generated from a given heating surface under the various systems of draught, in any land boiler and also calculate the overall efficiency of boiler plant;
- (h) can explain jet and surface condensation, reheating and the working of steam expansion;

- (i) can explain the general methods employed in laying foundation for boilers and chimneys and the suitable area and height of chimneys to promote efficient combustion;
- (j) can explain the significance of principal appliances in use for the prevention of smoke and the principle on which they work and give description of the principal mechanical stokers, pulverisers, gas, oil and pulverized fuel systems in use;
- (k) understands the need for periodical cleaning, the methods used for prevention of scale or other deposits on heating surfaces and the necessity for maintaining a certain PH value in feed water;
- (l) can detect defects in boilers and state the means and methods of rectifying them.
- (m) understands the precautions to be taken for starting a boiler and economiser from cold or from banked fire condition;
- (n) understands the procedure to be adopted in putting an economizer out of commission while the boiler is on steam;
- (o) can explain the methods adopted for the achievement of fuel economy and the use of various instruments used in a Boiler House;
- (p) materials used in Boiler components and piping; and
- (q) can read and prepare a working sketch and drawing of boilers and boiler mounting or parts thereof.

CHAPTER IX

MODE OF EXAMINATION

33. Nature of Examination.–

Examination for certificate of proficiency as a Boiler Operation Engineer shall be of such nature as to test the practical ability and technical knowledge of the candidates to be in charge of steam generating plants of all types and pressures in land use.

34 Subjects for Examination.–

Examination shall be conducted in the following manner:-

- (1) written examination consisting of one paper on Boilers to cover the syllabus stipulated under sub-rule (a) to sub-rule (h) of rule 32 and another paper on Boilers to cover the syllabus stipulated under sub-rule (i) to sub- rule (p) of rule 32.
- (2) A written drawing examination covering sub-rule (q) of rule 32.
- (3) An oral examination to answer questions pertaining to Boiler Practices and if required by the examiner to demonstrate in the examination room or in a workshop, his ability to carry out the practical aspects of his duties in a Boiler House.

35. Assessment of work.–

A candidate shall secure at least forty five per cent of the marks in each written paper as well as in the oral and drawing examinations; but the aggregate should not be less than fifty per cent of the total marks in order that he can be awarded a certificate of proficiency under these rules.

36. Fees for Examination.–

Candidate for examination for certificate of proficiency as a Boiler Operation Engineer shall pay a fee of Rs.1500/- (Rupees One thousand five hundred only). Fee shall be paid by Treasury Challan or such other mode as the Government may notify in this behalf.

37. Refund of Fee.–

A candidate once admitted to an examination under these rules shall not be entitled to any refund of fees. When a candidate is unavoidably absent from the examination on the date fixed, the Chairman may allow him to appear without payment of a second fee at the next examination.

38. Fee for candidate found ineligible.–

A candidate who has paid the examination fee but is found ineligible for an examination shall forfeit the said fee.

CHAPTER X
GRANT OF CERTIFICATES.

39. Grant of certificate of proficiency.–

If a candidate passes the examination, his result shall be notified in the State official Gazette or Union Territory official Gazette and he shall be granted a certificate of proficiency as soon as practicable after such publication.

40. Form of certificate.–

A certificate of proficiency as a Boiler Operation Engineer shall be in Form 'B'.

41. Application for endorsement on a certificate.–

An application for endorsement in the certificate for validity in a State or Union Territory other than the State or Union Territory of issue, shall be made in Form 'A'.

42. Identification requirement.–

Every certificate granted under these rules shall bear a bust photograph of the holder thereof previously submitted along with his application under rule 26 and his signature and such other particulars as may be required for the purpose of identification.

43. Grant of duplicate certificate.–

- (1) Whenever the holder of a certificate proves to the satisfaction of the Chairman that the certificate granted to him under these rules has been lost, stolen or destroyed or mutilated, he shall be granted on payment of a fee of Rs.200/-(Rs Two hundred only), a duplicate certificate to which, by the record so kept as aforesaid, he appears to be entitled, which shall have for all purposes the same validity as the original certificate. The words "Duplicate Certificate" shall be written on such certificate. Fee shall be paid by Treasury Challan or such other mode as the Government may notify in this behalf.
- (2) If on enquiry the Secretary is satisfied that any statement made by the applicant for the issue of duplicate certificate is false, he shall report the case to the said Board at its next Meeting and the Board may at its discretion cancel the certificate

or permit the grant as aforesaid of a duplicate certificate either immediately or after such period not exceeding twelve months as the Board may think fit having regard to the circumstances of each case.

44. Application for duplicate certificate.–

Application for a duplicate certificate shall be lodged with the Chairman with a declaration before a Gazetted Officer or a Magistrate stating that the certificate granted under these rules, has been lost.

45. Invalidity of original certificate.–

On the issue of a duplicate certificate, the original certificate shall cease to be valid, and shall if in the possession of the holder thereof be returned to the office of the Chairman for cancellation.

46. Record of duplicate certificate.–

Duplicate of all certificates granted under these rules shall be recorded in the office of the Chairman.

CHAPTER XI

ENQUIRY

47. Enquiry regarding certificate holders.–

If a District Magistrate or the Chief Inspector or Director of Boilers has reason to believe from any cause whatsoever, that, any enquiry should be made into allegations of incompetence, drunkenness, misconduct or negligence of duties on the part of a Boiler Operation Engineer holding Certificate of Proficiency under these rules, they shall either themselves make such enquiry or cause it to be made by their subordinate officers , and

- (a) the proceedings shall be held in the presence of the person whose conduct forms the subject of enquiry and he shall have an opportunity of making any statement he may wish to make and of producing any evidence in his defence.

- (b) the proceeding of any such enquiry together with the findings thereon by the officer conducting the enquiry shall be forwarded by that officer for decision of the Board.

48. Surrender of certificate.—

When an enquiry is being conducted under rule 47, the holder of such certificate shall, on demand by the officer in charge of the enquiry, forthwith surrender his certificate to the said officer pending the result of such enquiry.

49. Decision of the Board.—

- (1) On receipt of the proceeding of the enquiry conducted under rule 47 together with findings thereon the Board may allow the certificate to stand or suspend it for such period as it thinks fit or may cancel the certificate permanently.
- (2) Before taking any action under sub-rule (1) the candidate shall be given an opportunity of being heard in the matter.
- (3) Anybody aggrieved by the decision of the Board may, within thirty days of the date of the receipt of the order, appeal to the government whose decision thereon, shall be final.

FORM 'A'

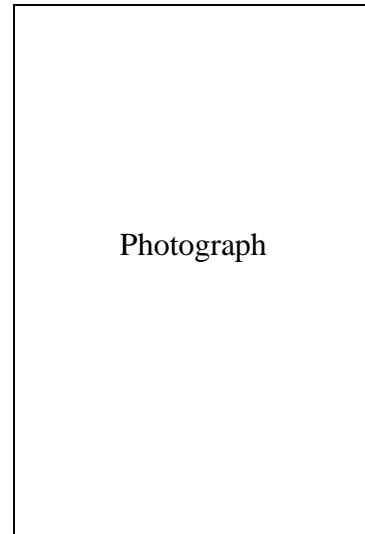
(See rules 26 and 41)

Application for certificate of proficiency as Boiler Operation Engineer

Part I – Name etc. of the applicant.

2. Name (in full).
3. Father's Name.
4. Nationality.
5. Date of Birth.
6. Place of Birth
7. Permanent Address

8. Whether appeared in any previous examination
9. If so, details of date and place



Part IV – DECLARATION TO BE MADE BY THE APPLICANT

I do hereby declare that the statements made in Part I, II and III of this Form are correct and true to the best of my knowledge and belief; and that the papers enumerated in Part II and submitted with this form are true and genuine documents and further that the copies of the documents submitted with this form are true and correct. I further declare that the statements made in Part III contain a true and correct account of the whole period of my service without exception, and I make this declaration conscientiously believing the same to be true.

Dated at _____ this _____ day of _____ 20_____

Signature of the applicant

Present Address

Signed in the presence of

Signature.....

Designation

NOTE :- 1. Every application must be accompanied with the requisite fee in the manner as may be prescribed by the Government.

2. Two copies of a recent bust photograph of the applicant (Size 50mm x 65mm) must accompany the application with applicant’s signature on the back-thereof, duly attested by a Gazetted Officer or the candidate’s employer.

3. Any, person making a false statement for the purpose of the admission to the examination renders himself liable to prosecution.

4. Incomplete application is liable to be rejected.

PART V

(Not to be filled by the applicant)

Certified that Shri _____ has been examined for Certificate of Proficiency as Boiler Operation Engineer and that he has passed/failed in the examination held during _____

Issue of Certificate of proficiency as Boiler Operation Engineer when certified to have passed Certificate No. _____ issued on _____ and duplicate recorded.

(Secretary)

Board of Examiners

FORM B
(See Rule 40)

**Certificate of proficiency as a Boiler Operation Engineer under the Boiler Operation
Engineers' Rules, 2011**

No..... of 20.....

Shri..... aged about..... Years, at present residing at
.....

having satisfied the Board of Examiners appointed under the above noted rules of his proficiency to fulfill the duties of a Boiler Operation Engineer is granted under the Boiler Operation Engineer's Rules, 2011, this certificate of proficiency authorizing him to be in-charge of boilers of any type or size provided that all the boilers are situated within a radius of 50 meters

Dated at this Day of20.....

Secretary
Board of Examiners

Chairman
Board of Examiners



Description Roll

1. Date and Place of Birth
2. Permanent address
3. Nationality
4. Height (without shoes)
5. Marks of Identification
6. Left Thumb impression.....

Signature of applicant

Endorsements

[F. No.6(11)/2009-Boilers]

Renu Sharma
Joint Secretary

Part II: PARTICULARS OF ALL CERTIFICATES SUBMITTED

| Number of the Certificate | Class of Certificate | Place of issue | Date of issue | If at any time suspended or cancelled, and if so state by whom | Date of suspension or cancellation | Reasons of suspension or cancellation |
|----------------------------------|-----------------------------|-----------------------|----------------------|---|---|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

PART III: LIST OF TESTIMONIALS AND STATEMENTS OF SERVICE

(the testimonials to be numbered serially corresponding to the numbers given in column 1 below)

| Serial Number of testimonials | Date of testimonials | Name of person signing the testimonials | Address and designation of factory or Workshop where employed | Number, type and heating surface of boilers worked on | Capacity in which employed | Service of Applicant | | Period for which employed | | | Not to be filled in by the applicant | |
|-------------------------------|----------------------|---|---|---|----------------------------|----------------------|---------------------|---------------------------|--------|------|--------------------------------------|---------|
| | | | | | | Date of commencement | Date of termination | Years | Months | Days | Initial of Verifier | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| | | | | | | | | | | | | |

Total Service

Time served for which certificates are produced.

Time served for which no certificates are produced.

THE GAZETTE OF INDIA, EXTRAORDINARY
SECTION 3, SUB-SECTION (ii)
GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
(DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION)

NOTIFICATION

New Delhi, Dated 15 March, 2011.

G.S.R.213 (A) –In exercise of the powers conferred by clause (f) of sub-section (1A) of section 28A of the Boilers Act, 1923 (5 of 1923), the Central Government hereby makes the following rules, namely:-

**CHAPTER-I
Preliminary**

1. Short title and commencement.–

- (1) These Rules may be called the Boiler Attendants' Rules, 2011.
- (2) They shall come into force on the date of notification in the Official Gazette.

2. Definitions.–

In these rules, unless the content otherwise requires,-

- (a) "Act" means the Boilers Act, 1923, (5 of 1923);
- (b) "Board" means the Board of Examiners constituted under these rules;
- (c) "Boiler Attendant" means a person granted with a Certificate of Competency as a boiler attendant of the class under these rules;
- (d) "Chairman" means the Chairman of the Board;
- (e) "Chief Inspector" shall have the meaning assigned to it under clause (c) of section 2 of Boilers Act, 1923 (5 of 1923);
- (f) "Form" means a form appended to these rules;
- (g) "Government" means the State Government or Administration of Union Territory;
- (h) "Secretary" means the Secretary to the Board;
- (i) "Section" means a Section of the Act;
- (j) any reference in these rules to a boiler or boilers shall be deemed to include also a reference to an economiser or economisers;

**CHAPTER-II
GENERAL**

3. Person holding Boiler Attendant's Certificate to be in charge of Boilers.–

The owner of a single boiler or two or more boilers connected in a battery or of many separate individual boilers should have a boiler attendant as mentioned in rule 23 in addition to such number of boiler attendants as may be specified by the Chief Inspector or Director of Boilers:

Provided that the Chief Inspector or Director of Boilers may permit any Boiler Attendant to remain in-charge of a boiler for a maximum period of three months not withstanding any thing contrary contained in these rules:

Provided further that nothing in these rules shall debar a person holding a first class certificate of competency granted under these rules from remaining in attendance and in charge of a boiler or boilers of any size and any such certificate shall for the purpose of these rules be deemed to have been granted under these rules.

4. Competent person shall possess certificate and extent of qualification.—

No person who does not possess a certificate of competency as a boiler attendant under these rules shall be deemed a fit and proper person to hold charge of a boiler.

5. Production of Certificate.—

Boiler attendant holding a certificate of competency under these rules shall, at all reasonable times during the period any boiler is in his charge or attendance, be bound to produce such certificate when called upon to do so by any of the persons empowered under section 15 to call for the production of a certificate or provisional order granted under the Act.

6. Owner to furnish Chief Inspector or Director of Boilers with particulars of Certificates.—

(1) The owner of a boiler who engages any person to be in-charge thereof, shall within seven days of such engagement furnish to the Chief Inspector or Director of Boilers with full particulars of such person including the serial number, date and place of issue of his certificate.

(2) The owner of a boiler who engages any person to hold charge of such boiler, in the event of such person leaving his employment or in the event of the death of such person, report that fact within seven days to the Chief Inspector or Director of Boilers.

7. Limits of daily period of attendance, reliefs, and sphere of action.–

- (1) Person in-charge of a boiler shall be deemed to be in direct and immediate charge of the same when he is within ten meters of such boiler.
- (2) A person in-charge of a boiler or boilers for which a certificate of competency is required under these rules may be relieved of charge in any one day for not more than two periods, which when combined do not exceed two hours, in duration by a person holding a first class certificate of competency as an attendant.
- (3) The holder of a first class certificate of competency as a boiler attendant may also with the consent in writing of the Chief Inspector or Director of Boilers, relieve a person holding a certificate of proficiency as a Boiler Operation Engineer for a period which may extend to ten consecutive days which, in special circumstances, the Chief Inspector or Director of Boilers may extend to any length of time not exceeding thirty days at a time.

8. When Boiler shall be deemed to be in use.–

- (1) Boiler shall be deemed to be in use for the purpose of these rules when there is fire in the furnace fire box or fire place for the purpose of heating the water in the boiler or under banked fire condition. A boiler shall be deemed to be not in use only when the fire is removed and all steam and water connections are closed.
- (2) An economiser or waste heat boiler shall be deemed to be in use for the purpose of these rules when there is a flow of flue gases or other heating media past the economizer or waste heat boiler and an appreciable heat transfer takes place between the water and the heating gases or media.

CHAPTER III

BOARD OF EXAMINERS

9. Constitution of the Board of Examiners.–

- (1) A Board of Examiners shall be constituted for the State or Union territory consisting of the Chief Inspector or Director of Boilers, a Deputy Chief Inspector or Inspector or equivalent as nominated by the Chief Inspector or Director of Boilers, and not less

than three other members having academic and practical knowledge of prime movers and modern boiler practices to be appointed by the Government from time to time.

- (b) The Chief Inspector or Director of Boilers shall be the ex-officio Chairman and Deputy Chief Inspector or Inspector or equivalent nominated by the Chief Inspector or Director of Boilers shall be the ex-officio Secretary to the Board.

10. Term of Office of the Members.–

The term of office of each of the members other than the ex-officio members of the Board shall be three years. If a member leaves the State or Union Territory permanently or absents himself from three consecutive meetings without the permission of the Board, he shall be deemed to have vacated his seat on the Board and another person may be appointed in his place for the unexpired portion of his term.

11. Functions of the Board.–

The Board of Examiners shall –

- (i) conduct examinations and practical tests of candidates for the grant of certificates of competency as a Boiler Attendant Class-I & II;
- (ii) have power to appoint any person as a paper setter and examiner at any examination;
- (iii) grant certificate of competency as a Boiler Attendant Class-I & II ; and
- (iv) consider the reports of enquiries into allegations of drunkenness, negligence of duty, misconduct on the part of Boiler Attendants.

12. Meeting of the Board.–

The Board shall meet as often as may in the opinion of the Chairman be necessary for transacting its business and at such place and time as may be appointed by the Chairman.

13. Notice of meeting and list of business.–

- (1) Notice of not less than fifteen days from the date of posting shall be given of the time and place fixed for each meeting of the Board to every member of the Board, and with such notice shall be attached the list of business to be discussed at the meeting: Provided that if the Chairman calls any meeting for considering any matter which in his opinion is urgent, a notice giving such reasonable time as he may consider necessary, shall be deemed sufficient.

(2) Any business which is not on the list shall not be considered at the meeting except with the permission of the Chairman.

14. Quorum.–

The Chairman or the Secretary and two members of the Board of Examiners shall form a quorum.

15. Chairman to preside at meetings of the Board.–

The Chairman shall preside over all meetings of the Board and in his absence, a member chosen by the members present at the meeting shall preside over the meeting.

16. Secretary of the Board.–

The Secretary shall maintain a register of Boiler Attendants holding certificates of competency and shall perform such other functions as are specified in these Rules or as the Chairman may direct from time to time.

17. Board's endorsement on application.–

The Board shall endorse on the printed application form of each candidate the result of his examination for a certificate of competency as a Boiler Attendant Class I and Class II, as the case may be. The endorsed application shall be returned to the Secretary.

18. Board's Power to refuse issue of Certificate.–

The Board may direct any candidate, who in the opinion of the majority of the members appears too old or physically unfit through deformity, constitutional weakness, defective eyesight, deafness or loss of a limb to perform efficiently the duties of a Boiler Attendant, to produce a certificate of fitness from a Registered Medical Practitioner. If, however, the candidate fails to produce a certificate of physical fitness, the Board shall have power to refuse the issue of a certificate of competency as a Boiler Attendant.

19. Examiner's Fees.–

Each member of the Board of Examiners and any other examiner appointed under rule 9 except Chairman and Secretary shall be entitled to receive fees for examining candidates under these rules and the rate of fees shall be as follows:-

(a) Sitting fee for non official Board Rs.500/-

Members for Board Meeting

(b) Fee for examining each candidate

for First Class Boiler Attendant Rs.20/-

(c) Fee for examining each candidate

for Second Class Boiler Attendant Rs.10/-

20. Actions of the Board.—

No action of the Board shall be deemed to be invalid by reasons of any defect in the constitution of the Board or by reason of such action having been done during the period of any vacancy in the Board.

**CHAPTER IV
EXAMINATION**

21. Examination.—

Examination for the grant of certificate of competency as a Boiler Attendant shall be held by the Board at such place and on such dates as may be notified by the Secretary from time to time in the State or Union Territory.

22. Postponement of examination.—

When a date fixed for the examination is declared as a gazetted holiday or when for any unforeseen reason an examination cannot be held on the date fixed, the Chairman may fix some other date for holding the examination and the same shall be duly notified to the candidates and the members of the Board of Examiners.

**CHAPTER V
CERTIFICATE**

23. Classes of certificates and Capabilities of holders of Certificates.—

- (1) Except as otherwise provided in these rules, there shall be two classes of certificates of competency granted hereunder. The certificate of the First Class shall qualify a holder thereof to be in-charge of a single boiler with steam pipes of any type or capacity or two or more boilers in a battery or of many separate individual boilers, the total heating surface of which does not exceed 1000 square meters, provided that such boilers shall be situated within a radius of 30 meters in the same premises and belong to one owner and provided he is assisted by a second class boiler attendant or such number of firemen as are considered necessary by the Chief Inspector or Director of Boilers.
- (2) A certificate of the Second Class shall qualify the holder thereof to be in-charge of a single boiler with steam pipes of any type, the total heating surface of which does not

exceed two hundred square meters. A Second Class boiler attendant may, however, attend to a battery of boilers consisting of not more than three connected boilers not exceeding two hundred square meters in aggregate of total heating surface provided he is assisted by such number of firemen as are considered necessary by the Chief Inspector or Director of Boilers.

Provided that-

- (i) a Boiler Attendant holding First Class Boiler Attendant Certificate of Competency issued by a Government prior to the date of this Notification shall be eligible to be in-charge of boilers(s) of capacity mentioned at (1) above.
- (ii) a Boiler Attendant holding Second Class Boiler Attendant Certificate of Competency issued by a Government prior to the date of this Notification shall be eligible to be in-charge of boilers(s) of capacity mentioned at (2) above.
- (ii) a Boiler Attendant holding Boiler Attendant Certificate of Competency of a Class other than First Class or Second Class issued by a Government prior to the date of this Notification shall be eligible to be in-charge of boilers(s) of capacity as mentioned in the Certificate of Competency.

24. Endorsement on a Certificate.—

- (1) A person holding a certificate of competency as a Boiler Attendant granted by a Board of any other State or Union Territory shall on application have the certificate endorsed for validity in the State or Union Territory in which he applies for services. Such endorsement shall be made by the Chairman of the Board.
- (2) A person holding a National Apprenticeship Certificate in the field of Boiler Attendant under the Apprentices Act, 1961 shall on application have the certificate endorsed equivalent to the Second Class Boiler Attendant Certificate of Competency under these rules, in the State or Union Territory in which he applies for services. Such endorsement shall be made by the Chairman of the Board.

25. Fee.—

A Fee of Rs. 100/- (Rupees one hundred only) shall be paid for endorsement on the certificate which shall not be refundable. Fee shall be paid by Treasury Challan or such other mode as the Government may, by notification, specify in this behalf.

CHAPTER VI
APPLICATION FOR EXAMINATION

26. Form of application.—

Every application for examination shall be in Form 'A'. The applicant shall fill in such part of the Form as are to be filled in by a candidate and shall sign the form in the presence of a Gazetted Officer or any Magistrate or his employer who shall attest his signature. The application so filled in shall be forwarded to the Secretary and shall be accompanied by –

- (a) one attested copy of each of the testimonials in respect of academic qualifications, and originals alongwith their copies for practical experience of the candidate. All originals in respect of academic qualifications shall be produced at the time of interview;
- (b) testimonials of good character from his employer with a certificate of age;
- (c) a Treasury Challan or such other mode as the Government may specify in this behalf in support of payment of the fee specified in these rules for the examination at which the applicant prefers to appear; and
- (d) two copies of recent passport size photographs (size 50mm x 65mm) one of which shall bear the signature of the applicant on the back, duly attested by a Gazetted Officer or candidate's employer.

27. Candidate to produce satisfactory testimonials.—

- (1) No candidate shall be admitted to an examination who can not produce satisfactory testimonials certifying his experience, ability and good conduct for the whole period of his qualifying service or any unaccounted break in the period of qualifying service. Such testimonials shall clearly state the capacity in which the candidate was employed viz. as an Apprentice Attendant or II Class Boiler Attendant etc. and the periods of such employment stating the dates between which candidate was so employed.
- (2) A testimonial shall be signed by a person under whom the candidate was employed and be countersigned by the owner or agent of the mill, factory or workshop or by such other persons as the Government may prescribe in this behalf.
- (3) Candidate who have undergone a course of training at an Industrial Training Institute or Technical Institution, must produce either the certificate/diploma of course or certificate from the Principal or Superintendent of the Institution giving the period devoted in completing the course.

(4) A testimonial in respect of service in a steamship may be signed by the Chief Engineer and counter signed by the master of the vessel or may be in the form of a seaman's discharge certificate issued by a Shipping Master.

(5) A testimonial of service rendered on railway boilers or boilers belonging to a Government Department or local bodies, shall be signed by a responsible officer under whom the candidate has directly served and countersigned by the head of the Department concerned.

28. Doubtful testimonials.–

If the Secretary has reason to doubt the truth of any statement made in any application or testimonials, he may make such enquiries as he thinks fit to verify the same.

29. False testimonials.–

(1) If on enquiry the Secretary is satisfied that any testimonial submitted by a candidate is false in any material particulars, he shall submit his findings to the Chairman who may by a written order debar such candidate from being admitted to any examination held under these rules. If, on the strength of any such testimonials, a candidate has already been admitted to an examination, he shall be deemed to have failed in such examination and any certificate granted to him as a result of his having been declared to have passed such examination, shall be forthwith recalled and be cancelled by a notification published in the Official Gazette:

Provided that no action shall be taken under this rule without giving the applicant an opportunity of being heard in the matter.

(2) Anybody aggrieved by the decision of the Chairman may within thirty days of the date of the receipt of the order, may appeal to the Government whose decision thereon shall be final.

30. Keeping of applications and copies of testimonials.–

Applications and copies of testimonials submitted by candidates shall be kept in the office of the Chairman. Original testimonials shall be returned to the candidate as soon as possible.

**CHAPTER VII
ELIGIBILITY CRITERIA**

31. Age, qualifications and experience for Second Class Boiler Attendant candidates.–

A candidate for a certificate of competency as a Boiler Attendant of the Second Class shall not be less than eighteen years of age and shall not be admitted to the examination unless he:-

- (a) has passed matriculation or equivalent examination from a recognized institution or board ; and.
- (b) has served for not less than two years, in the capacity of a Fireman or Operator or an Assistant Fireman or Assistant Operator on a steam boiler; or
- (c) has served for not less than three years as a fitter where boilers are manufactured or erected, operated or repaired. Out of this he should have served as Assistant Fireman for at least one year; or
- (d) must have served for not less than two years on small industrial boilers, in case of Industrial Training Institutes certificate holder.

32. Age, qualifications and experience requirement for First Class Boiler Attendant candidates.–

A candidate for a certificate of competency as a Boiler Attendant of the first class shall not be less than twenty years of age and he possesses a certificate of the second class and shall not be admitted to the examination unless he-

- (a) has served for not less than two years, as boiler attendant with second class certificate of competency as sole working charge of a boiler whose rated heating surface is not less than fifty square meters ; or
- (b) produces from the head of an industrial or technical institution, a certificate stating that he has completed a three years course of training, one year of which must have been as an apprentice in a steam power plant of a mill or a factory or an engineering workshop where engines and boilers are repaired or made and in addition has served for not less than one year as sole working charge of a boiler of not less than fifty square meters of heating surface with second class Boiler Attendant certificate of competency; or
- (c) has worked for not less than two years as Fireman or Assistant Fireman with second class Boiler Attendant certificate of competency under the charge of first class Boiler Attendant on boiler having heating surface of more than fifty square meters.

CHAPTER VIII
SYLLABUS FOR EXAMINATION

33. Syllabus for Second Class Boiler Attendant.–

A candidate, in order to be qualified for a certificate of competency of the Second Class, shall, inter alia, satisfy the examiners that-

- (a) he clearly understands-
 - (i) the working and management of a steam boiler and economiser ;
 - (ii) the use and purpose of the various valves, cocks, mountings and fittings ;
 - (iii) the precautions to be taken and procedure to be observed before starting fires and when raising steam ;
 - (iv) the use of a feed pump and injector ;
 - (v) the reading of the pressure gauge ;
 - (vi) the need for periodical cleaning and pure water supply and for prevention of scale or other deposits on heating surfaces ;
 - (vii) the need for periodical inspection of boilers and the manner in which they should be prepared for thorough inspection, hydraulic test and steam test ;
 - (viii) the precautions to be taken before entering or allowing any person to enter a boiler that is connected to another boiler under steam ;
 - (ix) the use of the best means of firing for the prevention of smoke ;
 - (x) the danger of water lodging in steam pipes and the precautions to be observed in draining ;
 - (xi) the procedure to be followed in the event of shortage of water, bulging or

fracture of furnaces or flat plates or bursting of tubes or of any accident to a boiler or steam pipe ;

- (xii) precautions to be taken when starting an economiser to work after a period of rest ; and
- (xiii) procedure to be adopted in bringing an economiser into commission and also for putting it out of commission while the boiler is on steam ; and that-

(b) he is able -

- (i) to stoke a boiler including cleaning and banking fires in a workmanlike manner ;
- (ii) to show how avoidable smoke may be prevented ;
- (iii) to blow through and test the correctness of water gauge glasses and test cocks;
- (iv) to replace a gauge glass and show how a false water-level might be shown ;
- (v) to ease a safety valve and use a blow down cock or valve ;
- (vi) to adjust a high steam and low water safety valve and renew a fusible plug ;
- (vii) to pack pump or valve chest glands ;
- (viii) to grind and adjust cocks and valves ;
- (ix) to take a feed pump or injector to pieces and replace in working order ; and
- (x) to handle the appliances provided for keeping the economiser clean.

34. Syllabus for First Class Boiler Attendant.—

A candidate, in order to be qualified for a certificate of competency of the First Class, shall satisfy the examiners that in addition to the subjects specified for candidates for certificate of competency of the Second Class, he has at least a rudimentary knowledge of the principal elementary facts relating to combustion, heat and steam ; and that he is able to explain inter

alia -

- (a) the working and management of steam boilers, super heaters and economizer;
- (b) the use and purpose of various valves, cocks, mounting fitting and other mountings fitting and other safety devices;
- (c) description and the functions of feed pumps, feed injector, feed regulators, feed water filters and softeners, feed heaters, air heaters, calorifiers, steam accumulators, force draught, induced draught and automatic draught control devices;
- (d) answer to question on fact relating to combustion, heat and steam and calculate consumption of coal and water and quantity of steam that may be generated from a given grate area of heating surface under the various systems of draught, in any land boiler and also calculate the overall efficiency of boiler plant;
- (e) the significance of principal appliance in use for the prevention of smoke and the principle on which they work and give description of the principal mechanical stokers, pulverizers, gas, oil and pulverized fuel systems in use;
- (f) the need for periodical cleaning, the methods used for prevention of scale or other deposits of heating surfaces and the necessity for maintaining a certain PH value in feed water;
- (g) detection of defects in boilers and state the means and methods of rectifying them;
- (h) the precautions to be taken for starting a boiler and economizer from cold or from banked fire condition;
- (i) the procedure to be adopted in putting an economizer out of commission while the boiler is on steam;.
- (j) the methods adopted for the achievement of fuel economy and the use of various instruments used in a Boiler House;
- (k) the principal causes and effects of corrosion and incrustation and the usual remedies employed;

- (l) the object of the use of water softeners;
- (m) the principles on which feed pumps and injectors work ;
- (n) the principles on which appliances for the prevention of smoke works ; and
- (o) the purpose of super-heaters, economizers, feed heaters, feed filters, forced and induced draft appliances and mechanical stokers.

CHAPTER IX

MODE OF EXAMINATION

35. Nature of Examination.–

Examination for certificate of competency as a Boiler attendant shall be of such nature as to test the practical ability and technical knowledge of the candidates to be in charge of steam generating Boilers.

36. Subjects for Examinations.–

Examination shall be conducted in the following manner:-

- (a) An oral examination to answer questions pertaining to Boiler Practice; and
- (b) if required by the examiner to demonstrate in the examination room or in a workshop his ability to carry out the practical aspects of his duties in a Boiler House.

37. Fee for Examination.–

(1) A candidate for examination for certificate of competency shall pay the fee as follows:-

(a) Examination for First Class Certificate: Rs.500/-(Rupees five hundred only);

(b) Examination for Second Class Certificate: Rs.300/-(Rupees three hundred only)

(2) Fee shall be paid by treasury challan or such other mode as the Government may notify in this behalf.

38. Refund of Fee.–

A candidate once admitted to an examination under these rules shall not be entitled

to any refund of fee. When a candidate is unavoidably absent from the examination on the date fixed, the Chairman may allow him to appear without payment of a second fee at the next examination.

39 **Fee of candidate found ineligible.–**

A candidate who has paid the examination fee but is found ineligible for an examination shall forfeit the said fee.

CHAPTER X
GRANT OF CERTIFICATES.

40. **Grant of certificate of competency** – If a candidate passes the Examination, his result shall be notified in the State or Union territory Official Gazette and he shall be granted a certificate of competency as soon as practicable after such publication.

41. **Form of certificate.–**

A certificate of competency as a Boiler Attendant shall be in Form ‘B’ or Form ‘C’ as applicable.

42. **Application for endorsement on a certificate.–**

An application for endorsement in the certificate for validity in a State or Union Territory other than the State or Union Territory of issue, shall be made in Form ‘A’

43. **Identification requirement.–**

Every certificate granted under these rules shall bear a bust photograph of the holder thereof previously submitted along with his application under rule 26 and his signature and such other particular as may be required for the purpose of identification.

44. **Grant of duplicate certificate.–**

(1) Whenever the holder of a certificate proves to the satisfaction of the chairman that the certificate granted to him under these, rules has been lost, stolen or destroyed or mutilated, he shall be granted on payment of a fee of Rs.200/-(Rupees two hundred only), a duplicate certificate to which by the record so kept as aforesaid, he appears to

be entitled, which shall have for all purpose the same validity as the original certificate. The words “Duplicate Certificate” shall be written on such certificate. Fee shall be paid by Treasury Challan or such other mode as the Government may notify in this behalf.

- (2) If on enquiry, the Secretary is satisfied that any statement made by the applicant for the issue of duplicate certificate is false he shall report the case to the said Board at its next Meeting and the Board may at its discretion cancel the certificate or permit the grant as aforesaid of a duplicate certificate either immediately or after such period not exceeding twelve months as the Board may think fit having regard to the circumstances of each case.

45. Application for duplicate certificate.–

Application for a duplicate certificate shall be lodged with the Chairman with a declaration before a Gazetted Officer or a Magistrate stating that the certificate granted under these rules, has been lost.

46. Invalidity of original certificate .–

On the issue of a duplicate certificate, the original certificate shall cease to be valid, and shall if in the possession of the holder there of be returned to the office of the Chairman for cancellation.

47. Record of duplicate certificate.–

Duplicate of all certificates granted under these rules shall be recorded in the office of the Chairman.

CHAPTER XI

ENQUIRY

48. Enquiry regarding certificate holders –

If a District Magistrate or the Chief Inspector or Director of Boilers has reason to believe from any cause whatsoever, that an enquiry should be made into allegations of incompetence, drunkenness, misconduct or negligence of duties on the part of a Boiler Attendant holding Certificate of Competency under these rules, they shall either themselves make such enquiry or cause it to be made by their subordinate officers, and

- (a) the proceedings shall be held in the presence of the person whose conduct forms the

subject of enquiry and he shall have an opportunity of making any statement he may wish to make and of producing any evidence in his defence;

- (b) the proceeding of any such enquiry together with the findings thereon by the officer conducting the enquiry shall be forwarded by that officer for decision of the Board.

49. **Surrender of certificate.**—

When an enquiry is being conducted under rule 48, the holder of such certificate shall, on demand by the officer in charge of the enquiry, forthwith surrender his certificate to the said officer pending the result of such enquiry.

50. **Decision of the Board.**—

- (1) On receipt of the proceeding of the enquiry conducted under rule 48 together with findings thereon, the Board may allow the certificate to stand or suspend it for such period as it thinks fit or may cancel the certificate permanently.
- (2) Before taking any action under sub-rule (1), the candidate shall be given an opportunity of being heard in the matter.
- (3) Anybody aggrieved by the decision of the Board may, within thirty days of the date of the receipt of the order, appeal to the government whose decision thereon, shall be final.

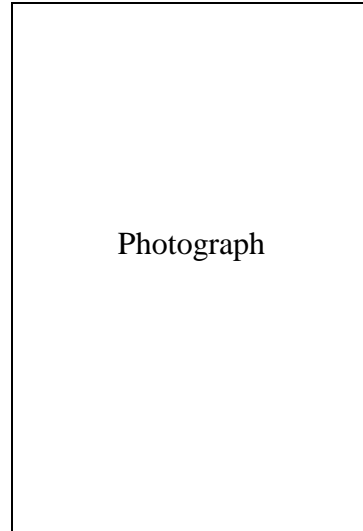
FORM 'A'

(See rules 26 and 42)

Application for certificate of competency as Boiler Attendant

Part I – Name etc. of the applicant.

1. Name (in full).
2. Father's Name.
3. Nationality.
4. Date of Birth.
5. Place of Birth
6. Permanent Address



7. Whether appeared in any previous examination
8. If so, details of place and date

Form B
(See Rule 41)

(First Class Boiler Attendant Certificate of Competency)
(Granted under rule 41 of the Boiler Attendants' Rules, 2011)
No. _____ of _____

Shri _____ aged about _____

Years, at present residing at _____

having satisfied the Board of Examiners of his competency to fulfill the duties of first Class Boiler Attendant, is granted under the Boiler Attendants' Rules, 2011, this certificate of competency as a First Class Boiler Attendant authorizing him to have charge of a single boiler with steam pipes of any type or capacity or two or more boilers with steam pipes in a battery or separated, the total heating surface of which does not exceed 1000 square meters, provided that such boilers shall be situated within a radius of 30 meters in the same premises and belong to one owner.

Dated at _____ this _____ day of _____ 20 _____

Secretary
Board of Examiners

Chairman
Board of Examiner

Description Roll

PHOTO

1. Date and Place of Birth
2. Permanent address
3. Nationality
4. Height (without shoes)
5. Marks of Identification
6. Left Thumb impression

Signature of applicant

Endorsements

Form C
(See Rule 41)
(Second Class Boiler Attendant Certificate of Competency)
(Granted under rule 41 of the Boiler Attendants' Rules, 2011)

No. _____ of _____

Shri _____ aged about _____

Years at present residing at _____ having satisfied the

Board of Examiners of his competency to fulfill the duties of Second Class

Boiler Attendant is granted under the Boiler Attendants, Rules, 2011, this

certificate of competency as a second Class Boiler Attendant authorizing him

to have charge of a single boiler with steam pipe of any type, the heating

surface of which does not exceed 200 square meters. He may, however, attend

to a battery of boiler consisting of not more than three connected boilers (not

exceeding 150 square meters in aggregate of total heating surface) provided he is

assisted by the number of firemen as are considered necessary by the Chief Inspector of Boilers.

Dated at _____ this _____ day of _____ 20_____

Secretary

Chairman

Board of Examiners

Board of Examiners

Description Roll

PHOTO

1. Date and Place of Birth

2. Permanent address

3. Nationality

4. Height (without shoes)

5. Marks of Identification

6. Left Thumb impression

Signature of applicant

Endorsements _____

[F. No.6(11)/2009-Boilers]

Renu Sharma
Joint Secretary

Part II: PARTICULARS OF ALL CERTIFICATES SUBMITTED

| Number of the Certificate | Class of Certificate | Place of issue | Date of issue | If at any time suspended or cancelled, and if so state by whom | Date of suspension or cancellation | Reasons of suspension or cancellation |
|----------------------------------|-----------------------------|-----------------------|----------------------|---|---|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

PART III: LIST OF TESTIMONIALS AND STATEMENTS OF SERVICE

(The testimonials to be numbered serially corresponding to the numbers given in column 1 below)

| Serial Number of testimonials | Date of testimonials | Name of person signing the testimonials | Address and designation of factory or Workshop where employed | Number, type and heating surface of boilers worked on | Capacity in which employed | Service of Applicant | | Period for which employed | | | Not to be filled in by the applicant | |
|-------------------------------|----------------------|---|---|---|----------------------------|----------------------|---------------------|---------------------------|--------|------|--------------------------------------|---------|
| | | | | | | Date of commencement | Date of termination | Years | Months | Days | Initial of Verifier | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| | | | | | | | | | | | | |

Total Service

Time served for which certificates are produced.

Time served for which no certificates are produced.