

The
Kolkata Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

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WEDNESDAY, AUGUST 31, 2016

[SAKA 1938

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

GOVERNMENT OF WEST BENGAL

Labour Department

**New Secretariat Buildings (12th Floor), 'A'-Block,
1K.S. Roy Road, Kolkata-700 001**

No. 1714—G/2C-03/16

Date : 28-06-2016.

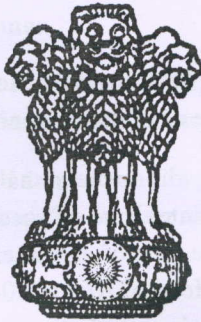
NOTIFICATION

WHEREAS, the Government of West Bengal is fully aware with regard to the material, design or construction of boilers and is committed for rapid industrialization in the State of West Bengal, wherein it has become necessary to exempt the boilers having heating surface area of 1000 square meters or more, from some provisions of the Boilers Act, 1923 (No.5 of 1923) without compromising safety and security of human life and properties;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (3) of section 34 of the Boilers Act, 1923 (No.5 of 1923), the Governor is hereby pleased to exclude the boilers, having heating surface area of 1000 square meters or more and who have opted for Self Certification Scheme of Boilers and Economisers 2016, from the operation of the provisions contained in Sub-section (3), (4), (5) & (6) of Section 8, Section 10, clause (a) of Sub-section (1) and Sub-section(2) of Section 14, clause (b) of Sub-section (1) of Section 19, Section 20 and Section 20A of the Boilers Act, 1923 in the State of West Bengal.

By order of the Governor,

ABHINAV CHANDRA, IAS
Additional Secretary to the Government of West Bengal.

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Labour Department

**New Secretariat Buildings (12th Floor), 'A'-Block,
1, K. S. Roy Road, Kolkata-700 001**

No. 1717 – G/2C-03/16

Date : 28-06-2016.

Self-Certification Scheme of Boilers and Economisers, 2016

1. Objective:

At present, the Inspecting Officer of the Directorate of Boilers inspect the boilers/economisers during construction, erection and in use and certify them in accordance with the provisions of the Boilers Act, 1923, Indian Boiler Regulations 1950, West Bengal Boiler Rules 1963, West Bengal Economiser Rules 1958 and related different orders, notifications etc. published by State and Central Government from time to time.

The Government of West Bengal being fully aware with regard to the material, design or construction of boilers or economisers and is committed for rapid industrialisation in this State, it has become necessary to exempt by notification in the official Gazette, the boilers and economisers having heating surface area of 1000 square meters or more in this State, and who have opted for Self-Certification of Boilers and Economisers, 2016, from some provisions of the Boilers Act, 1923 without compromising safety and security of human life and properties. This scheme will ensure compliance with remaining sections/sub-sections of the Boilers Act, 1923 by the owners.

2. Conditions & Restrictions:

- a) This notification is valid for boilers/economisers having heating surface area of more than or equal to 1000 square meters within West Bengal and who opt to join in the self-certification scheme as per Annexure -A.
- b) The boilers shall be inspected in every year and economisers in every two years by the owners by engaging a Boiler Operation Engineer (B.O.E.) .That B.O.E. shall be in the regular employment of the owner as per requirements of Boiler Operation Engineers' Rules, 2011.

- c) The inspection shall be carried out as per the guidelines provided by the Boilers Act, 1923, Indian Boiler Regulations 1950, West Bengal Boilers Rule 1963/West Bengal Economiser Rules 1958 and other order & notifications published time to time by Central Boiler Board, Government of West Bengal or by Government of India in this regard.
- d) The self- certification scheme is optional for the owner. However, the owner may avail, if he so desires, the existing practice for renewal of certificate of boilers/ economisers.
- e) After inspection of boilers/ economisers, the owners shall submit consolidated return in duplicate to the Director of Boilers, West Brngal for maintenance of record. They shall also deposit requisite charges as mentioned in the scheme in advance at the time of enrolment in this scheme on line in accordance with G.O. No. 1203 (13) G.E.dt.21.04.2015 in the Head of A/c. 0230-00-103-001-14.The consolidated return shall be signed by the owner of the boilers/ economisers and counter signed by the concerned BOE who has inspected the boilers/ economisers.
- f) On receipt of the consolidated return of the boilers/economisers and charges, the Director of Boilers, West Bengal will record the necessary details in Memorandum of Inspection Book & Memorandum of Registration Book of the respective boilers/economisers.
- g) 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 immediately in writing to the Director of Boilers, West Bengal. In such cases the self-certificate shall stand suspended. However, after necessary compliance and repair of the pressure parts in the prescribed manner, the certificate can be restored.
- h) 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 operation of boilers/economisers. The owner shall also be responsible if there is any violation of provisions under the Boilers Act, 1923 or accident.
- i) The B.O.E 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 commission committed against the provision of the said Act, Rules and Regulations .For any violation of that Act, Rules, Regulation, Orders, Notifications etc. or for any false statement, he shall be prohibited from any inspection and certification job under this scheme within West Bengal.
- j) In case of any defect found in boilers/economisers operated under this scheme, the owners should get the boilers/economisers repaired in an approved manner as per requirement of The Boilers Act, 1923 and Rules and Regulations made there under.

By order of the Governor,

ABHINAV CHANDRA, IAS

*Additional Secretary to the Government of West Bengal
Labour Department*

ANNEXURE- A**SELF-CERTIFICATION SCHEME OF BOILERS AND ECONOMISERS, 2016****A. Procedure for Enrolment under this Scheme:**

The owner who desires to join in this scheme shall submit an application in the prescribed format as per Annexure-I, and submit an undertaking as per Annexure-II (in triplicate) along with requisite charges as in clause no. C.

If the application is found to be in order in all respect, an Enrolment Number for each boiler/ economiser shall be provided under this scheme, within 30 working days from the date of submission of application. This Enrolment Number shall be quoted in future correspondence under the scheme.

B. Validity of the Scheme:

Once the owner has opted for the scheme, it shall be valid for a period of five consecutive calendar years. After completion of consecutive five years, the owner may renew the enrolment under the scheme for further consecutive five years by submitting a fresh application with required charges as stated above. The owner may at any time withdraw from the scheme. In that case, deposited charges under this scheme shall be forfeited.

C. Charges:

An amount of charges equal to the two times (for five years at a time) of the rate depending upon heating surface area, as mentioned in Regulation 385 of Indian Boiler Regulation, 1950 with latest amendment to be deposited for enrolment and maintaining records under the scheme. No further charges are to be deposited for regular operation of boilers/economisers under this scheme for consecutive five years. If any owner withdraws prematurely from this scheme i.e. before five years or fail to follow the terms and conditions of the self-certification scheme for boilers/economisers or in case of accident or failure to file annual return cum self- certification, the deposited amount shall be forfeited. However, there will be no bar on fresh inclusion in the scheme, if applied afresh. The charges shall be deposited online in accordance with G.O. No. 1203 (13) G.E.dt.21.04.2015 under the Head of A/c. 0230-00-103-001-14.

D. Extent of the Scheme:

The scheme of self-certification shall apply to boilers/economisers having heating surface area of more than or equal to 1000 square meters and opted under the scheme by the owners within the state of West Bengal.

E. Law for which the scheme is valid:

The self-certification scheme for boilers/economisers shall be valid for The Boilers Act, 1923 and Rules and Regulations made there under with latest amendments.

F. Filing of consolidated annual return-cum-Self- certification

After registration under the scheme, the owner shall file consolidated annual return cum self- certification to the Director of Boilers, West Bengal in the proforma as prescribed in Annexure III duly signed by the owner of the boilers/ economisers and counter signed by the concerned BOE who has inspected the boilers/economisers. The return cum self - certificate along with the supporting documents/information shall be filed within seven working days from the date of inspection to the Director of Boilers, West Bengal. In case of failure to submit the return within the prescribed time limit, the owner shall be terminated from the scheme and deposited charges shall be forfeited.

G. Validity of self- certification:

In no case the validity period for boilers /economisers shall exceed the stipulated time period as permitted under the Boilers Act, 1923, and Indian Boiler Regulation 1950.

H. Responsibility:

The owner of the boilers/economisers and the BOE who has inspected the boilers/economisers is liable and responsible for any violation of provisions of the said Act, Rules and Regulations or in case of accident of boilers/ economisers or related pipe line thereof.

I. Inspection procedure under the scheme:

Not more than 10% of the boilers/economisers covered under the scheme shall be picked up randomly by the Director of Boilers, West Bengal, for inspection by the visiting officers of the Directorate of Boilers, West Bengal, once in a year to verify implementation of the Boilers Act, 1923. Before random inspection, the concerned owner will be intimated 30 days in advance, of such inspection, for preparing the boiler for inspection as per said Act and Regulations. Once inspected, the same boilers/economisers is not likely to be inspected in the same year or remaining period of the scheme the owner opted for, provided that no specific violation of terms, conditions, undertaking, Acts, Rules, Regulations etc. by the owner is brought to the notice of the Directorate of Boilers, West Bengal. If any violation of the provisions is observed during random inspection, it will be processed as per the respective provision of the Boilers Act, 1923.

J. Exception:

The scheme shall not cover any Inspection/visits made by the Inspectors of the Directorate of Boilers, West Bengal, for the purpose of conducting enquiry into accident or any other violation of Acts. This scheme shall only apply to the boilers/economisers having heating surface area of more than or equal to 1000 square meters, installed in West Bengal under The Boilers Act, 1923 and Indian Boiler Regulations, 1950.

K. Penalty:

- (i) If any owner, enrolled under this scheme, violates any provision of the Boilers Act, 1923, Regulations and Rules framed thereunder or any of the above provision, he will be punishable as per the Boilers Act, 1923. Further, the owner will be terminated from the scheme and deposited amount under the scheme shall be forfeited. Certificate of boilers/economisers shall also be cancelled.
- (ii) If any owner, enrolled under this scheme, submits false or incorrect information in the Consolidated Return Cum Self- certification form, the owner shall be terminated from the scheme and deposited amount under the scheme will be forfeited. Certificate of boiler/economizer will also be cancelled. However, the owner shall be given an opportunity of being heard or to represent the case before the Committee.

A Committee nominated by the Director of Boilers, West Bengal will take decision in this matter.

- (iii) If the BOE violates any provision under the said Act and Regulation and submit false information or statement shall be prohibited from any inspection and certification of boilers/economisers within West Bengal under this scheme.

ANNEXURE-I

From,

Shri/Ms _____

M/s. _____

To

The Director of Boilers

Directorate of Boilers, West Bengal

8th floor, N.S. Building

1, K. S. Roy Road,

Kolkata- 700 001

Sub : Application for enrolment under Self -Certification Scheme for Boilers/ Economisers.

Sir,

With reference to Labour Department notification No. _____ dated _____ regarding Self- certification Scheme for Boilers/Economisers of the Directorate of Boilers, Government of West Bengal, I/We Shri/Ms _____ Son/daughter/wife of Shri _____ of M/s. _____ (Complete name and address of establishment/factory where the Boilers/Economisers is installed) hereby apply for Self-Certification Scheme for Boilers/Economisers having Registration No. _____ under the Boilers Act, 1923.

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

Kindly enroll me/us for the said Scheme. I/We shall submit Annexure-II and III duly filled and signed in time.

- Encls : 1. Copy of last Certificate of the boiler
2. Annexure II (Undertaking)
3. Receipt of deposited charges.

Yours faithfully,

Date :

Full Name and Signature of Boiler Owners(s)

Place :

Contact Phone No.and e-mail id

Full residential postal address with Pin Code No.

I.

ANNEXURE - II

Self Attested
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Undertaking

(To be filled by the Owner)

J. I/We Shri/Ms. _____ son/daughter/wife of
Shri _____ of M/s _____

fc
bc
u
K (Complete name and address of establishment/factory where the boiler is installed), hereby apply for Self- certification
Scheme for Boilers/Economisers for boiler having registration No. _____ under the Boilers Act,
1923 and state as under :—

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

Place :

Date :

DEPONENT

VERIFICATION

I/We the above named deponent(s) do hereby further solemnly affirm that the contents given above are true to my
knowledge.

Place :

Date :

DEPONENT

Full Name and Signature of Boiler Owner(s)

ANNEXURE - III

**Annual Return and Certificate of Boilers/Economisers under Self-Certification
Scheme for the Year - _____**

1. Enrolment number allotted under the Self- certification Scheme :
2. Name, address, Telephone No., e-mail ID of Owner:
3. Name, address, Telephone No., e-mail ID of BOE :
4. Name and address of Establishment/Factory where the boiler/economiser is installed
5. Registration number of boiler/economiser:
6. Boilers/Economisers Rating(M) :
7. Approved Working Pressure _____ kg/cm²
8. Brief description of boiler/economiser:
9. Whether fired or waste heat boiler:
10. Last date of annual inspection :
11. Expiry date of current certificate/validity :
12. Quality of Boiler feed water and boiler water:
13. Number of Feed pumps which are in satisfactory working condition at present:
14. Number of safety valve mounted and safety valve details :
15. Number of water level gauges, mounted and its conditions :
16. Condition of main steam stop valve, Feed check valves, blow down valves and master pressure gauge:
17. Date when boiler water sample was tested (enclosed copy of test Report showing TDS) :
18. State at what interval such tests are carried out:
19. Whether working pressure of the boiler ever exceeded in the past beyond certified limit? If any ,give details :
20. Particulars of Boiler Operation Engineers:
21. Date of Open inspection :
22. Observation during open inspection :
23. Hydraulically tested on dt. _____ to _____ kg/cm²
24. List of documents attached :

I, Sri _____, BOE, have inspected the above boilers/economisers as required under notification No. _____ dated _____ of West Bengal Government and I hereby certify that the Boiler/Economiser is fit for further use at the approved working pressure i.e. _____ Kg/cm² for twelve months / twenty four months i.e. from _____ to _____.

- Enclosed : 1) Copy of Certificate of BOE
2) Copy of last issued certificate of Boilers.
3) Copy of Photo ID.Proof of owner and BOE.
4) Copy of certificate of graduation in engineering of BOE.

Signature of Owner:

Name of Owner under Section 2(d) of the Boilers Act, 1923 :

Office Seal :

Address :-

Date :

Signature of BOE :

Name of BOE : _____

Details of BOE Certificate No.,date and issuing authority :

Address :-

Date :

ACKNOWLEDGEMENT

This is to acknowledge that yearly self-certification for boiler/ economiser for the period from _____ to _____ under Self-Certification scheme for Boilers /Economisers (in West Bengal) has been received from Sri/Ms _____ son/daughter/wife of Sri _____ of M/s. _____ (complete name and address of establishment/ factory where the boiler is installed) for Boiler/Economiser having Registration No. _____ under the Boilers Act, 1923.

It will be responsibility of the owner of the Boiler to run and maintain it as per provisions of the Boilers Act, 1923 and Regulations and Rules framed under the Act and owner shall also be responsible for any violation of the provisions or accident.

The "BOE" shall follow the provision of the Boilers Act, 1923, Rules & Regulations framed thereunder and shall be liable and responsible for any act or omission or commission committee against the provision of said Act, Rules & Regulations, including provision of inspection in West Bengal.

Director of Boilers, West Bengal