

The M.P. Economiser Rules, 1959

MADHYA PRADESH

India

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Chapter I Preliminary

1. Short title.

- These rules may be called The Madhya Pradesh Economiser Rules, 1959.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Indian Boilers Act, 1923 (V of 1923);(b)"Section" means a Section of the Act;(c)"Regulation" means the Indian Boilers Regulation, 1950, made by the Central Boilers Board under Section 28.

3. Payment of fees etc.

- All fees payable under the Act or these rules shall be paid in such manner as the State Government may, from time to time specify.

4. Registers.

(1)The Chief Inspector shall maintain in his office,-(a)a register in Form AE of all economisers registered in the State.(b)the Registration Books and Memorandum of Inspection Books in respect of all economisers booked in such register;(c)a register of appeals;(d)a register of accidents; and(e)a register of fees received for registration and for the issue of renewed certificates.(2)The register

maintained under clause (a) of sub-rule (1) shall consist of two parts. In part I shall be entered the economisers registered in the State and in Part II shall be entered the economisers transferred from another State.

Chapter II

Procedure for Registration

5. Receipt of application.

- An application for registration under sub-section (1) of Section 7 shall be made to the Inspector of the local area in which the economiser is situated and shall be accompanied by a receipt for the payment of the fee prescribed under the Regulations.

6. Procedure on transfer of an economiser unit or part of a unit

- When an economiser is transferred to the State from another State the owner shall report the fact to the Chief Inspector of Boilers as soon as possible giving the registered number of the economiser and the name of the State from which it has been transferred.

7. Entry of transferred economiser unit in register.

(1) On receipt of the Registrations and Memorandum of Inspection Books, the Chief Inspector shall enter economiser unit under its original number in Part II of the register kept for the purpose. (2) When parts of two or more units are assembled to form one unit, the original numbers shall be cancelled and the newly built up unit shall be given a fresh number.

8. Note of transferred and dismantled economisers.

- Whenever an economiser or part of an economiser has been transferred to another State or broken up, the fact shall be noted in the Register. In the case of an economiser which has been condemned, the Registration Book and the Memorandum of Inspection Book shall contain an entry to that effect.

9. Entries in certificates.

- In addition to the entries required to be made under Regulation 530 in a certificate for an economiser, the Inspector shall state in the remarks column his requirements if any, with regard to hydraulic test, removal of lagging, brickwork or other concealing part for the next inspection to enable the owner to have the same properly prepared at that time. He shall also state in the same place his requirements regarding the repair or renewal of any part that may be considered fit only for the period of the certificate. In the repairs column shall be entered the year of repair and description of the repair effected. Only important repairs shall be noted.

10. Engraving of registry number.

- Paper slips of the proper size bearing the registry number allotted for the economiser shall be supplied by the Chief Inspector. The engraving of the Registry No. shall be made as prescribed in Regulation 534.

11. Issue of certificate and provisional order.

- In cases in which the Inspector is empowered to issue a certificate under Section 8 without further reference, the certificate shall ordinarily be issued within 48 hours of the completion of the inspection. Where he proposes to issue a provisional order pending the issue or refusal of the certificate the Inspector must satisfy himself that the economiser is fit to be worked at the maximum pressure and for the period entered in the provisional order. The fact of the issue of a provisional order shall be reported immediately to the Chief Inspector

12. Forms of provisional orders and certificates.

- Provisional orders and certificates are prescribed in Forms X and XI respectively of the Regulations. The period specified in any provisional order or certificate shall begin on the day on which the thorough inspection or hydraulic test is completed. Where a certificate supersedes a provisional order during the period of its currency the period of certificate shall be retrospective and shall begin from the same date as that of the provisional order.

13. Duplicate certificate.

- A duplicate of any certificate granted under Section 7 or Section 8 which for the time being is in force shall be granted by the Chief Inspector on the application of the owner of the economiser if the Chief Inspector is satisfied that the duplicate is required for bona fide purpose.

14. [Fee for issue of renewed certificate. [Substituted by Notification No. 1-2-1-1-98, dated 30th September 1999, published in Madhya Pradesh Rajpatra Part IV (Ga), dated 22-10-1999.]

- The fee payable for the issue of a renewed certificate shall be calculated on the basis of the economiser rating as shown below: -

For an economiser rating not exceeding 100 sq.m.	Rs. 800/-
For an economiser rating exceeding 100 sq.m. but not exceeding 200 sq.m.	Rs. 1200/-
For an economiser rating exceeding 200 sq.m. but not exceeding 400 sq.m.	Rs. 1500/-
For an economiser rating exceeding 400 sq.m. but not exceeding 800 sq.m.	

Rs.
3000/-

For an economiser rating exceeding 800 sq.m. but not exceeding 1000 sq.m.

Rs.
4000/-

Above 1000 for every 200 or part thereof an addition fee for Rs. 100/- shall be charged ;Provided that when any owner is willing to accept a renewed certificate for less than 24 months in order to appropriate the date of the annual inspection to the date on which other economiser in the locality are inspected, a certificate for such shorter period as may be necessary for such approximation at the rate of one twenty-fourth of the ordinary fee for each full month, fraction of a month but being reckoned for such month.]

15.

When an application is made requiring an inspection of an economiser necessitating a special journey by an inspector, the owner shall in addition to the registration or inspection fee, pay into the Government Treasury such sum to cover the travelling allowances of the Inspectors as the Chief Inspector may determine with reference to the Travelling Allowance Rules in force.

16. Refund of fees.

- Fees paid in excess and fees paid for an inspection which, for any reason not due to any fault or omission on the part of the owner of the economiser, has not been made, shall be refunded or adjusted if applied for within one year from the date of payment.

Chapter III Accidents

17. Investigation of accidents.

- On the receipt of a report of an accident to an economiser or feed pipe under Section 18, the Inspector shall, with the least possible delay, proceed to the place to investigate the accident. If the report is received by the Chief Inspector, he shall forward it at once to the Inspector within whose jurisdiction the accident had occurred necessary action.

18. Procedure during enquiry.

- The Inspector at his enquiry shall make careful examination of the damaged parts and shall take such measurements and make such sketches for the purpose of his report as he may deem necessary. He shall enquire into the circumstances attending the accident and note the time of its occurrence, its nature and extent, the injury caused to persons and the damage done to the property. The report shall be in Form CE and shall be sent forthwith to the Chief Inspector. If the Chief Inspector considers that the investigation has been sufficient, he will record the facts in the register

of accidents, and enter a brief account of the accident in the Registration Book, a copy being made in Memorandum of Inspection Book. If, however, the accident is of a serious nature and in all cases in which an explosion has occurred, the Chief Inspector shall, after receipt of the Inspector's report, proceed to investigate the accident personally.

19. Power to hold enquiry in writing.

- Inspectors are authorised to take the written statements of witnesses and all persons immediately concerned with the accident. In order to comply with the provisions of sub-section (2) of Section 18, the Inspector shall present to the owner or person-in-charge of the economiser series of written questions on all points that are material to the enquiry.

20. Use of economiser after accident.

- The Inspector shall decide whether the use of the economiser can be permitted at the same or at a lower pressure without repairs or pending the completion of any repairs or alterations that he may order. In no case shall a provisional order or renewal certificate be issued, until his orders have been carried out.

21. Reference in Annual Report.

- A brief account of all accidents their causes and remedial measures taken shall be included in the Chief Inspector Annual Report.

22. Unreported accidents.

- If in the course of an inspection or at any other time the Inspector discovers damage which comes within the definition of an accident, but which has not been reported, he shall report the facts at once to the Chief Inspector for such action as he deems fit.

Chapter IV

Appeals

23. Filing of appeal.

- Every appeal shall be made in writing either in English or in Hindi.

24. Presentation of appeal.

- An appeal may be presented either personally or sent by registered post to the Chief Inspector.

25. Form of appeal.

- A petition of appeal shall be accompanied by the original order, notice or report appealed against or the certified copy thereof, or where no such order, notice or report has been made in writing, by a clear statement of the facts appealed against, the ground of appeal and section under which the appeal is made.

26. Fixing date for hearing.

- On receipt of a petition of appeal, the Chief Inspector shall, if the appeal is to be heard by himself, at once fix a date for hearing the appeal; and if it is to be heard by the appellate authority constituted by the State Government under Section 20, obtain a date for the hearing of the appeal from that authority.

27. Procedure before hearing.

- When a date for hearing has been fixed, the Chief Inspector shall at once issue a notice to the appellant stating the date for hearing and informing him that if he wishes to be heard in support of the appeal or to produce evidence, he must be present either in person or by authorised agent with his evidence on the date fixed. The notice shall be sent by registered post to such address as is entered in the petition of appeal.

28. (a) Presence of Inspector.

- In an appeal to the Chief Inspector he shall decide whether the presence of the Inspector is necessary and shall issue orders, accordingly. (b) Attendance during hearing of appeals. - Under orders of the Chief Inspector, an Inspector shall attend before the Chief Inspector or the appellate authority during the hearing of an appeal with regard to an economiser under his charge.

29. Attendance of witnesses.

- The appellate authority shall have power to secure the attendance of witnesses, and to make local enquiry and for this purpose shall exercise the powers of a Court under the provisions of the Code of Civil Procedure, 1908 (V of 1908).

30. Ex-parte decision.

- In any appeal, if the appellant is not present on the date fixed, the appeal may be decided in his absence.

31. Constitution of Appellate Authority.

(1)The appellate authority means the appellate authority constituted by the State Government under Section 20.(2)The State Government shall appoint a person who has exercised the powers of a District Judge or a District Magistrate, to be the appellate authority for such period as it may deem fit.

32. Panel of assessors.

- The State Government shall constitute a panel of assessors for the purpose of assisting the appellate authority in the hearing of appeals. Such assessors shall be fully qualified mechanical engineers.

33. Remuneration of assessors.

- An assessor when selected to assist the appellate authority shall be paid-(a)such fees as the State Government may, from time to time determine; and(b)subject to the orders issued by the State Government in this behalf, the travelling expenses actually incurred by him, for attending an enquiry under these rules.

34. Attendance of assessors.

- Where a date for an appeal before the appellate authority has been fixed, the Chief Inspector shall, under orders of such appellate authority, arrange for the attendance of at least two members of the panel of assessors to act as assessors.

35. Costs in appeals.

(1)Where an appeal is dismissed, the appellate authority may fix the costs of the appeal which shall be payable by the appellant.(2)In any appeal where a local inspection is required, the appellant shall deposit in advance the full costs of such inspection as determined by the appellate authority.

36. Penalty.

- Any contravention of these rules shall be punishable with fine which may extend to one hundred rupees.

37. Repeal.

- On coming into force of these rules, the rules in force on the subject in the Mahakoshal, Madhya Bharat, Vindhya Pradesh, Bhopal and Sironj regions of the State of Madhya Pradesh shall stand repealed :Provided that any order made or action taken or things done under the rules so repealed shall be deemed to have been made or taken or done under the corresponding provisions of these

rules. Form AE The Madhya Pradesh Economiser Inspection Department Register of Economisers [Rule 4 (1)(a)]

Registry No.	Type of economiser	Economiser rating	Name of manufacturer	Year and place of construction	Date of registration	Name of owner	Place where in use	Remarks (Transfers, etc.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Form CE [Rule 18] Report into the investigation of the Accident to Economiser No. To The Chief Inspector of Boilers, Sir, In accordance with instructions, I have held a preliminary enquiry into the accident and the circumstances attending to it, to Economiser No.....and now make the following report :

- 1. Date and place of accident**
- 2. Date of investigation**
- 3. Name and address of owner(s)**
- 4. Persons killed or injured**
- 5. Name of makers of Economiser or steam pipe**
- 6. Age of economiser or steam pipe**
- 7. Particulars of previous repairs with dates**
- 8. The Economiser was last inspected on by**
- 9. Nature of accident**
- 10. Cause of accident**
- 11. General remarks**

Date. Inspector of Boilers Remarks by the Chief Inspector of Boilers.