

GOVERNMENT OF ASSAM  
POWER (ELECTRICITY) MINES AND MINERALS DEPARTMENT.

ORDER BY THE GOVERNOR OF ASSAM

**NOTIFICATION**

The 24<sup>th</sup> July 1992

No. PEL.245/89- In supersession of all previous Notification on the subject, the Governor of Assam is pleased to direct that the grant of Licenses, Certificates of Competency and Permits to Electrical Contractors, Supervisors and Workmen respectively. Under Sub-Rule (1) of Rule 45 of the Indian Electricity Rules, 1956 shall with effect from the date of this Notification, be governed by the following regulations, namely :-

**Regulations**

Chapter – 1 : GENERAL

**1. Short title, extent and commencement :-**

1. These regulations may be called the Assam Electrical Licensing Board Regulations 1992.
2. These shall extend to the whole of Assam.
3. They shall come into force from the date of publication of this notification in the Official Gazette.
2. **Definitions :** (1) In these regulations, unless the context otherwise requires-

- (a) 'Act' means the Indian Electricity Act, 1910;
- (b) 'Addl. Secretary' means the Additional Secretary of the Board appointed by the Government to assist the Secretary;
- (c) 'Board' means the Assam Electrical Licensing Board constituted by the State Government under Regulation 3;
- (d) 'Chairman' means the Chairman of the Board;
- (e) 'Contractor' means a person or a firm or a body whether incorporated or not, licensed as an Electrical Contractor by the Board under chapter – III;
- (f) 'Examiners' means the persons appointed to act as examiners to examine the candidates for the purpose of issuing Licenses/Certificates of competency and Permits under these regulations;
- (g) 'Generating Co.' means the generating company referred to in the Electricity(supply) Act, 1948;
- (h) 'Govt.' means the State Government of Assam.
- (i) 'Inspectorate' means the Inspectorate of Electricity of Assam;
- (j) 'Regulation' means any individual regulation of these Regulations;
- (k) 'Rules' means the Indian Electricity Rules, 1956;
- (l) 'Member Secretary' means the Secretary of the Board;

(contd..2)

( 2 )

- (m) 'Supervisor' means any person who holds a certificate of competency issued by the Board under Chapter – IV and actually works as an Electrical Supervisor;
- (n) 'Vice Chairman' means a person who holds a permit issued by the Board under Chapter V and actually works as an Electrical workman.
- (2) The words used but not defined in this regulation shall have the same meaning as have been respectively assigned to them in the Indian Electricity Act, 1910 and the Indian Electricity Rules, 1956.

## **Chapter - II**

### CONSTITUTION OF THE BOARD

#### **3. Constitution of the Board :-**

- (1) For carrying out the purposes of these regulations, the Government shall constitute a Board with members not less than eight and not more than fifteen in number including the Chairman, the Vice-Chairman and the Member-Secretary.
- (2) The Chief Electrical Inspector-cum-Advisor shall be the ex-officio Chairman of the Board.
- (3) The Deputy Chief Electrical Inspector-cum-Deputy Advisor shall be the ex-officio Vice-Chairman of the Board.
- (4) The Government shall appoint a Member-Secretary to the Board from amongst the Senior Electrical Inspectors posted at the Head quarter of the Inspectorate.
- (5) The Electrical Inspector of Mines shall be a Member of the Board.
- (6) A Professor or Assistant Professor of Electrical Engineering from one; of the Engineering college in Assam, nominated by the Director of Technical Education, Assam shall be a Member of the Board.
- (7) Names of three License Electrical Contractors of Assam having at least five years experience representing the Electrical Contractors of repute shall be recommended by the Chairman and the Government shall select and appoint one out of the three names as a Member of the Board.
- (8) A representative of the Assam State Electricity Board not below the rank of Superintending Engineer (Electrical) to be nominated by the Chairman, ASEB, shall be appointed by the Government as a Member of the Board.
- (9) At least a representative of the generating companies operating in the State of Assam, not below the rank of Executive Engineer (Electrical) to be nominated by the concerned Generating companies shall be appointed by the Government as a Member of the Board.

#### **4. Terms of the office :**

The terms of office of the Member of the Board shall be five years or such period as the Government may direct.

Provided that the Government may extend the terms by any period not exceeding three years at a time after the expiry, of the period of five years.

#### **5. Vacancies in the Board :-**

- (1) The Chairman with the approval of the Government may appoint another person proposed by the Board for the unexpired period of the term of office of a member, if the said member;

(contd...3)

- (a) resigns from the Board; or
- (b) retires from service;
- (c) expires; or
- (d) leaves the State of Assam for a period exceeding 6 (six) months continuously; or
- (e) leaves the office on transfer; or
- (f) does not attend more than three consecutive meeting of the Board;

(2) The Board shall have power to act notwithstanding any vacancy in its memberships.

**6. Duties and functions of the Board :-** The duties and functions of the Board shall be –

- (i) to grant the licenses to Electrical Contractors;
- (ii) to hold and conduct examinations and tests and to grant certificates of competency or permits as the case may be, to persons found qualified in such examinations and tests;
- (iii) to inquire in to allegations of use of sub-standard materials, poor workmanship incompetence, negligence, breach of the rules or malpractices on the part of workmen, Supervisors or Contractors holding permits, Certificates of competency or licenses granted by the Board, or breach of a condition of all license on the part of a Contractor holding a license granted by the Board and to take such action in respect of such permit, certificate of competency, or license as may be deemed suitable;
- (iv) to maintain separate registers, one each for Licensed ‘Electrical Contractors, Supervisors and workmen;
- (v) to examine and forward necessary proposal(s) to the Government for expansion or augmentation of the areas of activities of the Board, in order to cope with the technological growth or advancement in power (Electricity) sector with a bearing to the local need of the State of Assam in particular and for approval and instruction by the Government thereof;
- (vi) to advice or recommend the Government or electricity undertakings (such as Electricity Board, generating company) and other manufacturers of electrical goods within the State of Assam in the matter of purchase and use of standard materials confirming to standard specifications meant for generation, transmission, distribution and use of electrical energy. The Board, for this purpose, shall form a “Cell” consisting of the Secretary and at least one member and one Sr. Electrical Inspector at the Headquarter with the approval of the Government.
- (vii) Generally, to carry out the provisions of these regulations.

**7. Meeting of the Board :-**

- (1) The Board shall meet at least once in every three months and as such other time, as may, in the opinion of the Chairman, be necessary for transacting the businesses which cannot be disposed of by circulation of papers.
- (2) At least seven days prior notice of all meetings shall be sent to each Member by the Secretary.

**8. Quorum:-**

- (1) The Chairman or the Vice-Chairman together with other one third Member of the Board shall form a quorum at any meeting of the Board:

Provided that a meeting adjourned for want of quorum, may be held on a subsequent day within seven days without quorum.

- (2) The Additional Secretary not being a member of the Board, shall not contribute towards the formation of quorum.

**9. Duties and functions of the Chairman:-** The duties and functions of Chairman shall be-

- (i) to preside over the meetings of the Board.

- (ii) To keep license between the Board and the Government. As may be required by the Board or the Government.
- (iii) To monitor the implementation of the decisions of the Board for subsequent appraisal of the Board.
- (iv) To administer the proper functioning of the secretariat of the Board in respect of granting and renewal of licenses or Certificate of competency or permits etc. In time and where matters go beyond the administrative capacity of the Secretary, or on request made by Secretary, to place or depute suitable members of the office staff to assist the Secretary to carry out the day to day works.
- (v) to formulate annual programme for granting licenses to electrical contractors for conduction examinations and tests for granting certificate of competency and permits of Supervisors and Workman respectively.

**10. Duties and functions of the Vice Chairman:-** The duties and functions of the Vice-Chairman shall be :

- (i) to preside; over the meetings of the Board in the absence of the Chairman.
- (ii) To supervise the records maintained in respect of grant of Licenses, Certificates of competency, permits etc. and maintenance of proper record in respect of receipt of fees etc. in consulation with the Chairman.
- (iii) to act as the Chairman with the permission of the government when transactions of business of the Board are jeopardized because of the absence of the Chairman.

**11. Duties and functions of the Secretary :-** The duties and functions of the Secretary shall be-

- (i) to receive applications for Electrical Contractors licenses or Supervisor's Certificates of Competency or Workmen's Permits etc. and get scrutinized and place them before the meeting of the Board with the approval of the Chairman for further steps under the regulations or for the decision of the Board,
- (ii) if necessary, on receipt of and after scrutiny of applications for grant of Licenses or Certificates of competency or Permits, to make necessary correspondences in connection with the applications.
- (iii) to sign and issue the Licenses, Certificates of Competency and Permits of Electrical Contractors, Supervisors and Workmen respectively on behalf of the Government;
- (iv) to renew the Licenses, Certificates of Competency and permits of Electrical Contractors, Supervisors and Workmen respectively. The Chairman, however, on request of the Secretary, may allow the Senior Electrical Inspector of respective jurisdiction to renew the permits or the Certificates of Competency of Electrical Workmen or Supervisors in order to reduce workload;
- (v) to arrange examinations and test as per annual programmed fixed by the Board;
- (vi) to issue notices for holding meetings of the Board as per the instructions of the Chairman;
- (vii) to maintain records and registers in respect of licenses or Certificates or Competency or Permits;
- (viii) to take follow up action on the decisions of the Board;
- (ix) to furnish to the Government a report on the working of the Board bimonthly with intimation to the Chairman;
- (x) to maintain a district wise list of the Electrical Contractors with details of Supervisors and Workmen engaged by each contractor.

**12. Duties and functions of the Additional Secretary:-** The duties and functions of the Additional Secretary of the Board shall be –

- (i) to assist the Secretary in discharge of his duties and functions under this regulations as and when required by the Secretary.
- (ii) to exercise the discharge the delegated powers and functions entrusted to him by the Secretary or by the Board.

### **Chapter – III**

#### **LICENSE OF CONTRACTORS.**

#### **13. Licensing of Contractors.**

- (1) No person or firm shall work as a Contractor unless has obtained a license of any class mentioned herein below and issued by the Board.
- (2) There shall be three classes of Electrical Contractors License as under :
  - (a) **Class –I** :- Contractors under this class shall be eligible to undertake and carryout all types of electrical works irrespective of the voltage limit and the License shall contain endorsement regarding the types of installation, voltage and the class of works which the Contractor may carry out. The jurisdiction of this class of Contractors shall be the whole of Assam. The registration number of such class of Contractor’s license shall bear upon a suffix of “(I)” along with e.g., license no XYZ (I).
  - (b) **Class-II** :- Contractors under this class shall be eligible to undertake and carryout wiring of building upto 650 volts, all types or original license works upto 33000 volts, cable works upto 1100 volts and the license issued to such class of Contractors shall contain and endorsement stating the type of work and the Voltage range the Contractor is eligible to carry out. The jurisdiction in this class to Contractors shall be the whole of Assam. The registration No. of such class of contractor’s license shall bear upon a suffix of ‘(II)’ along with e.g. license no XYZ (II).
  - (c) **Special Class (Temporary)** :- In addition to the above two general classes there may be a Special Class (Temporary) Contractor’s license which is non-renewable and shall be issued for a period a of six months only under very special circumstances. Depending upon the number of Supervisors and Workmen employed by the Contractor and the availability and Capacity of the testing instruments in his possession, this class of contractor shall be eligible to undertake all types of works capable of being carried out by either Class I or Class II Contractors. The jurisdiction of this class of Contractors shall be restricted to these areas only for which the licenses are granted and the license shall contain on endorsement to this effect. The registration number of such class of Contractors licenses shall bear upon a compounds suffix which shall consists or the letters and the numerical number of the month and the last two digits of the year in which it shall expire. All these three components shall be added by using the oblique mar, e.g. a license bearing registration No. XYZ which shall expire in the month of March, 1999, shall be written in as licenses no. XYZ T/3/99.

#### **14. Procedure for granting of license:-**

- (1) Every person of firm desiring to have a License issued in his or its favour shall make an application to the Secretary to Form **C-I** appearing in the Schedule of Form in Annexure hereto.
- (2) In the case of a partnership firm a copy of the partnership deed duly attested by a gazetted officer, shall be submitted along with the application. In the event of any subsequent change in the partnership, a fresh deed of partnership shall be furnished to the Secretary within 15 days of such change.

- (3) The Board, having regard to the conditions prescribed herein below, shall consider the applications for license received from time to time and may grant..... of the appropriate class referred to in Regulation 13(2) in Form C-2 appearing in the schedule of Forms in Annexure-I.

**15. Condition for granting of license:-**

- (1) The contractor and the full time supervisors and workmen employed by the Contractor shall execute written service contracts specifying the terms of employment, service conditions relating to termination and resignation of service etc. and a copy of such agreement together with the joining report of the concerned employees shall be submitted to the Secretary along with the application for the license and also from time to time and when such occasion arises.
- (2) A class I Contractor shall engage as many apprentices as he may like but not less than three in number, for the purpose of training but the total number of such apprentices at a time shall not be exceeding twice the total number of the Supervisors and the Workmen under his full-time employment. The Contractor shall not allow any such apprentices to carry out any electrical installation work including additions, alterations, repairs and adjustment to the existing installations covered by Rule 45 the Indian Electricity Rules, 1956, except under the constant supervision of a full-time Supervisor and under the guidance of a full-time workmen working in the premises :

Provided that a class II contractor may also engage as many apprentices as he may like in his case also the total number of such apprentices of a time shall not be exceeding twice the total number of the Supervisor and the Workmen under his full-time employment. The contractor shall be not allow any such apprentices to carry out any electrical installation work including additions, alteration, repairs and adjustments to the existing installation covered by Rule 45 of the Indian Electricity Rules, 1956 except under instant supervision of a full-time Supervisor and under the guidance of a full-time workman working in the premises.

- (3) Every Contractor shall maintain a register in form ELB 4 as prescribed in the Schedule of Forms in Annexure containing the particulars of all Supervisors, workmen and Apprentices employed by the Contractor. The register shall be open for inspection at any time by the Electrical Inspector or his representatives and a copy of the register shall be sent to the Secretary alongwith quarterly return of works to be submitted in Forms No. E-85 FLB-6.
- (4) No person whose name is not entered in such register shall be considered to be an employee of the Contractor. The Contractor shall notify in writing to the Secretary the names and the number of the Certificates or Permits, as the case may be of each holder of Certificate of Competency and Permit employed by him.
- (5) 'A' Class I contractor's License may be granted only to a person who himself holds a valid Certificate of competency issued under these regulations and actually works as a full-time Supervisor in respect of the works undertaken by him and has at least two Supervisor holding a valid Certificate of competency issued under these regulations and at least four workmen, each holding a valid Permit issued under these regulations, under his full-time employment or to a person or a firm having at least two Supervisors, each holding a valid Certificate or Competency issued under these regulations and at least four Workmen, each holding a valid Permit issued under these regulations under his or its full-time employment provided such person or firm has in his its possession all the instruments and tools of the I.T.I. Standard in adequate number for carrying out the test and examinations as required under the Rules.
- (6) A Class II contractor's License may be granted to a person who himself a valid certificate of Competency issued under these regulations and actually works as a full time Supervisor in respect of the works undertaken by him and has at least two Workmen each holding a valid

Permit issued under these regulations under his or its full-time employment or to a person or a firm having at least one Supervisor holding, valid Certificate of Competency issued under these regulations and at least two Workman each holding a valid Permit is issued under these regulations, under his or its full-time employment provided such person or firm has in his or its possession all the instruments and tools of the I.S.I. standard in adequate member for carrying out the tests and examinations as required under the Rules.

- (7) A Special Class (Temporary) Contractor's License may be granted only for a period of six months to a firm stationed temporarily in the State or to a person for a particular installation work provided such firm or person fulfils the other general conditions specified in these regulations specially in respect of the staff and the instruments and tools as may be applicable in respect of the work having regard to its nature and kind :

Provided that the Board may also grant non-renewable certificate Competency for six months at a time to a Supervisor engaged by such firm or person on the strength of the certificate of Competency issued in other State:

Provided further that the Board may grant such license to a regular firm having an Class II Contractor's license also provided the firm or the person employed a Supervisor other than the Supervisor for its or his regular license and by virtue of such a license such firm or a person may be allowed to undertake the works generally to be carried out by the Class I Contractors.

- (8) Every contractor shall have in his possession the tools and instruments as may be specified by the Board for the class to which such Contractor belongs and every Contractor shall keep and maintain such tools and instruments in good condition for the purposes of carrying out the tests and examinations as required by the rules.
- (9) The Board may withhold the issue of a license till it is satisfied that the Contractor is in actual possession of the tools and instruments specified by it and the Board may require the Contractors to get the tools and instruments checked and examined by the Secretary or his representatives.
- (10) No. Contractor's License shall be granted to person who is under the employment of a Contractor either as a Supervisor or as Workmen.
- (11) Every Contractor shall, before actually terminating the service of a Supervisor or a Workman under his employment, intimate the Secretary in writing about his intention to terminate stating the name of such Supervisor or Workmen together with the number of the Certificate of Competency or permit, as the case may be.
- (12) Every Contractor shall furnish to the Board addressing to the Secretary a quarterly return in Form No. C-5 and C-6 appearing in the Schedule of Forms in Annexure-I, of the works performed by him and of the works pending with him along with the particulars including the numbers of the certificates of competency and the permits of the staff with full details including the names and particulars of the apprentices engaged from time to time.

**16. Provisional License :** The Secretary may, with the approval of the Chairman and at least one Member, issue a provisional License of and, Class -I, he is satisfied that the applicant fulfills all the general conditions specified herein before the grant of a License and not the formal approval of the Board may be delayed, causing genuine hardship to the applicant' such provisional license shall, however, be regularized by the Board in the immediate next meeting thereof failing which the license shall stand automatically cancelled on the expiry of sixty five days from the date of issue. All such provisional license shall bear the seal "PROVISIONAL" in red ink.

**17. Term of License:** Every License granted under this regulation, excepting those of Special Class-(Temporary), unless suspended or cancelled earlier shall remain valid for a term of one year from the date of issue thereof.

**18. Renewal of license:**

- (1) Every License granted under this regulation excepting, those of Special Class (Temporary), shall be renewable on application by the Contractor in Form No. ELB.7 as appears in the schedule of Forms in Annexure-I along with the renewal fee as prescribed in the Schedule of fee as prescribed in the Schedule of fees appearing in Annexure III.
- (2) Every application for renewal of a license shall accompany a statement showing the particulars of the names of the Supervisors and workmen under the full-time employment of the contractor along with the number of the Certificates of Competency and the permit of the concerned Supervisors and Workmen and a statement describing the instruments and tools in his possession and stating the names, services and the period of employment or other staffs including the apprentices engaged from time to time.
- (3) Every application for renewal of a license shall be submitted to the Secretary alongwith the license at least 30 days ahead of the date of expiry thereof. In the event of failure to submit the application in time, the license should be liable to be cancelled with effect from the date of the expiry and full initial fees shall be chargeable from such Contractor to the issue of a fresh license in his favour;

Provided that in the application for renewal as aforesaid is received within the month, after the date of expiry, the license may be renewed on payment of the renewal fees as prescribed in the Schedule of fees appearing in Annexure III and the penalty as prescribed in the Schedule of fees appearing in Annexure III.

- (4) The Secretary shall examine the applications and if he is satisfied after such enquiry, if any, as he may deem fit and necessary, may renew the License for a further period of one year.

**19. Suspension and cancellation of license:**

- (1) The Board may be if at any time is of the opinion that any Contractor has not completed with any of the provision of those registration of has willfully contravened any of the conditions specified in regulation 15 .... Has used any sub-standard material, suspended the license and ask the Contractor to ..... case within a time to be specified by the Board as to any the license granted to him should not be cancelled.
- (2) If the Contractor fails to show cause within the time limit or if the Board after examining the causes shown and after making such enquires, if any, and it any deem fit and proper, is of the opinion that the Contractor is unfit to carry out the responsibilities, it may pass and order canceling the license.
- (3) If any time it appears to the Board that the Contractor has failed to have the requisite number of the staff under his full time employment either because of the termination or resignation or death of any such member of the staff then the Board shall forthwith keep his license under suspension till the contractor engaged the requisite number of the staff under his full time employment.
- (4) If the contractor fails to engage such staff with the requisite members thereof within the period of two months from the date of termination or resignation or death of such member or the staff, the license shall be cancelled.



Provided that the Secretary, on application by the Contractor showing sufficient reasons to justify his failure to engage the said number of the requisite staff, may be with the approval of the Chairman, extended the period to a maximum of 90 days.

- (5) If at anytime it appears to the Secretary or the Board that a license has torn defaced or mutated in such at any so as to render it not legible clearly it shall forthwith suspend the license unless the Contractor comes up with an application for issue a duplicate license.

**20. Change in name:**

- (1) Any firm holding a contractor's license of any class may make on application to the Secretary alongwith the fee prescribed therefore in the schedule of fees appearing in Annexure III for effecting any change in the name of the firm and the Secretary may, with the approval of the Chairman, allow such change provided it does not involve any transfer or assignment of the license to another person, firm or body.
- (2) Where any change is allowed under the proceeding sub-regulation, the Secretary shall make an endorsement to this effect under his hand and seal with date in the license as well as in the records of the Board.

**21. Grant of duplicate license:**

When a license granted to a Contractor is lost or torn or defected or mutilated in any way, the Secretary may, on application by the Contractor along with the fee prescribed therefore in the Schedule of fees appearing; in Annexure-III, with the approval of the Chairman, issue a duplicate license and all such duplicate license shall clearly been the seal "Duplicate" in red ink and seal and signature of the Secretary.

**22. Mode of Contract:**

- (1) Every Contractor for electrical installation work under taken by a Contractor shall be in writing and the Contractor shall be held responsible for the proper execution of the contractor. All the installation work shall be recorded as per Form FLB 4 as prescribed in the schedule of Forms appearing in Annexure-I and shall be open for inspection.
- (2) No Electrical installation work including additions, alterations, repairs and adjustments to existing installation, excepting such replacement of lamps, fans, fuses, switches and other component parts of the installations which no way alters is capacity or character, shall be commenced by a Contractor without notifying the Secretary and the Electrical Inspector having jurisdiction, in the Form ELB.3 as prescribed in the Schedule of forms appearing in Annexure I. Before the commencement of the actual works, the Contractor shall obtain the approved copies of the electrical drawings (approved by the competent and authorized officers of the Inspector or any other statutory authority) from the occupier or owner or of supplier of the works. The works shall be carried out in accordance with the approved drawing of the installation or the work complying with vant provisions of the Rules and the recommendations of the Indian Standard Code of the repracitces or the National Electrical Code.
- (3) In addition to the quarterly statements as referred to in Regulation 15 ( every Contractor shall furnished to the Secretary by the 15<sup>th</sup> April and 15<sup>th</sup> October every year a half yearly return of works undertaken by him in the preceding six month period.
- (4) For every electrical installation work carried out under Rule 45, test Report with relevant drawing shall be submitted by the Contractor to the concerned electrical supply authority. The tests shall be carried out in the presence of the Supervisor and the Test Report shall be

signed by the Supervisor under whose supervision the work has been carried and shall be countersigned by the contractor. The Supervisor shall be wholly responsible for the correct execution of the electrical installation work as per the relevant provision of the rules and the recommendation made from time to time by the Indian Standard Institutes. In addition, the Contractor shall furnish a copy of the Test Report to the Board as well as to the Electrical Inspector having jurisdiction.

## Chapter IV

### Supervisor's Certificate of Competency

#### 23. Certificate of Competency :

- (1) No person shall work as Supervisor of any class or type in any building or electrical installation of any type unless he obtains a valid Certificate of Competency or the required class issued in his favour by the Board in accordance with the provision of this regulations.
- (2) There shall be the following classes of Certificates of Competency and the holder of Certificate of particular class shall be illegible to work as Supervisor in respect of the works of the nature specified against that class; namely-

#### Class of Certificate of competency.

**Class A :** Voltage not exceeding medium pressure (upto 650 volts.). type of installation writing of buildings used as domestic dwelling/residential accommodations/shopping and commercial center/mercantile building/educational building and temporary outdoor installations (not exceeding 7 days) as defined under the National Electrical Code.

**Class B-I :** Voltage exceeding 650 volts (Motors, Generators' Control equipments and other apparatus).

Type of installations: Industrial installation work at high pressure (Motors, Generators and other Control equipments and other apparatus).

**Class B-II:** Voltage not exceeding 650 volts (motors, Generators, Control Equipments and other apparatus).

Type of installations: Electrical installations in hazardous areas/stand by generating stations and captive sub-station as defined under the National Electrical Code.

**Class B-III:** Voltage not exceeding 650 Volts (Motors, Generators, Control Equipments and other apparatus).

Type of installations : Electrical installation works at industrial building/hotel/sports building/assembly/recreational building/permanent outdoor installations/installations in agricultural premise and Lightning protection of such buildings and premises and defined in the notional Electrical Code.

**Class C-I:** Over head lines and installations at extra high pressure (exceeding 33,000 volts) (Sub-stations, transformers etc.)

**Class C-II:** Overhead lines and installations at voltage not exceeding high pressure (33,000 volts)(Sub-stations, distribution transformers etc.)

**Class C-III:** Overhead lines and installations at voltage not exceeding medium pressure (650 volts).

- Class D-I:** High and extra high pressure cables-extra high voltage cables (exceeding 33,000 volts).
- Class D-II:** High voltage cables-not exceeding 33,000 volts.
- Class E-I:** Mining installations.
- Class E-II:** High voltage electrical signs.
- Class E-III:** Electrical installations in medical establishments.
- Class E-IV:** Electrical transportations.

**24. Condition for grant of Certificate of Competency:**

- (1) A certificate of competency of particular class or classes shall be granted to a person who has qualified himself in the examination and test for that particular class or classes. A certificate of competency may be granted for more than one year class by making endorsement to that effect in the Certificate provided the person has qualified himself in the examination and test for the classes.
- (2) Subject to the provisions hereinafter appearing in order to be eligible for appearing in the examination and test for a Certificate of Competency a person must have hold a workman's Permit of the corresponding class and acquired at least two years practical experience as such Workman :

Provided that notwithstanding anything contained in any provision of this regulations any person having a Workman Permit of the corresponding class and at least eighteen years experience as such Workman or a degree in electrical engineering from a recognized. University and at least fifteen years field experience in electrical engineering or a diploma in electrical engineering from any recognized institution and at least twenty years practical field experience shall be exempted from appearing in the written examination for having a Certificate of competency in his favour.

- (3) A Class B-I Certificate of Competency shall be granted only to a person who has either held a Certificate of Competency of Class B-II or has qualified himself in the examination and test for a Certificate of Competency of Class B-II either previously or simultaneously with the examination and test for the Certificate of Competency of Class B-I. Similarly a Class B-II Certificate of Competency shall be granted only to a person who has either held a Certificate competency of Class B-III or has qualified himself in the examination and test for Certificate of Competency of Class B-III either previously or simultaneously with the examination and test for the Certificate of competency of Class B-II.
- (4) A Certificate of Competency of Class C-I shall be granted only to a person who has either held a Certificate of competency of Class C-II or has qualified himself in the examination and test for a Certificate of Competency of Class C-II either previously or simultaneously with the examination and test for Certificate of Competency of Class C-I. Similarly a Certificate of Competency of Class C-II shall be granted only to person who has either held a Certificate of competency of Class C-III or has qualified himself in the examination and test for a Certificate of Competency of Class C-III either previously or simultaneously with the examination and test for the Certificate of Competency Class C-II.
- (5) A Certificate of Competency of Class D-I shall be granted only to a person who has either held a Certificate of Competency of Class D-II or has qualified himself in the examination and test of a Certificate of Competency of Class D-II either previously or simultaneously with the examination and test for Certificate of competency of Class D-I.

- (6) A Certificate of Competency of Class E-I shall be granted only to a person who holds a Certificate of Competency of Class B-I, B-II and B-III and has at least one year practical experience in electrical installation work in times below ground.

Provided that the Board may, by a special endorsement in the Certificate of competency under the hand and seal of the Secretary, allow a person having at least six months practical experience in gassy mines below ground to work as a Supervisor in such gassy mines.

- (7) A Certificate of Competency of Class E-II shall be granted only to a person who has either held a Certificate of Competency of Class A or has qualified himself in the examination and test for the Certificate of competency of Class A either previously ..... simultaneously with the examination and test for the Certificate of competency ..... Class E-II.
- (8) Subject to the provisions of clauses (3), (4), (5), (6) or (7), as the case may be if a person appears in more than one examination and test simultaneously and qualifies only in the examination and test of the lower rank, then he shall be granted a Certificate of Competency for the class only. But if he qualifies only in the examination and test for a Certificate of Competency of the higher rank and become unsuccessful in the examination and test for the Certificate of Competency of the lower rank the no Certificate of Competency shall be granted to him.

**Explanation :** The examination and test for the Certificate of Competency, the passing of which shall be the eligibility criteria for the grant of the other Certificate of competency shall be deemed to be the examination and test of the lower rank. For example, in the simultaneous examination and test for the Certificate of Competency of Class B-II shall be of lower rank. Similarly, in a simultaneous examination and test for the Certificate of Competency of Class B-II, The Examination and test for the Certificate of Competency of Class B-II shall of the lower rank.

- (9) Every Certificate of Competency shall be granted under the hand and seal of the Secretary of the Board.
- (10) The Board shall hold the examination and the test for granting the Certificate of competency once in every year in the manner provided in these regulations:

Provided that the Board having regard to the necessity or demand or accumulations of applications or number of applications may hold examination more than once in a year.

Provided further that the Secretary shall hold special examination and test as and when so directed by the Government in the interest of the public service and the Secretary immediately after holding the examination and the test shall place the entire matters relating to such special examination and test before the Board for its approval.

- (11) Subject to the provisions of the proviso to class (2) of this Regulation, every applicant for an examination for a Certificate of competency of any class shall be at least read upto Class III standard.
- (12) The Board may impose any such condition or conditions as it may deem reasonable and proper either generally in all the Certificates of Competency or particularly in any Certificate of competency and the holder of the Certificate of Competency shall be bound by such condition or conditions.

**25. Grant of Certificate of competency:**

- (1) Certificate of competency of the concerned class or classes shall be granted to a person on Form ELB-8 appearing in the Schedule of Form in Annexure I on his being qualified therefore in the examination and test or otherwise.
- (2) A Certificate of Competency, unless renewed or suspended or cancelled earlier under any provision of this Regulation shall remain valid for a period of one year from the date of issue thereof.

**26. Renewal of Certificate of Competency:**

- (1) A Certificate of Competency granted under this Regulation shall be renewable on application by the holder thereof in Form ELB-9 appearing in the Schedule of Form in Annexure-I.
- (2) Every application for the renewal of Certificate of Competency shall be filed one month before the actual date of expiry thereof along with the renewal fee as prescribed in the Schedule of fees appearing in Annexure-III and the Certificate of Competency issued under this Regulations.
- (3) In appropriate cases, where the Board, considering the causes shown, is satisfied that the holder of a Certificate of Competency was prevented by the Circumstances beyond his control from renewing his Certificate of Competency in time, it may allow the renewal of the Certificate of competency within a period of one year from the date of expiry thereof provided a penalty of Rupees twenty one is paid in addition to the normal renewal fees.
- (4) A Certificate of Competency not renewed even after a period of one year from the date of its expiry shall be deemed to be invalid thereby making the holder thereof not entitled to work as Supervisor.

Provided that in appropriate cases, where the Board, having regard to the causes shown, is satisfied that the holder of a Certificate of competency was reasonably prevented by unavoidable and extraneous circumstances beyond his control from renewing his Certificate of Competency even in accordance with the provisions of Clause (3), of this Regulation it may allow the renewal of such an invalidated Certificate of competency within a period of five years from the date of its expiry and in such cases the holder of the Certificate of competency shall be liable to pay a penalty of rupees twenty for each year of default or part thereof from the original date of expiry along with the normal renewal fees.

**27. Effect of non-renewal :**

- (1) A Certificate of competency not renewed in accordance with the provisions of Clauses (1) and (2) or Clause (3) of Regulation 26 shall be deemed to be under suspension and the holder thereof shall be caused to be eligible to work as a supervisor.
- (2) A Certificate of Competency not renewed even in accordance with the provisions of Clause (4) of Regulation 26 shall be invalid and the holder thereof shall have to obtain a fresh Certificate of competency if he further desires to work as a Supervisor.
- (3) If any person carries on any work as Supervisor during the period of suspension of his Certificate of Competency and thereby contravenes the provisions of his Regulations then without prejudice to any legal action against him, his Certificate of competency shall be cancelled forthwith and the holder of the Certificate of Competency if further desires to work as a Supervisor then he shall have to obtain a fresh Certificate of Competency under this Regulations.

**28. Grant of duplicate Certificate of Competency :**

- (1) When a Certificate of Competency granted under this Regulations is lost or torn or has been defaced or mutilated due to any accidental reason not being with due diligence or connivance of the holder thereof, the Secretary, on application in Form No. ELB 10 appearing in the Schedule of Forms in Annexure I by the holder of the Certificate of Competency along with the fees prescribed therefore in a Schedule of Fees appearing in Annexure III may with the approval of the Chairman, issue a duplicate Certificate of competency and all such duplicate Certificate of Competency shall bear the seal “DUPLICATE” in the red ink and in the signature and the seal of the Secretary and the chairman. The defaced or mutilated or turned Certificate of competency shall be submitted along with the application for duplicate Certificate of Competency.
- (2) The grant of every such duplicate certificate of competency shall be recorded in the official records.

**Chapter – V**

**Permit of Electrical Workman.**

**29. Permit :**

- (1) No person shall work as electrical workman of any class or type in any building or electrical installation of any type unless he obtains a valid permit of the required class issued in his favour by the Board in Form ELB II appear in the schedule of Forms in Annexure I in accordance with the provisions of this Regulations.
- (2) There shall be the following classes of permits and the holder of a Permit of a particular class shall be eligible to work as electrical workman in respect of the works of the nature specified below against that class.

**Classes of Permits**

**Class A :** Voltage not exceeding medium pressure (upto 650 volts.). type of installation writing of buildings used as domestic dwelling/residential accommodations/office/shopping and commercial centers/mercantile building/ educational building and temporary outdoor installations (not exceeding 7 days) as defined under the National Electrical Code.

**Class B-I :** Voltage exceeding 650 volts (Motors, Generators’ Control equipments and other apparatus).  
Type of installations : Industrial installation work at high pressure (Motors, Generators and other Control equipments and other apparatus).

**Class B-II:** Voltage not exceeding 650 volts (motors, Generators, Control Equipments and other apparatus).  
Type of installations : Electrical installations in hazardous areas/standby generating stations and captive sub-stations as defined under the National Electrical code..

**Class B-III:** Voltage not exceeding 650 Volts (Motors, Generators, Control Equipments and other apparatus).

Type of installations : Electrical installation works at industrial building/hotel/sports building/assembly/recreational building/permanent outdoor installations/installations in agricultural premise and Lightening protection of such buildings and premises and defined in the notional Electrical Code.

- Class C-I:** Over head lines and installations at extra high pressure (exceeding 33,000 volts) (Sub-stations, transformers etc.)
- Class C-II:** Overhead lines and installations at voltage not exceeding high pressure (33,000 volts)(Sub-stations, distribution transformers etc.)
- Class C-III:** Overhead lines and installations at voltage not exceeding medium pressure (650 volts).
- Class D-I:** High and extra high cables-extra high voltage cables (exceeding 33,000 volts).
- Class D-II:** High voltage cables-not exceeding 33,000 volts.
- Class E-I:** Mining installations.
- Class E-II:** High voltage electrical signs.
- Class E-III:** Electrical installations in medical establishments.
- Class E-IV:** Electrical transportations.

**30. Conditions for grant of a permit:**

- (1) A Permit of a particular class or classes shall be granted to a person who has qualified himself in the examination and test for that particular class or classes. A Permit may be granted for more than one class by making specific endorsement to that effect in the Permit provided the person ahs qualified himself in the examination and test for the classes.
- (2) A class B-I Permit shall be granted only to a person who either holds a permit of Class B-II or has qualified himself in the examination and test for a Permit of Class B-II either previously or simultaneously with the examination and test for the Permit of Class B-I.

Class B-I similarly a Class B-II permit shall be granted only to a person who has either held a permit of Class B-III or has qualified himself in the examination and test for Permit of Class B-III either previously or simultaneously with the examination and test for the Permit of Class B-II.

- (3) A Permit of Class C-I shall be granted only to a person who has either held a Permit of Class C-II or has qualified himself in the examination and test for a Permit of Class C-II either previously or simultaneously with the examination and test for the Permit of Class C-I. Similarly a Permit of C-II shall be granted only to a person who has either held a Permit of Class C-III or ahs qualified himself in the examination and test for a permit of class C-III either previously or simultaneously with the examination and the test for the permit of Class C-II.
- (4) A Permit of Class D-I shall be granted only to a person who has either held a Permit of Class D-II or ahs qualified himself in the examination and test for a permit of Class D-II either previously or simultaneously with the examination and test for the Permit of Class D-I.

- (5) A Permit of Class E-I shall be granted only to a person who has held a permit of Class E-IV and has acquired at least one year practical experience in electrical installation works in mines below ground:

Provided that the Board may, by special endorsement in the permit under the hand and seal of the Secretary, allow a person having at least six months practical work experience in gassy mines below ground to work as an electrical workman in such gassy below ground mines.

- (6) A Permit of Class E-I shall be granted only to a person who has either held a permit of Class A or has qualified himself in the examination and test for the Permit of Class A either previously or simultaneously with the examination and test for the permit of Class E-II.
- (7) Subject to the provisions of Clauses (2), (3), (4), (5) or (6) as the case may be, if a person appears in more than one examination and test simultaneously and qualified in the examination and test of the lower rank only then he shall be granted a permit for that class only. But if he qualifies only in the examination and test for a permit of higher rank and becomes unsuccessful in the examination and test for the permit of the lower rank then no permit shall be granted to him.

**Explanation :** The examination and test for the permit, the passing of which shall be the eligibility criteria for the grant of the other permit shall be deemed to be the examination and test of the lower rank. For example, in a simultaneous examination and test for the permit of Class B-I, the examination and test for Class B-II shall be of lower rank. Similarly in a simultaneous examination and test for the permit of the Class B-II, the examination and test for the permit of Class B-III shall be of the lower rank.

- (8) Every Permit shall be granted under the hand and seal of the Secretary of the Board.
- (9) The Board shall hold the examination and the test for granting the Permits at least once in every year in the manner provided in these Regulations:

Provided that the Board having regard to the necessity of demand or accumulation of applications or the number of the applications may hold examination and test more than once in a year.

Provided that the Secretary shall hold special examination and test as and when so directed by the Government in the interest of the public service and the Secretary immediately after holding the examination and the test shall place the entire matters relating to such special examination and test before the Board for its approval.

- (10) Every applicant for the examination and test for a permit of any class shall be at least read up to class VIII standard.
- (11) In order to have a permit granted in his favour a person must be not below the age of 18 years and more than 60 years of age on the 1<sup>st</sup> of January of the year of the examination and test.
- (12) The Board may impose any such condition or conditions as it may deem reasonable and proper either in all cases of permit or particularly in the case of an individual permit and the holder of such a permit shall be bound by such condition or conditions.

### **31. Grants of Permit:**

- (1) Subject to the provisions of Regulation 30 Permit of the concerned class or classes shall be granted to a person in Form ELB-II appearing in the Schedule of Form in Annexure I on his being qualified therefore in the examination and test.



- (2) A Permit so granted, unless renewed or suspended or cancelled earlier under any of the provisions of this Regulations shall remain valid for a period of one year from the date of issue thereof.

**32. Renewal of Permit:**

- (1) A Permit granted under this Regulations shall be renewable on application by the holder thereof in form No. ELB-9 appearing in the Schedule of Form in Annexure I.
- (2) Every application for the renewal of a Permit shall be filed one month before the actual date of expiry thereof along with the renewal fees as prescribed in the Schedule of Fees appearing in the Annexure III and the permit issued under this Regulations.
- (3) In appropriate cases, where the Board, considering the causes shown, is satisfied that the holder of a permit was reasonably prevented by the circumstances beyond his control from renewing the Permit in time, it may allow the renewal of the Permit within a period of one year from the date of expiry thereof provided a penalty of Rupees Twenty only is paid in addition to the normal renewal fees.
- (4) A permit not renewed even after a period of one year from the date of its expiry shall be deemed to be invalid thereby making the holder thereof not entitled to work as a Workman:

Provided that in appropriate cases, where the Board, having regard to the causes shown, is satisfied that the holder of a permit was reasonably prevented by the unavoidable and extraneous circumstance beyond his control from renewing his permit even in accordance with the provisions of Clause (3) of this Regulation, it may allow the renewal of such an invalidated permit within a period of five years from the date of its expiry and in such cases the holder of the permit shall be liable to pay a penalty of Rupees twenty for each year of default or part thereof from the original date of expiry along with the normal renewal fees.

**33. Effect of non-renewal:**

- (1) A Permit not renewed in accordance with the provisions of Clauses (1) and (2) or Clause (3) of Regulation 31 shall be deemed to be under suspension and the holder thereof shall be ceased to be eligible to work as Workman.
- (2) A Permit not renewed even in accordance with the provisions of Clause (4) of Regulation 31 shall be invalid and the holder thereof shall have to obtain a fresh permit if he further wants to work as a Workman.
- (3) If any person carries on any work as electrical Workman during the period of Suspension of his permit and thereby contravenes the provisions of this Regulations, taken without prejudice to any legal action against him, his permit shall be cancelled forthwith and holder of the Permit if further desires to work as an electrical Workman, shall have to obtain a fresh permit under this Regulation.

**34. Grant of duplicate permit:**

- (1) When a permit granted under this Regulations is lost, or turned of has been defaced or mutilated due to any accidental reason not being with due diligence or connivance of the holder thereof, the Secretary, on application in Form No. appearing in the Schedule of Forms in Annexure I by the holder of the Permit along with the fees prescribed therefore in the Schedule of Fees appearing in Annexure III may, with the approval of the Chairman, issue a duplicate Permit and all such duplicate Permits shall bear the seal "DUPLICATE" in red ink and the signature and the seal of the Secretary. The defaced or mutilated or turned permit shall be submitted along with the application of the duplicate permit.

- (2) The grant of every such duplicate permit shall be recorded in the official records.

### **Chapter-VI**

#### **EXAMINATIONS AND TESTS.**

**35. Examinations :** (1) For the purpose of qualifying a person for the grant of either a Certificate of Competency or a Permit the Board shall, subject to the provisions of this Regulations, hold examinations both theoretical and practical and viva-voce test as per the Schedule of syllabus specified hereinafter in Annexure-II.

(2) The examinations for each class of Certificate of Competency or Permit, as the case may be, shall be held on different dates so that it does not prevent any candidates from appearing in the examination and test for more than one such class or classes simultaneously.

(3) The examinations and tests shall be held at such centers as may be determined by the Board by prior notifications :

Provided that the Government, may, in the interest of the public service and having regard to the number of candidates from a particular area, direct the Board at least two months before the date of examinations and tests to hold the examinations and tests at such other place or places as may be determined by the Government. In such cases the Board shall notify the place or places so determined in addition to the centers already notified and shall hold the examinations and tests as per the Schedule in those places also.

(4) Subject to the provisions of this Regulations every candidates, either for a Certificate of Competency or a Permit, of any class, shall be examined and tested about his practical and theoretical knowledge over the subject as per the concerned syllabus.

(5) The examinations and tests shall be held in English or in the official language depending upon the choice of the candidate.

**36. Application for admission into examination and test :-** (1) The Board shall, by notification published in the news papers having wide circulation in the area, invite applications from the eligible candidates for the examinations and tests. The notification shall also state the date of the examinations and the last date for receiving the applications for admission into the examinations and tests.

(2) Every candidate shall make an application in Form ELB 12 as appears in the Schedule of Forms in Annexure I stating all the required particulars and information's as given in the Form, sign thereon in presence of his employer or a gazetted officer and submit the same either in the office of the Board or in the Zonal offices of the Inspectorate on or before the last date fixed therefore by the Board.

(3) The application forms along with the prospectus containing the detailed syllabus shall be made available to the candidates or their agents on an application therefore along with a treasury receipt acknowledging the payment of Rupees fifteen only. The application for the form and prospectus shall be made on plain paper either to the Secretary or to the Officer-in-charge of the Zonal office of the Inspectorate.

Provided that the application form and the prospectus may also be obtained through post from the Secretary provided the application made therefore is accompanied by a self addressed envelop of 28 X 12 cm size sufficiently stamped for one hundred grams of Weight and the treasury receipt referred to above.

(4) Any application for admission into examinations and tests once submitted shall not be allowed to be withdrawn and no examination fee shall be refunded on any account.

(5) Every application for admission into examination and test shall accompany the following testimonials; namely :-

(a) testimonials from the employer regarding good conduct and practical experience in Part II of the application form;

(b) attested copy or copies of the certificate or certificates showing the educational qualifications and age;

(c) attested copy or copies of the certificate of Competency or permit, previously held, if any;

(d) a treasury receipt acknowledging the payment of the examination fee as prescribed in the Schedule of Fees appearing in Annexure III,

(e) four copies of the applicant's recent passport size photograph, each of which shall be attested by a gazetted officer;

(6) All the applications received on or before the last date fixed shall be forwarded to the Secretary as early as possible and the Secretary shall scrutinize or cause to be scrutinised the applications.

(7) The incomplete application shall be rejected and the fee paid shall be forfeited. No correspondence on such rejected application shall be made or entertained unless the Chairman or the Secretary decides otherwise at their own discretion.

(8) The applicants whose application are found complete and valid shall only be admitted into the examinations and test and each of them shall be given an admit card issued by the Secretary and affixed with a photograph of the candidate. The admit cards shall be obtainable by the candidates from the zonal offices of the Inspectorate having jurisdiction over the area or from the office of the Secretary, as the case may be pending upon the place of submission of the application form for the admission.

**37. Conduct of examinations and tests :-** (1) All examinations and tests under these regulations shall be conducted by the Board. The Secretary with the approval of the Chairman and the concurrence of at least one member of the Board may select and appoint as any examiners having such qualifications and experiences, as may be considered necessary and proper, so as to assist the Board in conducting the examinations and the tests :

Provided that for the purpose of taking the viva-voce test of the candidates who are exempted from appearing in the written examination, either theoretical or practical in accordance with the provisions of the proviso to Clause (2) of Regulation 24 no examiner below the rank of Executive Engineer (Electrical) shall be selected and appointed :

Provided further that no person who is below the rank of an Assistant Engineer (Electrical) and not having at least three years practical field experience shall be selected and appointed as examiner for any examination or test under this Regulation:

Provided further that the competent and willing persons who have retired from post of Executive Engineer (Electrical) or above under the Assam State Electricity Board may be considered for selection and appointment as examiners.

(2) Notwithstanding anything contained hereinbefore all the Senior Electrical Inspectors having jurisdiction over the area including those who have been posted as such Senior Electrical Inspectors in the Headquarter of the Board or the Inspectorate shall be the permanent examiners for all examinations and tests held under this Regulations and the engagement of any other examiner or examiners, if made, shall be in addition to them.

(3) All the examinations and tests under this regulation shall be conducted in the manner as may be decided by the Board. Normally the examinations shall be conducted in the manner in which the Assam Higher Secondary Council conduct, the Higher Secondary School Leaving Certificate Examinations on science subjects and the tests shall be conducted in the manner in which the normal interview are conducted.

(4) The Board shall constitute a cell consisting of at least three examiners out of which least one shall be the permanent examiner for every center to conduct and hold the viva-voce tests.

(5) The results of the viva-voce test shall be kept secret and shall be forwarded to the Secretary along with the answer scripts of both the theoretical and practical examinations taking all the precautions for maintaining the confidentiality thereof.

(6) The Secretary with the approval of the Chairman and the concurrence of at least one of the members of the Board shall distribute the answer scripts among the examiners for evaluation within a reasonably fixed period of time.

(7) The examiners shall evaluate the answer scripts made over to them correctly, properly and carefully and shall forward the evaluated scripts to the Secretary.

(8) In any examination either for any class of Certificate of Competency or permit total marks allotted shall be 350 or the break up shall be as under-

Theoretical	Full Marks – 100	Pass Marks – 30.
Practical	Full Marks – 100	Pass Marks – 30.
Viva-voce test	Full Marks – 50	No Pass mark fixed.

(9) In order to qualify in any examination and test a candidate shall have to secure a minimum of 30 marks in theoretical and a minimum of 30 marks in practical examination and a minimum of 30 percent marks in aggregate.

(10) The Secretary, with the concurrence of at least member of the Board and the approval of the Chairman, shall constitute a Scrutinising Cell consisting of the Secretary himself, at least three members of the Board and two permanent examiners for the purpose of scrutinizing the evaluation of the evaluated answer scripts.

(11) The Secretary shall then put up the results of the viva-voce tests of the different centers before the Scrutinising Cell who shall thereupon prepare the final result sheets in accordance with the provisions of Clause (9) above. The Cell shall prepare separate result sheet for each category of the examination and test.

(12) The result sheets prepared by the Scrutinising Cell under Clause (11) of this Regulation shall then be placed in the meeting of the Board for its approval and only after obtaining the approval of the Board the results shall be final.

(13) The results of the examinations and tests as approved by the Board shall be published by hanging a copy thereof in the notice board of the office of the Secretary as well as in each of the zonal office of the Inspectorate.

Provided that the Board may also publish the results of the examinations and tests in any or more news papers having wide circulation in the State.

**Chapter - VII**

Misconduct of Contractors, Supervisors and Workmen.

**38. Misconduct** – (1) Any intentional or negligent violation of or deviation from the provisions of this Regulations or the Act or the Rules by any Contractor, Supervisor or Workman, as the case may be, shall constitute a misconduct and the concerned Contractor, Supervisor or Workman, as the case may be, besides being liable for prosecution, shall be liable for such action including suspension or cancellation of the license, Certificate of Competency or permit, as the case may be as the Board having regard to the facts and circumstances of the case may deem fit and proper.

(2) Any misbehavior or other general misconduct shown by any Contractor, Supervisor or Workman while doing any electrical installation work to any person having reasonable or normal relationship or interest with the installation work or the owner thereof shall constitute a misconduct and any Contractor, Supervisor or Workman, as the case may be, shall, besides being liable for prosecution, be liable to any such action including suspension or cancellation of the license, Certificate of Competency or Permit, as the case may be, as the Board may, having regard to the facts and circumstances of the case, deem fit and proper.

(3) No person who is holding a Certificate of Competency or a Permit under these Regulations and carrying on whole time employment under the Government or any licensee shall work either as a Supervisor or a Workman, as the case may be, under any other contractor or licensee or firm or company.

(4) No person who is holding a Certificate Competency or a Permit under this Regulations and carrying on whole time employment under a Contractor, firm or company shall work as Supervisor or Workman, as the case may, even on part time basis under any other Contractor or firm or company except with the prior express permission of the Contractor or firm or company under whom he is in full time or whole time employment as well as of the Secretary of the Board.

(5) No supervisor shall lend or otherwise allow his Certificate of Competency the use of any contractor or firm or company other than the one under whom he is in time employment.

(6) No Supervisor shall lend or otherwise allow his Certificate of Competency be used for the purpose of obtaining a license or for the purpose of showing the strength of staff by any contractor, firm or company other than the one under whom he is in full time employment and no Contractor shall utilise any Certificate of Competency is used in favour of a person who is in the full time employment of any other contractor firm, company or licensee or Government.

(7) The contravention of any of the provisions of Clauses (3), (4) and (5) above shall constitute serious misconduct on the part of the Contractor, Supervisor or Workman as the case may be, and such Contractor, Supervisor or Workman, besides being liable for prosecution, shall be liable for such action, including suspension or cancellation of the license, Certificate of Competency or Permit, as the case may be, as the Board having regard to the facts and circumstances of the case may deem fit and proper.

(8) Non-compliance of any provision of the Act, the Rules or this Regulation of showing of any unmannerly behaviors to any body having any reasonable relationship with the premises where the electrical installation works are going on or with the owner thereof or causing of any mischief, intentional loss or damage to the premises or the owner thereof, stealing away of any article from the premises or commission of any illegal acts by the Contractor or any member of his staff, Supervisor or Workman, as the case may be, shall be deemed to be the misconduct on the part of the concerned contractor, Supervisor or Workman, as the case may be, making them liable for any action as aforesaid in the foregoing Clauses.

**39. Report of negligence and misconduct** – (1) When the supplier or the Electrical Inspector or any other person having interest is of the opinion that an electrical installation work is being or has been carried out by any Contractor or Supervisor or Workman without complying with the provisions of the Rules or when such

supplier or Electrical Inspector or other person is of the opinion that the Contractor, Supervisor or Workman as the case may be, has contravened any of the provisions of this Regulations or the Rules or Guilty of misconduct referred to in Regulation 38 above, such supplier, Electrical Inspector or other person, as the case may be, may report the same forthwith describing the facts and circumstances in details to the Secretary.

Provided that when such non-compliance or contravention comes to the notice of the Electrical Inspector having jurisdiction over the area it shall be mandatory on his part to make the report as aforesaid without any delay.

(2) Any report made to the Secretary under this Regulation by any person other than an Electrical Inspector having jurisdiction over the area shall be accompanied by a treasury receipt acknowledging the payment of a fee at the rate prescribed in the Schedule of Fees appearing in Annexure III.

(3) The Secretary, on receipt of any such report referred to in Clause (1) of this Regulation shall, ask the concerned Contractor or Supervisor or Workman, as the case may be, to show cause as to who appropriate action should not be taken against him, make such enquiry as he may deem fit and reasonable, hear the Contractor Supervisor or the Workman, as the case may be, and shall put up the whole matter along with a report as to his findings and containing suggestion as to the action that may, in his opinion, be just, fair and reasonable under the facts and circumstances of the case.

(4) The Board shall consider the report of the Secretary in its meeting and by a resolution order the action, which may inter alias include either suspension or cancellation or the license of the Certificate of Competency or the Permit, as the case may be, as it may deem fit and proper under the facts and circumstances of the case.

(5) If the allegation made in the report referred to in Clause (1) of this Regulation are found to be correct and true, the fees deposited by the person under Clause (2) above shall be refunded and on the contrary the amount so deposited shall be forfeited.

**40. Unauthorised entry, mutilation or defacement** - (1) Any unauthorized entry or mutilation or defacement in any license, Certificate of Competency or Permit shall render the same liable for cancellation by the Board. The Board may further empower and entrust the Secretary to lunch prosecution against such Contractor, Supervisor or Workman, as the case may be, for making such unauthorized entry or intentional mutilation or defacement.

(2) Making of such unauthorized entry or intentional mutilation or defacement shall amount to gross misconduct which shall make the concerned Contractor or Supervisor or Workman, as the case may be, liable to be dealt with in accordance with the provisions of Regulation 38.

### **Chapter - VIII**

#### Miscellaneous

**41. Headquarter of the Board :-** The office of the Chief Electrical Inspector-cum-Adviser shall be the headquarter of the Board unless otherwise directed by the Government.

**42. Decision of the Board :-** A decision shall be deemed to have been taken by the Board if the same is supported by more than sixty percent of the total members of the Board through the process of circulation or if the same is supported by more than percent of the members present in the meeting having a quorum.

**43. Reference to the Government :-** (1) In the case of difference in opinion, inability to take a decision or if the Chairman feels that any decision of the Board is anomalous, the Chairman shall refer the matter to the Government for decision.

Provided that the Chairman shall make such reference only after he has made request to the members for reviewing the matter and such request of the Chairman has not been responded by the members or even if responded, no correct decision has been made thereon.

(2) All references made to the Government shall be intimated to each members of the Board immediately.

**44. Repeal and Savings :-** (1) The Assam Electrical Licensing Board Regulations published vide the notification No. PEL.70/64/62 dated 11<sup>th</sup> May 1986 and No. PEL.70/64/63 dated 13<sup>th</sup> April 1966 are hereby repealed.

(2) Notwithstanding such repeal, any License, Certificate of Competency, permit or any other order issued, action taken or anything whatsoever done under the regulations so repealed, shall be deemed to have been issued, made, taken or done under the corresponding provisions of these regulations.

(3) The Board shall replace the Licenses, Certificates of Competency or the Permits issued under the repealed regulations immediately before or at the time of the first renewal thereof after the commencement of these regulations by fresh Licenses, Certificates of Competency or Permits of the appropriate class, as the case may be issued in the form prescribed under these regulations.

Provided that no fee or charge shall be charged for such replacement of Licenses, Certificates of Competency or Permits issued under the repealed Regulations.

(4) Every person, firm or company holding a License or a Certificate of Competency or Permit issued under the repealed regulations shall produce the same before the Secretary for replacing the same by another of the corresponding class and category under these regulations as and when so directed by the Secretary by notification.

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