



## KARNATAKA GOVERNMENT

NO. LD 359 LET 2023

Karnataka Government Secretariat,  
Vikasa Soudha,  
Bangalore, dated:12/01/2024

### NOTIFICATION

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Pls. circulate.

In exercise of the powers conferred by sub-sections (1) and (2) of section 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act No. 27 of 1996), the Government of Karnataka, after consultation with the Expert Committee, hereby makes the following rules further to amend the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) (Karnataka) Rules, 2006, namely: -

### RULES

**1. Title and commencement.**- (1) These rules may be called the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Karnataka) (Amendment) Rules, 2024.

(2) They shall come into force from the date of their publication in the Official Gazette.

**2. Amendment of rule 2.**- In the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Karnataka) Rules, 2006 (hereinafter referred to as the said rules), in rule 2, for clause (j), the following shall be substituted namely:-

“(j) “Competent Person” means a person who belongs to a testing establishment in Karnataka, possessing adequate qualification, experience and skill for the purposes of testing, examination or annealing and certification of lifting appliance, lifting gears, wire ropes or pressure plant or equipment, approved by the State Government or by the Chief Inspector subject to the control of the State Government.”

**3. Amendment of rule 49-C.**- In the table appended to rule 49-C of said rules,-

- (i) in the first entry, pertaining to rule 39, in column 2 for the words “six months” the words “one year” shall be substituted; and

(ii) in the second entry, pertaining to rule 40, in column 2 for the words “six months” the words “one year” shall be substituted.

**4.Insertion of a new rule 54A.-** After rule 54 of the said rules the following shall be inserted namely:-

**“54A. Recognising a Competent Person;** (1) Every person or institution desirous of getting recognised as a competent person shall make an application in Form No. **XXIV-A** or **XXIV-B** as may be appropriate to the Chief Inspector who shall register such application and shall, within a period of sixty days from the date of receipt of such application, either recognise the applicant as a competent person and issue certificate in Form No. **XXIV-C**, for a period of twelve months or reject the application specifying the reasons therefore.

(2) Criteria for recognition of Competent Person is as specified in the table below:

<b>Rule relating to competency</b>	<b>Qualification required</b>	<b>Experience for the purpose</b>	<b>Facilities at his command</b>
Rule 72, 85, 86, 87, 88, and 222 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Karnataka) Rules, 2006	Degree in Electrical or Mechanical Engineering or posses an equivalent qualification	For Lifting machinery (i) Must have worked for not less than seven years in- (a) design or erection or maintenance lifts and hoists; or (b) inspection and test procedures of lifts and hoists; (ii) He shall be - (a) conversant with relevant codes of practices and test procedures of lifts and hoists those are present current; (b) conversant with other statutory requirements conversing the safety of the Hoists and Lifts; (c) able to identify defects and arrive at a reliable conclusion with regard to the safety of Hoists and Lifts	For Lifting machinery Facilities for load testing, tensile testing, gauges, equipment/ gadgets for measurement and any other equipment required for determining the safe working conditions of lifting machinery used at construction sites.



Rule 225 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Karnataka) Rules, 2006	Degree in Electrical or Mechanical Engineering or posses an equivalent qualification	<p>For Pressure vessels</p> <p>(i) Must have worked for not less than ten years in-</p> <p>(a) design or erection or maintenance of pressure plants, or</p> <p>(b) Testing, examination and inspection of pressure plants.</p> <p>(ii) He shall be -</p> <p>(a) conversant with the relevant codes of practices and test procedures relating to pressure vessels;</p> <p>(b) conversant with statutory requirements concerning the safety of unfired pressure vessels and equipment operating under pressure;</p> <p>(c) conversant with non-destructive testing techniques which are applicable to pressure vessels;</p> <p>(d) capable to identify defects and arrive at a reliable conclusion with regard to the safety of pressure plants.</p>	<p>For Pressure vessels</p> <p>Facilities for carrying out hydraulic test, non-destructive test, gauges equipment/ gadgets for measurement and any other equipment or gauges to determine the safety in use of pressure vessels.</p>
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(3) Every application for recognition or renewal as a competent person in Form No. XXIV-A or XXIV-B as the case may be, shall be submitted online along with fees credited online to the treasury account of the department as specified in the table below:

	<b>Competency Certificate</b>	<b>Scope</b>	<b>Fees for registration or renewal</b>
1	To an Individual	State	Rs. 20,000/-
2	To an Institution	State	Rs. 25,000/- or Rs.20,000/- per person whichever is higher

- (4) The certificate issued under sub-rule (1) shall be renewed after expiry of them for a period of twelve months on payment of a renewal fee as specified at sub-rule (3).
- (5) The Chief Inspector may, after giving an opportunity to the competent person of being heard, revoke the certificate of competency if he has reason to believe that the competent person,-
- a. has violated any condition stipulated in the certificate of competency;  
or
  - b. has carried out a test, examination and inspection or has acted in a manner inconsistent with the intent or the purpose of the Act or the rules made there under;
  - c. has omitted to act as required by or under the Act.
- (6) The Chief Inspector may call for such other particulars as he may require.”

**5. Amendment of rule 225.-** After clause (c) of rule 225 of the said rules, the following shall be inserted namely:-

“(d) Certificate of tests and examinations before taking into use the Pressure plant and equipment, periodical tests and examinations of Pressure plant and equipment under these rules are to be obtained in Form -XXIV-D.”

**6. Amendment of rule 231.-**In clause (b) of rule 231 of the said rules, after the words “safe manner” the words “as stipulated under applicable standards” shall be inserted.

**7. Insertion of new Forms FORM-XXIV-A, FORM-XXIV-B, FORM-XXIV-C and FORM-XXIV-D:** After FORM-XXIV of the said rules the following forms shall be inserted namely,-



**FORM - XXIV-A**  
**[see rules 54A]**  
**APPLICATION FOR GRANT OF CERTIFICATE OF COMPETENCY TO A PERSON**

1	Name and Address	
2	Date of Birth	
3	Educational Qualifications (copies of testimonials to be attached)	
4	Details of professional experience (in chronological order) 1. Period of Service 2. Designation 3. Area of Responsibility	
5	Membership of Professional bodies, if any	
6	Details of facilities (for examination, testing, etc.,) at his disposal.	
7	Arrangements for calibrating and maintaining the accuracy of the facilities.	
	Purpose for which competency certificate is sought (Specify Rule or Rules.)	
8	Whether the applicant has been declared as a competent person under any other statute or by any other states. (If so, furnish details)	
9	Any other relevant information the applicant may wish to submit as proof of competency	

I, Sri/Smt/Kumari ..... hereby declare that the information furnished above, is true. I undertake:

- a. that in the event of any change in the facilities at my disposal (either addition or deletion) I will promptly inform the Chief Inspector;
- b. to maintain the facilities in good working order, calibrated periodically as per manufacturer's instructions or as per National Standards; and
- c. to fulfil and abide by all the conditions stipulated in the Certificate of Competency and instructions issued by the Chief Inspector from time to time.

Date :  
Place :

Signature of the applicant  
(Name in Block letters)



**FORM - XXIV-B**

[see rule 54A]

**FORM OF APPLICATION FOR GRANT OF CERTIFICATE OF  
COMPETENCY TO AN INSTITUTION**

1	Name and designation of the Applicant				
2	Name and full address of the Institution				
3	Name and designation of the persons to be certified.				
4	Status of the Institution (Specify whether Government, Autonomous, Co-Operative, Corporate, Private, etc.,)				
5	Purpose for which Competency Certificate is sought (Specify rule or rules.)				
6	Whether the Institution has been declared as a competent person under any other statute or by any other states. If so, give details				
7	Particulars of persons employed and possessing qualification and experience				
	<b>Sl. No.</b>	<b>Name &amp; Designation</b>	<b>Qualification/s</b>	<b>Experience</b>	<b>Rules under which competency is sought for</b>
8	Details of facilities (relevant to item 3 above) and arrangements made for their maintenance and calibration periodically				
9	Any other Relevant information the institution may wish to submit as proof of competency.				

I, Sri/Smt/Kumari. . . . . hereby, on behalf of . . . . .  
. . . . ., Certify the details furnished above, are correct to the best of my knowledge. I undertake to :

- a. maintain the facilities in good working order, calibrated periodically as per manufactures instructions or as per National Standards ; and
- b. fulfill and abide by all conditions stipulated in the Certificates of competency and instructions issued by the Chief Inspector from time to time.

SIGNATURE OF HEAD OF THE INSTITUTION OR  
OF THE PERSONS AUTHORISED TO SIGN ON  
HIS BEHALF DESIGNATION:

Date :  
Place :





**FORM - XXIV-C**

[see rule 54A]

**FORM OF CERTIFICATE OF COMPETENCY ISSUED TO A PERSON OR INSTITUTION**

The Chief Inspector subject to the control of Govt. of Karnataka in exercise of the powers conferred on me under Rule 2(j) of the BOCW Karnataka Rules, 2006, hereby recognize .....  
.....(Name of the Institution and names of persons being recognised) or Shri ..... (Name of the person) (Name of the Organization) to be a competent person for the purpose of carrying out tests, examinations, inspections and certification of hoists and lifts, tower cranes, derricks, boom cranes, lifting machines and lifting tackles, pressure plant and such other equipment located at a construction site, as stipulated in the BOCW Act 1996 and the BOCW Karnataka Rules, 2006 made there under.

**\*Strike out the words not applicable.**

This certificate is valid from ..... to .....

This certificate is issued subject to the conditions stipulated here under :-

- (i) Tests, examinations and inspections shall be carried out in accordance with the provisions of the Act and the Rules made thereunder;
- (ii) Tests, examination and inspections shall be carried out under direct supervision of the competent person or by a person so authorised by the institution recognised to be a competent person;

The Certificate of Competency issued in favour of a person shall stand cancelled if the person leaves the organisation mentioned in his application;

Date :

SIGNATURE OF THE CHIEF INSPECTOR

Place :

OFFICIAL SEAL

**FORM - XXIV-D**  
[see rule 225 (d)]

**REPORT OF EXAMINATION OF PRESSURE PLANT OR EQUIPMENT**

1. Name of the Employer/Contractor (or Construction site) :
2. Situation and address of the Construction site :
3. Name, description and distinctive number  
of pressure plant or equipment
4. Name and address of manufacturer and  
reference to their test certificate or certificate  
of competent person :
5. Nature of process in which it is used :
6. Particulars of pressure plant or equipment  
(a) Date of construction  
(b) Thickness of walls  
(c) Date on which the pressure plant or equipment  
was first taken into use  
(d) Maximum permissible working pressure  
Recommended by the manufacturer  
(The history should be briefly given and  
Examiner should state whether he has  
Seen the last previous report)
7. Date of last hydrostatic test (if any) and  
pressure applied :
8. Is the pressure plant or equipment is open or  
otherwise exposed to weather or to damp? :
9. What parts (if any) were inaccessible? :
10. What examination and tests were made?  
(Specify pressure if hydrostatic test was  
Carried out) :
11. Condition of pressure plant or equipment (State  
defects materially affecting the maximum  
permissible working pressure or the safe plant) : External . . . . any  
Internal . . . . .
12. Are the required fittings and appliances  
provided in accordance with Rules :
13. Are all fittings and appliances properly  
maintained and in good condition? :  
Have the pressure settings been checked  
and corrected? :
14. Repairs (if any), required and period within  
which they should be executed and any  
other condition which the person making  
the examination thinks it necessary to  
specify the securing safe working  
pressure :
15. Maximum permissible working pressure  
calculated from dimensions and from the  
thickness and other data ascertained by the  
present examinations due allowance being



made for conditions of working if unusual or exceptionally severe ( State minimum thickness of walls measured during the examination)

16. Where repairs affecting the maximum working pressure are required, state the working pressure :
- a. Before the expiration of the period Specified in (14) :
  - b. After the expiration of such period if the Required repairs have not been completed :
  - c. After the completion of the required repairs :
17. Other Observations :

I Certify that on . . . . . the pressure plant or equipment described above was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date, I thoroughly examined this pressure plant or equipment, including its fittings and that the above is a true report of my examination.

If employed by a Institution give name and

Address . . . . . Signature. . . . .  
. . . . . Qualification. . . . .  
. . . . . Address. . . . .  
. . . . . Date . . . . .

By Order and in the name of the  
Governor of Karnataka,

  
(Suma. S)

Under Secretary to Government,  
Labour Department.

**To:**

1. The Compiler, e-Gazette (to publish in the next e-Gazette)
2. The Commissioner, Labour Department, Karmika Bhavan, Bannerghatta Road, Bangalore.
3. Chief Executive Officer & Secretary, Karnataka Building and Other Construction Workers Welfare Board, Bannerghatta Road, Bangalore.
4. Director, Factories, Boilers, Industrial Safety & Health Department, Bannerghatta Road, Bangalore.
5. All Deputy Labour Commissioners, Assistant Labour Commissioners, Labour Department & Labour Officers, Government of Karnataka (through Labour Commissioner).
6. Office Copy.

