

Mines Act, 1952

Section 58 - Power of Central Government to Make rules

The Central Government may, by notification in the Official Gazette, make rules¹ consistent with this Act for all or any of the following purposes, namely:--

² [(a) for providing the term of office and other conditions of service of, and manner of filling vacancies among, the members of a Committee and for regulating the procedure to be followed by a Committee for transacting its business;]

(b) for prescribing the form of the register referred to in sub-section (3) of section 23;

(c) for providing for the appointment of courts of inquiry under section 24, for regulating the procedure the powers of such courts, for the payment of travelling allowance to the members, and for the recovery of the expenses of such courts ³ [including any other expenses connected with the inquiry] ³ [in the same manner as an arrear of land revenue] from the manager, owner or agent of the mine concerned;

³ [(cc) for providing for inspection of mines to be carried out on behalf of the person employed therein by a technical expert (not less than an overman in status), the facilities therefor, the frequency at which and the manner in which such inspections are to be carried out and the manner in which reports of such inspections are to be made;]

(d) for requiring the maintenance in mines wherein any women are employed or were employed on any day of the preceding twelve months of suitable rooms to be reserved for the use of children under the age of six years belonging to such women, and for prescribing, either generally or with particular reference to the number of women employed in the mine, the number and standards of such rooms, and the nature and extent of the amenities to be provided and the supervision to be exercised therein;

(e) for requiring the maintenance at or near pitheads of bathing places equipped with shower baths and of locker-rooms for the use of men employed in mines and of similar and separate places and rooms for the use of women in mines where women are employed, and for prescribing, either generally or with particular reference to the numbers of men and women ordinarily employed in a mine, the number and standards of such places and rooms;

(f) for prescribing the standard of sanitation to be maintained and the scale of latrine and urinal accommodation to be provided at mines, the provision to be made for the supply of drinking water ⁴ [* * *];

⁵ [(ff) for providing for the supply and maintenance of medical appliances and comforts and for prescribing the contents and number of first-aid boxes and cupboards, the training in first-aid work, the size and equipment of first-aid rooms and staff in charge thereof and the arrangements for conveyance of injured persons to hospitals or dispensaries;

(fff) for requiring the imparting of practical instruction to, or the training of, persons employed or to be employed in mines otherwise than in a position of supervision or management and for prescribing schemes for such instruction and training;]

(g) for prohibiting the possession or consumption of intoxicating drinks or drugs in a mine and the entry or presence therein of any person in a drunken state;

(h) for prescribing the forms of notices required under section 36, and for requiring such notices to be posted also in specified languages;

(i) for defining the persons who shall, for the purpose of section 37, be deemed to be persons holding positions of supervision or management or employed in a confidential capacity;

(j) for prohibiting the employment in mines of persons or any class of persons who have not been certified by a qualified medical practitioner to have completed their fifteenth year, and for prescribing the manner and the circumstances in which such certificates may be granted and revoked;

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5 [(kk) for requiring person employed or seeking employment at mines to submit themselves for medical examination and for prohibiting on medical grounds the employment of any person at a mine either absolutely or in a particular capacity or in particular work;]

7 [(1) for prescribing the form of registers required by section 48 and the maintenance and form of registers for the purposes of Chapter VII;]

(m) for prescribing 8 abstracts of this Act and of the regulations and rules and the language in which the abstracts and bye-laws shall be posted as required by sections 61 and 62;

(n) for requiring notices, returns and reports in connection with any matters dealt with by rules to be furnished by owners, agents and managers of mines, and for prescribing the forms of such notices, returns and reports, the persons and authorities to whom they are to be furnished, the particulars to be contained in them, and the times, within which they are to be submitted;

(o) for requiring the provision and maintenance in mines, wherein more than 9 [* * *] fifty persons are ordinarily employed, of adequate and suitable shelters for taking food with provision for drinking water;

(p) for requiring the provision and maintenance in any mine specified in this behalf by the Chief Inspector or Inspector, wherein more than two hundred and fifty persons are ordinarily employed, of a canteen or canteens for the use of such persons;

(q) for requiring the employment in every mine wherein five hundred or more persons are ordinarily employed, of such number of welfare officers as may be specified and for prescribing the qualifications and the terms and conditions of, and the duties to be performed by, such welfare officers;

10 [(r) for requiring the establishment of rescue stations for specified mines or groups of specified mines or for all mines in a specified area and for prescribing how and by whom such stations shall be established;

(s) for providing for the management of rescue stations;

(sa) for providing for the standards of physical fitness and other qualifications of the persons constituting rescue brigades;

(sb) prescribing the places of residence of the persons constituting rescue brigades;]

(t) for prescribing the position, equipment, control, maintenance and functions of 11 [***] rescue stations;

12 [(u) for providing for the levy and collection of a duty of excise (at a rate not exceeding twenty-five paise per tonne) on coke and coal produced in and despatched from mines specified under clause (r), the creation of a rescue stations fund for such mines, the crediting to such fund of such sums of money as the Central Government may, after due appropriation made by Parliament by law in this behalf, provide from out of the proceeds of such cess credited to the Consolidated Fund of India, the manner in which the money from such fund shall be utilised and the administration of such fund;]

(v) for providing for the formation, training, composition and duties of rescue brigades 11 [* * *]; and generally for the conduct of rescue work in mines 11 [* * *];

3 [(vv)for providing for the constitution of safety Committees for specified mine or groups of specified mines or for all mines in a specified area for promoting safety and for laying down the composition, manner of formation and functions of such safety Committees, and;]

(w) generally to provide for any matter not provided for by this Act or the regulations, provision for which is required in order to give effect to this Act.

1. For the Mysore Gold Mines Rules, 1953, see Gazette of India, 1953, Pt.II, Section 3, p. 1502; for the Mines Rules, 1955, see Gazette of India, 1955, Pt. II, Section 3, p. 1172; for the Coal Mines Rescue Rule, 1959, see Gazette of India 1959, Pt II, Section 3(i), p. 1082; for the Coal Mines Pitherd Bath Rules, 1959, see Gazette of India, 1959, Pt. II, Section 3(ii) p. 1899, for the Mines Vocational Training Rules, 1966, Gazette of India, 1966, Pt. II, Section 3(i), p. 548 and for the Mines Creche Rules, 1966, see Gazette of India 1966, Pt. II, Section 3(i), p. 591.

2. Substituted by Act 42 of 1983, section 31, for clause (a) (w.e.f. 31-5-1984).

3. Inserted by Act 42 of 1983, section 31 (w.e.f. 31-5-1984).

4. Certain words omitted by Act 62 of 1959, section 32 (w.e.f. 16-1-1960).

5. Inserted by Act 62 of 1959, section 32 (w.e.f. 16-1-1960).

6. Clause (k) omitted by Act 42 of 1983, section 31 (w.e.f. 31-5-1984).

7. Substituted by Act 42 of 1983, section 32, for Clause (1) (w.e.f. 16-1-1960).

8. For the Mines (Posting up of Abstract) Rules, 1954, see Gazette of India, Pt. II, Section 3, p. 1787.

9. The words "one hundred and" omitted by Act 62 of 1959, section 32 (w.e.f. 16-1-1960).

10. Substituted by Act 42 of 1983, section 31, for clauses (r) and (s) (w.e.f. 31-5-1984).

11. Certain words omitted by Act 42 of 1983, section 31 (w.e.f. 31-5-1984).

12. Substituted by Act 42 of 1983, section 31, for clause (u) (w.e.f. 31-5-1984).