

Indian Boilers Act, 1923 (5 of 1923)

Section 28 - Power to Make Regulations

¹[(1)] The {Subs. by Act 11 of 1937, s.5, for " G.G. in C."}[Board] may, by notification in the Gazette of India, make regulations {For Indian Boiler Regulations, 1950, see Gazette of India, 1950, Extra-ordinary, Pt. II, Sec.3, p.607.}consistent with this Act for all or any of the following purposes, namely :-

³[(a) for laying down the standard conditions in respect of material, design, construction, erection, operation and maintenance which shall be required for the purposes of enabling the registration and certification of boilers, boiler components, boiler mountings and fittings under this Act;]

(b) for prescribing the method of determining the maximum pressure at which a boiler may be used ;

(c) for regulating the registration of boilers, prescribing the fees payable therefore,²[and for the inspection and examination of boilers or parts thereof] the drawings, specifications, certificates and particulars to be produced by the owner, the method of preparing a boiler for examination, the form of the Inspector's report thereon, the method of marking the register number, and the period within which such number is to be marked on the boiler ;

(d) for regulating the inspection and examination of boilers and ⁴[boiler components, boiler mountings and fittings], and prescribing forms of certificates therefor ;

(e) for ensuring the safety of persons working inside a boiler ; and

⁵[(ea) for prescribing the qualifications and experience subject to which the Inspecting Authorities, Competent Authorities and Competent Persons shall be recognised under this Act;

(eb) the conditions subject to which and the manner in which manufacturer of boiler components of material may be recognised;

(ec) facilities for design and construction which are required to be provided in the premises in which the manufacturing of any boiler or boiler component is carried out;

(ed) fee for the purposes of inspection or grant of recognition or any certificate under this Act;

(ef) procedure for examination and grant of Welders certificate;

(eg) powers and functions which the Board may delegate to the Technical Adviser;

(eh) documents to be enclosed along with the application for registration of boilers or renewal of a certificate authorising the use of boilers;

(ei) the manner of inspection of boilers;

(ej) the period for which a certificate authorising the use of a boiler may be renewed;

(ek) the conditions subject to which and the form in which Competent Person shall renew a certificate authorising the use of boilers;

(el) the manner and the form in which a Repairer's certificate shall be issued;

(em) the manner in which the boiler shall be prepared for examination;

(en) drawings, specification, documents and other particulars which owner of a boiler is required to make available to the Competent Person;

(eo) the manner in which a person may be authorised to conduct energy audit and the manner in which such audit shall be conducted;

(ep) the manner in which disputes between the States with respect to registration of boilers shall be resolved.]

(f) for providing for any other matter which is not, in the opinion of the {Subs. by Act 11 of 1937, s.5, for " G.G. in C."}[Board], a matter of merely local or State importance.

¹[(2) Every regulation made under this Act shall be laid, as soon as may be after it is made before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.]

1. Section 28 renumbered as sub-section (1) and after sub-section (1) so renumbered, sub-section (2) inserted by the Delegated Legislation Provisions (Amendment) Act 1986, w.e.f. 15-05-1986..

2. Inserted by the Indian Boilers (Amendment) Act, 1960, w.e.f. 06-05-1960.

3. Substituted by the Indian Boilers (Amendment) Act, 2007 [Act No. 49 of 2007]. Prior to substitution the text was as:

"(a) for laying down the standard conditions in respect of material, design and construction which shall be required for the purpose of enabling the registration and certification of a boiler under this Act ;"

{Ins by Act 11 of 1937, s.5.}[(aa) for prescribing the circumstances in which, the extent to which, and the conditions subject to which variation from the standard conditions laid down under clause (a) may be permitted;]

4. Substituted by the Indian Boilers (Amendment) Act, 2007 [Act No. 49 of 2007] for the word "steam-pipes".

5. Inserted by the Indian Boilers (Amendment) Act, 2007 [Act No. 49 of 2007].
