

19. In other respects, the provisions of the Factories Act and the rules of other statutory provision with respect to the hour of work shall be followed by the employer.
20. The employer shall appoint not less than two female wardens per night shift who shall go around and work as Special welfare Assistants.
21. The female workers who work in night shifts and regular shifts shall have a monthly meeting through their representative with principal employer once in eight weeks as grievance day and the employer shall try to comply all just and reasonable grievances.
22. The employer shall be at liberty to employ women workers as a whole or in part during night shift, provided, the above the directions be complied with.
23. The employer shall send a fortnightly report to Inspector of Factories about the details of employees engaged during night shifts and shall also send express report whenever there is some untoward incident to the Inspector of Factories and local Police Station as well.
24. It shall not be made compulsory or obligatory for any women worker to work in night shifts. Written consent shall be obtained from the women workers who are interested to work in night shifts.

Note: The Chief Inspector may by an order withdraw the permission issued by this notification to any factory, if any or all the conditions laid down in the notification are not followed, in the interest of safety and security of the women workers who come forward to work in night Shifts.

By Order and in the name of
the Governor of Karnataka

(M.K. Bharmarajappa)
Additional Secretary to Govt
Labour Department.

PR-162

No: LD 74 KABANI 2018

Government of Karnataka

Karnataka Government Secretariat
VikasaSoudha
Bangalore, Dated: 20-11-2019.

NOTIFICATION

Whereas, for rapid industrialization of the State and to improve Ease of Doing Business in the state, the Government of Karnataka has considered it necessary to introduce a provision for Self Certification and Third Party Inspection and Certification for installed Boilers during use in the State by Boiler Operation Engineer with certain qualifications and experience as recommended in the Department of Industrial Policy and Promotion, Business Reform Action Plan, 2019 and insupersession of the earlier notification No: LD 45 KABANI 2014, Dated 15-04-2017.

Whereas, the draft notification of the scheme was published as required by sub section (1) of section 31 of the Boilers Act, 1923 (Central Act No.5 of 1923) in part -4A of the Karnataka Gazette dated 8th August, 2019 vide notification no. LD 74 KaBaNi 2018 dated: 28/06/2019, inviting Objections and suggestions from all persons likely to be affected thereby till the expiry of thirty days from the date on which copies of gazette notification were made available to the public.

And whereas, the said gazette was made available to the public on 8th August, 2019 and no Objections / suggestions were received by the Government of Karnataka.

Now the Government of Karnataka makes the following Scheme namely;

SCHEME

1. Title and Commencement:- (1) This scheme may be called the Karnataka Self Certification and Third Party inspection Scheme of Boilers, 2019.

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

2. Scheme:- Subject to the following conditions the Government of Karnataka in exercise of powers conferred by sub section (3) of the section 34 of the Boilers Act, 1923 (Central Act No.5 of 1923) grants exemption from the operation of the sub sections (3),(4),(5) and (6) of section 8 of the Boilers Act, 1923 (Central Act No.5 of 1923) namely:-

- 1) When a certificate for use of the installed boilers and connected Boiler Component are to be renewed, the owner of boiler may engage a Boiler Operation Engineer (BOE) qualified under the Boiler Operation Engineers Rules, 2011 with the qualification and experience mentioned below, at least Fifteen days before expiry of certificate, to carry out the inspection and certification of boilers and connected Boiler Component for renewal thereof for such period as may be prescribed by Regulations.

Note: For the above purpose, the Boiler Operation Engineers shall possess the following qualifications and experience namely:-

- a. must be a Graduate in Mechanical / Production / Power Plant / Metallurgical engineering from an university established by law;
- a. must have a minimum Five years of experience in operation/ maintenance / inspection of boilers after certification as Boiler Operation Engineer under the Boiler Operation Engineer Rules, 2011; and
- b. Other state Boiler Operation Engineer certification shall be endorsed by the state of Karnataka as per the prevailing Boiler Operation Engineer Rules, 2011 and should not be more than sixty years of age and shall be physically sound;

(2) After engaging the Boiler Operation Engineer, the owner of boiler shall inform the Director of Boilers along with the Original Qualification Certificate of the Boiler Operation Engineer engaged along with the e-payment challan of the prescribed renewal

fee for inspection of Boilers as prescribed under Regulation 385A of the Indian Boiler Regulations, 1950 as per application format prescribed in Annexure-IV of this notification fifteen days prior to the proposed inspection date.

(3) The Director of Boilers shall scrutinize the application within three working days from the date of filing of application and inform his concurrence to the applicant and also forward the same to the concerned jurisdictional officer of the department for information.

(4) On receipt of an application, the Boiler Operation Engineer with the require qualification and experience indicated above shall inspect the boilers and connected Boiler Component within fifteen days from the date of such receipt as prescribed under the Boilers Act, 1923 and in such manner as prescribed under the Indian Boiler Regulations, 1950.

(5) After the completion of inspection, the Boiler Operation Engineer shall record his report of inspection as per format prescribed in Annexure-II to this notification and if he is-

a) satisfied that the Boilers and connected Boiler Component is in good condition he shall issue a certificate as per format prescribed in Annexure-I for the maximum working pressure allowed in previous certificate for such period as may be prescribed by regulations.

b) of the opinion that the Boilers and connected Boiler Component does not conform to the standards prescribed by regulations refuse to issue such certificate and shall issue a notice as per format prescribed in Annexure-III that the boiler is not fit for use further with the reasons recorded in writing,

Provided that, the Boiler Operation Engineer shall within forty eight hours of making the inspection inform the owner of the Boiler / Boiler Component any defect in his opinion and repairs to be carried out and shall forthwith report the case to the Director of Boilers.

Provided that the owner of the Boiler shall obtain the inspection report as per Annexure-II and certificate as per Annexure-I or notice as per Annexure-III as the case may be on or before the expiry date of the previous certificate.

(6) The Owner of Boiler shall submit the Inspection report and Certificate for the use of Boiler as specified in Annexure-I or notice of Boiler not fit for use as per Annexure-III along with proposed repairs, to the Director of Boilers within seven days from the date of inspection.

(7) In case of repairs, the owner of boiler shall follow the requirements of section 4F of the Boilers Act, 1923 and regulations 392 and 392A of the Indian Boiler Regulations, 1950 and rules framed thereunder.

(8) In order to consider the ageing effect on Boilers, Boiler Operation Engineer shall follow Regulation 391 A of Indian Boiler Regulations, 1950 while making the report of inspection as per Annexure-II and while issuing certificate as per Annexure-I. If any change in working pressure of boiler is required under the provisions of the Indian Boiler Regulations, 1950, then the Certificate for the use of the Boiler shall be submitted for counter signature to the Director of Boilers for further validity.

(9) If any accident occurs to the Boiler or connected Boiler component, the owner or person in charge of the boiler shall report the same in writing to the jurisdictional Boiler Inspector within 24 hours of such accident as per the provisions of the Boilers Act, 1923.

(10) It will be the responsibility of the Owner of the Boiler to operate and maintain the Boiler as per provisions of the Boilers Act, 1923, rules and regulations framed under the Act. Owner shall also be responsible for any violation of the provisions of the prevailing Act, rules and regulations and liable for punishment as per the provisions of the Boilers Act, 1923.

(11) The Boiler Operation Engineer shall follow the provisions of the Boilers Act, 1923, rules and regulations framed there under for inspection and certification of installed boilers. He shall be responsible for any act of omission committed against the provision of said Act, Rules and Regulations and liable for punishment as per the provisions of the Boilers Act, 1923 and also liable for inquiry and cancellation of his certificate of proficiency.

(12) This notification shall be applicable to such boilers having the safeguard system for protection against over pressure, low water level, flame failure etc for prevention of accidents as per the provisions of the Boilers Act, 1923, Rules and Regulations framed thereunder.

(13) This Third Party Inspection and Certification of installed boilers and boiler component is optional for owner of a Boiler. The Boiler owner can apply either to Karnataka Government Boiler Directorate or Boiler Operation Engineer as per this notification or to a competent person as per Indian Boiler Regulations, 1950 for inspection and certification of installed boilers.

By Order and in the name of
the Governor of Karnataka

(M.K Bharmarajappa)
Additional Secretary to Govt
Labour Department

ANNEXURE - I

(As per Notification No LD 74 KABANI 2018, Bengaluru, Dated :-28-10-2019)

(CERTIFICATE FOR USE OF A BOILER)

Certificate No:
Registry Number of Boiler : _____
Type of Boiler : _____
Boiler Rating : _____ Sq.Mtrs
Maximum allowable Working Pressure : _____ Kg/Cm2
Place and year of manufacture : _____
Maximum Continuous Evaporation : _____ in Kg/hr
Name & address of Owner (Firm) :
Boiler situated at:
Name and address of "Boiler Operation Engineer":
Certificate No of "Boiler Operation Engineer":
Issuing Authority :
Educational Qualification of the BOE :
Details of previous repairs, if any _____
Internal and External examination on _____
Hydraulically tested on _____ to a pr. of _____ Kg/Cm2

I have inspected the above boiler and connected boiler components at the request of _____ of _____ the boiler owner as required under Notification No. _____ dated _____ of Government of Karnataka and I hereby certify that the above described boiler is permitted by me to be worked at a maximum pressure of _____ kilogram per sq centimeters for the period from _____ to _____.

The loading of the (size & Qty) safety valve is not to exceed.....kilogram per sq centimeters.

Place:

Signature of Boiler Operation Engineer (BOE)

Date:

Name and Signature and Office Seal of the Owner

ANNEXURE - II

(As per Notification No LD 74 KABANI 2018, Bengaluru, Dated :-28-10-2019)

ANNUAL INSPECTION REPORT FOR BOILER

Inspection Report No:

Dated:

1. Name and address of the factory :
2. Name and address of the owner :
3. Nature of business of factory :
4. Registry Number of Boiler :
5. Type of Boiler :
6. Place & Year of Manufacture :
7. Boiler Rating/ Heating Surface (square meters) :
8. Maximum allowed working Pressure: _____ Kg/Cm²
9. Brief description of boiler :
10. Whether fired or waste heat boiler :
11. Expiry date of previous certificate :
12. Details of boiler tripping for last 1 year with reasons thereof :
13. Quality of Boiler feed water (enclose test Reports) :
14. Number, Capacity and condition of feed pumps :-
15. Number, Size, type and condition of safety valves :
16. Number and condition of water level gauges :
17. Condition of water level controller / mobrey :
18. Condition of Valves :
19. Condition of steam pressure gauge :
20. Condition of fusible plugs:
21. Internal and External conducted on:
22. Condition of pressure parts on water side :
23. Condition of pressure parts on fire side :
24. Hydraulically tested on date: _____ to _____ Kg/Cm²
25. Condition of boiler upon hydraulic test :
26. Repairs Proposed (if any) :
27. Particulars of BOE / Boiler Attendants : (Enclose List and copies of certificates)
28. Remarks / Suggestions :-

I have inspected the above boiler and submit the detailed inspection report as above.

Place:

Name & Signature of Boiler Operation Engineer (BOE):

Dated:

Certificate No & Date :

Address , Mobile No & email :

ANNEXURE - III

(As per Notification No.LD 74 KABANI 2018, Bengaluru, Dated :-28-10-2019)

NOTICE OF BOILER NOT FIT FOR USE

Report No.: _____

Dated: _____

Registry Number of Boiler _____

Name & address of Owner: _____

Boiler situated at: _____

Name and address of "Boiler Operation Engineer": _____

Certificate No of "Boiler Operation Engineer": _____

I have inspected the above boiler and boiler components on _____
on the request of the boiler owner and is of opinion that it is not fit for use due to the following
reasons:-

The Boiler should not be steamed until due procedures under the Boilers Act, 1923 are followed
under concurrence from the Director of Boilers.

Place: _____

Signature of Boiler Operation Engineer(BOE)

Copy submitted to The Director of Boilers, Karnataka.

ANNEXURE - IV

(As per Notification No LD 74 KABANI 2018, Bengaluru, Dated :-28-10-2019)

APPLICATION FOR SELF / THIRD PARTY INSPECTION & CERTIFICATION OF BOILERS

(To be submitted in Triplicate)

From:-

(Boiler Owner Name & Full Address, Mobile No, email)

To

The Director,
Directorate of Factories, Boilers, Industrial Safety and Health,
Kalyana Suraksha Bhavana
Bengaluru-560029.

Sir,

Sub: Application for Self / Third Party Inspection and Certification of our Boiler.

+++++++

I/We wish to utilize the provision provided for Self / Third Party Inspection and Certification of our Boiler and hence submit the following details for concurrence,

1. Registry Number of the Boiler
2. Type of the Boiler
3. Rating in Sq. Mts.
4. Maximum Certified Working Pressure
5. Year of Make
6. Steam Generation Capacity (Kg/hr)
7. Validity of the Last Certificate
8. Name and Address of the Owner as entered in the previous certificate
9. Mobile No / Email
10. Date of Inspection Fixed
11. Name of BOE Engaged
12. BOE Certificate No & Date
13. BOE Certificate Issuing Authority
14. Educational Qualification of the BOE engaged.
15. Total Experience of BOE (Operation / Maintenance)
16. Boiler Inspection Fee e-payment challan no & date.

(Pls attach copy of previous certificate of Boiler and relevant certificates for SI No 12 to 16)

(Name, Signature and Seal of Owner)

(Name, Signature, Address, Mobile No, email of BOE)

Scrutinized the details of the application and concurrence issued for inspection and suggested to submit reports to this office in Annexure-I / II / III as applicable within seven days from the date of inspection.

(Seal & Signature of Director of Boilers)

Copy forwarded to the Joint / Deputy / Senior Assistant / Assistant Director of Boilers,
..... Division for needful action.