

THE BOILER ACCIDENT INQUIRY RULES, 2021¹

In exercise of the powers conferred by sub-section (1), clause (g) of sub-section (1A) of section 28A and sub-section (3) of section 18 of the Boilers Act, 1923 (5 of 1923), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Boiler Accident Inquiry Rules, 2021.

(2) They shall come into force on the date² of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Boilers Act, 1923 (5 of 1923);

(b) “Board” means Central Boilers Board constituted under section 27A of the Act;

(c) “Chief Inspector” means a person appointed to be a Chief Inspector under the Act; and

(d) “Technical Adviser” means the Technical Adviser appointed under sub-section (1) of section 4A of the Act.

(2) Words and expressions used and not defined in these rules, but defined in the Act shall have the same meanings respectively assigned to them in that Act.

3. Inquiry of accidents.—On receipt of a report of an accident to a boiler or boiler component under section 18 of the Act, a preliminary inquiry shall be conducted in the concerned State in whose jurisdiction the accident has occurred.

4. Accidents resulting in any death.—The Chief Inspector of the concerned State in whose jurisdiction any death has resulted due to the accident, based on preliminary inquiry, shall forward a report without delay to the Technical Adviser in Form “A”.

5. Inquiry of accidents resulting in any death.—(1) Without prejudice to rule 3, where any death has resulted due to any accident, an inquiry shall also be conducted by the Central Government.

6. Constitution of inquiry committee.—(1) The inquiry shall be conducted by an inquiry committee consisting of the following, namely:—

(i) Technical Adviser –Chairman;

(ii) a Chief Inspector or Director of Boiler –Member;

(iii) a representative of Boiler and boiler component manufacturer or user of boilers in the Board – Member.

(2) The Central Government may also co-opt any other person, who does not have any conflict of interest with the accident, in the inquiry committee if his or her presence is considered useful in conducting the inquiry.

1. *Vide* G.S.R. 743 (E), dated 14th October, 2021, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), No. 600, dated 14th October, 2021.

2. Came into force on 14-10-2021.

(3) The inquiry committee shall be constituted within fifteen days of receipt of report of accident resulting in any death from the Chief Inspector of the concerned state and inquiry shall be conducted within forty-five days of receipt of report of accident from the Chief Inspector.

7. Procedure during inquiry.—(1) The inquiry committee shall make a careful examination of the damaged parts and shall take such measurements or sketches and may take such photographs for the purpose of report as they may deem necessary.

(2) The inquiry committee shall inquire into the circumstances of the accident, its nature and extent, the cause of death and injury to persons and the damage to property and shall submit the inquiry report to the Central Government.

8. Use of Boiler after accident resulting in any death.—(1) The boiler shall not be put to use till the inquiry is completed.

(2) After completion of inquiry, the Chief Inspector of the concerned state shall decide whether the use of 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.

FORM 'A'

(See rule 4)

Report of the preliminary inquiry of the accident to Boiler No.....

To

Technical Adviser (Boiler)

Department for Promotion of Industry and Internal Trade,

Ministry of Commerce and Industry,

Government of India

Sir/Madam,

We have held a preliminary inquiry into the accident to Boiler No..... and now make the following reports.

1. Date and Place of accident.
2. Date of inquiry.
3. Name and address of owner.
4. Persons killed or injured.
5. Name of maker.
6. Short description of the Boilers general condition, its location with respect to other boilers, the purpose for which it is used and the age of the boiler.
7. Particulars of previous repairs with dates.
8. The boiler was last inspected onby.....
9. Nature of accident.
10. Cause of accident.
11. General remarks.

Chief Inspector of Boilers