

MINISTRY OF INDUSTRY
(Development of Industrial Development)
New Delhi, the 18th February, 1987

NOTIFICATION

G.S.R. 105(E).—Where as the draft of the Carbide of Calcium Rules, 1985, was published as required by sub-section 2 of section 29 of the Petroleum Act, 1934 (30 of 1934) with notification of the Government of India in the Ministry of Industry and Company Affairs (Department of Industrial Development) No. GSR 404(E), dated the ordinary, Part II, Section 3, Sub-section (i), dated the 7th May, 1985 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of 45 days on which the copies of the official Gazette in which the notification was published were made available to the public;

And whereas, the copies of the said official Gazette were made available to the public on the 17th July, 1985;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by Section 4 of the Petroleum Act, 1934, the Central Government hereby makes the following Rules, namely :-

CALCIUM CARBIDE RULES, 1987
CHAPTER I
PRELIMINARY

1.Short title and commencement—

- (1) These rules may be called the Calcium Carbide Rules, 1987.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions.—

In these rules, unless the context otherwise required—

- (a) “Act” means the Petroleum Act, 1934 (30 of 1934);
- (b) “Carbide” means Calcium Carbide;
- (c) “Chief Controller” means the Chief Controller of Explosives;
- (d) “Conservator of the Port” includes any person acting under the authority of the officer or body of persons appointed to be Conservator of a Port under section 7 of the Indian Ports Act, 1908 (15 of 1908);
- (e) “Controller of Explosives” includes a Joint Chief Controller of Explosives, Deputy Chief Controller of Explosives and Deputy Controller of Explosives;
- (f) “District Authority” means—
 - (a) a Commissioner of Police or Deputy Commissioner of Police in any town having a Commissioner of Police; and
 - (b) in any other place, the District Magistrate;
- (g) “District Magistrate” includes an Additional District Magistrate and in the State of Punjab and Haryana and in the Karaikal, Mahe and Yanam areas of the Union territory of Pondicherry, also includes a Sub-divisional Magistrate;

(h) "Form" means a Form as given in the Second Schedule;

(i) "Inspector" means an Officer authorised by the Central Government under Sub-section (1) of Section 13 of the Act.

(j) "Prescribed receptacle" means a receptacle which—

(i) is made of steel or any other material approved by the Chief Controller but has no copper in its composition;

(ii) is hermetically closed at all times except when its contents are being placed within it or withdrawn from it; and

(iii) bears a stamped embossed, painted or printed warning exhibiting in conspicuous characters the words "Calcium Carbide"—

Dangerous if not kept dry" and the following caution :-

"The contents of this package are liable, if brought into contact with moisture, to give off a highly inflammable gas" :

Provided that of the containers of carbide imported, the warning shall be according to relevant international Code.

(k) "Sampling Officer" means an officer authorised by the Central Government under Sub-section

(1) of section 14 of the Act.

CHAPTR II GENERAL PROVISIONS

3. Carbide to be packed in prescribed receptacles.—

Carbide shall not be imported, transported or stored unless it is packed in prescribed receptacles;

Provided that the Chief Controller may permit any receptacle other than the prescribed one if he is satisfied that such a receptacle may be used without any undue hazard.

4. Restriction on delivery and despatch of carbide.—

No person shall deliver or despatch any carbide to any person other than the holder of a storage licence or his authorised agent or a port authority or a railway administration:

Provided that nothing in this rule shall apply to the delivery or despatch to any person of Carbide in quantities which are permitted by Rule 26 to be stored without a licence.

5. Precautions against contact with water.—

Every reasonable precaution shall be taken to prevent carbide coming into contact with water, and where such contact may have occurred to prevent ignition of the gas.

6. Disposal of carbide if wet.—

If any carbide becomes wet and the receptacle becomes hot it shall be destroyed by being submerged in deep water. If deep water is not available, the wet carbide, shall be spread out in the open in an isolated place, and all precautions shall be taken to prevent any fire or artificial light or article capable of igniting acetylene being brought near until the material has given off its gas and the surrounding area has become free of gas.

Note: --The fact of carbide having become wet, will be indicated by the outward appearance of the drum, and probably by a disagreeable odour, showing a leakage of gas.

7. Children and intoxicate person.—

No person shall employ or allow—

- (i) any child under eighteen years of age; or
- (ii) any person who is in a state of intoxication—
 - (a) for the purpose of loading, unloading or transport of carbide; or
 - (b) to enter any premises licensed under these rules.

8. Prohibition of smoking, fires and lights.—

No person shall smoke, and no fires, artificial lights or articles capable of igniting acetylene shall be permitted—

- (a) at any time within or near the place where carbide is stored;
- (b) near a vehicle or vessel transporting carbide.

CHAPTER III IMPORTATION OF CARBIDE

PART I—GENERAL

9. Licence for import of carbide.—

Carbide, other than carbide which may be possessed without a licence under rule 26, shall not be imported except under a licence granted under these rules.

PART II IMPORTATION BY SEA

10. Port of Import.—

Carbide shall not be imported except at the ports of—

Bombay
Calcutta
Cochin
Tuticorin
Kandla
Madras
Mangalore
Port Blair
Visakhapatnam

11. Duty of Master or a Agent in port.—

(1) The master or the Agent of the owner of every vessel arriving at any port and carrying carbide shall on entering the port and before landing any cargo, declare in writing to the Collector of Customs and also to the Conservator of the Port the quantity and description of the carbide carried by it.

(2) The master shall moor the vessel at such place as the Conservator of the port may direct and while any carbide remains on board, the master shall not, except for the purpose of proceedings to sea, remove the vessel without the written permission of the Conservator of the Port.

(3) The master shall ensure that the hold of every vessel brining carbide into port shall be efficiently ventilated from the time the vessel enters the port until all the carbide on board has been discharged or until the vessel has left the port.

12. Defective Receptacles.—

The Collector of Customs and may require that any receptacle containing carbide which does not satisfy the requirements of rule 3 of which is defective shall be submerged in deep water under the direction of the Conservator of the port, without compensation to the consignees.

13. Facilities to be afforded to Inspecting Officers.—

The master or the agent of the owner of any vessel in port with carbide on board shall, when so required by the Collector of Customs or by the Conservator of port or by an Inspector or Sampling Officer, show to such officer all carbide under his control or on board, and shall afford every reasonable facility to enable such officer to inspect such carbide so as to ascertain whether the provisions of these rules are duly observed and to take samples free of charge, if such officer so desires.

14. Landing of carbide.—

(1) Carbide shall be landed only with the permission of the Collector of Customs and at such place or places as the Conservator of the Port may direct.

(2) Carbide shall be landed only between sunrise and sunset.

15 Removal after landing.—

All carbide landed from any vessel shall be removed without unnecessary delay to a licensed premises, and if conveyed by water shall be conveyed only in an open barge certified as suitable for the conveyance of carbide by the Conservator of the Port.

16 Storage at Port;— Notwithstanding anything contained in rule 15, carbide, if it cannot be removed immediately from the port may be stored in the port in a separate godown away from other buildings.

PART III
IMPORTATION BY LAND

17 Importation by land.—

No person shall import carbide by land save with previous sanction in each case of the Central Government and under such conditions and restrictions as it may impose in consultation with the Chief Controller

PART IV
IMPORTATION BY AIR

18 Importation by Air.—

No person shall import carbide by air save with the previous sanction in each case of the Central Government and under such conditions and restrictions and on payment of such fees as it may impose and in such quantities and manners as may be allowed by the Director General, Civil Aviation.

CHAPTER IV TRANSPORTATION OF CARBIDE

19 Transportation in quantity not exceeding 5 kilograms.—Carbide transported in any quantity not exceeding 5 kilograms shall be packed in prescribed receptacles and each receptacle containing not more than 1 kilogram.

20 Transport in quantity not exceeding 5 kilograms. - Carbide in quantity exceeding 5 kilograms shall not be transported except under the following conditions, namely;-

- (a) Carbide shall be carried in prescribed receptacles, no receptacle shall be capable of containing more than 100 kilogrammes of carbide; and
- (b) the carbide shall not be deposited at any time during transit in any building other than a building licensed for the storage of carbide under these rules :

Provided that the Chief Controller may permit transport of carbide in receptacles capable of containing more than 100 kilograms specifically approved by him for the purpose and under such condition that he may prescribed in this behalf :

Provided further that carbide so transported is meant for directly charging into an acetylene generator and not for re-packing into any other receptacle.

21 Transport by Railway or Road - (1) Carbide while in the custody of railway administration or a road transport agency for transport, shall not be stored in any goods shed with other materials but shall be stacked in the open under water-proof sheets and shall be so placed as to prevent any receptacle containing in from becoming wet.

(2) Where the carbide is conveyed by rail it shall be subject to all the regulations which may from time to time be prescribed generally or specially in that behalf by the railway administration.

22 Transport by Passenger Train – Where carbide is transported by passenger train; -

- (i) the quantity carried by any one train shall not exceed 250 kilograms;
- (ii) the carbide shall be carried in brake van of the train;
- (iii) no naked lamp or other artificial light capable of igniting inflammable gas shall be taken into a van containing carbide;
- (iv) and the van shall be well ventilated and as far as possible is watertight.

23 Transport by water -Where carbide is conveyed by water it shall be packed and stored in accordance with the regulations contained in the Merchant Shipping Carriage of Dangerous Goods Rules, 1978.

24 Transport by Air - Carbide may be transported by air in such quantities and in such a manner as may be allowed by the Director General, civil aviation.

CHAPTER V STORAGE OF CARBIDE

25 Carbide to be commercially pure – No carbide shall be kept at any place with or without a licence unless it is “commercially pure” that is, unless it contains no impurities which would render the gas evolved either alone or in admixture with air, liable to ignited spontaneously and the gas evolved shall comply with the requirements given in specification for calcium carbide, technical, IS:1040.

26 Licence for storage - No person shall store any carbide except under a licence granted under these Rules :

Provided that no licence shall be required for storage of carbide –

- (a) in any quantity not exceeding five kilograms if it is kept in prescribed receptacles each containing not more than one kilogram;
- (b) in any quantity exceeding five kilograms but not exceeding two hundred kilograms subject to the following conditions namely :-
 - (i) the receptacles shall be stored in a dry and well ventilated storage shed, which may form a part of or attached to a building provided that it is separated there from by a substantial partition and the only means of access to it is from outside air ;
 - (ii) due precautions shall be taken to prevent unauthorised persons from having access to the receptacles;
 - (iii) the receptacles shall be kept securely closed except while taking out carbide there from;
- (c) temporarily within port limits under such conditions as the Conservator of the port may specify,
- (d) while in transit under the custody of railway administration or road transport agency; in the possession of the Defence Forces of the Union;

27 Observance of safety distance from the licensed storage shed necessary - Carbide shall be stored –

- (a) if in quantities aggregating more than 200 kilograms but not exceeding 500 kilograms in a suitable uninhabited building at least 3 metres away from any other premises;
- (b) if in quantities aggregating more than 500 kilograms and not more than, 5000 kilograms in a suitable uninhabited building at least 6 metres away from any other premises;
- (c) if in quantities aggregating more than 5000 kilograms, in a suitable uninhabited building at least 9 metres away from any other premises;

(2) Not more than 1000 metric tonnes of carbide shall be stored in any one building, provided that not more than 250 metric tonnes of carbide is stored in any one room or other part of the building.

(3) A carbide storage shed may also form a part of, or attached to an Acetylene plant provided that it is separated from other portions of the plant by substantial partition and the entire building including the carbide storage shed, observes a safety distance of 15 metres from any other premises :

Provided that the Chief Controller may allow the storage shed at a distance of less than 15 Metres in the case of acetylene plants which have been under operation before these rules have come into force and under such conditions as he may specify.

(4) Every building storing carbide shall be surrounded by a wall or fence of at least 1.8 metres high to prevent unauthorised persons having access to the shed and are enclosed by such wall or fence shall cover the safety zone required to be kept clear.

28 Construction of storage premises - Every premises for storage of carbide shall –

- (a) be constructed of non-flammable material with cemented floor raised at least 30 centimetres from the surrounding ground level;
- (b) be well ventilated both near the coiling and the floor to the satisfaction of the licensing authority. The ventilator openings shall be covered with two layers of galvanised iron or other non-corroding metal wire gauge having no copper and of mesh not less than 11 per linear centimetre;
- (c) be water tight;
- (d) be of sufficient capacity so as to conveniently accommodate the quantity of carbide proposed to be stored, leaving a gangway space of at least 60 centimetres around the stack.

Note :- The floor area for storage of carbide may be calculated at the rate of 2 SQM/Tonne, provided that stack height is limited to 2M and height of the storage shed is not less than 3M.

29 Arrangements in storage premises - Carbide receptacles shall be mostly stacked on racks or trestles or on a raised platform inside the storage premise, at least 30 centimetres above the inner floor level.

CHAPTER V LICENCES

30 Grant of licence - Licences under that rules may be granted by the licensing Authorities set forth in the First Schedule in the Forms specified for the purpose and on payment of a fee specified therein.

31 Period for which licences may be granted or renewed – (1) Every licence granted or renewed under these rules shall remain in force until the 31st day of December of the year up to which the licence is granted or renewed subject to a maximum of three years.

(2) Notwithstanding anything contained in sub-rule (1), the licensing authority where it is satisfied that a licence is required for a specific work of festival which is not likely to last up to the 31st day of December of the year for which the licence is granted or renewed, may grant or renew licence for such period as is actually necessary.

32 Application for licence - A person wishing to obtain a licence under these rules shall submit an application in Form I to the authority empowered to grant such a licence.

33 Particulars of licence - (1) Every licence granted under these rules shall be held subject to the conditions specified therein and shall contain all the particulars which are contained in the form specified under these rules.

(2) One copy of the plan or plans for the licensed premises signed in token of approval by the licensing authority shall be attached to the licence which shall form part of such licence, and an identical copy shall be filed for record in the office of the licensing authority.

34 Prior approval of specifications and plans of premises proposed to be licensed –

(1) Every person desiring to obtain a licence to import and store carbide in Form II, Form III or Form IV, as the case may be, shall submit to the licensing authority an application along with; -
(a) Specification and plans drawn to scale in duplicate clearly indicating ;

(i) the manner in which the provisions prescribed under these rules shall be complied with,

(ii) the premises proposed to be licensed, the area of which shall be distinctly or otherwise marked

(iii) the surrounding and all premises, roads etc. lying within 50 metres of the edge of the shed which is proposed to be licensed;

(iv) the position, details of construction and ground and elevation views of storage shed

(b). a scrutiny fee of Rs.10 paid in the manner specified in rule 46.

(2) If the licensing authority after scrutiny of the specification and plans and after making such enquiries as he deems fit, is satisfied that carbide may be stored in the premises proposed to be licensed, he shall return to the applicant one copy each of the specifications and plans signed by him conveying his sanction subject to such conditions as he may specify.

35 Prior approval necessary for alteration in the licensed premises – (1) No alteration shall be carried out in the licensed premises until a plan or plans showing such alteration has been approved in writing by the licensing authority.

(2) A person wishing to carry out any alteration in the licensed premises shall submit to the licensing authority – (a) three copies of a properly drawn plan of the licensed premises showing distinct colour or colours the proposed alteration and the reasons there for

(b) a fee of Rs.10 for scrutiny of the proposed alteration.

3) If the licensing authority, after scrutiny of the plan showing the proposed alteration and after making such enquiries as he deems fit, is satisfied that the proposed alteration may be carried out he shall return to the licensee one copy of the plan signed by him and conveying his sanction subject to such condition as he may specify.

(4) The holder of the licence shall apply to the Licensing authority for the amendment of the licence as soon as the sanction for alteration has been carried out.

36 Amendment of licence - (1) Any licence granted under these rules may be amended by the authority empowered to grant such a licence.

(2) The fee for amendment of the licence shall be Rs.10 plus the amount, if any, by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the fee originally paid by the licensee.

(3) The licensee who desires to have his licence amended shall submit to the licensing authority:-

- (i) an application duly filled in and signed in Form I;
- (ii) the licence sought to be amended together with the approved plan attached to it;
- (iii) where any alteration in the licensed premises has been carried out, three copies of the properly drawn plans showing the alterations sanctioned under rule 35 by the licensing authority;
- (iv) fee for amendment of the licence as specified in Sub rule (2)

37 Renewal of Licence - (1) The licence may be renewed by the licensing authority empowered to grant such a licence: Provided that a licence which has been granted by the Chief Controller may be renewed without alteration by the Controller of explosives duly authorised by the Chief Controller.

(2) Every licence granted under these rules may be renewable for three calendar years where there has been no contravention of the Act or of the rules framed there under or of any condition of the licence so renewed.

(3) Where a licence which has been renewed for more than one year is surrendered before its expiry, the renewal fee paid for the unexpired portion of the licence shall be refunded to the licensee provided that no refund of renewal fee shall be made for any calendar year during which the licensing authority receives the renewed licence for surrender, or any carbide is received or stored on the authority of the licence.

(4) Every application under sub-rule (2) shall be made in Form I and shall be accompanied by the licence which is to be renewed together with approved plans attached to the licence and the renewal fee.

(5) Every application for renewal of the licence shall be made so as to reach the licensing authority at least 30 days before the date on which it expires, and if the application is so made, the licence shall be deemed to be in force until such date as the licensing authority renews the licence or until an intimation that the renewal of the licence is refused has been communicated to the applicant.

(6) Where the renewal of the licence is refused, fee paid for the renewal shall be refunded to the licensee after deducting there from the proportionate fee for the period beginning from the date from which the licence was to be renewed up to the date on which renewal thereof is refused.

(7) The same fee shall be charged for the renewal of the licence for each calendar year as for the grant thereof : Provided that;- (i) if the application with the accompaniments required under sub-rule (4) is not received within the time specified in sub-rule (5), the licence shall be renewed only on payment of a fee amounting to twice the fee ordinarily payable ;

(ii) if such an application with accompaniments is received by the licensing authority after the date of expiry but not later than 30 days from the date of expiry, the licence may without prejudice to

any other action that may be taken in this behalf, be renewed on payment of twice the fee ordinarily payable :-

Provided further that in the case of an application for the renewal of the licence for a period of more than one calendar year at a time, the fee prescribed under clause (i) or (ii) of the first proviso, if payable, shall be paid only for the first calendar year of the renewal.

38 Refusal of licence - Licensing authority refusing to grant, amend, renew or transfer the licence, shall record his reasons for such refusal in writing.

39 Suspension and cancellation of licence - (1) Every licence granted under these rules shall –(i) stand cancelled, if the licensee ceases to have any right to the site for storing carbide ;-

(ii) be liable to be suspended or cancelled by an order of the licensing authority for any contravention of the Act or of any rule made there under or of any condition contained in such licence, or by order of the Central Government, if it is satisfied that there are sufficient grounds for doing so. Provided that (a) before suspending or cancelling a licence under this rule the holder of the licence shall be given an opportunity of being heard ;

(b) the maximum period of suspension shall not exceed three months ; and

(c) the suspension of a licence shall not debar the holder of the licence from applying for its renewal in accordance with the provisions of rule 37.

(2) Notwithstanding anything in sub-rule (1), an opportunity of being heard may not be given to the holder of a licence before his licence is suspended or cancelled in cases – (a) where the licence is suspended by a licensing authority as an interim measure for violation of any of the provisions of the Act or these rules, or of any conditions contained in such licence and in his opinion such violation is likely to cause imminent danger to the public : Provided that where a licence is so suspended, the licensing authority shall give the holder of the licence an opportunity of being heard before the order of suspension is confirmed ;

(b) Where the licence is suspended or cancelled by the Central Government, if the Government considers that in public interest or in the interest of the security of the State such opportunity should not be given.

(3) A licensing Authority or the Central Government suspending or cancelling a licence under sub-rule (1) shall record its reasons for so doing in writing.

40 Procedure on expiration, suspension or cancellation of licence - (1) A person licensed to store carbide shall, on the expiration, suspension or cancellation of his licence, forth with give notice to the District Authority of the quantity of carbide in his possession and shall comply with any directions which the District Authority may, on the recommendation of the Chief Controller, give in regard to its disposal.

(2) The District Authority may grant for a term not exceeding three months from the date of expiration, suspension or cancellation, as the case may be, a temporary licence for the storage of carbide actually held at the time of the issue of the temporary licence :

Provided that

(a) where the expired, suspended or cancelled licence was granted by an authority, other than that District Authority, no temporary licence shall be granted without previous consent of such other authority ;

(2) the fee chargeable on a licence granted under sub-rule (2) shall bear the same proportion to the fee charged on the expired or cancelled or suspended licence as the period covered by the temporary licence bears to a full year.

41 Appeals - (1) An appeal shall lie against any order cancelling or refusing to grant, amend or renew a licence or cancelling or suspending a licence to –

(i) the Central Government, where an order is passed by the Chief Controller ;

(ii) the Chief Controller, if the order is passed by the Controller of Explosives;

(iii) the immediate official superior to the District Authority, if the order is passed by the District Authority.

(2) Every appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within 60 days of the order passed.

42 Transfer of licence - (1) the holder of a licence may at any time before the expiry of the licence, apply to the licensing authority to transfer the licence to any other person.

(2) Every application for the transfer of a licence shall be accompanied by –
(i) a letter signed by the holder of the licence indicating the full name and postal address of the person to whom he wishes to transfer the licence and complete possession of licensed premises ;the licence sought to be transferred together with approved plan or plans attached to it ;
(ii) an application in Form I duly filled in and signed by person to whom the licence is sought to be transferred ;
(iii) a fee of Rs.10 paid in the manner specified in rule 46.

(3) The licensing authority on receipt of the documents and fee required under sub-rule (2) shall, if he approves the transfer, enter upon the licence, under his signature, an endorsement to the effect that licence has been transferred to the person so named.

(4) The person to whom the licence is so transferred shall enjoy the same powers and be subject

43 Procedure on death or disability of licensee - (1) If a licensee dies or becomes insolvent or mentally incapable or is otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or confiscation under the Act or these rules for exercising the powers granted to the licensee during such time as may reasonably be required to allow him to make an application for a new licence in his own name for the unexpired portion of the original licence in respect of the year in which the licensee dies or become insolvent or mentally incapable or is otherwise disabled :

Provided that nothing in this sub-rule shall be deemed to authorise the exercise of any power under this sub-rule by any person after the expiry of the period of the licence.

(2) A fee of Rs.10 shall be charged for a new licence for the unexpired portion of the original licence granted to any person applying for it under this rule.

44 Loss of licence - Where a licence granted under these rules is defaced, lost, destroyed or otherwise rendered useless, a duplicate may be granted on submission of a copy of the plan or plans identical with those attached to the licence and on payment of a fee of Rs.10.

45 Production of licence on demand - (1) every person holding or acting under a licence granted under these rules shall produce it, or an authenticated copy of it, at the place to which the licence applies, when called upon to do so by any Inspector.

(2) Copies of any licence may, for the purpose of this rule, be authenticated by the authority which granted the licence on payment of a fee of Rs.10 for each authenticated copy.

46 Payment of fees - All fees payable under these rules shall be paid in the following manner –

(1) Fees by crossed demand draft payable at Nagpur on any Nationalised Bank drawn in favour of an officer nominated by the Chief Controller of Explosives in the Department of Explosives, Nagpur, and in cases where amount payable does not exceed Rs.100 the payment may be made by cash, postal order or cheque drawn on any local nationalised bank.

(2) Fees payable to the Controller of Explosives shall be paid by a crossed demand draft on any nationalised bank drawn in favour of the Controller of Explosives to whom the payment is made, payable at the station where his office is located and in cases where the amount payable does not exceed Rs.100, the payment may be made by cash, postal order or cheque drawn on any local nationalised bank.

47 Procedure on reports of infringement - The District Authority shall inform the Controller of by him on any reports of infringements of the Act or of these rules which the said Controller of Explosives or the Chief Controller may make to him.

48 Executive control over authorities – Every authority other than the Central Government acting under this Chapter shall perform its duties subject to the control of the Central Government :

Provided that nothing in this rule shall be deemed to affect the powers of executive control of the Chief Controller over the officers subordinate to him.

CHAPTER VII

NOTICE OF ACCIDENTS

Notice of accidents - (1) The notice of an accident under section 27 of the Act shall be given forthwith :

- a) In case of the notice to the Chief Controller by an Express telegram (Telegraphic Address : Explosives, Nagpur) followed within 24 hours by a letter giving particulars of the accident ;
- b) And by a quickest means of communication to the nearest Magistrate or to the officer-in- charge of the Police Station having jurisdiction.

(2) Pending the visit of the Chief Controller or his representative or until instructions are received from these authorities that he does not wish any further investigations or inquiry to be made, all wreckage and debris shall be left untouched except in so far as its removal may be necessary for the rescue of persons injured and recovery of the bodies of any persons killed by the accident or in the case of railways, for the restoration of through communication.

CHAPTER VIII

EXEMPTION50

50 Repeal and savings _ (1) The Carbide of Calcium Rules, 1937 are hereby repealed.

(2) Notwithstanding such repeal –

(i) all licenses or duplicates granted or renewed under the said rules and all fees imposed or levied shall be deemed to have been granted, renewed, imposed or levied as the case may be, under the corresponding provisions of these rules.

(ii) all approvals given and all powers conferred by or under any notification or rule shall, so far as they are consistent with the provisions of the Act and these rules, be deemed to have been given or conferred by or under these rules.

[File No. 2(21)/75-DPR/EGG-Vol. II]

A.V. GOKAK, Jt. Secretary

FIRST SCHEDULE

LICENCES (See rule 30)

Article No._	Form of licence (see Second Schedule)_	Purpose for which granted	Authority empowered to grant licence	Fees_
1	II	To import and store carbide in quantity not exceeding 500 Kgs at any one time	District authority	Rs.25 for every calendar year or part thereof
2	III	To import and store carbide in quantity exceeding 500 Kgs, at any one time	Controller of Explosives	Rs.25 for the first 500 Kgs. plus Rs. 10 for every additional 500 Kgs or part thereof, subject to maximum of Rs.1,500 per calendar year or part thereof
3	IV	To import and store carbide in a storage shed forming part of an acetylene plant	Chief Controller	_As given in Article 2

**SECOND SCHEDULE
FORMS**

FORM I

(See Rules 32, 36, 37 and 42)

Application for grant/amendment/renewal/transfer of a licence to import and store carbide

Replies to be written in this column.

- | | | |
|-----|---|-------|
| 1 | Name in which licence is required | |
| 2 | Stat us - individual/registered
unregistered Company | |
| 3 | Age (for individual only) | |
| 4 | Postal address | ..... |
| | Pin Code | ..... |
| | Telephone No. | ..... |
| | Telegraphic address | ..... |
| | Telex ..... | ..... |
| 5 | Si tuation of the premises | ..... |
| | State | ..... |
| | District | ..... |
| | Town or Village | ..... |
| | House No./Municipal No. | ..... |
| | Police Station | ..... |
| | Railway Station | ..... |
| 6 | Quantity of Carbide proposed to
be imported and stored | |
| 7.* | Quantity of Carbide already
stored in the premises | |
| 8.* | Form in which licence is required | |
| 9.* | Number of licence held for the
premises and the full name and
address of the holder of the
licence | |

Enclosures : *(i) Plan No Approved by
Vide letter No dated (in
triplicate/quadruplicate)

(2) Licenc e No dated

(3).Bank draft/Cheque No./ Postal order No.datedFor Rs
.....Drawn at

I certify that the information given above is correct.

Signature of the Applicant

Place :

Date

Designation/Status
Fu II Postal Address

:

Note :- (1) Delete whatever is not applicable. In case where application is made in the name of Company, the names and addresses of the Directors and Partners and the name, address and specimen signatures of persons or persons authorised to sign the correspondence in respect of the licence applied for should be given on a separate sheet(in duplicate) and enclosed with this application form. Any change in the above information should be immediately communicated to the licensing authority and authority renewing the licence.

FORM II

(Article 1 of First Schedule)

Licence to import and store Carbide in quantity not exceeding 500 Kgs. at any one time

Licence No. Fee Rsper year Licence is hereby granted to
.....valid only for the importation and storage ofKgs. of
Calcium Carbide at any one time in the premises described below, subject to the provisions of
Petroleum Act, 1934, and the Calcium Carbide Rules 1987 and to the conditions of this licence.
The licence shall remain in force till the 31st day of December 20

DISTRICT AUTHORITY

Description of the licensed premises

The licensed Premises shown in the drawing No Dated attached
here to consists of storage shed and is situated at

Space for endorsement of renewals

Date of renewal	Date of expiry	Signature of the licensing authority

CONDITIONS

1. The storage shed shall be constructed of suitable non-inflammable material.
2. The storage shed shall be provided with adequate number of ventilators near the ground level and also near the roof and shall be water-tight. The ventilators shall be covered with fine galvanised iron or other non-corroding metal wire gauge of mesh not less than 11 to the linear centimetre.
3. The storage shed shall at all times be kept in state of good repairs and maintained in good condition.
4. No alteration shall be carried out in the licensed premises without previous sanction in writing of the licensing authority. All alterations shall be shown on an amended plan to be attached to the licence.
5. If the licensing authority calls upon the holder of the licence, by notice in writing, to execute any repair to the building licensed, which may, in the opinion of such authority be necessary for the safety within such period, of the licence shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.
6. The licensee shall not sell or otherwise deliver any quantity of Calcium Carbide to anyone who has not a licence to store Calcium Carbide granted under the rules or is otherwise exempted therefrom. The quantity of Carbide so sold or delivered shall not exceed the quantity which the person receiving the same is authorised to possess.

7. Only one receptacle containing Calcium Carbide shall be opened at a time and only for the time necessary for the removal of the Carbide required for the refilling of other receptacles. During such removal or refilling every reasonable precaution shall be adopted for preventing moisture being brought into contact with Carbide, as well as for guarding against the risk of ignition of any gas which may be liberated.
8. Every storage receptacle of more than one Kilogramme capacity shall be secured so as to prevent unauthorised persons having access to the contents.
9. Licensee shall keep records and accounts of all receipts and issues of Carbide in form V and shall exhibit his stock and records to an Inspector or Sampling Officer on demand.
10. The licensed premises shall be used only for storage of Calcium Carbide and not for any other purpose.
11. Due precautions shall at all times be taken for the prevention of accidents by fire or explosion and no smoking fire or artificial light or article capable of igniting acetylene shall be permitted at any time within or near the building in which the Carbide is stored.
12. Free access to the licensed premises shall be given at all reasonable times to any Inspector or Sampling Officer and every facility shall be afforded to an Inspector to ascertain that the rules and the conditions of this licence are duly observed and to a Sampling Officer to inspect and take samples for testing of any Carbide.
13. Any accident or fire or explosion occurring within the licensed premises shall be immediately reported to the nearest Magistrate or to the officer in-charge of the nearest Police Station and by telegram to the Chief Controller of Explosives as well as the Controller of Explosives under whose jurisdiction the premises are situated.
14. The storage shed shall be kept clean and all sweepings and dust shall be carefully removed and disposed off by throwing in deep water.
15. No acetylene gas shall be generated in the premises.

FORM III
(Article 2 of First Schedule)

Licence to import and store Carbide in quantity exceeding 500 Kgs. at any one time.

Licence No.

Fee Rsper year

Licence is hereby granted tovalid only for the importation and storage ofKgs. of Calcium Carbide at any one time in the premises described below, subject to the provisions of Petroleum Act, 1934, and the Calcium Carbide Rules 1987 and to the conditions of this licence.

The licence shall remain in force till the 31st day of December 20

CONTROLLER OF EXPLOSIVES

Description of the licensed premises

The licensed Premises shown in the drawing No Dated attached here to consists of storage shed and is situated at

Space for endorsement of renewals

Date of renewal	Date of expiry	Signature of the licensing authority

CONDITIONS

1. The storage shed shall be constructed of suitable non-inflammable material.
2. The storage shed shall be provided with adequate number of ventilators near the ground level and also near the roof and shall be water-tight. The ventilators shall be covered with fine galvanised iron or other non-corroding metal wire gauge of mesh not less than 11 to the linear centimetre.
3. The storage shed shall at all times be kept in state of good repairs and maintained in good condition.
4. No alteration shall be carried out in the licensed premises without previous sanction in writing of the licensing authority. All alterations shall be shown on an amended plan to be attached to the licence.
5. If the licensing authority calls upon the holder of the licence, by notice in writing, to execute any repair to the building licensed, which may, in the opinion of such authority be necessary for the safety within such period, of the licence shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.
6. The licensee shall not sell or otherwise deliver any quantity of Calcium Carbide to anyone who

has not a licence to store Calcium Carbide granted under the rules or is otherwise exempted therefrom. The quantity of Carbide so sold or delivered shall not exceed the quantity which the person receiving the same is authorised to possess.

7. Only one receptacle containing Calcium Carbide shall be opened at a time and only for the time necessary for the removal of the Carbide required for the refilling of other receptacles. During such removal or refilling every reasonable precaution shall be adopted for preventing moisture being brought into contact with Carbide, as well as for guarding against the risk of ignition of any gas which may be liberated.

8. Every storage receptacle of more than one Kilogramme capacity shall be secured so as to prevent unauthorised persons having access to the contents.

9. Licensee shall keep records and accounts of all receipts and issues of Carbide in form V and shall exhibit his stock and records to an Inspector or Sampling Officer on demand.

10. The licensed premises shall be used only for storage of Calcium Carbide and not for any other purpose.

11. Due precautions shall at all times be taken for the prevention of accidents by fire or explosion and no smoking fire or artificial light or article capable of igniting acetylene shall be permitted at any time within or near the building in which the Carbide is stored.

12. Free access to the licensed premises shall be given at all reasonable times to any Inspector or Sampling Officer and every facility shall be afforded to an Inspector to ascertain that the rules and the conditions of this licence are duly observed and to a Sampling Officer to inspect and take samples for testing of any Carbide.

13. Any accident or fire or explosion occurring within the licensed premises shall be immediately reported to the nearest Magistrate or to the officer in-charge of the nearest Police Station and by telegram to the Chief Controller of Explosives as well as the Controller of Explosives under whose jurisdiction the premises are situated.

14. The storage shed shall be kept clean and all sweepings and dust shall be carefully removed and disposed off by throwing in deep water.

15. No acetylene gas shall be generated in the premises.

FORM IV
(Article 3 of First Schedule)

Licence to import and store Carbide in storage shed forming part of an acetylene plant.

Licence No. _____ Fee Rsper year
Licence is hereby granted tovalid only for the importation
and storage ofKgs. of Calcium Carbide at any one time in the
premises described below, subject to the provisions of Petroleum Act, 1934, and the Calcium
Carbide Rules 1987 and to the conditions of this licence.

The licence shall remain in force till the 31st day of December 20

Date _____ CHIEF CONTROLLER OF EXPLOSIVES

Description of the licensed premises

The licensed Premises shown in the drawing No Dated attached
here to consists of storage shed attached to an acetylene plant and is situated at
.....

Space for endorsement of renewals

Date of renewal	Date of expiry	Signature of the licensing authority

CONDITIONS

- (a) The storage shed shall be constructed of suitable non-inflammable material.
(b) The shed shall be separated from other portions of acetylene plant building by a substantial partition having no opening therein. Opening if any, shall be a suitable passage to permit movement of Carbide receptacles from the storage shed to the acetylene plant area. The passage shall be fitted with a self-closing type fire-proof door.
- The storage shed shall be provided with adequate number of ventilators near ground level and also near the roof and shall be water-tight. The ventilators shall be covered with fine galvanised iron or other non-corroding metal wire gauge of mesh not less than 11 to the linear centimetre.
- The storage shed at all times be maintained in good condition.
- No alteration shall be carried out in the licensed premises without previous sanction in writing of the licensing authority. All alterations shall be shown on an amended plan to be attached to the licence.
- If the licensing authority calls upon the holder of the licence, by notice in writing, to execute any repair to the building licensed, which may, in the opinion of such authority be necessary for the safety thereof, the holder of licence shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.
- The licensee shall not sell or otherwise deliver any quantity of Calcium Carbide to anyone who has not a licence to store Calcium Carbide granted under the rules or is otherwise exempted therefrom. The quantity of Carbide so sold or delivered shall not exceed the quantity which the person receiving the same is authorised to possess.
- Only one receptacle containing Calcium Carbide shall be opened at a time and only for the time necessary for the removal of the Carbide required for the refilling of other receptacles. During such removal or refilling every reasonable precaution shall be adopted for preventing

14. The storage shed shall be kept clean and all sweepings and dust shall be carefully removed and disposed off by throwing in deep water.

[illegible]