


The
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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

12th Floor, N.S. Building,

1, K.S. Roy Road, Kolkata - 700 001

No. Labr/644/Dte(Boil)

Dated : 30-11-2018

NOTIFICATION

In supersession of Gazette No.: WB (Part-1)/2016/ SAR -307 dated 31.08.2016, Gazette No.: WB (Part-1)/2016/ SAR-308, dated 31.08.2016, notification No. 1714-G/2C-03/16 dated 28.06.2016, notification No. 1717-G/2C-03/16 dated 28.06.2016 and notification No. Labr/30/Dte-(Boil)/G/1A-01/14(Pt-1) dated 11.08.2016, the Government of West Bengal is satisfied that for the rapid industrialization of the State, it is necessary to exclude boilers from certain provisions of The Boilers Act, 1923.

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 Government of West Bengal hereby excludes boilers which have been installed or which will be installed in future from the operation of the provision of Sub Section 3, 4, 5, 6 & 7 of Section 8, Subsection 1 of Section 10, Section 14 subject to the following conditions, namely:—

1. When a certificate for use of boiler ceases to be in force, the owner of the boiler may engage: —
 - a. A "competent person" as per, Indian Boiler Regulations, 1950, for carrying out the inspection of boilers and issue the annual certificate as stated in the Indian Boiler Regulations, 1950.
 - Or
 - b. A "Boiler Engineer" for carrying out the inspection of boilers and issue "The annual certificate from Boiler Engineer" as given below.

"Annual certificate from Boiler Engineer"

Registry number of Boiler/Economiser

Name of the company where Boiler/Economiser is installed

Address of the company where Boiler/Economiser is installed

Type of Boiler/ Economiser

Boiler Rating

Maximum Continuous Evaporation

Place and year of manufacture

Name of the manufacturer

Details of repairs if any

Hydraulically tested On _____ to _____ Kg/cm²

Name, address, Telephone No., Mobile No. and e-mail address of boiler owner:

Name, address, Telephone No., Mobile No. and e-mail address of "Boiler Engineer". Certificate of "Boiler Engineer"

I have inspected the above boiler/economiser on _____ at the request of the boiler owner as required under Notification No.: _____ dated _____ of Government of West Bengal and I hereby certify that the boiler/economiser is fit to operate for use at a _____ pressure of _____ Kg/cm² for a further period of _____ months i.e. from _____ to _____.

Signature of Boiler Engineer

Signature of Boiler Owner

BOE Certificate Number

Date:

Place:

2. "Boiler Engineer" shall be a person:—

- i. Who is a graduate in Mechanical or Production or Power Plant or Metallurgical Engineering from a recognized institution;
- ii. Holds a certificate of proficiency as Boiler Operation Engineer qualified under The Boiler Operation Engineers' Rules, 2011.
- iii. Minimum 5 years of experience in the field related to boilers after passing out Boiler Operation Engineers' Examination.

(3) "Annual certificate from Boiler Engineer" shall be submitted by the owner of boiler to the Director of Boilers or Chief Inspector of Boilers on line or any other method for the purpose of record.

(4) 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.

(5) The "Boiler Engineer" shall follow the provision of the Boilers Act, 1923, Rules & Regulations framed thereunder and shall be liable and responsible for any Act or omission committed against the provision of said Act, Rules & Regulations.

(6) Boiler owner can either engage "Boiler Engineer" as per this notification or "competent person" as per Indian Boiler Regulations, 1950 for inspection and certification of boilers in use.

By order of the Governor,

S. SURESH KUMAR, IAS

Principal Secretary to the Government of West Bengal

Government of West Bengal,
Labour Department,
12th Floor, N. S. Building,
1, K. S. Roy Road, Kolkata-700001.

No.Labr/ 644 / Dte(Boil)

Dated: 30-11-2018

Notification

In supersession of Gazette No: WB (Part-1)/2016/ SAR -307 dated 31.08.2016, Gazette No: WB (Part-1) /2016/SAR-308, dated 31.08.2016, notification No. 1714-G/2C-03/16 dated 28.06.2016, notification No. 1717-G/2C -03/16 dated 28.06.2016 and notification No. Labr/30/Dte-(Boil)/G/1A-01/14(Pt-1) dated 11.08.2016, the Government of West Bengal is satisfied that for the rapid industrialization of the State, it is necessary to exclude boilers from certain provisions of The Boilers Act, 1923.

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 Government of West Bengal hereby excludes boilers which have been installed or which will be installed in future from the operation of the provision of Sub Section 3, 4, 5, 6 & 7 of Section 8, Subsection 1 of Section 10, Section 14 subject to the following conditions, namely:-

1. When a certificate for use of boiler ceases to be in force, the owner of the boiler may engage: -
 - a. A "competent person" as per, Indian Boiler Regulations, 1950, for carrying out the inspection of boilers and issue the annual certificate as stated in the Indian Boiler Regulations, 1950.
Or
 - b. A "Boiler Engineer" for carrying out the inspection of boilers and issue "The annual certificate from Boiler Engineer" as given below.

"Annual certificate from Boiler Engineer"

Registry number of Boiler/Economiser

Name of the company where Boiler/Economiser is installed

Address of the company where Boiler/Economiser is installed

Type of Boiler/ Economiser

Boiler Rating

Maximum Continuous Evaporation

Place and year of manufacture

Name of the manufacturer

Details of repairs if any

Hydraulically tested On _____ to _____ Kg/cm²

Name, address, Telephone No., Mobile No. and e-mail address of boiler owner:

Name, address, Telephone No., Mobile No. and e-mail address of "Boiler

Engineer". Certificate of "Boiler Engineer"

I have inspected the above boiler/economiser on _____ at the request of the boiler owner as required under Notification No.: _____ dated _____ of Government of West Bengal and I hereby certify that the boiler/economiser is fit to operate for use at a pressure of _____ Kg/cm² for a further period of _____ months i.e. from _____ to _____.

Signature of Boiler Engineer
BOE Certificate Number

Signature of Boiler Owner

Date:
Place:

2. "Boiler Engineer" shall be a person:-

- i. Who is a graduate in Mechanical or Production or Power Plant or Metallurgical Engineering from a recognized institution;
- ii. Holds a certificate of proficiency as Boiler Operation Engineer qualified under The Boiler Operation Engineers' Rules, 2011.
- iii. Minimum 5 years of experience in the field related to boilers after passing out Boiler Operation Engineers' Examination.

(3) "Annual certificate from Boiler Engineer" shall be submitted by the owner of boiler to the Director of Boilers or Chief Inspector of Boilers on line or any other method for the purpose of record.

(4) 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.

(5) The "Boiler Engineer" shall follow the provision of the Boilers Act, 1923, Rules & Regulations framed thereunder and shall be liable and responsible for any Act or omission committed against the provision of said Act, Rules & Regulations.

(6) Boiler owner can either engage "Boiler Engineer" as per this notification or "competent person" as per Indian Boiler Regulations, 1950 for inspection and certification of boilers in use.

By order and in the name of the Governor of West Bengal

Sd/
S.Suresh kumar,IAS

Principal Secretary to the
Government of West Bengal,

Ordered that

This Notification be published in The Kolkata Gazette Extraordinary.

Sd-
Principal Secretary

No: Labr/ 644 /1(1)

Dated:30-11-2018

Copy of the Notification forwarded to the Managing Director, Saraswati Press Limited, 32,A.P.C.Road,Kolkata-700009, with the request to publish this Notification in The Kolkata Gazette Extraordinary and send 100 (hundred) copies of the same to this Department for official use.

Sd-
Joint Secretary

No:Labr/ 644/2(4)

Dated:30-11-2018

Copy forwarded for information to:-

- 1) The Labour Commissioner, West Bengal
N.S.Buildings, 1, K.S.Roy Road, Kol-700001
- 2) The Chief Inspector of Factories, West Bengal
N.S.Buildings, 1, K.S.Roy Road, Kol-700001
- 3) The Director of Boilers, W.B.
N.S.Buildings, 1, K.S.Roy Road, Kol-700001
- 4) The Additional Secretary, Govt. of India, Ministry of Commerce And Industries
(Deptt. of Industrial Policy & Promotion)
Udyog Bhawan, New Delhi-110011.

Deputy Secretary

No:Labr/ 644 /3(4)

Dated:30-11-2018

Copy forwarded for information to:-

- 1) P.A./Sr.P.A. to the Principal Secretary of this Department.
- 2) P.A. to the Principal Secretary, Department of Commerce and Industries, W.B.
- 3) The Managing Director, West Bengal Industrial Development Corporation Limited (WBIDCL), Protiti, 23, Abanindranath Tagore Sarani, (Camac Street), Kol-17.
- 4) I.T.Cell of this Department with the request to upload this Notification in the Department's website.

Deputy Secretary