

The M.P. Dangerous Machines (Regulation) Rules, 1987

MADHYA PRADESH

India

The M.P. Dangerous Machines (Regulation) Rules, 1987

Rule

THE-M-P-DANGEROUS-MACHINES-REGULATION-RULES-1987 of 1987

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The M.P. Dangerous Machines (Regulation) Rules, 1987Published vide Notification M.P. Rajpatra, Part 4 (Ga), dated 17-3-1989 at page 46

1. Short title and commencement.

(1)These rules may be called the Madhya Pradesh Dangerous Machines (Regulation) Rules, 1987.(2)They 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.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Dangerous Machines Act, 1983 (No. 35 of 1983);(b)"Form" means a form given to the Schedule;(c)"Section" means a section of the Act;(d)"Schedule" means Schedule to these rules.

3. Form of application for licence.

(1)Every application for the issue of a licence to manufacture, or to 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 :-TableWhere the value of each dangerous machine of a category proposed to be manufactured, sale or dealt within the course of business:-

(1)

(2)

- | | |
|---|----------------------|
| (i) exceeds two thousand rupees but does not exceed five thousand rupees | Two hundred rupees |
| (ii) exceeds five thousand rupees but does not exceed ten thousand rupees | Three hundred rupees |
| (iii) exceeds ten thousand rupees | Five hundred rupees |
- (2) For each category of dangerous machine a separate application shall be required. (3) Every application for licence to commence or to carry on business as a dealer of any dangerous machines 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 machines 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 a 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 :-(a) do not wear loose dress, bangles, and the like while working; (b) do not smoke and light fire near the threshing yard or the thresher; (c) do not be under the influence of intoxicants like liquor, opium and the like while working; (d) do not stand on the thresher while it is in operation or during its transportation; (e) do not cross over the belts; (f) do not feed earheads by hand, use pushing device; (g) do not work when tired; (h) do not operate the thresher without guards and other safety devices; (i) do not make any adjustment when the thresher is in operation; (j) do not put, or take off, belt while the pulley is running; (k) 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 machine 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. (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 is to be made for the registration by the users of dangerous machines.

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

(1)	(2)
(a) Where the value of the dangerous machines does not exceed five thousand rupees.	Rupees two and paise fifty
(b) Where the value of the dangerous machine exceeds five thousand rupees	Rupees five.

(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 back ground of 10" x 15" area on the body of machine or on a plate 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 :-(1) Six small size sterilized dressings; (2) Three medium size sterilized dressings; (3) Three large size sterilized dressings; (4) Three long size Burn dressings; (5) One 100 ml. bottle of mercurochrome solution; (6) One 100 ml. bottle of a suitable antiseptic solution; (7) One 30 ml. bottle containing sal volatile; (8) One pair scissors; (9) One roll of adhesive plaster; (10) Six pieces of sterilized eyepaste in separate sealed pads; (11) A bottle containing 100 tablets (each 5 grain) of Asprin or any other Analgesic; (12) Polythene wash bottle (1/2 litre cap.) for washing eyes; (13) One 60 ml. bottle containing potassium permanganate crystals; (14) One terniquit; (15) One dozen safety pins; (16) 6 Nos. of suitable splints; (17) Sufficient cotton; (18) 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 nominations 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 (1) 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 :-

	Per machine/per annum
(i) (A) Power thresher having horse power upto 15 HP	Rs. 30.00
(B) Power thresher having horse power 15 HP but not exceeding 50 HP	Rs. 40.00
(C) Power thresher having horse power exceeding 50 HP	Rs. 50.00
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.	
(ii) 500 per month for the purpose of computation of compensation payable as per the schedule of the Workmen's Compensation Act.	

13. Notice under section 26 how to be delivered.

- The notice referred to in sub-section (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, acknowledge due.

Schedule

(See Rule 3) Form I [See Rule 3(1)] Form of application for licence 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 licence 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 machine 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. (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 address

4. Dangerous machine(s) for which licence is required (give trade name with brief description of each)

5. Do machines conform to prescribed standards (indicate which standard)

6.

Name of manufacturer	Whether licensed under the Dangerous Machines(Regulation) Act, 1983	If yes, No. and date of licence/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 licence.

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).

8. I/We declare that I/we will not deal in machines which do not conform to the standards prescribed under the Dangerous Machines (Regulation) Act.

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 a manufacturer or dealer of dangerous machines

1. Name of applicant
2. Full address
3. Details of licence sought to be renewed-
 - (i) Licence No. and date
 - (ii) Validity period

4. A licence renewal fee of Rs..... has been deposited in cash/by cheque vide receipt No..... dated.....(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 ActSr. No.....I/We have transferred by sale, lease or hire/supplied (delete whichever is not applicable) to Shri/Messers..... (Name) of..... (address)..... (give figures) Nos. of..... (Name of machine) of the undermentioned particulars on..... (Date) Certified that this machine conform/these machines conform (delete whichever is not applicable) to be standards laid down by or under the Act and 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..... Signature

Place.....

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 machines, models and size ofprime mover (if provided with machine)
(1)	(2)	(3)

Form VI[See Rule 7 (2)]Register of stocks to be maintained by the manufacturer/dealer

Serial No.	Brief description of the machine, make, model, capacity	Date	Particulars of the opening stock
(1)	(2)	(3)	(4)

Particulars of stocks received during the month	Particulars 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 monthly Accounts

Date	Particulars of 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 debitable to the concerned month
(5)	(6)	(7)

Form VIII[See Rule 8 (1)]Form of application by users for registration of dangerous machine I/We..... (Name)..... Address own/have acquired control (as hirer/lessee 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 manufacture with supplier's/transferer's name and address
4. SI. No. of the machine, if any

Date.....

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

Form X[See Rule 8 (3)]Form of register to be maintained by the controller under Section 19 (3)

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

Make, model, capacity, & 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 received 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.

Signature.....

Fullname.....

Place.....

Date.....

Witness.....(Name).....(Address).....(Date)

Form XII[See Rule 10 (2)]Form of register to be maintained by the Controller

S.No.	Received from (give name and full address of the operator making the nomination)	Name of the Operator's employer	Name and full address of the Nominee	Remarks
(1)	(2)	(3)	(4)	(5)