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PART I.—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

NOTIFICATION

No. 461LW/LW/IR-8/76.—17th March 1977.—In exercise of the powers conferred by section 29 of the Indian Boilers Act, 1923 (5 of 1923), the Governor is pleased to make in the West Bengal Boilers Rules, 1963 (hereinafter referred to as the said rules), the following amendments, the same having been published in the "Calcutta Gazette, Extraordinary", dated the 23rd December 1976, namely:

Amendments

In the said rules—

- (1) in sub-rule (a) of rule 3, for the figures and words "XXXII—Miscellaneous, Social and Developmental Organisations—Labour and Employment—Fees for the Inspection of Steam Boilers", substitute the figures and words "087—Labour and Employment—III—Fees for inspection of Steam Boilers";
- (2) for rule 4 substitute the following rule, namely:

4 Appointment of the Chief Inspector, Joint Chief Inspectors, Superintendent, Testing Laboratory, Deputy Chief Inspectors, Inspectors, Inspecting Authority and Inspecting Officers: (a) The appointment of the Chief Inspector, Joint Chief Inspectors, Superintendent, Testing Laboratory, Deputy Chief Inspectors, Inspectors of Boilers and Inspecting Officers shall be regulated by the rule framed by the State Government for the recruitment of the officers in the West Bengal Boilers Service.

(b) The Chief Inspector shall be appointed by the State Government as Inspecting Authority and Competent Authority.;

- (3) in clause (13) of rule 6 for the word and figures "Rs. 150.00", substitute the word and figures "Rs. 250.00";

13. **Control of bills:** The Chief Inspector shall be the controlling or countersigning authority in respect of all contingent bills and of travelling allowance bills of officers subordinate to him.

14. **Application for inspection and certificate:** (a) When a certificate in Form V or Form VI of the regulations is required the application in Form B No. 1 stating the date on which the boiler will be ready for inspection shall be submitted to the Chief Inspector of Boilers. Such application shall be accompanied by the treasury receipt in original obtained on payment of the prescribed fee. In the case of boilers belonging to Government Departments the application shall be accompanied by the accepted Book Debit Voucher for payment of the prescribed fee. On receipt of the application, the Chief Inspector shall send it to the Inspector concerned after necessary endorsement thereon by the Cashier showing that the fee and the extra fee, if any, chargeable for inspection on Sunday or other holiday as laid down in clause (7) or rule 6 together with the Inspector's travelling expenses, if any, chargeable under sub-clause (a) or sub-clause (b), of clause (8) of rule 6 have been paid. If the date on which the boiler will be ready for inspection as stated in the application by the owner is unsuitable for inspection of the boiler, the Inspector shall fix a date within thirty days from the date of the receipt of the application for such inspection and will give the owner not less than ten days' notice of the date so fixed.

(b) When a certificate in Form II, or endorsement on Forms III, IIIA, IIIB or IIIC of the regulations is required for a boiler or scantlings under construction, an application in Form B No. 3 shall be submitted to the Inspecting Authority. Such application shall be accompanied by the treasury receipt in original obtained on payment of the prescribed fee. In cases where such fees are payable by Government Departments the application shall be accompanied by the accepted Book Debit Voucher for payment of the prescribed fee. On receipt of the application the Inspecting Authority shall send it to the Inspecting Officers concerned with the necessary endorsement by the Cashier showing that all fees including any extra fee chargeable for inspection on a Sunday or other holiday as laid down in clause (7) of rule 6 have been paid. The Inspecting Officer shall fix a date for the commencement of the examination according to the convenience of the makers as stated in their application.

15. **Establishment under the Chief Inspector of Boilers:** The Chief Inspector shall from time to time prepare and submit for the sanction of the State Government a schedule of the establishment and salaries which he considers necessary for carrying out the purposes of the Act.:

(7) for the heading "V. Duties of Deputy Chief Inspectors" and rules 16 and 17 thereunder, substitute the following, namely:

"V. (1) **Duties of Joint Chief Inspectors**

16. **Relationship with the Chief Inspector:** (1) Joint Chief Inspectors shall be directly subordinate to and under the control of the Chief Inspector. They shall be vested with all the powers of Deputy Chief Inspectors and Inspectors of Boilers or Inspecting Officers. Their main duties shall be to scrutinise and supervise the work of subordinate officers, examination of drawings and documents for boilers under manufacture and in use.

Provided that a Joint Chief Inspector may, with the approval of the Chief Inspector, authorise a Deputy Chief Inspector to perform such of the above duties as may be deemed necessary.

(2) Joint Chief Inspectors shall also carry out inspection of boilers as may be considered necessary by the Chief Inspector.

17. **General duties:** A Joint Chief Inspector shall—

(a) obtain the memorandum and registration book of a boiler which has been registered in another State and the subsequent transfer of which to this State is reported under section 6(c) when so directed by the Chief Inspector (see regulation 388);

(b) pass orders in all cases for which it is reported that after due notice the boiler has not been properly prepared for inspection;

(c) examine and countersign the Inspectors' memorandum of inspection book of each boiler after each inspection;

(d) examine for approval all reports of Inspectors in connection with boilers in use :

Provided that he may, with the prior approval of the Chief Inspector, authorise a Deputy Chief Inspector to undertake the above work :

(e) prepare monthly and annual reports on the working of the Indian Boilers Act, 1923 :

(f) prepare the budget estimates for carrying out the purposes of the Act ;

(g) dispose of all leave applications of the non-gazetted staff ;

(h) check the registration measurements and calculations of all newly registered boilers for the working pressure and submit his recommendations to the Chief Inspector ;

(i) when authorised by the Chief Inspector, enquire into serious accidents to boilers and report in writing to the Chief Inspector the results of the enquiry ;

(j) when authorised by the Chief Inspector, check all plans and drawings for boilers, steam pipes and economisers and submit his recommendations to him in writing :

Provided that he may, whenever necessary, delegate this work to a Deputy Chief Inspector in which case he shall verify the observations of the Deputy Chief Inspector before making his recommendations to the Chief Inspector :

(k) check and examine certificates in Forms III, IIIA and IIIB and extract of Form IV as required under the regulations and submit these documents to the Chief Inspector of Boilers within a fortnight of their receipt from makers :

Provided that he may, whenever necessary, delegate this work to a Deputy Chief Inspector in which case he shall verify the observations of the Deputy Chief Inspector before making his recommendations to the Chief Inspector :

(l) approve the programme of inspections of Inspectors :

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

(n) maintain registers referred to in rule 12(1) and rule 12(2) except those referred to in rule 12(2) (b) and rule 12(2) (c) which are to be maintained by the Superintendent, Testing Laboratory

(2) Duties of the Superintendent, Testing Laboratory

17A **Relationship with the Chief Inspector :** The Superintendent, Testing Laboratory, shall be directly subordinate to and under the control of the Chief Inspector of boilers. He shall be in-charge of the Testing Laboratory and vested with all the powers of Inspecting Officers. His main duty shall be to scrutinise and supervise the work of Inspecting Officers (Metallurgy and Testing) and Inspecting Officers (Radiology and Testing). He shall also carry out such testing work as may be considered necessary by the Chief Inspector.

17B **General duties :** Superintendent, Testing Laboratory, shall

(a) be in overall charge of the day-to-day working of the Testing Laboratory ;

(b) arrange for tests, examinations or analysis of specimens, jobs or sample for the various sections of the Laboratory with due regard to the convenience of parties and the capacity and workload of the Laboratory .

(c) also arrange for examination of materials or welds at the manufacturers' works or work sites in accordance with the requirements of the Indian Boiler Regulations, 1950 and on the request of parties also arrange for examination of materials or welds at the manufacturers' works or work sites in accordance with any other specifications for work carried out outside the purview of the Act ;

- (d) issue reports on tests, examinations or analysis of work within or outside the purview of the Indian Boiler Regulations provided that in cases of doubt the reports shall be referred to the Chief Inspector for his decision before issue;
- (e) prepare budget estimates for the laboratory and materials for the Annual Report of the working of the laboratory for incorporation in the Annual Report of the Boilers Directorate;
- (f) dispose of all leave applications of non-gazetted staff of the laboratory;
- (g) realise fees in respect of testing and examination work carried out by the laboratory at the rates prescribed in rule 7(f);
- (h) maintain registers under rules 12(2)(b) and 12(2)(c), a register of testing fees received by the laboratory for testing, and such other registers for the stores, office, cash, etc. required for the purpose of audit.

(3) Duties of Deputy Chief Inspectors

17C. **Relationship with the Chief Inspector and Joint Chief Inspector:** Deputy Chief Inspectors shall be directly subordinate to Joint Chief Inspector and under the control of Chief Inspector. They shall be vested, with all powers of Inspectors under the Act or Inspecting Officers under the regulations. Their main duty shall be to supervise the work of Inspector and to function as Inspecting Officers in the matter of examination and certification of boilers, steam pipes, boiler pressure parts, mountings and fittings, etc., under manufacture and will include examination of site fabrication of boilers or steam pipes under erection. They shall make their observation available to the Chief Inspector. They shall also carry out inspection work of boilers in use when considered necessary by the Chief Inspector.

17D. **General duties:** The Deputy Chief Inspectors shall—

- (a) prepare a programme of stage examination with regard to the convenience of the makers generally and submit it to the Inspecting Authority for approval at such periods as it may fix;
- (b) maintain a schedule of such examination of boilers or parts thereof in Form D (see Appendix 'J' of the regulations);
- (c) maintain a diary of examinations carried out for monthly submission to the Inspecting Authority showing places visited, boilers or parts thereof examined and any other important matters;
- (d) submit to the Inspecting Authority reports in Form E on the results of the examinations carried out on boilers or parts thereof in accordance with the standard laid down in the regulations and with particular reference to variations therefrom;
- (e) when authorised by the Joint Chief Inspector, check the registration measurements and calculations of boilers for registration;
- (f) when authorised by the Joint Chief Inspector, check all plans for boilers, steam pipes, mountings and fittings, etc., and make his observations available to the Joint Chief Inspector expeditiously;
- (g) when authorised by the Joint Chief Inspector, check certificates and documents in Forms II, III, IIIA, IIIB, IIIC and IV as required under the regulations and make their observations available to the Joint Chief Inspector expeditiously;
- (h) when authorised by Joint Chief Inspector of Boilers, examine for approval all reports of Inspectors in connection with boilers in use;
- (i) ensure timely issue of certificates in Form VI and notices of expiry of certificates of boilers in time;
- (j) for the heading "VI duties of Inspectors" and rules 8 to 24 thereunder, substitute the following, namely:

"VI. (1) Duties of Inspectors

18. **Relationship with the Chief Inspector:** The Inspectors shall be directly subordinate to Deputy Chief Inspector or Joint Chief Inspector both and under the control of the Chief Inspector. They shall be vested with all powers to take charge of the work of Inspectors under the regulations.