Office of the Labour Commissioner,
U.T. Administration of Daman & Diu,
Daman

No. 2(136)CIF&B/DMN/SCCARS/2014/**282** Dated : 14 /11/2014

**NOTIFICATION**

The U.T. of Daman & Diu is satisfied that for the rapid industrialization of U.T. of Daman & Diu, it is necessary to exclude boilers from certain provisions of the Boilers Act, 1923.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 34 of the Boilers Act, 1923 (No. 5 of 1923),the U.T. of Daman & Diu hereby excludes boilers which have been installed or which will be installed in future from the operation of the provision of Section 7,8,9,10,12,13,14, 15,16,17,19,20,20-A,21,22 and section 23 subject to the following conditions, namely:-

(1) Before the use of boiler, the owner of the boiler may apply to the General Manager, District Industries Centre (hereafter referred to as DIC) of the concerned district along with the following documents to have the boiler registered–

(a) As per the provisions of clause (c) of sub-section (1) of section 14 of the Boilers Act , 1923, all necessary documents as provided in regulation 4 of the Indian Boiler Regulations 1950 along with the applications for registration of the Boiler.

(b) A certificate from the "Boiler Engineer " with regard to the boiler for the period and maximum pressure for which it can be safely used.

"Boiler Engineer" shall be a person:-

(i) who is a graduate in Mechanical or Production or Power Plant or Metallurgical Engineering from a recognized institution;

(ii) has a minimum five years experience singly or cumulatively in the following fields related to boilers,—

(I) Design;
(II) Manufacture;
(III) Commissioning;
(IV) Operation and maintenance;
(V) Inspection and certification during manufacture or operation and maintenance;
(VI) High Pressure Welding Inspection; and

(iii) is registered with DIC as a "Boiler Engineer"

(c) Fees as prescribed in Rule 385 of the Indian Boiler Regulations, 1950.

(2) Thereafter, an annual certificate from "Boiler Engineer ", as given below shall be submitted to the "DIC" with regard to that boiler can be safely used at the pressure approved by the DIC for a further period of 12 months .

**"Annual certificate from Boiler Engineer**

A. Registry number of Boiler/Economiser:

B. Name , address, Telephone No., Mobile No. and e-mail address of boiler owner:

C. Address where Boiler/Economiser installed:

D. Name , address, Telephone No., Mobile No. and e-mail address of "Boiler Engineer " reporting fitness of Boiler/Economiser:

E. Certificate of "Boiler Engineer ":

I have inspected above boiler/economiser on ---------- at the request of boiler owner as required under Notification No.:---------- dated --------- of U.T. of Daman & Diu and I hereby certify that the boiler/economiser
is fit to operate for use at the pressure approved by the DIC for a further period of 12 months i.e. from --------- to ---------.

Signature of Boiler Engineer Signature of Boiler Owner

Date :

Place :

(3) It will be responsibility of the owner of the Boiler to run and maintain it as per provisions of the Boilers Act, 1923 and regulations and rules framed under the Act and owner shall also be responsible for any violation of the provisions or accident.

(4) The "Boiler Engineer" shall follow the provision of the Boilers Act, 1923 , rules & regulations framed thereunder and shall be liable and responsible for any act or omission or commission committed against the provision of said Act , rules & regulations, including de-registration as "Boiler Engineer".

(5) If the owner of boiler violates any provision of the Boilers Act, 1923, regulations and rules framed thereunder or any of the above provisions , in addition to penal provisions in the Boilers Act, 1923, a penalty of Rs. 5000 shall be imposed on him. For any subsequent offence, besides penalty of Rs 5000, penalty of Rs 500/- per day shall be additionally imposed and/ or restriction can be imposed on the use of boiler. The General Manager, DIC shall be competent to impose the penalty or stop the use of the boiler. The owner may file an appeal with the Labour Commissioner within 30 days of the order passed by the General Manager DIC whose orders shall be final.

**By order and in the name of the**
**Administrator of Daman & Diu & Dadra &**
**Nagar Haveli**

**(Gaurav Singh Rajawat)**
**Secretary (Labour)**

To,

1. The Dy. Director, Government Printing Press, Daman for notification in the Official Gazette.

2. The DIO, NIC, Daman for uploading on the Administration Website.