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PART - II

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GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Ms. No. 28/Lab./AIL/G/08, dated 10th October 2008)

NOTIFICATION

In exercise of the powers conferred by section 37 of the Dangerous Machines (Regulation) Act, 1983 (Central Act 35 of 1983), read with the notification issued under S.O.616 (E), dated the 21st August, 1985 of the Ministry of Home Affairs, Government of India, New Delhi, the Lieutenant-Governor, Puducherry hereby makes the following rules, namely :—

**THE PUDUCHERRY DANGEROUS MACHINES
(REGULATION) RULES, 2008**

1. (1) These rules may be called the Puducherry Dangerous Machines (Regulation) Rules, 2008.

(2) They shall come into force on and from the date of this publication in official gazette.

2. In these rules, unless the context otherwise requires,—

(a) “Act” means the Dangerous Machines (Regulation) Act, 1983 (Central Act 35 of 1983);

(b) “Form” means a form appended to these rules;

(c) “section” means a section of the Act.

3. *Form of application for grant of licence.*— (1) Every application for the issue of a licence to manufacture, or to commence or carry on business as the manufacturer of, any dangerous machine shall be made in Form-I and shall be accompanied by a fee as specified in the Table below:-

TABLE

Where the value of each dangerous machine of a category proposed to be manufactured, sold or dealt with in the course of business,—

(1)	(2)
exceeds two thousand rupees but .. does not exceed five thousand rupees.	Two hundred rupees
exceeds five thousand rupees but .. does not exceed ten thousand rupees.	Three hundred rupees
exceeds ten thousand rupees	.. Five hundred rupees

(2) For each category of dangerous machine proposed to be manufactured, a separate application shall be required.

(3) Every application for a licence to commence, or to carry on business as a dealer of any dangerous machine shall be made in Form-II and shall be accompanied by a fee as specified in the Table under sub-rule (1) :

Provided that where a manufacturer holding a licence for the manufacture of any dangerous machine, sells such dangerous machines directly to a user, such manufacturer shall not be required to take out a licence to carry on business as a dealer.

(4) An application for licence shall be processed for final decision within a month after the date of its receipt.

4. *Form of application for renewal licence.*—Every application for the renewal of a licence to manufacturer or to commence or to carry on business as a manufacturer, or dealer of a dangerous machine, shall be made in Form-III and shall be accompanied by a fee as specified in sub-rule (1) of rule 3.

5. *Cautions to be specified in the manual of instructions.*—Every manual of instructions prepared in pursuance of section 15 of the Act shall, among other things, specify therein the following cautions, namely :—

(a) do not wear loose dress, bangles and the like, while working on dangerous machines;

(b) do not smoke and light fire near the threshing yard or the thresher;

(c) do not be under the influence of intoxicants like liquor, opium and the like, while working on the dangerous machines;

(d) do not cross over the moving belts;

(e) do not stand on the thresher while it is in operation or during its transportation;

(f) do not feed ear heads by hand; use pushing device;

(g) do not work when tired;

(h) do not operate the thresher without guards and other safety devices;

- (i) do not make any adjustment when the thresher is in operation;
- (j) do not put, or take off belt while the pulley is running;
- (k) do not insert hand beyond the caution mark in the feeding chute.

6. *Declaration under section 16.*—Each declaration made under section 16 of the Act shall be made in Form-IV.

7. *Form in which registers, records and accounts to be maintained.*—(1) Every manufacturer shall maintain a monthly register in Form-V indicating therein the number and other particulars of each dangerous machine manufactured by him during the month.

(2) Every manufacturer and every dealer shall maintain a register in Form-VI indicating therein the monthly stock of dangerous machines or parts thereof in his custody or control during the month, and also the particulars of the addition to, or subtraction from, the stock and the total stock carried over to the next month.

8. *Form in which application is to be made for the registration by the users of dangerous machine and fee, etc.*—(1) Every application by the user of dangerous machine for the registration thereof shall be made in Form-VII and shall be accompanied by a fee of five rupees.

(2) Every certificate of registration granted by the Controller to the user under sub-section (2) of section 19, shall be in Form-VIII.

(3) The register referred to in sub-section (3) of section 19 of the Act shall be maintained in Form-IX.

9. *Form of nomination.*—(1) The nomination referred to in the first proviso to sub-section (1) of section 22 shall be made in Form-X.

(2) The Controller shall maintain register of nominations filed with him under the first proviso to sub-section (1) section 22 of the Act in Form-XI.

10. *Mode of payment of fees.*—Every application made under these rules shall be accompanied by a challan receipt showing that the appropriate fee has been paid with the local treasury under the relevant head of account 0230-Labour and Employment, 101-fees realised under the Dangerous Machines (Regulation) Act, 1983—Licence fee.

FORM-I

[See rule 3 (1)]

FORM OF APPLICATION FOR LICENCE TO MANUFACTURE,
COMMENCE OR CARRY ON BUSINESS AS A MANUFACTURER
OF DANGEROUS MACHINES (REGULATION) ACT, 1983
(CENTRAL ACT 35 OF 1983)

1. Name of applicant :
2. Whether sole proprietor-ship/partnership/public limited/private limited company/trust (Attested copy of the deed attached).
3. Full address :
4. Dangerous machines for which licence is required.
5. Specifications and other details :—
 - (a) Trade name :
 - (b) Brief description :
 - (c) Overall dimensions :
 - (d) Capacity of prime mover (in H.P) required to operate machine.
 - (e) Output (quintals/ hours).
 - (f) Number of persons required to operate.
 - (g) Prescribed standards to which machine conforms or will conform (specify standard).

6. I/We hereby apply for commencing/carrying on business as a manufacture. A licence fee of Rs..... has been remitted in..... vide challan No.....dated.....(enclosed).

7. (i) I/We declare that the machine to be manufactured will conform to the standards as laid down in the Dangerous Machines (Regulation) Act, 1983 and rules made thereunder by the Central Government (for applicant proposing to carry on business as a manufacturer).

(ii) I/We declare that the dangerous machines being manufactured by us comply with the standards prescribed under section 13 of the Dangerous Machines (Regulation) Act, 1983 and rules made thereunder by the Central Government (for applicant proposing to carry on business).

[Strike out 7 (i) (ii) whichever is not applicable]

8. I / We will abide by all the provisions of the Dangerous Machines (Regulation) Act, 1983 and the rules made thereunder and any other instructions issued by the authorities under the Act from time to time. I / We will maintain the requisite records and supply the relevant information to the Controller / Inspectors or persons authorised by them as and when required.

9. I/ We declare that Shri.....,son of Shri, Partner/Managing Director/Shareholder of the firm will correspond with the authorities under the Act on behalf of all the partners concerned with the above firm.

Date: *Signature of the applicant*

Place: (Full name in capital letters)

(Seal of the firm)

(For official use)

FORM-II

[See rule 3 (3)]

FORM OF APPLICATION FOR LICENCE TO COMMENCE ON
CARRY ON BUSINESS AS A DEALER IN DANGEROUS
MACHINES UNDER THE DANGEROUS MACHINES
(REGULATION) ACT, 1983 (CENTRAL ACT 35 OF 1983)

1. Name of applicant :
2. Whether sole proprietorship/
partnership/public limited/
private limited company/
trust (Attested copy of
the deed attached) :
3. Full address :
4. Dangerous machine(s) for
which licence is required.
[Give trade name with
brief description of each] :
5. Do machines conform
to prescribed standards?
(indicate which standard) :
- 6.

Name of manufacturer	Whether licensed under the Dangerous Machines (Regulation) Act, 1983	If yes, No. and date of licence/name of licensing authority
(1)	(2)	(3)

Note : Information required under (5) or (6) above shall be subject to verification and, will be considered adequate for grant of licence.

7. I/We hereby apply for commencing/carrying on business as a dealer in dangerous machines. A licence fee of Rs..... has been remitted in*vide* challan No..... dated..... (enclosed).

8. I/We declare that I/We will not deal in machines which do not conform to the standards prescribed under the Dangerous Machines (Regulations) Act, 1983 and the rules made thereunder.

9. I/We will abide by all clauses of the Dangerous Machines(Regulations) Act, 1983and the rules made thereunder and any other instructions issued by the authorities under the Act from time to time. I/We will keep the record and supply the requisite information to the Controller/Inspector of persons authorised by them as and when required.

10. I/We declare that Shri.....son of Shri.....Partner/Managing Director/Shareholder of the firm will correspond with the authorities on behalf of all the partners concerned with the above firm.

Date: *Signature of the applicant*

Place: (Full name in capital letters)

(Seal of the firm)

(For official use)

FORM-III

[See rule 4]

FORM OF APPLICATION FOR RENEWAL OF LICENCE TO
MANUFACTURE, COMMENCE OR CARRY ON BUSINESS AS A
MANUFACTURER OR DEALER OF A DANGEROUS MACHINE,
UNDER THE DANGEROUS MACHINES (REGULATION) ACT, 1983
(CENTRAL ACT 35 OF 1983)

1. Name of applicant :

2. Full address :

3. Details of licence sought to:
be renewed.

(i) Licence No. and date :

(ii) Validity period :

4. A licence renewal fee of Rs..... has been
remitted in.....*vide* Challan
No.....dated(enclosed).

5. Is there any change in the partnership deed of firm ? If so give details.

6. I/We declare that I/We have not been convicted/punished under
the above Act during the validity period.Date: *Signature of the applicant*

Place: (Name in capital letters)

(Seal of the firm)

 (For official use)

FORM-IV

[See rule 6]

FORM OF DECLARATION TO BE MADE BY MANUFACTURER/
DEALER TO ENABLE THE REGISTRATION OF DANGEROUS
MACHINES UNDER THE DANGEROUS MACHINES
(REGULATION) ACT, 1983 (CENTRAL ACT 35 of 1983)

Serial No.....

I/We have transferred by sale/lease/hire/supply (delete
whichever is not applicable) to Shri/Messers.....
(name)..... of
Nos.....of.....(address).....(give
figures).....(name of machine) of the
under mentioned particulars on.....(date).

Certified that this machine conforms/these machines conform
(delete whichever is not applicable) to the standards laid down by or
under the Act and rules and orders made thereunder :—

1. Make and model :
2. Serial number of the machine :
3. Year of manufacture :
4. H.P./K.W. :
5. Capacity :

*Signature of the purchaser**Signature of manufacturer/dealer*

(Name in capital letters)

Date :

Place :

(Seal of the firm)

 (For official use)

FORM-V

[See rule 7 (1)]

FORM OF REGISTER TO BE MAINTAINED BY THE MANUFACTURER
UNDER THE DANGEROUS MACHINES (REGULATION) ACT, 1983
(CENTRAL ACT 35 OF 1983)

Sl. No.	Month and year of manufacture	Brief details of the machine models, and size of prime mover (If provided with machine)	Total number of such machines manufactured	Signature of the manufacturer/dealer
(1)	(2)	(3)	(4)	(5)

FORM-VI

[See rule 7 (2)]

REGISTER OF MONTHLY STOCKS TO BE MAINTAINED BY
THE MANUFACTURER UNDER THE DANGEROUS MACHINES
(REGULATION) ACT, 1983 (CENTRAL ACT 35 OF 1983)

Sl. No.	Brief description of the machine make and model capacity	Date	Particulars of the opening stocks	Particulars of stocks received during the month	Particulars of the machines sold, transferred or otherwise disposed of during the month	Particulars of the closing stocks	Signature of the manufacturer/dealer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM-VII

[See rule 8 (1)]

FORM OF APPLICATION BY USERS FOR REGISTRATION OF
A DANGEROUS MACHINES (REGULATION) ACT, 1983
(CENTRAL ACT 35 OF 1983)

I/We.....(name).....of
.....(address).....own/have acquired control (as
hirer/lessee or otherwise) of the machine, the particulars of which are
given below, and hereby to apply for the registration of the same, namely:—

- (a) Name and number of machine :
- (b) Make/model :
- (c) Date/year of purchase/hire/
lease or other transfer.
- (d) Name and address of the :
supplier/transferor.

The certificate to the effect that the machine conforms to prescribed standard is attached.

Certified that I/we have been using the machine, since prior to the coming into force of the Act and machine, conforms/has been so modified as to conform to the prescribed standards. A registration fee of rupees.....per machine has been remitted into.....*vide*/challan number..... date..... and receipt is enclosed.

Date:

Signature of the applicant

Place:

(Full name in capital letters)

FORM-VIII

[See rule 8 (2)]

FORM OF CERTIFICATE TO BE GRANTED BY THE CONTROLLER
TO THE USER UNDER THE DANGEROUS MACHINES
(REGULATION) ACT, 1983 (CENTRAL ACT 35 OF 1983)
CERTIFICATE

Registration No.....

1. Name of the user :
2. Father's/Husband's name :
of the user.
3. Address :
4. Particulars of the machine :
 - (1) Name of the dangerous :
machines.
 - (2) Make and model :
 - (3) Year of manufacture with :
supplier's transferor's name
and address.
 - (4) Serial number of the machine, :
if any.

The person above named is hereby allowed to use dangerous
machine detailed above.

Date:

Signature

Place:

(Seal of the Registering Authority)
(Controller)

FORM-IX

[See rule 8 (3)]

**FORM OF REGISTER TO BE MAINTAINED BY THE CONTROLLER
UNDER SECTION 19 (3) OF THE DANGEROUS MACHINES
(REGULATION) ACT, 1983 (CENTRAL ACT 35 OF 1983)**

Sl. No.	Name of the dangerous machines	Manu- fact- ured by (give full address)	Supplied by (give full address)	Make/ model and serial number of the machine if any	Whether a new machine or old machine modified	Owned/ used (name and full address)	Date of grant of registration with its number
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM-X

[See rule 9 (1)]

**FORM OF NOMINATION TO BE MADE UNDER THE FIRST PROVISO
TO SUB-SECTION (1) OF SECTION 22 OF THE DANGEROUS
MACHINES (REGULATION) ACT, 1983 (CENTRAL ACT 35 OF 1983)**

I.....(name), son of.....(name) of.....
(address) do not have any family, and consequently, I hereby
nominate Thiru/Thirumathi.....son of/daughter of /
wife of(name) of(address)
to receive full payment of the compensation which would be payable
under this Act in the event of my death during the operation of a
dangerous machines.

Place:

Signature.....

Date:

Full name.....

Witness:

1.
(Name)

2.
(Address)

.....
(Date)

Attested Revenue Officer or Commissioner of the concerned
Commune Panchayat or Municipality.

FORM-XI

[See rule 9 (2)]

FORM OF REGISTER NOMINATION TO BE MAINTAINED BY
THE CONTROLLER THE DANGEROUS MACHINES
(REGULATION) ACT, 1983 (CENTRAL ACT 35 OF 1983)

Sl. No.	Received from (Give name and full address of the operator making the nomination and also the date of making nomination)	Name of the operator's employer	Name and full address of the nominee	Remarks
(1)	(2)	(3)	(4)	(5)

(By order of the Lieutenant-Governor)

S.D. SUNDARESAN,
Joint Secretary to Government (Labour).

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