



Competent Persons

COMPETENT PERSON

Rules prescribed under Section 2A Clause 2(ca) and Section 112

(1) The Chief Inspector may recognise any person as a 'competent person' within such area and for such period as may be specified for the purposes of carrying out tests, examinations, inspections and certification for such buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system and such other process or plant and equipment as stipulated in the Act and the Rules made thereunder, located in a factory, if such a person possesses the qualifications, experience and other requirements as set out in the schedule annexed to this Rule.

Provided that the Chief Inspector may relax the requirements of qualifications in respect of a 'competent person' concurrence of the State Government shall be taken and such a person after being so recognised, shall not have powers of an 'Inspector',

Provided further that the 'competent person; recognised under this provision shall not be above the age of 62 and shall be physically fit for the purpose of carrying out the tests, examination and inspection.

(2) The Chief Inspector may recognise an institution of repute, having persons possessing qualifications and experience as set out in the schedule annexed to sub-rule (1) for the purpose of carrying out tests, examinations, inspections and certification for buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system and such other process or plant and equipment as stipulated in the Act and the Rules made thereunder, as a 'competent person' within such area and for such period as may be specified.

(3) The Chief Inspector on receipt of an application in the prescribed form from a person or an institution intending to be recognised as a 'competent person' for the purposes of this Act and the Rules made thereunder, shall register such application and within a period of sixty days of the date of receipt of application, either after having satisfied himself as regards competence and facilities available at the disposal of the applicant recognise the applicant as a 'competent person' and issue a certificate of competency in the prescribed form or reject the application specifying the reasons therefore.

(4) The Chief Inspector may, after giving an opportunity to the competent person of being heard, revoke the certificate of competency

(i) if he has reason to believe that a competent person

(a) has violated any condition stipulated in the certificate of competency; or

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- (b) has carried out a test, examination and inspection or has acted in a manner inconsistent with the intent or the purpose of this Act or the Rules made thereunder; or has omitted to act as required under the Act and the Rules made thereunder; or
- (ii) for any other reason to be recorded in writing.

Explanation: For the purpose of this Rule, an institution includes an organisation.

(5) The Chief Inspector may, for reasons to be recorded in writing, require re-certification of lifting machines, lifting tackles, pressure plant or ventilation system, as the case may be, which has been certified by a competent person outside the State.

SCHEDULE

S.No	Section or Rules under which competency is recognised	Qualification required	Experience for the purpose	Facilities at his command
1. 1.	Rules made under Section 6 and Section 112 – Certificate of stability for buildings	Degree in Civil or Structural Engineering ; or equivalent	<ul style="list-style-type: none"> i) i) A minimum of 10 years experience in the design of construction or testing or repairs of structures; ii) ii) Knowledge of non-destructive testing, various codes of practices that are current and the effect of the vibrations and natural forces on the stability of the building; and iii) iii) Ability to arrive at a reliable conclusion with regard to the safety of the structure or the building. 	
2. 2.	Rules made under Section 21(2) – “Dangerous Machines”	Degree in Electrical or Mechanical or Textile Engineering or equivalent.	<ul style="list-style-type: none"> (11) (11) a minimum of 7 years experience in- <ul style="list-style-type: none"> a) a) design or operation or maintenance; or b) b) testing, examination and inspection of relevant machinery, their guards, safety devices and appliances. 	Guages for measurement; instruments for measurement of speed and any other equipment or device to determine the safety in the use

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			<p>(ii) he shall –</p> <p>a) a) be conversant with safety devices and their proper functioning;</p> <p>b) b) be able to identify defects and any other cause leading to failure; and</p> <p>c) c) have ability to arrive at a reliable conclusion with regard to the proper functioning of safety device and appliance and machine guard.</p>	of the dangerous machines.
3. 3.	Section 28 – Lifts and Hoists	A degree in Electrical and /or Mechanical Engineering or the equivalent	<p>(i) (i) A minimum experience of 7 years in-</p> <p>(a) (a) design or erection or maintenance; or</p> <p>(b) (b) inspection and test procedures of lifts and hoists;</p> <p>(ii) (ii) He shall be –</p> <p>(a) (a) Conversant with relevant codes of practices and test procedures that are current;</p> <p>(b) (b) Conversant with other statutory requirements concerning the safety of the Hoists and Lifts;</p> <p>(c) (c) able to identify defects and arrive at a reliable conclusion with regard to the safety of Hoists and Lifts.</p>	Facilities for load testing, tensile testing, gauges equipment/ gadgets for measurement and any other equipment required for determining the safe working conditions of Hoists and Lifts.
4. 4.	Section 29 – Lifting Machinery and Lifting Tackles	Degree in Mechanical or Electrical or Metallurgical Engineering or its	<p>(11) (11) A minimum experience of 7 years in-</p> <p>(a) (a) design or erection or maintenance; or</p> <p>(b) (b) testing, examination and inspection, of lifting machinery, chains, ropes and lifting tackles.</p>	Facilities for load testing, tensile testing, heat treatment, equipment/gadget for measurement, gauges and such

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		equivalent	<p>(11) (11) He shall be –</p> <p>(a) (a) Conversant with the relevant codes of practices and test procedures that are current;</p> <p>(b) (b) Conversant with fracture mechanics and metallurgy of the material of construction;</p> <p>(c) (c) Conversant with heat treatment/ stress relieving techniques as applicable to stress bearing components and parts of lifting machinery and lifting tackles;</p> <p>(d) (d) capable of identifying defects and arriving at a reliable conclusion with regard to the safety of lifting machinery, chains, ropes, and lifting tackles.</p>	other equipment to determine the safe working conditions of the lifting machinery tackle.
5	Section 31 – ‘Pressure Plant’	Degree in Chemical or Electrical or Metallurgical or Mechanical Engineering or its equivalent.	<p>(11) (11) A minimum experience of 10 years in</p> <p>(a) (a) design or erection or maintenance, or</p> <p>(b) (b) testing, examination and inspection of pressure plants.</p> <p>(11) (11) He shall be –</p> <p>(a) (a) Conversant with the relevant codes of practices and test procedures relating to pressure vessels;</p> <p>(b) (b) Conversant with statutory requirements concerning the safety of unfired pressure vessels and equipment operating under pressure;</p> <p>(c) (c) Conversant with non-destructive testing</p>	Facilities for carrying out hydraulic test, non-destructive test, gauges equipment/ gadgets for measurement and any other equipment or gauges to determine the safety in use of pressure vessels.

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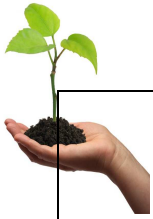
			<p>techniques as are applicable to pressure vessels;</p> <p>(d) (d) able to identify defects and arrive at a reliable conclusion with regard to the safety of pressure plants.</p>	
6	<p>(11) (11) Section 36 – Precautions against dangerous fumes</p> <p>(11) (11) Rules made under Sections 41 & 112 concerning ship-building and ship repairs,</p> <p>(11) (11) Handling and processing of asbestos,</p> <p>(11) (11) Manufacture of Rayon by viscose process,</p> <p>(v) Foundry operations.</p>	<p>Master's degree in Chemistry, or a degree in Chemical Engineering .</p>	<p>(i) (i) a minimum of 7 years in collection and analysis of environmental samples and calibration of monitoring equipment;</p> <p>(11) (11) He shall –</p> <p>(a) (a) be conversant with the hazardous properties of chemicals and their permissible limit values;</p> <p>(b) (b) be conversant with the current techniques of sampling and analysis of the environmental contaminants; and</p> <p>(c) (c) be able to arrive at a reliable conclusion as regards the safety in respect of entering and carrying out hot work.</p>	<p>Meters, instruments and devices duly calibrated and certified for carrying out the tests and certification of safety in working in confined spaces.</p>
7	<p>Ventilation systems as required under various Schedules framed under Section 87, such as Schedules on –</p> <p>(11) (11) Grinding or glazing or metals and processes and</p>	<p>Degree in Mechanical or Electrical Engineering or equivalent.</p>	<p>(i) (i) A minimum of 7 years in the design, fabrication, installation, testing of ventilation system and systems used for extraction and collection of dusts, fumes and vapours and other ancillary equipment.</p> <p>(ii) (ii) He shall be conversant with relevant</p>	<p>Facilities for testing the ventilation system, instruments and gauges for testing the effectiveness of the extraction systems for dusts, vapours</p>

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	incidental thereto, (ii) Cleaning or smoothing, roughening, etc. of articles, by a jet sand, metal shot, or grit, or other abrasive propelled by a blast of compressed air or steam.		codes of practice and tests procedures that are current in respect of ventilation and a traction system for fumes, and shall be able to arrive at a reliable conclusion with regard to effectiveness of the system.	and fumes, and any other equipment needed for determining the efficiency and adequacy of these systems. He shall have the assistance of a suitable qualified technical person who can come to a reasonable conclusion as to the adequacy of the system.
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Reference : Model Rules Framed under Factories acts.



Thanks...

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