

# **Punjab Dangerous Machines (Regulation) Rules, 1994**

PUNJAB

India

## **Punjab Dangerous Machines (Regulation) Rules, 1994**

### **Rule**

### **PUNJAB-DANGEROUS-MACHINES-REGULATION-RULES-1994 of 1994**

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Punjab Dangerous Machines (Regulation) Rules, 1994Published vide Notification No. G.S.R. 32/C.A.35/83/S.37/94, dated 26th April, 1994No. G.S.R. 32/C.A.35/83/S.37/94. - In exercise of the powers conferred by section 37 of the Dangerous Machines (Regulation) Act, 1983 (Central Act No. 35 of 1983), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, namely :-

### **1. Short title**

. - These rules may be called the Punjab Dangerous Machines (Regulation) Rules, 1994.

### **2. Definitions.**

- In these rules, unless the context otherwise requires:-(a)'Act' means the Dangerous Machines (Regulation) Act, 1983;(b)'Form' means a form appended to these rules;(c)'Section' means a section of the Act.

### **3. Form of application and fee.**

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

(1)

(2)

(i) exceeds two thousand rupees but does not exceed five thousandrupees ; Two hundred rupees

- |   |                      |
|---|----------------------|
| (ii) exceeds five thousand rupees but does not exceed ten thousand rupees;<br>and | Three hundred rupees |
| (iii) exceeds ten thousand rupees   | Five hundred rupees  |

Where the value of each dangerous machine of a category proposed to be manufactured, sold or dealt with, in the course of business, - (2) For each category of dangerous machine proposed to be manufactured, a separate application will be required for a licence. (3) Every application for licence to commence, or to carry on business as a 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 obtain a licence to carry on business. (4) The application for licence shall be processed for final decision within a period of thirty days after the date of its receipt. (5) The validity of the licence granted under the Act shall commence from the First day of January of the relevant year and the same shall be valid for five years from that date.

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

- Every application for the renewal of a licence issued under rule 3, shall be made in Form III and shall be accompanied by a fee specified in sub-rule (1) of rule 3, by the 15th day of November of the relevant year in which the licence expires.

#### **5. Cautions to be specified in the manual of instructions**

. - Every manual of instructions prepared in pursuance of section 15 of the Act, shall among other things, specify therein the following cautions, namely :- (a) do not wear loose dress, bangles and the like things, while working on dangerous machines; (b) do not smoke and light fire near the thrashing yard or the thrasher; (c) do not be under the influence of intoxicants like liquor, opium and the like, while working on the dangerous machines; (d) do not cross over the moving belts; (e) do not stand on the thrasher while it is in operation or during its transportation; (f) do not feed earheads by hand and use pushing device; (g) do not work on the dangerous machines when tired; (h) do not operate the thrasher without guards and other safety devices; (i) do not make any adjustment when the thrasher is in operation; (j) do not put or take off belt while the pulley is running; and (k) do not insert hand beyond the caution mark in the feeding chute.

#### **6. Declaration**

. - Each declaration to be made under section 16 of the Act shall be in Form IV.

#### **7. Form in which registers, records and accounts to 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 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 addition to or subtraction from, the stock and the total stock carried over to the next month.

## **8. Registration of dangerous machines by the users**

. - (1) Every application by the users of dangerous machines for the registration thereof shall be made in Form VII and shall be accompanied by a fee amounting to five rupees.(2)Every certificate of registration granted by the Controller to the user shall be in Form VIII.(3)The register referred to in sub-section (3) of section 19 of the Act shall be maintained in Form IX.

## **9. Form of nomination**

. - (1) The nomination referred to in the first proviso to sub-section (1) of section 22 shall be made in Form X.(2)The Controller shall maintain in Form XI a register of nominations to be filed under the first proviso to sub-section (1) of section 22 of the Act.Form I[See rule 3(1)]Form of application for licence to manufacture, to commence or carry on business as a manufacturer of dangerous machines under Dangerous Machines (Regulations) Act, 1983.

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

### **2. Whether sole proprietorship/partnership/public limited company/private limited company/trust (Attested copy of the deed attached)**

### **3. Full address.**

### **4. Dangerous machine for which licence is required.**

### **5. Specifications and other details :**

(a)Trade name:(b)Brief description :(c)Overall dimensions :(d)Capacity of prime-mover (in Horse Powers) required to operate machine.(e)Output (in quintals per hour)(f)Number of persons required to operate.(g)Specified standards to which machine conforms or will conform (Specify the standard).

**6. I/We hereby apply for commencing/carrying on business as a manufacturer. A licence fee of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) has been deposited in Punjab Government Treasury, \_\_\_\_\_ vide Challan No. \_\_\_\_\_ dated \_\_\_\_\_ (enclosed).**

**7. (i) I/We declare that the machine to be manufactured will conform to the standards spelt out in the Dangerous Machines (Regulation) Act, 1983, and rules made thereunder by the Central Government (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 specified under section 13 of the Dangerous Machines (Regulation) Act, 1983 and the rules made thereunder by the Government of Punjab (for applicant proposing to carry on business). [Strike out whichever is not applicable].

**8. I/We will abide by all the provisions of the Dangerous Machines (Regulation) Act, 1983, and instructions issued by the authorities under the Act from time to time. I/We will keep the record and supply the requisite information to the Controller/Inspectors or persons authorised by them, as and when required.**

**9. I/We declare that Shri \_\_\_\_\_ son of \_\_\_\_\_ Partner/Managing Director/Share holder of the \_\_\_\_\_ firm will correspond with the authorities under the said Act on behalf of all the partners concerned with the above firm \_\_\_\_\_.**

Signature of the applicant Date : Place : (Full name in capital letters) Seal of the Firm. Form II [See rule 3(3)] Form of application for licence to commence or carry on business as a dealer in dangerous machine under the Dangerous Machines (Regulation) Act, 1983 (Central Act 35 of 1983) :-

**1. Name of applicant.**

**2. Whether sole proprietorship/partnership/public limited company/private limited company/Trust (Attested copy of the deed attached)**

**3. Full address**

**4. Dangerous Machine(s) for which licence is required (Given trade name with brief description of each).**

**5. Do the machines conform to specified standards ?**

(Indicate standards)

- |    |                      |  |  |
|----|----------------------|--|--|
| 6. | Name of manufacturer | Whether licensed under the Dangerous Machines (Regulation) Act, 1983 | If yes, number and date of licence and name of licensing authority |
|----|----------------------|--|--|

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

**7. I/We hereby apply, for commencing or carrying on business as a dealer in dangerous machines. A licence fee of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) has been deposited in Punjab Government Treasure \_\_\_\_\_, vide challan No. \_\_\_\_\_ dated \_\_\_\_\_ (copy enclosed).**

**8. I/We declare that I/We will not deal in machines which do not conform to the standards specified under the Dangerous Machines (Regulation) Act, 1983, and the rules made thereunder by the Government of Punjab.**

**9. I/We will abide by all provisions of the Dangerous Machines (Regulation) Act, 1983, and instructions issued by the authorities under this Act from time to time.**

**10. I/We will keep the record and supply the requisite information to the Controller/Inspector or persons authorised by them as and when required.**

**11. I/We declare that Shri \_\_\_\_\_ son of Shri \_\_\_\_\_ Partner/Managing/Director/Shareholder of the firm will corresponded with the authorities on behalf of all the partners concerned with the above firm \_\_\_\_\_.**

Signature of the applicant Date : Place : (Full name in capital letters) Seal of the Firm. (For Official use) Form III (See rule 4) Form of application for renewal of licence to manufacture, commence, or carry on business as a manufacturer or dealer of a dangerous machine, under the Dangerous Machines (Regulation) Act, 1983. :-

**1. Name of applicant**

**2. Full address**

**3. Details of licence sought to be renewed -**

(i) Licence Number and date (ii) Validity period.

**4. A licence renewal fee of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) has been deposited in Punjab Government Treasury \_\_\_\_\_ vide challan No. \_\_\_\_\_ dated \_\_\_\_\_ (copy closed)**

**5. Is there any change in the partnership deed of firm, if any, give details.**

**6. I/We declare that I/We have not been convicted/punished under the above Act during the validity period.**

Signature of applicant. Date : Place : (Name in Capital Letters). Seal of the firm. (For official use). Form IV [See rule 6] Form of declaration to be made by manufacturer or dealer to enable the registration of dangerous machines under the Dangerous Machines (Regulation) Act, 1983 :- Serial No.

\_\_\_\_\_ I have transferred by sale/lease/hire (delete which ever is not applicable) to

Shri/Messrs \_\_\_\_\_ of \_\_\_\_\_

Number \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ of the undermentioned particulars

(Name of the machine) on \_\_\_\_\_ (Date) It is certified that this machine conforms/these machines conform (delete whichever is not applicable) to the standards laid down by or under the said Act and the rules and orders made thereunder :-

**1. Make and model**

**2. Serial Number of the machine**

**3. Year of manufacture**

**4. Horse power/Kilowatt.**

**5. Capacity.**

Signature of the manufacturer/dealer Signature of the purchaser Date : (Name in Capital Letters) (Seal of the firm). Form V [See rule 7(1)] Form of register to be maintained by the manufacturer under the Dangerous Machines (Regulation) Act, 1983 :-

Serial No.	Month and year of manufacture	Brief details of the machine models and size of prime-mover (if provided with machine)	Total number of machines manufactured	Signature of the manufacture/dealer
1	2	3	4	5

Form VI[See rule 7(2)]Register of monthly stocks to be maintained by the manufacturers or dealers under the Dangerous Machines (Regulation) Act, 1983 :-

Serial No.	Brief description of the machine make, model and capacity	Month	Particulars of the opening stocks	Particulars of stocks received during the month	Particulars of the machines sold, transferred or otherwise disposed of during the month		Signature of the manufacturer/dealer
					Particulars of the closing stocks	Particulars of the opening stocks	
1	2	3	4	5	6	7	8

Form VII[See rule 8(1)]Form of application by users for registration of a dangerous machine under the Dangerous Machines (Regulation) Act, 1983 :-I/We

\_\_\_\_\_ son of/sons of \_\_\_\_\_ Resident of \_\_\_\_\_ (Address) own or have acquired control (As hiree or lessee or otherwise) of the machine, the particulars of which are given below and beg to apply for the registration of the same :-(a)Name and number of the machine(b)Make and Model(c)Date and year of purchase, hire or lease or other transfer in any other mode.The Certificate to the effect that the machine conforms to specified standard 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 or has been so modified as to conform to the specified standard (delete whichever is not applicable). A registration fee of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) per machine has been deposited, vide cash/challan No. \_\_\_\_\_ dated \_\_\_\_\_ and the receipt is enclosed.Date :Place : (Signature of the applicant)Name in capital lettersForm VIII[See rule 8(2)]Form of Certificate to be granted by the Controller to the user under the Dangerous Machines (Regulation) Act, 1983 :-Registration No. \_\_\_\_\_

### 1. Name of the user

### 2. Father's/Husband's name of the user

### 3. Address

### 4. Particulars of the machine:

(1)Name of the dangerous machine(2)Make and model(3)Year of manufacturer alongwith supplier's or transfer's name and address(4)Serial Number of the machine, if any.The person above named is hereby allowed to use the dangerous machine detailed above.Date :Place :Signature(Seal of the Registering Authority)Form IX[See rule 8(3)]Form of register to be maintained by the Controller under sub-section (3) of section 19 of the Dangerous Machines (Regulation) Act, 1983 :

Sl. No.	Name of the dangerous machine	Manufactured by (give full address)	Supplied by (give full address)	Make and Model capacity and serial number of the Machine, if any	Whether a new machine or old modified machine	Owned or used, but (name and full address)	Date of grant of registration with its No.
1	2	3	4	5	6	7	8

Form X[See rule 9(1)]Form of nomination to be made under the first proviso to sub-section (1) of section 22 of the Dangerous Machines (Regulation) Act, 1983 :-I

\_\_\_\_\_ son of \_\_\_\_\_ resident of \_\_\_\_\_ (address)

do not have any family, and consequently I hereby nominate Shri/Smt.

\_\_\_\_\_ son of/daughter of/wife of/widow of \_\_\_\_\_ resident of \_\_\_\_\_ to

receive full payment of the compensation which would be payable under the aforesaid Act in the event of my death during the operation of a dangerous machine.Place :Date :Signature

\_\_\_\_\_ Full Name \_\_\_\_\_ Witness

\_\_\_\_\_ (Name) \_\_\_\_\_ (address)

by Sarpanch of the concerned village Panchayat or Municipal Commissioner, as the case may be.Form XI[See Rule 9(2)]Form of register of nomination to be maintained by the Controller under the Dangerous Machines (Regulation) Act, 1983 :-

Sl. No.	Received from (Give name and full address of the operator making the nomination and also the date of making nomination)	Name of the operator's employer	Name and address of the nominee	Remarks
1	2	3	4	5