

The U.P. Boiler Rules, 1969

UTTAR PRADESH

India

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1. Short title.

(1) These rules may be called the Uttar Pradesh Boiler Rules, 1969. (2) They shall extend to the whole of the State of Uttar Pradesh and shall come into force with effect from the date of their publication in the Uttar Pradesh Gazette.

2. Definitions.

- In these rules unless there is anything repugnant in the subject or context, - (a) "Act" means the Indian Boilers Act, 1923 (Act No. 5 of 1923); 'Section' means a section of the said Act; (b) "Chief Inspector", Deputy Chief Inspector", I 'Inspector', 'Inspecting Authority', 'Inspecting Officer', 'Owner', 'Competent Authority, and 'Prescribed', shall have the respective meanings as assigned to them in the Act and the Regulations. (c) 'Government', means the Government of Uttar Pradesh; and (d) 'Regulation' means a regulation framed by the Central Boilers Board under Section 28 of the Act.

3. Payment of fees and costs.

- All fees and costs payable under the Act or Regulation or Rules framed thereunder shall be deposited into a Government Treasury or the State Bank of India. Fees above rupees one hundred for Government boilers may be adjusted by Book Debit. An application to which the treasury is affixed shall be deemed to be accompanied by the prescribed fee. All fees and costs levied under the Act shall be disposed of in such manner as the Government shall direct from time to time. Note - Application for inspection of boilers should be sent on Form 'C' accompanied with a Treasury Receipt for the prescribed fee and should reach the office of the Chief Inspector of Boilers, Uttar

Pradesh, Kanpur, as stipulated below: (i) Inspection of boilers during the tour month. - First day of the month, preceding the month, assigned in the tour programme given in Rule 13 for inspection of boilers in that particular district. (ii) Inspection of boilers in the month other than tour month. - Thirty days before the date of expiry of certificate or provisional order. (iii) Inspection of boilers in Kanpur District. - First day of the month, preceding the month in which the certificate expires.

4. Calculation of registration and inspection fees.

- Every application under sub-section (1) of Section 7 and sub-section (4) of Section 8 shall be accompanied by a fee calculated on the basis of boiler rating as prescribed under Regulation 384. The formulae for calculating the boiler-rating shall be as prescribed in Regulation 383.

5. Registration fees.

- Fees for registration and first inspection of boilers shall be as prescribed in Regulation 385.

6. [Fees. [Substituted by Notification No. 2426/XXXVI-3-5(B)-89, dated 14th July, 1992, published in U.P. Gazette, (Extra), Part 4, Section (Kha), dated 14th July, 1992.]

- (i) Every application for inspection for the renewal of certificate under sub-section (4) of Section 8, shall be accompanied by a fee on the following scales:-

	Rs. P.
For Boilers rating not exceeding 10 square metres.	120.00
For Boilers rating exceeding 10 square metres but not exceeding 30 square metres.	160.00
For Boiler rating exceeding 30 square metres but not exceeding 50 square metres.	180.00
For Boiler rating exceeding 50 square metres but not exceeding 70 square metres.	220.00
For Boiler rating exceeding 70 square metres but not exceeding 90 square metres.	260.00
For Boiler rating exceeding 90 square metres but not exceeding 110 square metres.	300.00
For Boiler rating exceeding 110 square metres but not exceeding 200 square metres.	340.00
For Boiler rating exceeding 200 square metres but not exceeding 400 square metres.	380.00
For Boiler rating exceeding 400 square metres but not exceeding 600 square metres.	440.00
For Boiler rating exceeding 600 square metres but not exceeding 800 square metres.	480.00
For Boiler rating exceeding 800 square metres but not exceeding 1000 square metres.	540.00
For Boiler rating exceeding 1000 square metres but not exceeding 1200 square metres.	640.00
For Boiler rating exceeding 1200 square metres but not exceeding 1400 square metres.	720.00
For Boiler rating exceeding 1400 square metres but not exceeding 1600 square metres.	840.00
For Boiler rating exceeding 1600 square metres but not exceeding 1800 square metres.	900.00
For Boiler rating exceeding 1800 square metres but not exceeding 2000 square metres.	1000.00

For Boilers rating exceeding 2000 square metres but not exceeding 2200 square metres.	1080.00
For Boiler rating exceeding 2200 square metres but not exceeding 2400 square metres.	1200.00
For Boiler rating exceeding 2400 square metres but not exceeding 2600 square metres.	1260.00
For Boiler rating exceeding 2600 square metres but not exceeding 2800 square metres.	1360.00
For Boiler rating exceeding 2800 square metres but not exceeding 3000 square metres.	1440.00

Above 300 square metres or every 200 square metres or part thereof an additional fee of Rs. 40.00 shall be charged: Provided that when any owner is willing to accept any renewed certificate for less than twelve months in order to approximate the date of annual inspection to the date on which other boilers in the locality are inspected, a certificate for such period less than twelve months as may be necessary for such approximation of dates may be granted at the reduced fee to be calculated at one-twelfth of the ordinary fee for each full month, portion of a month not being reckoned. (ii) Fees for inspection of Steam Pipes. - Fee for the inspection of steam pipes made after structural alterations, additions or renewals and not at the time of annual inspection shall be Rs. 140.00. (iii) Fees for uncertified period. - In case the owner desires not to work his boiler after the expiry of the period mentioned in the certificate granted to him, he shall intimate the fact to the Chief Inspector of Boilers, Uttar Pradesh, Kanpur, before the said date, failing which he will be liable to pay at the subsequent inspection the fees prescribed under the rule plus the fee for the uncertified period (calculated from the date of expiry of last certificate to the date of intimation), notwithstanding that the boiler had remained out of commission during the uncertified period. In case the ownership is changed the new owner shall be liable to pay at the subsequent inspection, the fee prescribed under the rules plus the fee for the uncertified period, along with the application for inspection of the boiler. (iv) [Additional fees for inspection on Sunday and public holiday. - An additional fee equal to the inspection fee may be charged for the inspection of a boiler or steam pipe on a Sunday or on any other public holiday under the Negotiable Instruments Act, 1881, if such inspection is made at the request of the owner. The additional fee so charged shall be paid in the manner specified in Rule 3. The Inspector who makes such inspection on holiday may be paid such honorarium in aggregate at the end of the year as the State Government may deem fit to sanction.] [Substituted by Notification No. 4032/ XXXVI-3, 12(B)-39, dated 16th November 1990, published in U.P. Gazette, (Extra), Part 4, Section (Kha), dated 16th November, 1990.]

7. Fees for Inspection and test during construction.

- (i) Fees for inspection of boilers and parts thereof under construction shall be the same as prescribed in Regulation 395-A. (ii) (a) Cast Mountings and fittings. - A fee of Rs. 150.00 shall be charged for examination and certification of a single lot of mountings and fittings made from the same cast but the number of items in one such lot shall not be exceeding fifty. (b) Fabricated Mountings and fittings. - A fee of Rs. 150.00 shall be charged for examination and certification of single lot of mountings and fittings not exceeding ten. The manufacturer, in addition, shall supply free of charge the labour and appliances which may be necessary for such mechanical tests as are required under the Regulation. Failing to find facilities for the prescribed test, the manufacturer shall bear the cost of carrying out such tests elsewhere. (c) The charges for the examination of drawings only for mountings and fittings to be manufactured shall be Rs. 50.00 for each such drawing. (iii) Fees for Inspection, examination, testing and certification of Boilers tubes and

Scantlings under construction. - The inspection fee for boilers constructed in India shall be calculated on the following basis:(a)at three times the registration fee for a boiler of riveted construction:(b)at four times registration fee for a boiler of welded construction;(iv)Fees for inspections of boiler scantling during construction shall be charged as under:

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|-----|--|--|
| (a) | Up to 0.929 square metre (10 square feet) of outside surface | ... Nil. |
| (b) | above 0.929 square metre (10 square feet) of outside surface | Half of the registration fee of the boiler for which the parties intended. |

Fees for inspection of tubes shall be charged at Rs. 20.00 per metric ton or a fraction thereof. The manufacturer, in addition, shall supply free of charge the labour and appliances which may be necessary for such mechanical tests as may be carried out in his premises or those of the steel makers in accordance with the standards laid down in the Regulations. Failing to find facilities himself for the prescribed tests, the manufacturer shall bear the cost of carrying out these tests elsewhere.(v)Fees for examination and certification of scantlings of boilers steam pipes, economisers and superheaters during fabrication at site. - The fees for such examination and certification for supervision required under clause (v) of Regulation 4 shall be equivalent to the fees required for the registration of the boiler. The owners or erectors shall supply free of charge the labour and appliances which may be necessary for such tests as may be carried out in their premises in accordance with the standards laid down in the Regulations. Failing to find facilities themselves for the prescribed tests they shall bear the cost of carrying out these test elsewhere.(vi)[Fee for examination of plans of Boilers. - The fee for the scrutiny of plans under sub-regulation (a) of Regulation 393 shall be on the scale prescribed in Regulation 385, but when a plan which has been scrutinized in respect of which alterations have been suggested is re-submitted for scrutiny, a separate fee at the rate of 10 per cent of the fee for the first scrutiny of the drawings shall be payable if the plan contains alterations other than those previously suggested.] [Substituted by Notification No. 2426/xxxvi-3-5 (B)-89, dated 14th July. 1992, published in U.P. Gazette extra), part v Section (kha), dated 14th July, 1992.](vii)Fees for examination of plans of steam pipes. - The fee required under sub-regulation (a) of Regulation 395 shall be at the rate of Rs. 5.00 per 30 metres (100 ft) of piping or part thereof inclusive of all fittings, excepting fittings like de-superheaters, steam receivers, feed heaters and separately fired superheaters. For any fittings like de-superheaters, steam receivers and separators, the fee shall be Rs. 50.00 for each such fittings.(viii)Fees for examination of steam pipes for grant of certificates in Form III-A of the Regulations. - A fee equivalent to the registration fee of the boiler or boilers to which the steam pipes are to be fitted shall be charged for this purpose.(ix)[Fees for testing welders. For qualification or re-qualification and tests of operators engaged in repairing boilers by welding and welders engaged in welding of boilers and steam-pipes under construction, erection and fabrication at site in accordance with the requirement of Chapter XIII of regulation, a fee of Rs. 50.00 for plate welding, Rs. 50.00 for pipe welding and Rs. 50.00 for tube welding shall be charged which should be accompanied by an application on Form 'E'. [Substituted by Notification No. 2426/xxxvi-3-5 (B)-9, dated 14th July, 1992 published in U.P. Gazette (Extra), Part iv, Section (kha), dated 14th July, 1992.]The candidates or the organization that sends the candidates for tests shall bear all expenses connected with the materials, the finishing and testing of specimens.](x)[Fees for the examination of steam receivers, separators etc. under construction for the grant of certificate in Form III-A of the regulations. - The

examination fees to be charged in this case shall be as follows:- [Substituted by Notification No. 2426/xxxvi-3-5 (B)-9, dated 14th July, 1992 published in U.P. Gezzette (Extra), Part iv, Section (kha), dated 14th July, 1992.]

	Rs. P.
(i) For a vessel up to 200 mm. (8") diameter.	150.00
(ii) For a vessel more than 200 mm. (8") diameter and up to 400 mm. (16") diameter.	250.00
(iii) For a vessel over 400 mm. (16") diameter.	400.00

The manufacturer, in addition shall supply free of charge the labour and appliance which may be necessary for such mechanical tests as are required under the Regulations, failing to find facilities himself for the prescribed tests, the manufacturer shall bear the cost of carrying out these tests elsewhere.](xi) Other fees. - For any other matter which in the opinion of the State Government would involve time and labour as provided for in section 29 (f) but not prescribed in these rules, the fees shall be charged at the discretion of the State Government.

8. Fee to cover inspection and tests.

- A fee paid for the inspection of a boiler, as prescribed under Rule 6, shall cover through examination, hydraulic test and steam test where such are necessary.

9. Second fee for re-inspection of defective boilers and inspections in default.

- A second fee shall be leviable for re-inspection of a defective boiler and also in cases of registration where the inspection of the boiler is begun, but owing to the faults or neglect of the owner or person in charge is not completed within a period of six months from the date of commencement of inspection. A second fee shall be leviable for the inspection or registration of a boiler or steam pipe, if the owner, who has already been intimated the date of inspection, fails to inform the Chief Inspector of Boilers, U.P., Kanpur, at least three days before the date fixed for the change of the date.

10. Sanction of Chief Inspector to second fee.

- No extra fee shall be levied except with the sanction of the Chief Inspector.

11. Fee for duplicate certificate.

- A duplicate certificate for bona fide purpose may be issued to boiler owner under the order of the Chief Inspector on receipt of a fee of Rs. 5.00.

12. Fee for copy of registration book.

- Fee for a copy of a registration book containing only particulars and dimensions of the boiler shall be Rs. 10.00. While issuing copies of registration books, copies of official inspection notes shall not

be furnished.[13. Fees for out of tour month. - Fees payable for inspection made by an Inspector otherwise than on tour i.e. out of tour month as prescribed in this rule shall be the above amount and halting charge of Rs. 50.00 per day plus travelling expenses which will vary according to the distance from Kanpur to the nearest railway station of the boiler site and will be as under:-Kilometres from Kanpur

	Rs. P.
1 to 100 km.	100.00
Any additional 50 km. or a part thereof.	50.00

Notes. - (1) The following tour programme shall be observed until varied by order of the State Government, published in the Official Gazette and in any other way that be considered desirable.Tour Programme

Month	District
January	Lucknow and Sonbhadra.
February	Sultanpur, Pratapgarh, Unnao, Mirzapur, Rae Bareli and Kanpur(Dehat).
March	Jhansi, Hamirpur, Jalaun, Ghazipur and Lalitpur.
April	Varanasi, Azamgarh, Faizabad, Farrukhabad, Mathura, Mau.
May	Etawah, Fatehpur, Jaunpur and Moradabad.
June	Gonda, Bahraich, Basti, Bijnore, Badaun, Aligarh and Sidhanhnagar.
July	Saharanpur, Bara Banki, Meerut, Hardoi, Sitapur, Ghaziabad and Haridwar,-
August	Bulandshahar, Etah, Agra, Shahjahanpur, Rampur and Firozabad.
September	Gorakhpur, Deoria, Ballia, Mahrajganj and Mainpuri.
October	Banda, Bareilly, Pilibhit, Kheri and Muzaffarnagar.
November	Allahabad, Naini Tal, Almora and Pithoragarh.
December	Dehra Dun, Garhwal, Tehri-Garhwal, Chamoli and Uttar Kashi.

(ii) Inspections in Kanpur Nagar are carried out during the whole year. (iii) Special concessions are made in case of (a) Boiler belonging to the military which shall be inspected in the month of January, February, November and December. (b) Sugar Factory Boilers for which the tour month will be from June to October. The owner shall communicate in writing to the Chief Inspector of Boilers, Uttar Pradesh, Kanpur his selection of the months out of tour months mentioned above in which he desires to get his boilers inspected every year. The month so selected will be taken as the tour month in his case].

14. Refund of fees.

- Fees paid in excess and fees paid for inspections which for any reason and due to any fault or omission of the owners or persons incharge of boilers have not been made shall be refunded by the Chief Inspector or adjusted against the fees for the inspection of any other boiler or boilers of the same owner or owners, if the refund is applied for within one year of the date of payment.

15. Qualifications of Chief Inspector of Boilers.

- The State Government shall appoint a person duly qualified according to Rule 9 (ii) of the Uttar Pradesh Service of Inspector of Boilers and Factories, Class I Rules, to be the Chief Inspector of Boiler and a person duly qualified according to Rule 9(i) of the Uttar Pradesh Service of Inspectors of Boilers and Factories, Class II Rules, to be a Deputy Chief Inspector of Boilers or an Inspector of Boilers.

16. Administrative Control.

(a)The Chief Inspector shall work under the administrative control of the Labour Commissioner, U.P. and shall submit to him-(i)an annual report on the administration of the Act;(ii)such other reports and returns as may be called for.(b)The Deputy Chief Inspector shall be subordinate to and shall work under the administrative control of the Chief Inspector.(c)An Inspector shall be subordinate to and shall work under the administrative control of the Chief Inspector. He shall ordinarily be appointed to take charge of a specific area.

17. Duties of Chief Inspector.

(1)The Chief Inspector shall exercise the power and perform the duties conferred and imposed on him by or under the Act: but his principal duty shall normally be the supervision and control of the work of the Deputy Chief Inspectors and Inspectors. He shall inspect and examine boilers only in exceptional cases and where he considers that the works of an Inspector requires a personal check.(2)The Chief Inspector shall-(a)have the registration particulars and calculations submitted by the Inspectors for all boilers inspected for registration checked as prescribed in Chapter IX of the Regulations and enter under his own signature the approved working pressure and all orders required under section 7;(b)pass orders on the proposals under section 7 or section 8;(c)recommend to the Government the area of jurisdiction of each Inspector;(d)pass orders in all cases in which an Inspector proposes to increase or reduce the pressure allowed of any boiler under clause (a) (iii) of the second proviso to sub-section (5) of section 8, withdraw or revoke the certificate or provisional order under section 11 or to order important repairs, structural alterations or renewals in a boiler under section 8;(e)pass orders in all cases in which it is reported that after due notice the boiler has not been properly prepared for inspection under sub-section (2) of section 14;(f)decide all appeals preferred against an order of a Inspector under section 19;(g)sanction prosecutions under this Act;(h)enquire into serious accidents to boilers;(i)prepare the annual report on the administration of the Act in the State;(j)perform the duties conferred on an Inspecting Authority under the Regulations;(k)depute the Deputy Chief Inspector or Inspector to perform the duties of an Inspecting Officer under the Regulations;(l)pass orders on the reports of the Inspecting Officers and perform all the duties conferred on an Inspecting Authority under the Regulations;(m)perform the duties conferred on a Competent Authority under the Regulations;(n)approve all drawings and plans for boilers or parts thereof submitted under Regulation 393 or Regulation 395.(3)Advice to owners. - The Chief Inspector may advice owners regarding the proper maintenance, safe working, feed water treatment and cleaning of boilers.(4)Maintenance of registers. - The Chief Inspector shall keep in his office-(a)a register of appeal, and(b)a register of accidents.(5)Refund. The Chief

Inspector shall be the authority for the grant to refund of fees paid in excess.

18. Duties of Deputy Chief Inspector.

(1)The Deputy Chief Inspector shall-(a)check the registration and memorandum of inspection books of all boilers proposed for registration;(b)scrutinize plans and drawings submitted in advance under Regulation 393 or Regulation 395;(c)examine and countersign the memorandum of inspection book of each boiler after each inspection;(d)enter under his own signature any subsequent entries required in the registration book;(e)enquire into serious accidents to boilers within his jurisdiction and submit reports to the Chief Inspector for a personal enquiry by him if considered necessary;(f)maintain a register in Form "A" attached to these rules, of all boilers registered within the State and those which have been transferred to the State;(g)keep in his office the memorandum of inspection book of all boilers borne on the register;(h)scrutinize the certificates prepared in Form II, Form III, Form III-A, Form III-B, Form III-C and Form IV;(i)perform the duties of an Inspecting Officer when deputed to do so by the Inspecting Authority;(j)keep a register of all registration and inspection fees received, and(k)generally assist the Chief Inspector in the administration of the Act.(2)Deputy Chief Inspector to advise owners. - The Deputy Chief Inspector may from time to time examine boilers in commission to ascertain if they are being operated in conformity with the terms and conditions specified in the certificate and advise owners on the safety in operation, good maintenance and periodic cleaning of boilers and feed water treatment.

19. Duties of an Inspector.

(1)The principal duties of an Inspector shall be inspection and examination of boilers and steam pipes and other connected fittings for registration or renewal of certificates. He shall also perform the duties of an Inspecting Officer when required to do so by the Inspecting Authority. Inspection shall be carried out in strict accordance with the Regulations and these Rules.(2)Kinds of Inspection. - There shall be three kinds of inspection of boilers:(a)when a boiler has been offered for registration as required under section 7;(b)when the certificate granted under the Act is about to expire or when it has been revoked or withdrawn under section 11 and the owner desires that it shall be renewed under section 8;(c)an inspection at any time for the purpose of ascertaining if the boiler is being operated in conformity with the provisions of the Act and Rules framed thereunder.(3)Search of unregistered boilers. - It shall be the duty of an Inspector to search for unregistered or uncertificated boilers within his area and to see that certificated boilers are worked in accordance with the terms of the certificates and with the Regulation or Rules of the Act.(4)Inspector to advise owners. - At the time of inspection, Inspectors may advise the owners and the person in charge of the boilers on the safety in operation, good maintenance and periodic cleaning of boilers and feed water treatment.(5)Specific duties. - Inspectors shall-(a)maintain a memorandum of inspection book for each boiler as prescribed in Regulation 386 under their charge and submit it to the Deputy Chief Inspector or Chief Inspector for examination and countersignatures after each inspection;(b)receive application for registration or inspection under section 7 or section 8 in Form 'C' appended to these Rules;(c)enquire into accidents of boilers, steam pipes or connected fittings and report to the Deputy Chief Inspector or Chief Inspector;(d)report to the Chief Inspector cases of unreported accidents, discovered at the time of inspection;(e)submit for

the orders of the Deputy Chief Inspector or Chief Inspector-(i)the memorandum of inspection books of all boilers proposed for registration under section 7;(ii)proposals for increasing or reducing the pressure of a boiler after inspection under clause (a) (ii) of the second proviso to sub-section (5) of Section 8;(iii)proposals for necessary repairs, structural alterations or renewals to a boiler after inspection under clause (b) of the second proviso to subsection (5) of Section 8;(iv)proposals for refusing to renew a certificate under section 8 and proposals for revoking or withdrawing a certificate or provisional order under section 11;(v)report when boilers have not been properly prepared for inspection under section 14;(vi)proposal for prosecutions under the Act and forward the same with his recommendations to the Deputy Chief Inspector or Chief Inspector of Boilers.(f)receive report of accidents under section 18 and forward the same with his recommendations to the Deputy Chief Inspector or Chief Inspector of Boilers;(g)Submission of declaration by the Inspector. Prepare a declaration in Form 'F' appended to these rules in Column 8 in which the limit of the working pressure shall be clearly noted, and shall forward the same with the application to the Deputy Chief Inspector or Chief Inspector.

20. Inspection at special times.

- No examination of a boiler shall be made by an Inspector for the purpose of registering or renewing the certificate of a boiler on a Sunday or on a public holiday under the Negotiable Instruments Act, 1881, or between the hours of sunset and sunrise without the specific orders of the Chief Inspector in each case.

21. Duties as an Inspecting Officer.

- As an Inspecting Officer an Inspector shall-(a)maintain a schedule of such examination of boilers or parts thereof in such form as may be required by the Inspecting Authority;(b)submit to the Inspecting Authority reports in such form as may be required by the Inspecting Authority on the results of the examination carried out on boilers or parts thereof in accordance with the standards laid down in the Regulation and with particular reference to the variations therefrom;(c)report the results of the tests carried out on materials or scantlings in his presence;(d)maintain records of all tests (both destructive and non-destructive) carried out by him or under his supervision; and(e)when radiographic examinations are carried out to boilers or parts thereof or to other scantlings, give his opinion in writing to the Inspecting Authority with regard to the acceptability or otherwise of the parts examined in such form as may be required by the Inspecting Authority.

22. Receipt of application for registration.

- Application for registration of boiler shall be made under sub-section (1) of Section 7 either to the Deputy Chief Inspector or Chief Inspector or Inspector of the local area in which the boiler is situated and shall be accompanied by a receipt for the prescribed fee. No application shall be accepted without the receipt. No boiler shall be registered if on measurement the fee is found to be deficient until the deficit has been paid. Excess payment, if any, shall be refunded after registration.

23. Registration.

- The Inspector shall fix date for the examination of the boiler as required under sub-section (2) of section 7. He shall proceed to take action under subsection (3) of section 7 on the date fixed and submit his report to the Chief Inspector as early as practicable. The Chief Inspector shall issue his orders under sub-section (4) of section 7 without delay.

24. Register of registered boilers.

- The Deputy Chief Inspector or Chief Inspector shall maintain a register of registered boilers in serial order in Form 'A' appended to these Rules in two parts. In Part I (boilers originally registered in the State), the registered number of a boiler shall be the one immediately following the last serial number in the register. Gap numbers due to boilers being broken up or transferred to another State shall not be filled up. In-Part II (boilers originally registered in other States) entries shall be made as prescribed in Rule 18 (1) (f) . The Inspector in charge of an offence shall keep similar register for all boilers within his jurisdiction.

25. Procedure on transfer of a boiler.

- Whenever a boiler is transferred from another State to this State the owner shall under clause (b) of section 6 apply to the Chief Inspector for the registration of the transfer. The Chief Inspector shall then obtain the registration book and memorandum of inspection book of the boiler from the State from which the boiler was transferred. No fee shall be charged for recording transfer. The boiler cannot be used before the transfer is recorded.

26. Entry of transferred boilers in register.

- On receipt of the registration and memorandum of the inspection book, the Deputy Chief Inspector or Chief Inspector shall enter the boiler under its original number in Part II, of his register and shall instruct the Inspector of the area in which the boiler is situated to enter it similarly in his register. The registration book and the memorandum of inspection book shall be kept in the office of the Deputy Chief Inspector or the Chief Inspector.

27. Note of transferred and dismantled boilers.

- Whenever a boiler has been transferred to another State or broken up the fact shall be noted in the register. In the case of a boiler that has been permanently dismantled, the registration book and the memorandum of inspection book shall be destroyed.

28. Investigation of accidents.

- On receipt of a report of an accident to a boiler or steam 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 Deputy Chief Inspector or Chief Inspector he shall forward it at once to the Inspector within whose jurisdiction, the accident has occurred for necessary action.

29. Procedure during enquiry.

- The Inspector at this enquiry shall make a 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 inquire 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 to property. The report shall be given in Form 'D' appended to these rules.

30. Power to hold enquiry in writing.

- The Inspector shall take the written statements of witnesses and all persons immediately connected with the accident. In order to comply with the provision of sub-section (2) of section 18, the Inspector shall present to the owner or person in charge of the boiler, a series of written questions on all points that are material to the enquiry.

31. Use of boiler after accident.

- The Inspector shall decide whether the use of the boiler 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 be issue a provisional order or renew a certificate until his orders have been carried out.

32. Procedure in case of serious accidents.

- The report shall be sent without delay to the Deputy Chief Inspector or Chief Inspector, who if he considers that the investigation has been sufficient shall record the facts in his register of accident and shall enter a brief account of the accident in the register and memorandum of Inspection books. If, however, the accident is of a serious nature and in all cases in which an explosion has occurred, the Chief Inspector on receipt of the report shall proceed to investigate the accident personally either alone or with the Deputy Chief Inspector or any other Inspector as considered necessary.

33. Reference in the annual report.

- A brief account of all accidents and their causes shall be included in the annual report on the working of the Act.

34. Unreported accidents.

- If in the course of any inspection or at any other time, the Inspector discovers damage which goes within the definition of an accident, but it has not been reported, he shall report the fact at once to

the Chief Inspector for action under clause (d) of section 24.

35. Attendance during hearing of appeals under Section 19.

- Under order of the Chief Inspector, the Inspector shall attend during the hearing of appeals with regard to boilers within his area before the Chief Inspector or appellate authority.

36. Appellate authority.

- The Government shall constitute an appellate authority under section 20 for such period as it may deem fit. The appellate authority shall be presided over by an officer who has exercised or is exercising the powers of a District Judge or a District Magistrate.

37. Panel of assessors.

- The Government shall constitute a panel of assessors for the purpose of assisting the appellate authority in the hearing of appeals. Assessors shall be competent persons with necessary technical knowledge and experience and must be qualified mechanical engineers.

38. Attendance of assessors.

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

39. Remuneration of assessors.

- An assessors shall receive such remuneration and travelling allowances for any date on which he attends the appellate authority as the State Government may, by order, direct.

40. Filing of appeal.

- Every appeal shall be made in writing either in English or in the official language of the State and shall be presented to the Chief Inspector, within thirty days of the communication to him of the order against which an appeal is preferred.

41. Form of appeal.

- The appeal shall be accompanied by the original order, notice or report appealed against, or by a certificated copy thereof; or where no such order, notice or report has been made in writing by a clear statement of facts appealed against, the grounds of appeal and the relevant sections of the Act.

42. Fixing a date for hearing.

- On receipt of an appeal, the Chief Inspector shall at once fix a date for hearing of the appeal, if the appeal is to be heard by himself and obtain date for the hearing of the appeal from the appellate authority, if it is to be heard by the appellate authority. No delay shall be made in deciding appeals.

43. Procedure during hearing.

- When the date for hearing has been fixed, the Chief Inspector shall at once issue a notice to the appellate authority 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 an authorised agent with his evidence on the date fixed. The notice shall be sent by registered post to such address as shall be entered in the petition.

44. Presence of Inspector.

- In all appeals the Chief Inspector shall decide whether the presence of the inspector is necessary and issue orders accordingly.

45. Attendance of witnesses.

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

46. Ex parte decision.

- If the appellant is not present on the date fixed the appeal may be decided in his absence.

47. Costs in appeals.

- In appeals before the appellate authority, the appellate authority shall decide the cost and recover them from the appellant in any case in which the appeal is dismissed. In all cases of appeals in which a local inspection is required by the appellant, he shall deposit in advance the full costs of such inspection.

48. Fees required for certificates granted on appeals.

- Any order on appeal authorising the registering of a boiler or the grant of the renewal of a certificate shall be deemed to be subject to the payment of such fees as are prescribed by rules or regulations framed under the Act.

49. Penalty for breach of rules.

- A person contravening the provision of these rules shall be punishable, in the case of a first offence, with fine which may extend to one hundred rupees and in the case of any subsequent offence, with a fine which may extend to one thousand rupees.[Substituted by Notification No.

2426/XXXVI-3-5(B)- 89, dated 14th July, 1992, published in U.P. Gazette, (Extra.) Part IV, Sec (kha), dated 14th July, 1992.]