

CALCIUM CARBIDE RULES, 1987

INTRODUCTION

12.1 OBJECTIVE, DEFINITION, ENFORCEMENT, EXEMPTION ETC., IN THE CALCIUM CARBIDE RULES, 1987.

(A) Objective:

Compressed gases filled in metallic container pose potential hazard and the container explodes. Hence, the Govt. of India vide Notification No.G.S.R. 105(E) dated 28/09/1938 has declared compressed gas filled in a metallic container to be deemed to be an explosive under Petroleum Act, 1934. Subsequently, in exercise of powers vested in Section 4 of the Petroleum Act, 1934, the Govt. framed the **CALCIUM CARBIDE RULES, 1987** to regulate filling, possession, transport and import of compressed gases in pressure vessels.

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 - (ii) is hermetically closed at all times except when its contents are being placed within it or withdrawn from it; and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

(C) Enforcement :

Under the Calcium Carbide Rules, the following enforcement are provided :-

- 1) Importation of carbide
- 2) Transportation of carbide.
- 3) Storage of carbide

Authority in enforcement is Chief Controller of Explosives or any other officer authorized by him. The District Authority is required to take penal action for infringement of rules reported to him by Chief Controller of Explosives.

(D) Exemptions:

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.

12.2 FORMS OF LICENCES/APPROVAL, PURPOSE AND LICENCING/APPROVAL AUTHORITY

S.N	Form of licence	Purpose for which granted	Licensing authority
1.	Form III	To import & store carbide .	Chief Controller of Explosives
2.	Form IV	To import & store carbide in a storage shed forming part of an acetylene plant.	Chief Controller of Explosives

12.3 PROCEDURE ADOPTED FOR GRANT, RENEWAL, AMENDMENT ETC. OF VARIOUS TYPES OF LICENCES UNDER CALCIUM CARBIDE RULES, 1987 (PRIOR APPROVAL).

(I) Any person desiring to store Carbide is required to obtain a prior approval from Chief Controller of Explosives by submitting following documents.

(a) Documents to be submitted for prior approval :

- i) Application in Form I.
- ii) A Copy of the drawing drawn to scale as per specification & rules of the premises to be licensed.
- iii) Details regarding the surrounding i.e. nearby roads, buildings, etc., within 50M from the proposed site.
- iv) **Scrutiny fee of Rs.10/-** drawn on Nationalised bank in favour of Chief Controller of Explosives payable at Nagpur.

DEPARTMENTAL ACTION:

On scrutiny of the documents and if found in order prior approval will be given. If however any discrepancy is being noticed, the same will be communicated to the party and after rectification of the defects; action towards approval will be initiated.

(b) **GRANT OF LICENCE:**

After completion of the proposed premises as per approved plan, the applicant is required to submit to Chief Controller of Explosives the following documents :-

- 1) Application in form I.
- 2) 4 copies of site and layout drawing as approved.
- 3) Licence fee of Rs. _____/-

DEPARTMENTAL ACTION :

The documents submitted by the licensee, if found in order licence in form III /IV is granted and sent to the Circle/ Sub-circle office having jurisdiction for inspection of the facilities. If on inspection the facilities are found in order, the inspecting officer endorses the licence and sends to the licensee. In case of minor deviations he points it out to the licensee and on receipt of compliance further action of endorsement of licence is taken. In case major deviations, the matter is referred back to the Chief Controller of Explosives for further action as desired fit. In case deviations are of such nature which endangers safety and which cannot be complied by the licensee, the licence is revoked.

(II) **RENEWAL OF THE LICENCE:**

The applicant is required to submit the following documents for renewal of licence in form III & IV to the Jt.Chief Controller of Explosives of respective Circle Offices at least 30 days before the date on which the licence expires. The licence is renewable for a maximum period of 3 years.

- 1) An application in form I duly filled and signed.
- 2) The original licence.

3) Demand draft drawn in favour of Jt. Chief Controller of Explosives of respective Circle Office for amendment.

DEPARTMENTAL ACTION

- (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 –
 - (a) the licensing authority receives the renewed licence for surrender, or
 - (b) 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 therefrom the proportionate fee for the

period beginning from the date from which the licence was to be renewed upto 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.

III) AMENDMENT OF LICENCE

The applicant is required to submit the following documents for amendment of licence in form III & IV to the Jt.Chief Controller of Explosives of respective Circle Offices at least 30 days before the date on which the licence expires.

- 1) An application in form I duly filled and signed.
- 2) The original licence.

3) Demand draft drawn in favour of Jt. Chief Controller of Explosives of respective Circle Office for amendment.

DEPARTMENTAL ACTION

On scrutiny of the documents submitted by the licensee and the same is found in order action towards amendment of the licence is initiated. If, however, any discrepancy is noticed the same is communicated to the licensee and after compliance of the same, further action towards amendment of licence is taken.

Question ?

- 1. Was it useful in your work activities connected to this department?**
- 2. Are you a frequent visitor to this manual site?**
- 3. Are you a frequent visitor to the offices of this department.**
- 4. What are your specific suggestion to improve it? Give suggestions with reasons.**
- 5. Has this chapter helped you in filing/making proper documents or will your think that you may still face difficulty in filling/making proper forms and documents after reading this chapter?**
- 6. Do you have specific suggestions to make it more user friendly?**
- 7. Do you think of unnecessary element in this chapter which can be avoided/deleted ?**
- 8. Do you have any suggestion (s) for change in Legislation ? Give details with reasons.**
- 9. Give brief details of your organization/yourself through the suggestion form which can be had by clicking the feedback button.**

FORM – II

STORAGE OF CALCIUM CARBIDE IN A GODOWN

(Not forming part of Acetylene Generation)

For storage exceeding 200 kg and not exceeding 500 kg, licence is issued by the District Authority

The related matter is available in the hard copy of the manual which can be had by placing an order (by letter or through e- mail) to the following address

**Dy. Chief Controller of Explosives
Testing Station
Amravati Road, Gondkhairy
NAGPUR 440 023**

E- mail address: ccoe.ngp@nag.mah.nic.in

FORM – III

STORAGE OF CALCIUM CARBIDE IN A GODOWN (Not forming part of Acetylene Generation)

For storage exceeding 500 kg, licence is issued by the Circle office

Applicants Action

Any person desiring to store Carbide is required to obtain a prior approval from Chief Controller of Explosives by submitting following documents.

(a) Documents to be submitted for prior approval :

- v) Application in Form I.
- vi) A Copy of the drawing drawn to scale as per specification & rules of the premises to be licensed.
- vii) Details regarding the surrounding i.e. nearby roads, buildings, etc., within 50M from the proposed site.
- viii) Scrutiny fee of Rs.10/- drawn on Nationalised bank in favour of Chief Controller of Explosives payable at Nagpur.

DEPARTMENTAL ACTION:

On scrutiny of the documents and if found in order prior approval will be given. If however any discrepancy is being noticed, the same will be communicated to the party and after rectification of the defects; action towards approval will be initiated.

(b) **GRANT OF LICENCE:**

After completion of the proposed premises as per approved plan, the applicant is required to submit to Chief Controller of Explosives the following documents :-

- 1) Application in form I.
- 4) 4 copies of site and layout drawing as approved.
- 5) Licence fee of Rs. _____/-

DEPARTMENTAL ACTION :

The documents submitted by the licensee, if found in order licence in form III /IV is granted and sent to the Circle/ Sub-circle office having jurisdiction for inspection of the facilities. If on inspection the facilities are found in order, the inspecting officer endorses the licence and sends to the licensee. In case of minor deviations he points it out to the licensee and on receipt of compliance further action of endorsement of licence is taken. In case major deviations, the matter is referred back to the Chief Controller of Explosives for further action as desired fit. In case deviations are of such nature which endangers safety and which cannot be complied by the licensee, the licence is revoked.

(II) RENEWAL OF THE LICENCE:

The applicant is required to submit the following documents for renewal of licence in form III & IV to the Jt.Chief Controller of Explosives of respective Circle Offices at least 30 days before the date on which the licence expires. The licence is renewable for a maximum period of 3 years.

- 1) An application in form I duly filled and signed.
- 2) The original licence.

3) Demand draft drawn in favour of Jt. Chief Controller of Explosives of respective Circle Office for amendment.

DEPARTMENTAL ACTION

- (4) 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.

- (5) 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.
- (6) 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 –
 - (c) the licensing authority receives the renewed licence for surrender, or
 - (d) any carbide is received or stored on the authority of the licence.

- (8) 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.
- (9) 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.
- (10) Where the renewal of the licence is refused, fee paid for the renewal shall be refunded to the licensee after deducting therefrom the proportionate fee for the period beginning from the date from which the licence was to be renewed upto the date on which renewal thereof is refused.
- (11) The same fee shall be charged for the renewal of the licence for each calendar year as for the grant thereof :

Provided that :-

- (iii) 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 ;
- (iv) 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.

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- 9. Give brief details of your organization/yourself through the suggestion form which can be had by clicking the feedback button.**

VARIOUS MODEL DRAWINGS WILL BE PROVIDED AT WEB-SITE

FORM – IV

STORAGE OF CALCIUM CARBIDE ATTACHED TO ACETYLENE GENERATOR

For storage of calcium carbide attached to acetylene generator, licence is issued by the Chief Controller of explosives, Nagpur.

The related matter is available in the hard copy of the manual which can be had by placing an order (by letter or through e-mail) to the following address

**Dy. Chief Controller of Explosives
Testing Station
Amravati Road, Gondkhairy
NAGPUR 440 023**

E-mail address: ccoe.ngp@nag.mah.nic.in

VARIOUS MODEL DRAWINGS WILL BE PROVIDED AT WEB-SITE