

# Chhattisgarh Dangerous Machines (Regulation) Rules, 2016

CHHATTISGARH

India

## Chhattisgarh Dangerous Machines (Regulation) Rules, 2016

### Rule

### CHHATTISGARH-DANGEROUS-MACHINES-REGULATION-RULES-2016 of 2016

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Chhattisgarh Dangerous Machines (Regulation) Rules, 2016Published vide Notification No./8857/D-07/01/2001/Part-2/14-2, dated 3.5.2016Last Updated 20th September, 2019Notification No./8857/D-07/01/2001/Part-2/14-2. - In exercise of the powers conferred by sub-sections (1) and (2) of Section 37 of the Dangerous Machines (Regulation) Act, 1983 (No. 35 of 1983) the State Government, hereby, makes the following rules relating to use and control of dangerous machines, namely :-

#### 1. Short title and commencement.

(1)These rules may be called the Chhattisgarh Dangerous Machines (Regulation) Rules 2016.(2)It shall come into force on such date as the State Government may, by notification specify, and different dates may be specified for different rules.

#### 2. Definitions.

(1)In these rules, unless the context otherwise requires,-(a)"Act" means the Dangerous Machines Act, 1983 (No. 35 of 1983);(b)"Form" means form given to the schedule;(c)"Schedule" means Schedule appended to these rules;(d)"Section" means a section of the Act.(2)Words and expressions used herein but not defined shall have the same meaning as respectively assigned to them under the Act.

### 3. Form of application for licence.

(1) Every application for the issue of a licence to manufacture, or commence or carry on business as a manufacturer of any dangerous machine shall be made in FORM-I on payment of the fee specified in column (2) of the table below :-Table

1	2
(i) Exceeds two thousand rupees but does not exceed five thousand rupees	(i) Five hundred rupees
(ii) Exceeds five thousand rupees but does not exceed ten thousand rupees	(ii) One thousand rupees
(iii) Exceeds ten thousand rupees	(iii) One thousand five hundred rupees

(2) For each category of dangerous machine a separate application shall be required. (3) Every application for a licence to commence or to carry on business as dealer of any dangerous machine shall be made in Form-II on payment of the fee specified in sub-rule (1): Provided that where a manufacturer holding a licence for the manufacture of any dangerous machine, sells such dangerous machine directly to a user, such manufacturer shall not be required to take out a licence to carry on business as a dealer.

### 4. Form of application for renewal of licence.

- Every application for the renewal of a licence to manufacture or to commence or to carry on business as manufacturer or dealer of a dangerous machine shall be made in Form III and shall be accompanied by a fee specified in sub-rule (1) of rule 3.

### 5. Cautions to be included in the manual of instructions.

- Every manual of instructions prepared in pursuance of Section 15 shall include therein the following cautions, namely :-(i) do not wear loose, cess bangles and the like while working; (ii) do not smoke and light fire near the threshing yard or the thresher; (iii) do not be under the influence of intoxicants like liquor, opium and the like while working; (iv) do not stand on the thresher while it is in operation or during its transportation; (v) do not cross over the belts; (vi) do not feed ear-heads by hand use pushing device; (vii) do not work when tired; (viii) do not operate the thresher without guards and other safety devices; (ix) do not make any adjustment when the thresher is in operation; (x) do not put or take, off, belt when the pulley is running; (xi) do not insert your hand beyond the caution mark in the feeding chute.

### 6. Declaration under Section 16.

- Each declaration made under Section 16 shall be made in form IV.

## 7. Manner in which Register Records and Accounts shall be maintained.

(1) Every manufacturer shall maintain a monthly register in Form V indicating therein, the number and other particulars of each dangerous machine manufactured by him during the month. (2) Every manufacturer and every dealer shall maintain a register in Form VI indicating therein the monthly stock of dangerous machines or parts thereof in his custody or control during the month and also the particulars of the additions to, or subtraction from the stock and the total stock carried over to the next month. (3) Every manufacturer or a dealer shall maintain a monthly account in Form VII indicating therein the value of the transactions which have taken place in the course of the month and the amount realised, or to be realised in connection with such transactions and when no transactions take place in any month, a 'Nil' Record shall be made.

## 8. Form in which application to be made for the registration by the user of dangerous machine.

(1) Every application by the users of dangerous machines the registration thereof shall be made in Form VIII and shall be accompanied by the fee specified in column (2) of The Table below.

1	2
(a) where the value of the dangerous machines does not exceed five hundred rupees.	Hundred rupees
(b) Exceeds five thousand rupees but does not exceed ten thousand	One hundred fifty rupees
(2) Every Certificate of registration granted by the controller to the applicant shall be in Form IX. (3) Registration number of every dangerous machine shall be distinctively marked, in Roman-script with black colour on white black ground of 10" x 15" area on the body of machine or on a place permanently fixed on the machine. (4) Register referred to in sub-section (3) of section 19 shall be maintained in Form X.	

## 9. Arrangements for rendering first aid.

- There shall, with each dangerous machine be provided and maintained, so as to be readily accessible during all operating hours of the machine, a First Aid Box, distinctively marked with a red cross on white back ground. Equipped with following contents :- (i) Six small size sterilized dressings; (ii) Three medium size sterilized-dressings; (iii) Three large size sterilized dressings; (iv) Three long size Burn dressings; (v) One 100 ml. bottle of a Mercurochrome solution; (vi) One 100 ml. bottle of a suitable antiseptic solution; (vii) One 3 ml. bottle of containing salvalatile; (viii) One pair scissors; (ix) One roll of adhesive plaster; (x) Six pieces of sterilized eye paste in separate sealed pads; (xi) A bottle containing 100 tablets (each 5 grain) of Asprin or any other Analgesic; (xii) Polythene wash bottle (1/2 litre cap.) for washing eyes; (xiii) One 60 ml. bottle containing potassium permanganate crystals; (xiv) One temiquit; (XV) One dozen safety pins; (xvi) 6 nos. of suitable splints; (xvii) Sufficient cotton. (xviii) First Aid Leaflet in the language spoken by operators/users of the machine.

## 10. Form of Nomination.

(1)The nomination referred to in the first proviso to sub-section (1) of section 22 shall be made in Form XI.(2)The Controller shall maintain a register of nomination filed with him under the first proviso to sub-section (1) of section 22 in Form XII.

## 11. Compensation to be determined by the insurer.

- The determination of the amount of Compensation payable under sub-section f1) of Section 22 shall be made by the insurer in accordance with the provisions of sub-section (2) of Section 22 and the amount of the compensation shall be equal to the amount which would have been payable if the operator had been a workman within the meaning of the Workmen's Compensation Act, 1923 (No. 8 of 1923).

## 12. Insurable amount how to be determined.

- Every employer shall take out, insurance policy as under :-

(i)	(A)	Power thresher/Power operated chaff cutter andsugarcane crusher having horse power up to 15 HP	.....	Per machine/per annum Rs. 500.00
(B)	Power thresher/Power operated chaff cutter andsugarcane crusher having horse power more than 15 HP, but notexceeding 50 Hp.	.....	Per machine/per annum Rs. 750.00	
(C)	Power thresher/Power operated chaff cutter andsugarcane having horse power exceeding	.....	Per machine/per annum Rs. 1000.00	

50 Hp.

(ii) In respect of operators of dangerous machines who are not paid any remuneration, a national value of wages for such operators may be fixed at Rs. 4500 per month for the purpose of Computation of compensation payable as per the schedule of the Workmen's-Compensation Act, 1923 (No. 8 of 1923)

### **13. Notice under section 26 how to be delivered.**

- The notice referred to in subsection (1) of Section 26 shall be delivered by the employer to the Inspector, if possible, personally, or where such personal delivery is not practicable, the employer shall send such notice to the Inspector by registered post, duly acknowledge.

## **Schedule**

[See Rule 3] Form-I [See rule 3(1)] Form of application for license to manufacture/commence or carry on business as a manufacturer of dangerous machines.

**1. Name of applicant .....**

**2. Whether sole proprietorship/Partnership/Public limited/Private limited company/Trust .....**

**3. Full postal address.....**

**4. Dangerous machine for which License is required.....**

**5. Specifications and other details .....**

(a) Trade name ..... (b) Brief description ..... (c) Overall dimensions ..... (d) Capacity of Prime mover (in HP) required to operate machine ..... (e) Output (Quintals/hour) ..... (f) Number of Persons required to operate..... (g) Prescribed standards to which machinery conforms or will conform (Specify standard) .....

**6. I/We hereby apply for commencing/carrying on business as a manufacturer. A licence fee of Rs.....has been deposited in cash/ by cheque vide receipt No.....dated.....(enclosed).**

**7. (i) I/We declare that the machine to be manufactured will conform to the standards laid down by the Dangerous Machines (Regulation) Act, 1983 (No. 35 of 1983) (For applicant proposing to commence business as a manufacturer).**

(ii) I/We declare that the Dangerous machines being manufactured by us comply with the standards prescribed under section 13 (For applicant proposing to carry on business). [Strike out 7 (i) or (ii) whichever is not applicable].

Date .....

Place..... Signature of applicant

Designation

Form-II[See rule 3(2) and (3)]Form of application for licence to commence or carry on business as a Dealer in dangerous machines

1. Name of applicant : .....
2. Whether sole proprietorship/partnership etc. : .....
3. Full postal address : .....
4. Dangerous machine (s) for which license is required (give trade name with brief description of each). : .....
5. Do machines conform to prescribed standard(indicate which standard). : .....

- |                         |   |  |
|-------------------------|---|--|
| 6. Name of manufacturer | Whether licensed under the Dangerous machines(Regulation) Act, 1983 | If yes No. and date of license name of licensing authority |
|-------------------------|---|--|

(1) (2) (3)

Note.- Information under (5) or (6) above, subject to verification will be considered adequate for grant of a license.

7. I hereby apply for

commencing/carrying on business as a  
dealer in dangerous machines. A  
licence fee of Rs.....has been  
deposited in cash/by cheque vide  
receipt no.....dated.....(enclosed).

I/We declare that I/we will not deal in  
machines which do not conform to the

8. standards prescribed under  
the Dangerous Machines (Regulation)  
Act, 1983 (No. 35 of 1983).

Date.....

Place..... Signature of applicant

Designation

Form-III[See rule 4]Form of application for renewal of licence to manufacture commence or carry  
on business as manufacturer or dealer of dangerous machine

1. Name of applicant : .....

2. Full address : .....

3. Details of license sought to be renewed

(i)

Licence

No. and : .....

date

(ii)

Validity : .....

period

- A licence renewal fee of Rs has been  
4. deposited in cash/by cheque vide  
receipt No.....date.....(enclosed).

Date.....

Place..... Signature of applicant

Designation

Form-IV[See rule 6]Form of declaration to be made in triplicate to enable the registration of a  
dangerous Machine under the Act I/we have transferred by sale lease or hire/supplied (delete  
whichever is not applicable) to

Shri/Messer's.....(Name).....of.....(Address).....

figures) Nos. of..... (Name of machine) of the under mentioned particulars

on.....(Date) Certified that this machine Conforms/these machines conform (delete

whichever is not applicable) to the standards laid down by or under the Act or the rules and orders  
made thereunder

**1. Make and model .....**

**2. Sr. No. of the machine.....**

**3. Year of manufacture .....**

**4. H.P./K.W.....**

**5. Capacity .....**

Date.....

Place..... Signature .....

Designation.....

Address.....

Form-V[See rule 7(1)]Form of Register to be maintained by the manufacturer

Serial Number	Month and year of Manufacture	Brief details of the machine, Models and size of prime mover (If provided with machine)
(1)	(2)	(3)

Form-VI[See rule 7(2)]Register of Stock to be maintained by the manufacturer/dealer

S. No.	Brief description of the machine make model capacity	Date	Particulars of stock received during the month
(1)	(2)	(3)	(4)

Particulars of stock received during the month	Particular of the machines sold transferred or otherwise disposed of during the month	Particulars of the closing stock
(5)	(6)	(7)

Form-VII[See rule 7(3)]Register of Stock monthly Accounts

Date	Particulars of the opening stock	Particulars of the stock sold, transferred or otherwise disposed of during the month	The amount received or receivable during the month in relation to each transaction
(1)	(2)	(3)	(4)

Total amount received during the month	Total expenditure debitable to the concerned month	Total gain or loss debatable to the concerned month
(5)	(6)	(7)



Form-VIII[See rule 8(1)]Form of application by users for registration of dangerous machinesI/We.....(Name).....(address)  
own/have acquired control (as hirer/lease or otherwise) of the machine the particulars of which are given below and beg to apply for the registration of the same namely :-(a)Name and Number of the machine.....(b)Make/model  
.....(c)Date/Year of purchase/hire lease or other transfer.....(d)Name and address of the supplier/transferor.....The certificate to the effect that the machine conforms to prescribed standards is attached.Certified that I/We have been using the machine since prior to the coming into force of the Act and the machine conforms/has been so modified as to conform to the prescribed standards. A registration fee of Rupees.....per machine has been deposited vide cash/cheque/challan.....(date).....and No. ....and the receipt is enclosed.(Strike out whichever is not applicable)

Date .....

Place..... Signature and address

Form-IX[See rule 8(2)]Form of certificate to be granted by the controller to the userRegistration No.....

**1. Name of the user .....**

**2. Name (Father's/Husband's) .....**

**3. Address.....**

Particulars of the used machine

**1. Name of the used dangerous machine.....**

**2. Make and model.....**

**3. Year of Manufacturer with supplier's name and address.**

**4. Sl. No. of the machine, if any..**

Date .....

Place..... Signature and seal of the Registration Authority(Controller)

Form-X[See rule 8(3)]Form of register to be maintained by the controller under section 19 (3)

Sl.No.	Name of the dangerous machine	Manufactured by (give full address)	Supplied by (Give full address)
(1)	(2)	(3)	(4)

Make model, capacity and SI. no. of the machine if any	Whether a new machine or old modified machine	Owned/used by (Here give name and Full address)	Date of grant of registration
(5)	(6)	(7)	(8)

Form-XI[See rule 10(1)]Form of nomination to be made under the first proviso to sub-section (1) of section 22I.....(Name) S/o.....(Name) of.....(Address) do not have any family and consequently I hereby nominate Shri.....(Name) S/o, D/o.....(Name) of.....Address.....to receive full payment of the compensation which would be payable under this Act in the event of my death during the operation of a dangerous machine.

Place .....

Signature.....

Date .....

Full Name.....

Witness.....

(Name)

.....

(Address)

.....

(Date)

Form-XII[See rule 10(2)]Form of register to be maintained by the controller

SI. No.	Received from (Give name and full address of the Operator making the nomination)	Name of the operators employer	Name and full address of the Nominee	Remarks
(1)	(2)	(3)	(4)	(5)