

(H/C)

Introduce a provision for third party certification for Boilers / Economisers during use u/s 34(3) of the Boilers Act, 1923 by authorizing Boiler Operation Engineer for the State of Gujarat.

GOVERNMENT OF GUJARAT
LABOUR & EMPLOYMENT DEPARTMENT

Resolution No: IBA/112018/67570/M-3
SACHIVALAY, GANDHINAGAR.

Dated the 14th December, 2018



INTRODUCTION

The Government of Gujarat is in Process of rationalization and simplification of various Labour Laws with underlying objective of ensuring "Ease of doing business" and promote "Make in India" and "Make in Gujarat" drive. Further, the Endeavour of the Government to ensure removal of various bottlenecks and impediments in obtaining various approaches under the Rules /Law without compromising the safety and security of the workers and peoples engaged in the various industrial processes.

As a part of this process of change, the Directorate of Boilers Gujarat State which is Regulatory Authority for the manufacturing and use of boilers under the Boilers Act, 1923 and the Indian Boilers Regulations, 1950 is hereby propose to introduce the reforms and exemption of Boilers and economisers from the aforementioned regulations. As a part of this ongoing process of change. The Directorate of Boilers is proposing the introduction of the scheme "Third party certification for Boilers/Economisers during use u/s 34(3) of the Boilers Act, 1923 by authorizing Boiler Operation Engineer".

OBJECTIVES:

The objective of scheme is to minimize visits of the boiler inspection officers of the Directorate of Boiler without compromising the quality of services to be provided, the industrial establishment using boilers will now be able to opt by a provision for third party certification for Boilers / Economisers during use u/s 34(3) of the Boiler Act, 1923 by authorizing Boiler Operation Engineer without compromising on the provision of Safety of the boilers/ Economisers as provided in the Boilers Act, 1923, Indian Boilers Regulations 1950 and rules.

Under the scheme Boiler Operation Engineer as certified / endorsed and notified by the State of Gujarat shall eligible to undertake inspection of boilers / economisers.

Scope of the Scheme: "This schemes of Third party certification for Boilers / Economisers during use u/s 34(3) of the Boiler Act, 1923 by authorizing Boiler Operation Engineer" is optional and open for all the Boilers/ Economisers users in the state of Gujarat.

Resolution:

Keeping the above context in view, the Government of Gujarat, Department of Labour & Employment has decided to introduce a new scheme for enforcement of the Boilers Act, 1923 for simplification in inspection and certification of in use boilers / economisers. The Government thus introduces schemes of "Third party certification for Boilers / Economisers during use u/s 34(3) of the Boiler Act, 1923 by authorizing Boiler Operation Engineer", inspection scheme is optional for various boilers/ economiser users. This step is intended to minimize visits of the officers to the factories/ establishments, also one more option to Industrial establishment while at the same time ensuring effective compliance with the Boilers Act, 1923 by the owners.

In exercise of the powers conferred by subsection (3) of Section 34 of the Boilers Act, 1923 (Act No. 5 of 1923) the Government of Gujarat having satisfied itself regarding the material, design or construction of boilers and to the need for the rapid industrialization of the country, hereby agree through this resolution for exempting the boilers/economisers.

Therefore, in exercise of the powers the Government of Gujarat hereby makes following resolution for effective enforcement of the Boilers Act, 1923.

(a) The boiler/economizer covered under Inspection scheme shall be inspected by Own permanently employed Boiler Operation Engineers having qualification and other criteria as mentioned below.

- I. Degree of Engineers in Mechanical / Production /Power plant/ Metallurgy branch from a recognized institute with Boiler Operation Engineer Certification.
- II. Age not more than 58 years and physically sound.
- III. 5 years' experience in operation / maintenance/inspection of Boilers as a Boiler Operation Engineer after Boiler Operation Engineer Certificate with a single employer.
- IV. NDT qualification as per ASNT from any others professional body recognized by ASNT certified in Level-II for Ultra –sonic testing & Radiography testing.
- V. Boiler operation engineer must be a permanent employee of the concerned firm / owner of Boiler.
- VI. Others State BOE Certification should be endorsed by the State of Gujarat.

The inspection should be carried out as per the guidelines provided by Indian Boiler Regulations- 1950, Gujarat Boiler Rules, 1966 or any other rules framed by Central Boilers Board and or by Government of Gujarat time to time.

(b) Every owner who wishes to opt for above scheme shall follow the procedure hereunder:-

- I. An undertaking shall be furnished in Annexure- III in respect of permanent nature of employment of Boiler operation engineer in his / her Company with application for the scheme (Annexure-I) and required attachment (Annexure-II) by the owner of the Boiler/econoiser. Boiler operation engineer who shall be inspecting the boiler/ economiser for the purpose of the renewal of certificate, follows the guidelines framed under the Boilers Act, 1923 , Indian Boilers Regulation-1950, Gujarat Boiler/

Economiser Rules. Owner of the Boilers / Boiler operation engineers shall follow the instruction and guideline of the Director of Boilers and shall be liable and responsible for any Act. Omission or commission committed with regards to the regulation framed thereunder.

- II. The owner should prepare the boiler/economisers for inspection as per regulation 376 & 524 respectively of Indian Boiler Regulations -1950 & Boiler operation engineer should carry out the inspections as per procedure given by regulation 390 of the Indian Boiler Regulations 1950.
- III. Fees prescribed under Reg. 385A. should be deposited to state Government
- IV. Repairs: In case of Repairs Boiler operation engineer & Owner of Boiler has to follow procedures as laid down in Reg-392 & Reg-392 a of IBR-1950.
- V. Inspection Report in form of annexure-IV along with signed renewed certificate of the boiler should be submitted by owner of the boiler / economiser within 7 days of completion of the inspection of boiler/ economiser to the concerned officer of the Directorate of Boilers.
- VI. Any change in design or alteration and change in working pressure to the Boiler / economiser is not permitted without prior sanction of the Director of Boilers . After completion of the work Boiler to be offer to the Boiler Department for verification and certification for the above work.
- VII. After receiving the certificate and inspection reports and particulars of Boiler Attendants & Boiler Operation Engineer concern officer of the Directorate of Boilers have to add notes in memorandum of inspection book of the concern boiler with fees details.
- VIII. The boilers/economisers shall be stopped immediately if any accident/leakage occurs in the pressure parts of boilers / economisers or in the steam or feed water pipe lines. The owner shall intimate the same in writing to the Director of Boilers, Gujarat State within 24 hours. In such cases the certifications shall stand suspended. However, after necessary compliance and repair of the pressure parts in the prescribed manner, the certificate can be restored.
- IX. The safety under the Boilers Act, 1923 is of utmost importance and it will be the responsibility of owner to follow the provisions of the Boilers Act, 1923 and Rules, Regulations and notifications etc. framed there under for safe operations of boilers/ economisers. The owner shall also be responsible if there is any violation of provisions under the Boilers Act, 1923 or accident.
- X. The Boiler operation engineer shall follow the provisions of the Boilers Act, 1923 and Rules, Regulations and notification etc. framed there under and shall be liable and responsible for any act or omission or commissions committed against the provision of the Boilers Act, Rules and Regulations. For any violation of that Act, Rules,

Regulation. Orders, Notifications etc., or for any false statements, he shall be prohibited from any inspection and certification job under this scheme within Gujarat State.

- XI. Prior Intimation of inspection of boiler to Director of Boilers before 15 days –in-annexure -I with prescribe fees.
- XII. Report of daily chemical analysis for feed water and blow down water should be submitted monthly to the concerned officer of the Director of Boilers Gujarat State through online portal/mail for scrutiny and to the Director of Boilers for information.
- XIII. Working pressure of the boiler shall not exceed to that as specified in the last certificate issued as per the provisions of the Act, Rules and Regulations framed thereunder.
- XIV. The boiler shall be attended compulsorily by qualified Boiler Operation Engineer and/or Boiler Attendant as per the provisions of the Boilers Act. Rules and Regulations framed thereunder.
- XV. This notifications shall be applicable to such boiler and boiler components having the safe guard system for protection against over pressure, low water level, flame failure etc. for prevention of accidents of boiler as per provisions of the said Act, Rules and Regulations framed thereunder and the provisions of these safe guard shall have to be certified by the owner of the boiler and the Competent Person.

By order and in the name of the Government of Gujarat,


(J.K. SHAH)

Under Secretary,
Labour & Employment Department,
Gujarat State.

To,

1. The Commissioner of Labour, Gujarat State, Gandhinagar.
2. The Director, Industrial Safety and Health, Gujarat State, Ahmedabad.
- ✓ 3. The Director of Boilers, 3rd Floor, D Block, Bahumali Bhawan, Manjusar Mill Compound, Asarva, Girdharnagar, Ahmedabad- 380004.
4. The Deputy Director of Boilers, Ahmedabad / Vadodara / Surat / Rajkot.
5. The Assistant Director of Boilers, Mehsana, Bharuch, Vapi- Dist. Valsad, Adipur- Dist. Kutch, Jamnagar, Junagadh, Gandhinagar, Palanpur, Godhra-Dist. Panchmahal, Anand.
6. The Deputy Secretary, Industries and Mines Department, Sachivalaya, Gandhinagar.
7. The Under Secretary, Legislative & Parliamentary Affairs Department, Sachivalaya, Gandhinagar.
8. The Branch Select File.
9. The Deputy Section Officer Select File.


અમ અધિકારી કચેરી
ગુજરાત રાજ્ય, ગાંધીનગર.

ANNEXURE -I

APPLICATION FORM

Form:

M/s _____

To,

The Director,
Directorate of Boilers,
Government of Gujarat.
Ahmedabad.

Sub.: Application for registration to be covered under Third party certification for
Boilers/Economisers during use u/s 34(3) of the Boiler Act, 1923 by authorising
Boiler Operation Engineer.

Ref: Government of Gujarat, Labour Department Resolution No. _____
_____, dated _____ regarding Third party certification for Boilers
/Economisers during use.

Sir,

I/we have gone through the above said Third party certification for Boilers/ Economisers during use u/s 34(3) of the Boiler Act, 1923 by authorizing Boiler Operation Engineer and have understood the same. I/we wish to be covered under the said Scheme. The necessary information and other documents, as required under the Scheme are enclosed. I/we undertake to abide by all terms and condition of the Scheme. It is also certified that I/ we am / are competent and duly authorized to make statement or provide any information to any Central / State Government agency, on behalf of this Factory name _____

Kindly issue the necessary approval at the earliest.

Yours Faithfully,

(Name and Address of the Owner)
With Seal

ANNEXURE –II

LIST OF DOCUMENTS TO BE ATTACHED WITH ANNEXURE-I

1.	Status of the Factories [company/ firm / Shop / Others. Pl. Specify]	:	
2.	Nature of the Factories [what work / business, it is carried out]	:	
3.	Registry Number of Boiler /Economizer under the Boilers ACT,1923.	:	
4.	List of raw materials used & end products, if the factory is a manufacturing or processing unit.	:	
5.	Previous years renewal certificate and current year e-Payment Details	:	
6.	Name & address of the Shops/Estt. /Factory with telephone/mobile/fax. Nos. and email address, if any.	:	
7.	Name & residential address of the owner with telephone/mobile/fax. Nos. and email address, if any.	:	
8.	Name & residential address of the Boiler Operation Engineer with BOE certificate no. and date / telephone/ mobile / fax. Nos. and email address, if any.	:	
9.	Nature of industry/activity.	:	

(Name and Address of the Owner)

With Seal

ANNEXURE –III
DECLARATION
[To be filed by the Owner]

I _____ /We _____ S/o
Shri _____
R/o _____ Owner of
M/s. _____ hereby state as under:
That I/ WE have applied for grant of coverage of boiler / Economizer by the name of

Situated at [complete address of the Shops/Establishment/Factory]

Under the Third party certification for Boilers/Economisers during use u/s 34(3) of the Boiler Act, 1923 by authorising Boiler Operation Engineer of the Directorate of Boilers, Government of Gujarat as notified vide _____, dated_____.

1. That I/We have gone through the Scheme and have fully understood the contents of this Scheme undertake to abide by the same.
2. That it is declared that I/We Are complying with and continue to comply with the provisions of the Boilers Act, 1923 covered under this Scheme.
3. That I/ We agree to accept the penalty prescribed under the Act in case of violations detected in my / our Factories under the Boilers Act, 1923 covered under this Scheme filing of the return under the Scheme.

(Name and Address of Owner)
With Seal

PLACE:
DATE:

- Encl.1. Annexure-I [Application Form]
2. Annexure-II [List of documents]

ANNEXURE -IV

FORM TO BE SUBMITTED BY OWNER FOR COMPLIANCE OF THE BOILERS

ACT, 1923 UNDER THE "Third party certification for Boilers/Economisers during use u/s 34(3) of the Boiler Act, 1923 by authorising Boiler Operation Engineer."

"Annual certificate from Boiler Engineer"

Registry number of Boiler/Economiser..... type of
Boiler.....Boiler rating.....Place and Year of manufacturer.....
Maximum Continuous Evaporation..... Details of repairs.....
Hydraulically tested On To Kg/Cm² Name, address, Telephone No,
Mobile No, and E-mail address of boiler owner:

A. Address where Boiler/Economiser is installed:

B. Name, address, Telephone No, Mobile No, and E-mail address of "Boiler Engineer".

C. Certificate of "Boiler Engineer".

I have inspected the above boiler/economizer on..... At the request of the
boiler owner as required under Notification No..... dated..... of Government of
Gujarat and I hereby certify that the boiler/economizer is fit to operate for use at a pressure
offor a further period of months i.e. from.....to

Signature of Boiler Engineer
BOE Certificate Number:

Signature and Seal of Boiler Owner

Date:

Place: