

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Industrial Policy and Promotion)

(CENTRAL BOILERS BOARD)

NOTIFICATION

New Delhi, the 2nd May, 2017

G.S.R. 427(E).—Whereas certain draft regulations namely, the Indian Boiler (Amendment) Regulations, 2017 further to amend the Indian Boiler Regulations, 1950 were published as required under sub-section (1) of section 31 of the Boilers Act, 1923 (5 of 1923) vide notification number G.S.R. 32(E), dated the 16th January, 2017 for inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of forty-five days from the date on which the copies of the said Gazette notification were made available to the public;

And whereas, copies of the said notification were made available to the public on the 16th January, 2017;

And whereas, objections and suggestions received from various persons and stakeholders within the specified period in respect of the amendments contained in the said notification have been duly considered;

Now, therefore, in exercise of the powers conferred by section 28 of the Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following regulations further to amend the Indian Boiler Regulations, 1950, namely:—

1. Short title and commencement.—(1) These regulations may be called the Indian Boiler (Amendment) Regulations, 2017.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Boiler Regulations, 1950 (hereinafter referred to as the principal regulations), in regulation 4H, after sub-regulation (2), the following sub-regulation shall be inserted, namely:—

“(3) For recognition as Remnant Life Assessment Organization (RLAO), the Evaluation Committee shall evaluate the performance of a firm or company applying for recognition as RLAO in accordance with the provisions of these regulations, in particular in the following areas, namely:—

(A) For undertaking Remnant Life Assessment (RLA) of boilers operating above 120 Kg/Cm² pressure—

- (i) knowledge on boiler design, manufacturing and field knowledge on operation and maintenance of boilers, materials, codes and standards;
- (ii) expertise in failure analysis, stress analysis to evaluate pressure part component life;
- (iii) expertise on metallurgy, Non Destructive Testing (NDT) and other RLA assessment techniques;
- (iv) Internal Oxide Thickness(IOT) measurement and analytical capabilities;
- (v) firm or company shall have,—
 - (a) National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited laboratory with experts in the field and necessary equipment or instruments for testing of sample tubes, deposits;
 - (b) Laboratory with experts for analysis of Water Wall (WW) deposits and solvent selection with a capability to issue guidelines for chemical cleaning of boilers;
 - (c) Non Destructive Testing (NDT) laboratory with qualified Non Destructive Testing(NDT) personnel;
 - (d) skilled and experienced manpower for site work to carry out RLA tests as per regulation 391A of the Indian Boiler Regulations, 1950;
 - (e) all measuring and testing instruments required for RLA study of boilers as stipulated in regulation 391A of the Indian Boiler Regulations, 1950; and
 - (f) an experience of minimum of five numbers of RLA studies under Inspecting Authorities.

(B) For undertaking Remnant Life Assessment (RLA) of boilers operating upto 120 Kg/Cm² pressure—

- (i) knowledge on boiler design, manufacturing and field knowledge on operation and maintenance of boilers, materials, codes and standards;
- (ii) knowledge in failure analysis, stress analysis to evaluate pressure part component life;
- (iii) knowledge on metallurgy, Non Destructive Testing(NDT) and other RLA assessment techniques;
- (iv) Internal Oxide Thickness (IOT) measurement and analytical capabilities;

(v) firm or company shall have—

- (a) National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited laboratory with experts in the field and necessary equipment or instruments for testing of sample tubes, deposits (It may also be outsourced);
- (b) Laboratory with experts for analysis of water wall (WW) deposits and solvent selection with a capability to issue guidelines for chemical cleaning of boilers (It may also be outsourced);
- (c) Non Destructive Testing (NDT) laboratory with qualified NDT personnel;
- (d) skilled and experienced manpower for site work to carry out RLA tests as per regulation 391 A of the Indian Boiler Regulations, 1950;
- (e) all measuring and testing instruments required for RLA study of boilers as stipulated in regulation 391A of the Indian Boiler Regulations, 1950; and
- (f) experience of minimum of five numbers of RLA studies under Inspecting Authorities.”.

3. In the principal regulations, in regulation 4J, —

(A) for sub-regulation (4), the following shall be substituted, namely:-

“(4) Central Boilers Board Authorisation Process:

- (i) the Competent Person shall perform the work without conflict of interest;
- (ii) an applicant for a Central Boiler Board Authorisation shall meet the following requirements, namely:-
 - (a) the applicant shall be in regular employment of, and exclusively engaged by a Central Boilers Board recognised Inspecting Authority;

Provided that for inspection and certification of boilers during use under section 8 of the Boilers Act, 1923, applicant can work independently also without taking employment with the Central Boilers Board recognised Inspecting Authority ;

- (b) the applicant shall meet the minimum qualification and experience requirements as referred in sub-regulation 2 of this regulation;
- (c) the applicant shall have taken and passed the Central Boilers Board examination as referred to in sub-regulation 3 of this regulation;
- (d) the applicant shall apply for an authorisation not later than three years after passing the Central Boilers Board Examination and a person whose authorisation has not been issued within the three year period shall be required to take the Central Boiler Board Examination and receive a passing grade; and
- (e) the maximum age for the Competent Person shall be sixty-five years provided the person is medically fit;
- (iii) (a) when the applicant has met the eligibility requirements as referred to in clause (ii) of sub-regulation 4 and at the request of the applicant’s employer; a Central Boilers Board authorisation card and a certificate shall be issued:

Provided that the request for authorisation card, only for undertaking inspection and certification of boilers during use under section 8 of the Boilers Act, 1923, can also be made by the applicant;

- (b) the application for an authorisation shall be on forms obtained from the Central Boilers Board; and
- (c) a Competent Person may possess only one valid authorisation card;
- (iv) (a) the validity of an authorisation certificate shall be three years from the date of issue or in co-terminus with the validity period of recognition of employing Inspecting Authority (wherever applicable), whichever is earlier;
- (b) for undertaking inspection and certification of boilers during manufacture and erection, the Competent Person must be in regular employment of the Central Boiler Board recognised Inspecting Authority failing which the authorisation lapses;

- (c) where the Competent Person leaves the employment, Central Boilers Board Authorisation Card shall be surrendered by the Inspecting Authority to the Secretary, Central Boilers Board within a period of seven days from the date of such leave;
- (d) the request for renewal shall be made by Competent Person's employer and the request shall certify that the Competent Person maintained inspection proficiency by performing or supervising inspection activity and that the individual has met the continuing updation requirement as laid down in clause (f) of this sub-regulation:

Provided that request for renewal of authorisation, only for undertaking inspection and certification of boilers during use under section 8 of the Boilers Act, 1923, can also be made by the Competent Person, giving details of inspections undertaken in the last three years and confirming that he has met the continuing updation requirement as given in clause (f) of this sub-regulation;

- (e) on change of employment, a request for authorisation card shall be made by the Competent Person's current employer on forms obtained from the Central Boilers Board;
- (f) each Central Boilers Board authorised Competent Person, at least once every three years, shall either attend a Central Boilers Board seminar or receive other instruction related to inspections and the instruction may be in any format, e.g., classroom, home study, or web-based; the topics may include any subject of relevance to the inspection process, such as new methods, products, materials, technology or changes to construction or repair codes;
- (g) a person whose authorisation has not been renewed for five years or less may, on proper application, have the authorisation reinstated;
- (h) the employer or Competent Person, if working independently, as the case may be, shall provide verification of continuing updation as mentioned in clause (f); and
- (i) a person whose authorisation has not been renewed for more than five years shall be required to take the Central Boilers Board Examination and receive a passing grade;
- (v) (a) a Central Boilers Board authorisation may be revoked by the Secretary, Central Boilers Board for falsification of any statement contained in any application however the person may request reconsideration by the Secretary, Central Boilers Board;
- (b) when an evaluation reveals that a Central Boilers Board authorised Competent Person has been negligent in his duty or has made false statements on forms used for documentation of his duties, a Central Boilers Board Committee formed for the purpose may examine the evaluation and recommend to the Secretary, Central Boilers Board, a suitable action against such Competent Person. The Secretary, Central Boilers Board shall take the final decision;
- (c) if any person is aggrieved by a decision of the Secretary, Central Boilers Board, he may prefer an appeal against such decision within thirty days from the date of the decision, to the Central Boilers Board;
- (d) the decision of the Central Boilers Board shall be binding; and
- (e) any person aggrieved by,-
 - (i) an order made or purported to be made by a Competent Person in the exercise of any power conferred by or under the Act; or
 - (ii) a refusal of a Competent Person to make any order or to issue any certificate which he is required or enabled by or under the Act to make or issue;

May, within thirty days from the date on which such order or refusal is communicated to him, prefer an appeal against the such order or refusal, to the Chief Inspector of Boilers of the State in which the boiler is located;
- (vi) fee fixed by the Central Boiler Board Examination Standing Committee shall be paid for each authorisation issued, renewed or reinstated.”;

(B) for sub-regulation (6), the following shall be substituted, namely:-

“(6) Competent Person's Diary:

- (i) A Competent Person's Diary shall be maintained for —
- (a) inspection of construction activities; and

- (b) in-service inspection including repairs and alterations for each location or site as per the format laid down by the Central Boilers Board;
- (ii) the diary shall be bound and numbered and the purpose of the diary shall be to provide a record of the Competent Person's activity and to support the continuity of inspections;
- (iii) the Competent Person's diary shall be the property of the employer Inspecting Authority, wherever applicable, and must be available at the location or site of the inspection; and
- (iv) the diary shall be maintained for a minimum of five years from the date of last entry and it may also be maintained in digitised form with provision for online entries.”;
- (C) In sub-regulation (7)A, for clause (i) and clause (ii) respectively, the following shall be substituted, namely:-
- “(i) On receipt of an application for renewal of certificate for use of a boiler, the Competent Person shall, within fifteen days from the date of such receipt inspect the boiler on a date communicated to the owner in advance;
- (ii) Memorandum of Inspection Book shall be obtained from the concerned boiler inspectorate through the inspecting Authority or directly if working independently, for in-service boilers which shall be returned within a period of one week from the date of completion of final inspection ;” ;
- (D) for sub-regulation (7)B, the following shall be substituted, namely:-
- “**B. Inspection Fee:-** Competent Person or Inspecting Authority may charge fee for the inspection subject to the condition that the fee shall not be less than the fee specified by the concerned State.”;
- (E) In sub-regulation (8), in clause (1), after sub-clause (c), the following sub-clause shall be inserted, namely:-
- “(d) In case, inspection is not carried out as per the Indian Boiler Regulations, 1950, the Chief Inspector of Boilers shall report the matter to Secretary, Central Boilers Board for appropriate action against the Competent Person which may include cancellation of his authorisation.”.
4. In the principal regulations, in regulation 98, in clause (a), for the figure and word “6 months”, figure and word “12 months” shall be substituted.”.
5. In the principal regulations, in regulation 388, the sub-regulation (2) shall be omitted.
6. In the principal regulations, in regulation 390, in clause (c) and in regulation 391 respectively, for the word “Inspector” wherever it occurs, the words “Competent Person” shall be substituted.”.
7. In the principal regulations, in regulation 392, in sub-regulation (3), in clause (v), in sub-clause (b), for the words “fifteen days”, the words “two days” shall be substituted.”.
8. In the principal regulations, in Form VI, after condition number (4), the following condition shall be inserted, namely:-
- “(5) Form VI shall be countersigned by the Chief Inspector at the time of registration only, as per the provisions of sub-section (5) of section 7 of the Act.”.
9. In the principal regulations, after APPENDIX L, the following APPENDIX shall be inserted, namely:-

“APPENDIX M

Time limits for the various activities

Sl. No.	Activity	Regulation/ Provision in IBR	Time limit	Authority /Person
1	Issue of Welder qualification certificate in Form XII after submission of satisfactory reports	614	5 days	Competent Authority
2.	Approval of design and manufacturing drawings for boilers and boiler components made in India	393(a)	(i) 5 days for boilers components & boilers upto 20 TPH capacity. (ii) 15 days for boilers above 20 TPH & upto 100 TPH capacity (iii) 21 days for boilers above 100 TPH capacity	Inspecting Authority

3.	Approval of materials for boilers and boiler components made outside India	393(b)	(i) 5 days, in case of same materials as previously approved for the same design pressure & temperature (ii) 10 days, in other cases	Technical Adviser(Boilers)
4.	Approval of design and manufacturing drawings for boilers and boiler components made outside India	393(b)	21 days	Chief Inspector of Boilers
5.	Inspection during construction/manufacture	Appendix-J	2 days	Inspecting Authority/ Competent Person
6.	Issue of Certificate for manufacture and test	4(c)(1)	(i) 3 days for boiler components. (ii) 7 days for boiler	Inspecting Authority
7.	Issue of Inspecting Authority Certificate during erection in "Form IIC"	4(c)(1)	2 days	Inspecting Authority
8.	Issue of provisional order in Form-V after registration inspection	381(e)	48 Hours	Inspector
9.	Assigning of Registration No. for boilers	386(d)	30 days	Chief Inspector of Boilers
10.	Steam Tests of boiler	380(a)	30 days	Inspector
11.	Issue of Certificate for use of boiler in Form-VI	389	48 Hours	Competent Person
12.	Permission to carry out repairs/alterations in boilers	392(iv)(b)	2 days	Chief Inspector of Boilers
13.	Recognition of repairers boilers & steam pipes	392(5)	30 days	Chief Inspector of Boilers
14.	Transfer of Memorandum of Inspection Book & Registration Book	388	15 days	Chief Inspector of Boilers
15.	Submission of Remnant Life Assessment report/ recommendations	391A	30 days from date of completion of inspection/ tests	Well Known Remnant Life Assessment Organisation

Note : (1) Above time limits shall be applicable from the date of submission of complete details/documents.

(2) After expiry of prescribed time limits for an activity, approval for that activity shall be deemed to have been granted."

[F. No. 6(4)/2016-Boilers]

T. S. G. NARAYANNEN, Secy. Central Boilers Board

Note: The principal regulations were published in the Gazette of India, *vide*, number S.O. 600, dated the 15th day of September, 1950 and last amended *vide* G.S.R. 664(E), dated the 26th August, 2015.