

Haryana Dangerous Machines (Regulation) Rules, 1987

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Rule

HARYANA-DANGEROUS-MACHINES-REGULATION-RULES-1987 of 1987

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Haryana Dangerous Machines (Regulation) Rules, 1987Published vide Haryana Government Notification No. G.S.R. 4/C.A.35/83/S.37/87, dated 9th January, 1987Haryana Government Agricultural DepartmentNo. G.S.R. 4/C.A.35/83/S.37/87. - In exercise of the powers conferred by Section 37 of the Dangerous Machines (Regulation) Act, 1983 (Central Act 35 of 1983) the Governor of Haryana hereby makes the following rules, namely :-

1. Short title.

- These rules may be called the Haryana Dangerous Machines (Regulation) Rules, 1987.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Dangerous Machines (Regulation) Act, 1983 (Central Act 35 of 1983);(b)"Form" means a form appended to these rules;(c)"Section" means a section of the Act.

3. Form of application and fee. Section 37(2)(a)(b).

(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, sold or dealt within the course of business, -

(i) Exceeds two thousand rupees but does not exceed five thousand rupees	Amount of licence fee 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 proposed to be manufactured, a separate application will be required. (3) Every application for a 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 take out a licence to carry on business as a dealer. (4) Application for licence shall be processed for final decision within a month after the date of its receipt. (5) Validity of the licence granted under the Act shall commence from the 1st of January of the first year and shall expire on 31st of December of the 5th year.

4. Form of application for renewal of licence. Section 37(2)(a)(b).

- 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, by 15th of November, of the year in which the licence expires.

5. Cautions to be specified in the manual of instructions. Section 37(2)(c).

- 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, while working on dangerous machines; (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 on the dangerous machines; (d) do not cross over the moving belts; (e) do not stand on the thresher while it is in operation or during its transportation; (f) do not feed earheads by hand; use pushing device; (g) do not work on the dangerous machines 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 hand beyond the caution mark in the feeding chute.

6. Declaration under Section 16. Section 37(2)(f).

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

7. Form in which registers, records and accounts to be maintained. Section 37(2)(d).

(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 addition to, or subtraction from the stock and the total stock carried over to the next month.

8. Form in which application is to be made for the registration by the users of dangerous machines and fee etc. Section 19(1).

(1) Every application by the users on 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 or 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. Section 22(1).

(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 a register of nominations filed with him under the first proviso to sub-section (1) of Section 22 of the Act in form XI. Form I [See Rule 3(1)] Form of application for licence to manufacture, commence or carry on business as a manufacturer of dangerous machines under Dangerous Machines (Regulation) Act, 1983 (35 of 1983)

1. Name of application
2. Whether sole proprietorship/partnership/public limited/privatelimited 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 H.P.) 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 Haryana Government Treasury, - vide Challan No. _____ dated _____ (enclosed).

7. (i) I/We declare that the machine to be manufactured will conform to the standards as 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 prescribed under Section 13 of the Dangerous Machines (Regulation) Act, 1983 and the rules made thereunder by the Central Government (for applicant proposing to carry on business). (Strike out 7(i) or (ii) whichever is not applicable).

8. I/We will abide by all the clauses 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/Shareholder of the firm will correspond with the authorities under the Act on behalf of all the partners concerned with the above firm.

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

1. Name of application

Whether sole proprietorship/partnership/public

2. limited/privatelimited company/trust (Attested copy of the deed attached)

3. Full address

Dangerous machine(s) for which licence is required

4. (Give tradename with brief description of each)

5. Do machines conform to prescribed standards ?

(Indicate which standard)

6. Name of manufacturer

Whether licenced under
the Dangerous
Machines
(Regulation) Act, 1983

If yes, no. and date
of licence, name of
licensing authority

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

7. I/We hereby apply, for commencing/carrying on business as a dealer in dangerous machines. A licence fee of Rs. _____ has been deposited in Haryana Govt. Treasury, - vide challan 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, 1983 and the rules made thereunder by the Central Government.

9. I/We will abide by all clauses 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/Inspector or persons authorised by them as and when required.

10. I/We declare that Shri _____, son of _____, Partner/Managing Director/Shareholder of the firm will correspond with the authorities under the Act on behalf of all the partners concerned with the above firm.

Signature of the applicant.(Full name in capital letters)Date :Place :(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 (35 of 1983) :-

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 Haryana Government Treasury, - vide Challan No. _____, dated _____ (enclosed).

5. Is there any change in the partnership deed of firm ? If an give details.

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

Signature of the applicant.(Full name in capital letters)Date :Place :(Seal of the firm)(For Official Use)Form IV[See rule 6]Form of declaration to be made by manufacturer/dealer to enable the registration of dangerous machines under the Dangerous Machines (Regulation) Act, 1983 (35 of 1983).Sr. No._____I have transferred by sale/lease/hire/supply (delete which ever is not applicable) to Shri/Messrs._____ (Name) of _____ (Address) Nos. _____ (give figures) of _____ (Name of machine) the undermentioned 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 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 ..

Signature of the purchaser Signature of manufacturer/dealer

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 (35 of 1983) :-

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

Form VI[See rule 7(2)]Register of monthly stocks to be maintained by the manufacturers/dealers under the Dangerous Machines (Regulation) Act, 1983 (35 of 1983) :-

Sr. No.	Brief description of the machine, make modelcapacity	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	Particulars of the closing stocks	Signature of the manufacturer/dealer
1	2	3	4	5	6	7	8

Form VI[See rule 8(1)]Form of application by users for registration of a dangerous machine under the Dangerous Machines (Regulation) Act, 1983 (35 of 1983)I/We_____ (Name)

of _____ (Address) own/have acquired control (as hiree/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/Model (c) Date/Year of purchase/hire/lease or other transferrer (d) Name and address of the supplier/transfer. The Certificate to the effect that the machine conforms to prescribed 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/has been so modified as to conform to the prescribed standards. A registration fee of Rupees _____ per machine has been deposited, - vide cash/challan No. _____ date _____ and the receipt is enclosed. (Signature of the applicant) Name in capital letters Date : Place : Form VIII [See rule 8(2)] Form of Certificate to be granted by the Controller, to the user under the Dangerous Machines (Regulation) Act, 1983 (35 of 1983) Registration No. _____

1. Name of the user

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

3. Address

Particulars of the machine : (1) Name of the dangerous machine (2) Make and model (3) Year of manufacturer with supplier's transferrer's name and address (4) Sr. No. of the machine, if any The person above named is hereby allowed to use the dangerous machine detailed above. Signature Seal of the Registering Authority) Date : Place : Form IX [See rule 8(3)] Form of register to be maintained by the Controller under Section 19(3) of the Dangerous Machines (Regulation) Act, 1983 (35 of 1983) :-

Sr. No.	Name of the dangerous machine	Manufactured by (give full address)	Supplied by (give full address)	Make/Model capacity and Sr. No. of the machine, if any	Whether a new machine or old modified machine	Owined/Used by (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 (35 of 1983) - I _____ (Name), S/o _____ (Name) of _____ (Address) do not have any family, and consequently I hereby nominate Shri/Smt. _____ S/o/D/o/W/o _____ (Name) of _____ (Address) to receive full payment of the compensation which would be payable under Act in the event of my death during the operation of a dangerous machine. Signature _____ Full name _____ Place : Date _____ : Witness _____ (Name) _____ (Address) _____ by Sarpanch of the concerned village Panchayat or Municipal Commissioner. Form XI [See rule

9(2)]Form of register of nominations to be maintained by the Controller under the Dangerous Machines (Regulation) Act, 1983 (35 of 1983)

Sr. 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 full address of the nominee	Remarks
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1	2	3	4	5
the machine	(b) Make/Model	(c) Date/Year of purchase/hire/lease or other transferrer	(d) Name and address of the supplier/transfer.	The Certificate to the effect that the machine conforms to prescribed 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/has been so modified as to conform to the prescribed standards. A registration fee of Rupees _____ per machine has been deposited, - vide cash/challan No. _____ date _____ and the receipt is enclosed. (Signature of the applicant) Name in capital letters Date : Place : Form VIII [See rule 8(2)]

Form of Certificate to be granted by the Controller, to the user under the Dangerous Machines (Regulation) Act, 1983 (35 of 1983) Registration No. _____

1. Name of the user

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

3. Address

Particulars of the machine : (1) Name of the dangerous machine (2) Make and model (3) Year of manufacturer with supplier's transferrer's name and address (4) Sr. No. of the machine, if any The person above named is hereby allowed to use the dangerous machine detailed above. Signature Seal of the Registering Authority) Date : Place : Form IX [See rule 8(3)] Form of register to be maintained by the Controller under Section 19(3) of the Dangerous Machines (Regulation) Act, 1983 (35 of 1983) :-

Sr. No.	Name of the dangerous machine	Manufactured by (give full address)	Supplied by (give full address)	Make/Model capacity and Sr. No. of the machine, if any	Whether a new machine or old modified machine	Owned/Used by (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 (35 of 1983) - I _____ (Name), S/o _____ (Name) of _____ (Address) do not have any family, and consequently I hereby nominate Shri/Smt. _____ S/o/D/o/W/o _____ (Name) of _____ (Address) to receive full payment of the compensation which would be payable under Act in the event of my death during the

operation of a dangerous machine. Signature _____ Full name _____

_____ Place : Date : Witness _____

(Name) _____ (Address) _____ (Date) Attested by

Sarpanch of the concerned village Panchayat or Municipal Commissioner. Form XI [See rule 9(2)] Form of register of nominations to be maintained by the Controller under the Dangerous Machines (Regulation) Act, 1983 (35 of 1983)

Sr. 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 full address of the nominee	Remarks
1	2	3	4	5