**Assam Boiler Rule, 1935**

 **Shillong:**

 **PRINTED BY THE SUPERINTENDENT, ASSAM, Government Press.**

 **RULES UNDER SECTION 29 OF THE INDIAN BOILER ACT, 1923**

 **(V OF 1923)**

 1.– PRELIMINARY

**Definitions:**

1. (1) These rules may be called the Assam Boiler Rules, 1935.

(2) In these rules, unless there is anything repugnant in the subject or context,-

 (a) “the Act” means the Indian Boilers Act, 1923 (V of 1923).

 (b) “Section” means a section of the said Act.

(c) “Regulation” means a regulation of the Indian Boiler Regulations

 framed by the Government of India under section 28 of the said Act.

**II. – FEES.**

1. All sums realized as fees, cost and penalties under the Act shall be credited to the Local. All fees payable under the Act shall be deposited by the payer, in a Government of Assam Treasury. Applications under sections 7 & 8 of the Act to which the treasury receipt is affixed, shall be deemed to be accompanied by the prescribed fees.

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| Payment of Fees |

1. (1) Fees required to accompany applications under sub-section (1) of 7 and

 sub-section (4) of section 8 of the Act shall be calculated on the basis of

 boiler rating as prescribed in regulation 18. 385.

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| Calculation of fees for Registration of boilers |

 (2) The formula for calculating boiler rating shall be as prescribed in regulation

 157.

4. The following fees are prescribed, namely :-

**(1) Registration Fees** :- Fees for registration and first inspection of boilers

shall be as prescribed in regulation 159.

 **(2) Fees for renewal of certificates** :- Fees required to accompany applications

 the issue of renewed certificates under sub-section (4 of section 8).

 **(3) Application of the above fees** :- The fees mentioned in clauses (1) and (2)

 Shall cover thorough inspection, hydraulic test and steam test where such

 are necessary, subject to the provisions of section 142 (2).

 **(4) Second fees re-inspection of defective boilers and inspections in**

 **default** :- A second fees shall be leviable for the re-inspection of a defective

 boiler and also in any case where the inspection of a boiler is begun but

 owing to the fault 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.

 **(5) Fees for duplicate certificates :-** A duplicate of any certificate granted

 under section 7, or section 8, which is at the time in force, shall be granted

 Chief Inspector on the application of the owner of the boiler if the chief

 Inspector is satisfied, that the duplicate is required for a bona fide purpose,

 And a fee of Rs. 3 per copy is paid.

 **(6) fees for copy of Registration Book :-** For each copy, Rs. 5.

 **(7) Additional fee for inspection on Sundays and certain holidays :-**

Nothwithstanding the provisions of clause (3) and additional fee of Rs. 50

 shall be charged for the inspection of a boiler on a Sunday (Chirstmas Day,

 New Years day, Good Friday and the King’s Birthday provided that such

 inspection is made at the request of the owner of the boiler, Half of the

 additional fee so charged shall be paid to the Inspector the other half shall

 be credited to the Local Government.

 **(8) Payment of Inspector’s travelling or pleases in certain cases :-** (a) In

 addition to the above fees, an Inspector’s travelling expenses shall be

 realized from owners, whose boiler are not ready for inspection on the first

 visit made on their application for every additional visit paid by the Inspetor

 for the completion of the inspection.

 (b) If the owner of a boiler requires and inspection at the time which would

 Necessitate a special journey by an Inspector an additional fee equal to the

 travelling allowance of the Inspector and his attendant staff, if any, as

 determined by the Fundamental and Subsidiary Rules shall be paid by the

 owner of the boiler in addition to the fees prescribed in this rule :

 Provided that if two or more owners apply for inspections which are made in

 The course of a single such journey, the additional fee prescribed in this

 clause shall be recovered from such owners in such proportion as the Chief

 Inspector may determine.

 **(9)** The Inspector’s hydraulic test pump, if available, may be had on loan, when

 an hydraulic test of a boiler has been ordered by the Inspector, on the

 payment of a fee of Rs. 5 and all transit charges. The hydraulic test pump

 must be returned in good order, immediately after the Inspector has

 witnessed the hydraulic test of the boiler.

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| Fees for loan of hydraulicTest pump |

 **(5)** Fee paid in excess and fees paid for Inspections which for any fault or

 omission of the owners or persons in charge of the boilers, have not been

 made shall be refunded if the refund are applied for within one year from

 the date of payment or may be set off against the fees for the inspections

 of any other boilers of the same owner.

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|  Refund of fee |

 III. – DUTIES OF THE CHIEF INSPECTOR

 **(6)** The Chief Inspector shall be vested with all the power of an Inspector under

 the Act. But his main duty shall be the supervision and control of the work

 of the Inspectors. He shall normally inspect or examine boilers only in

 exceptional cases, or in such cases as he considers that the work of an

 Inspector requires a personal check.

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| General control |

 **(7)** The Chief Inspector shall –

 Specific duties :-

1. Personally check the registration books of all newly registered boilers, for the initial working pressure and have entered under his own signature all orders required by section 7;
2. Have entered under his own signature any subsequent entries required in the registration book;
3. Obtain the memorandum of inspection and registration books of a boiler, which has been registered in another province and the subsequent transfer of which to this province is reported under clause (b) of section 6 of the Act (See regulations 161 (a));
4. Fix the area under the control of each Inspector;
5. Approve the programme of inspection of all Inspectors subordinate to him with due regard to the convenience of owners generally;
6. Examine and countersign the Inspectors memorandum of inspection book of each boiler after each inspection;
7. Examine and pass orders on the diaries and returns of inspectors;
8. Pass orders in all cases in which an inspector proposes to increase or reduce the pressure allowed for any boiler under proviso (a) (ii) of section 8(5) or to revoke, cancel or refuse to renew the certificate or a boiler under section II, or to order important repairs, structural alternations or renewals in a boiler under section 8;
9. Pass orders in all cases in which it is reported that after due notice the boiler section 8;
10. Decide all appeals against the order of Inspector under section 19;
11. sanction prosecutions under the Act;
12. Enquire into serious accidents to boilers;
13. Prepare and submit the Annual report of the working of the Indian Boiler Act, 1923; and
14. Prepare and submit the budget estimates for carrying out the purposes of the Act.

**8.** TheChief Inspector may advise owners regarding the maintenance, working

Cleaning of boilers.

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|  Advice to owners |

 **9.** The Chief Inspector shall keep in his office – (a) a register in Form A

attached to these rules of all boilers registered in the province, or the

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|  Registered to be kept |

 registry of which has been transferred from another province;

(b) the registration book of all boilers borne on his registrer;

(c) a register of appeals;

(d) a register of accidents; and

(e) a register of registration and inspection fees received.

 **10.** The Chief Inspector shall be controlling or countersigning authority in respect of

 all contingent bills and of traveling allowance bills of officers subordinate to him.

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|  Control of bills |

**11.** When a certificate is required for a boiler, application shall be made to the Chief

 Inspector of Boilers by the owner or agent in form B, No. ) appended o these

 Rules giving at least fourteen days notice of the date on which the boiler will be

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|  Application for certificate |

Ready for inspection, and the fee prescribed under rule 3(1) shall be paid with the

 Application, to the office of the Chief Inspector of Boilers, Shillong. The Chief

 Inspector on receipt of such application with the Government of Assam Treasury

 Receipt showing that the fee and the extra fee, if any, chargeable for inspection

 on a Sunday or other holidays as laid down in rule 4 (7) have been paid, will fix

 the inspection for the date notified, if possible; but should that date not prove

 suitable he shall fix another date giving the owner or agent not less than ten days

 notice of the date so fixed.

12. The Chief Inspector shall from time to time prepare and submit to Government a

 schedule of the establishment and salaries which he considers necessary for

 carrying out the purposes of the Act.

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| Establishment under theChief Inspector |

(For other duties of the Chief Inspector, Vide rules 17, 19, 20, 24, 25, 26, 31, 33,34 35,41,42,43,44, and 48.

 **IV. – DUTIES OF INSPECTOR**

13. Inspector shall be directly subordinate to and under the control of, the Chief

 Inspector; they shall ordinarily be appointed to take charge of specific areas.

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| Subordinate of Chief Inspector |

14. The main duties of Inspector as laid down in the Act shall be the inspection of

 Boilers, and steam pipes. Inspections shall be carried out in strict accordance

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| General duties of Inspector |

 and with part II of the Regulations and Chapters VII and VIII of these rules.

15. In addition to the inspection of boilers it shall be the duty of Inspectors to

 search for unregistered or un certificated boilers within their areas and to see

 that certificated boilers are worked in accordance with the terms of their

 certificates, and with any regulation of rule under the Act for safe working.

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| Search for unregistered boilers |

 16. At the time of inspection, Inspector may advise the owner and the person in

 charge of the boilers on the management and upkeep of the boiler with special

 reference to the amount of cleaning required in view of the quality of water

 used.

17. Inspector shall –

1. Prepare a programme of inspections with regard to the convenience of owners generally and submit it to the Chief Inspector for approval at such periods as he may fix at least fourteen days before the first date in the programme.

N.B. – Inspection of boilers in seasonal factories should ordinarily be fixed immediately after the date when work in the factories ceases and in all cases during the off season.

1. Maintain and keep in their offices a memorandum of inspection book for each boiler in their charge in which shall be entered in ink, their notes on each inspection, and any other particulars affecting the history of the boiler. a copy of these notes shall be submitted to the Chief Inspector on the Inspectors return from tour to his headquarters, or weekly in cases where the Inspector returns to his headquarters each day;
2. Keep a diary for monthly submission to the Chief Inspector, showing places visited, boilers registered or inspected, variation from the programme, and any other important particulars;
3. Receive application applications for registration or inspection under section or 8, proposals for repairs, alterations or renewals under sections 12 and 13, reports of accidents under section 18;
4. Enquire into accidents to boilers or steam pipes and report to the Chief Inspector;
5. Report to the Chief Inspector cases of unreported accidents discovered at the time of inspection;
6. Submit for the orders of the Chief Inspector –

The memorandum of inspection books of all boilers proposed for registration under section 7;

Proposals for increasing or decreasing the pressure of a boiler after inspection under proviso (a) (ii) of section 8 (5);

Proposals for necessary repairs, structural alternations or renewals to a boiler after inspection under section 8 or 12;

Proposals for revoking, canceling or refusing to renew a certificate under section 8 or 11;

Report when boilers have not been properly prepare for inspection under section 14;

Proposal for prosecutions under the Act.

1. When an inspection under the Act is completed, the Inspector making it shall prepare a declaration in Form No. B-2 appended to these rules in which the limit of the working pressure, in pounds per square inch and the period for which the certificate is to be granted shall be clearly noted.

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|  Inspectors declaration |

1. Upon receipt of the declaration in the office, a certificate authorizing the use of the boiler shall be prepared in the Form VI prescribed by regulations. Such certificate shall be signed by the Inspector and the Chief Inspector and shall be delivered to the owner, manager or agent of the steam boiler inspected.

The time of the inspection of boiler shall be between sunrise and sunset.

(For other duties of Inspectors, Vide rules 20, 21, 22, 23, 24, 26, 40, 46, 47, & 48).

 V. - ACCIDENTS.

1. 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 Chief Inspector, he shall forward it at once to the Inspector, within whose jurisdiction the accident has occurred, for necessary action.

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| Procedure during enquiry |

1. The Inspector at his 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 enquire 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 done to property. The report should be in the style of the Reports of preliminary Enquiries under the British Boiler Explosion Acts, 1882 and 1890.

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| Procedure during enquiry |

1. Inspectors shall take the written statements of witnesses and all persons immediately concerned with the accident. In order to comply with the provisions of section 18 (2) 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.

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| Power to hold enquiry in writing |

1. 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 alternations that he may order. In no case shall he issue a provisional order or renewal certificate, until his orders have been carried our.

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| Use of boiler after accident |

1. The report shall be sent without delay to the Chief Inspector who if he considers that the investigation has been sufficient, shall record the facts in his register of accidents and shall enter a brief account of the accident in the registration 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 thee report of the Inspector, shall proceed to investigate the accident personally.
2. A brief account all accidents and their causes shall be included in the annual report on the working of the Act.

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| Reference in annual report |

1. If in the course of an inspection or at any other time the Inspector discovers damage which comes within the definition of an accident, but which has but been reported, he shall report the facts at once to the Chief Inspector for action under section 24 (d)

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| Unreported accidents |

1. In this part “appellate authority” means the appellate authority as constituted under section 20 of the Act.

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| Definition of appellate authority |

1. The Local Government shall appoint a officer to be President of the Appellate authority, for such period as it thinks fit. The president shall be an officer with judicial or magisterial experience.

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| Constitution of appellate Authority |

1. The Local Government shall constitute a panel of Assessors for the purpose of assisting in the hearing of appeals under section 20 of the Act. Assessors must be fully qualified mechanical engineers;

 Provided that no person may sit as a member of the appellate authority, who directly interested in boiler concerned in the appeal.

1. Every petition of appeal shall be made in writing either in English or in the vernacular.

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| Filing of appeal |

1. A petition of appeal may be presented either personally or by registered post to the Chief Inspector.

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| Presentation of appeal |

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

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| Form of appeal |

1. On receipt of an appeal the Chief Inspector shall, if the appeals is to be heard by himself, at once fix a that for hearing the appeal; and if it is to be heard by the appellate authority, obtain a date for the hearing of the appeal from the President of that authority and under the instructions of the President arrange for the attendance of three members of the panel constituted under rule 29 to act as assessors. No delay shall be made in deciding appeals. The decision shall ordinarily be given within ten days from the receipt of the petition of appeal.

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| Fixing date for hearing |

1. When the date for hearing has been fixed, the Chief Inspector shall at once issue a notice to the appellate stating the date for hearing and forming 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 authorized agent with his evidence on the date fixed. The notice shall be sent by registered post of such address as shall be entered in the petition of appeal.

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| Procedure before hearing |

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

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| Presence of Inspector |

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

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| Attendance of witnesses |

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

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| Expiries decision |

1. In appeals before the appellate authority, the President of the authority shall fix the costs and recover them from the appellant in any case in which the appeal is dismissed. In all cases of appeal in which a local inspection is required by the appellant he shall deposit in advance the full costs of such inspection. A member of the appellate authority shall be remunerated at such rate as may be prescribed by Government and be allowed the traveling expenses incurred by him in attending Court.

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| Cost in appeals |

1. Any order on appeal authorizing the registering of a boiler or the grant or 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.

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| Fees required for certificates granted on appeal |

**VII. – ADMINISTRATIVE INSTRUCTIONS FOR REGISTRATION**

1. Inspector shall carry out the technical instructions for the registration of boilers, as laid down in Part II of the Regulations, with the greatest care and precision, as the details of measurement recorded at the time of registration constitute a permanent record for the boiler and determine the original pressure at which the boiler is allowed to work.

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| Importance of registration |

1. Applications for registration shall be made under section 7 (1) to the Chief Inspector and shall be accompanied under rule II 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. Any excess payment will be refunded according to rule 5.

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| Receipt of applications |

1. The Chief Inspector shall maintain a register of registered boilers in serial order in Form A in two parts; in Part I (boilers originally registered in the province) 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 province shall not be filled up. In Part II (boilers originally registered in other provinces) entries shall be made as prescribed in rule 44.

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| Register of registered boilers |

1. Whenever a boiler is transferred from one province to another, the owner shall, under section 6 (b), apply to the Chief Inspector of the province to which the boiler is transferred for the registration of the transfer; the boiler cannot be used until registration has been affected. The Chief Inspector shall been obtain from that province the registration book and memorandum of inspection book of the boiler. No fee shall be charged for recording transfer.

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| Procedure on transfer of a boiler |

1. On receipt of the registration and memorandum of inspection books the Chief Inspector shall enter the boiler under its original number in part II of his register. The registration book and the memorandum of inspection book shall be kept as prescribed by Rule, 9 (b) and Rule 17 (b) respectively.

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| Entry of transferred boiler in register |

1. Whenever a boiler has been transferred to another province 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.

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| Note of transferred and dismantled boilers |

 VII. – ADMINISTRATIVE INSTRUCTIONS FOR INSPECTION.

1. Inspector shall carry out the inspection of boilers in accordance with the detailed instructions contained in Part II of the regulations. The inspector previous to an inspection shall scrutinize the memorandum of inspection book and shall note any entries that may have been made at the last inspection.

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| Reference to previous inspection |

1. Inspectors, when inspecting one boiler of a battery, shall also examine the other boilers under steam, with special reference to the water gauges pressure gauges and safety valves.

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| Procedure during inspection of boilers of a battery |

1. All certificates shall be issued from the head of office after being countersigned by the Chief Inspector. A provisional order shall be issued in each case of registration after the hydraulic test if the Inspector is satisfied. The steam test may be taken at any convenient time within the period of the provisional order after which, if the test is satisfactory, the certificate under section 7 of the Act shall be issued.

A provisional order shall also be issued after each completed inspection for renewal of the certificate so as to give authority for the use of the boiler pending the issue of the certificate.

The period specified in any certificate or provisional order shall begin on the day following that on which the completed hydraulic test or thorough inspection is made.

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| Issue of certificate and provisional orders |

1. Provisional orders and certificates shall be issued in Forms V and VI, respectively prescribed under the regulations.

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|   Form of provisional orders  and certificates. |

 **FORM A**

**(Rule 9 (a) of the Assam Boiler Rules, 1935)**

**Boiler Inspection Department.**

**Register of Boilers.**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Registry number | Type of boiler | Boiler rating | Name of manufacture | Year and place of construction | Date of registration | Name of owner | Place where in use | Remarks(transfers, etc. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|  |  |  |  |  |  |  |  |  |

 In part II of the register, column I should contain the registry number and letters.

Issued by the Registered No………………….

Chief Inspector of Certificate No………………….

Boilers, Shillong

**FORM B. NO. 1**

 Application for the Inspection of Boilers and Steam Pipes

 Under the Indian Boiler Act, V of 1923.

 (DIVISION I, RULE II)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Registered number of boiler | Name of owner of Agent | Where situated | Date of Inspection | Description of boiler and age |
| 1 | 2 | 3 | 4 | 5 |
|  |  |  |  |  |

 I have attached here to Government of Assam Treasury receipt, in accordance with rule 2, covering the amount of fees chargeable, as prescribed under Rule 4 of the Assam Boiler Rules and I hereby apply to the Inspector of Boilers for an inspection of and the grant of a certificate for the boiler above named.

 Dated at ………………………………..

This …………………….. day of ………………………20 Owner or Agent

**DIVISION II**

To be sent to Owner with Application Form

I certify that the following fees and expenses are payable to :-

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Boiler number | Boiler rating | Fees | Boiler fee for Sunday and holiday inspection and other expenses | Total |
| 1 | 2 | 3 | 4 | 5 |
|  |  |  |  |  |

N.B. – This form with Division I, duly filled in together with the amount of fees and expenses specified above must be forwarded as soon as possible to the office of the Chief Inspector of Boilers, Shillong, in order that the necessary inspection may be made.

Date at Guwahati,

This ………………………………. Day of ………………………..20

Chief Inspector of Boilers, Assam

DIVISION III

No.

 I hereby certify that I have received Government Treasury receipt No ……… for Rupees ……………………………….. and paise …………………………………. On account of the inspection of the boiler above-named.

 Dated Shillong,

This …………………………….. day of ………………………………20

 Accountant,

 Office of the Chief Inspector of Boilers, Assam.

**FORM C.**

Indian Boiler Act, 1923 (V of 1923)

Notice of examination of boiler under section 7 and 8)

No……………of

BOILER INSPECTION OFFICE

Dated the ……………….20

To,

 …………………………………………………..

 …………………………………………………..

 …………………………………………………..

 In reply to your application, dated you are hereby informed that boiler registry No………………….at the above named premises will be thoroughly examined/ hydraulically tested by the Government Inspector on the ………………………

 To enable the examination to be made you are bound

1. To afford to the Inspector all reasonable facilities for the examination and all such information as may reasonably be required of your ;
2. To have the boiler properly prepared and ready for examination in the prescribed manner ; and
3. In the case of an application for the registration of a boiler to provide such drawings, specification, certificates and other particulars as may be prescribed.

Voucher No…………….in acknowledgement of Bank Treasury Receipt No………………..

For Rs……………………………accompanies.

 **Competent Person**

 (REVERSE OF FORM C )

 PREPARATION FOR EXAMINATION

 (See Part II, Chapter I of the Regulation)

1. PREPARATION FOR THOROUGH INSPECTION.

 At every inspection of a boiler for the grant or renewal of a certificate, the boiler shall be empty and thoroughly clean in all its parts. All doors of manholes hand holes and sight holes and cleaning plugs and all caps in the headers and mud-drums of water-tubes boilers, all fire bares, bearers, front plates, bridge plates, fire bridges, brick arches, oil fuel burners and mechanical stocker fittings shall be removed. All valves and cocks comprising the boiler mountings shall be opened up and taken apart and the valves and cocks groun, when necessary, before the Inspector’s visit.

 Provision shall be made for the removal of lagging or brick work or other concealing part and for the drilling of plates, if required by the Inspector, and for verifying the pressure gauge and safety valve dimensions and weights. All smoke, tubes, exterior of water tubes, smoke boxes, and external flues must be swept clean.

 Provision shall be made for the effective disconnection of all steam and hot water communication with any other boilers under steam, as prescribed in Part III of the regulations. This shall be effected either by the removal of a length of pipe from the steam feed piping or by the insertion of substantial blank flanges. Where blank flanges are employed, they shall be inserted between the flange of the chest and the pipe attached to it. No blank flange shall be inserted between a safety valve chest and the boiler.

Note:- These provisions as to effective disconnection shall extend to every case wherein a person is sent or with the assent of the owner or person in charge goes, into a boiler for any purpose. See Part III of the Regulations.

1. PREPARATON FOR HYDRAULIC TEST.

 The chest of all mounting subject to steam pressure shall be in place and shut tight or blank-flanged. The safety valves shall either be jammed down or removed and the chest opening blank-flanged. The attachment \* for the Inspectors pressure gauge and the nipple + for connecting the Inspector’s test pump hose shall be in order. All doors shall be properly jointed and tightened up. The boiler shall be completely filled with water, care being taken to allow all air to escape and, if possible, a preliminary test not exceeding the working pressure of the boiler shall be taken before the Inspector’s visit to test the tightness of the joints. When a boiler is hydraulically tested for the first time, it shall be entirely cleared of lagging or brick work, at subsequent tests the lagging or brickwork, or portions thereof, shall be removed if required by the Inspector.