

Mines Act, 1952

Chapter X - Miscellaneous

If any question arises as to whether any excavation or working 1 [or premises in or adjacent to and belonging to a mine, on which any process ancillary to the getting, dressing or preparation for sale of minerals or of coke is being carried on] is a mine within the meaning of this Act, the Central Government may decide the question, and a certificate signed by a Secretary to the Central Government shall be conclusive on the point.

1. Inserted by Act 62 of 1959, section 45 (w.e.f. 16-1-1960).

Section 83 - Power to exempt from operation of Act

1 [(1)] The Central Government may, by notification in the Official Gazette, exempt either absolutely or subject to any specified conditions any local area or any mine or group or class of mines or any part of a mine or any class of persons from the operation of 2 [all or any of the provisions of this Act or the regulations, rules or bye-laws]

Provided that no local area or mine or group or class of mines shall be exempted from the provisions of 2 [sections 40 and 45] unless it is also exempted from the operation of all the other provisions of this Act.

3 [(2)] The Central Government may, by general or special order and subject to such restrictions as it may think fit to impose, authorise the Chief Inspector or any other authority to exempt, subject to any specified conditions, any mine or part thereof from the operation of any of the provisions of the 3 [regulations, rules or bye-laws] if the Chief Inspector or such authority is of opinion that the conditions in any mine or part thereof are such as to render compliance with such provisions unnecessary or impracticable.]

1. Section 83 re-numbered as sub-section (1) by Act 62 of 1959, section 46 (w.e.f. 16-1-1960).

2. Substituted by Act 42 of 1983, section 46, for certain words (w.e.f. 31-5-1984).

3. Inserted by Act 62 of 1959, section 46 (w.e.f. 16-1-1960).

Section 84 - Power to alter or rescind orders

1 [(1)] The Central Government may reverse or modify any order passed under this Act.

2 [(2)] The Chief Inspector may, for reasons to be recorded in writing reverse or modify any order passed by him under this Act or under any regulation, rule or bye-law.

(3) No order prejudicial to the owner, agent or manager of a mine shall be made under the section unless such owner, agent or manager has been given a reasonable opportunity of making representation.]

1. Section 84 re-numbered as sub-section (1) by Act 42 of 1983, section 47 (w.e.f. 31-5-1984).

2. Inserted by Act 42 of 1983, section 47 (w.e.f. 31-5-1984).

Section 85 - Application of Act to mines belonging to Government

This Act shall [1](#) [also] apply to mine belonging to the Government.

1. Inserted by Act 62 of 1959, section 47 (w.e.f. 16-1-1960).

Section 85A - Persons required to give notice, etc., legally bound to do so

[1](#)[85A. Persons required to give notice, etc., legally bound to do so

Every person required to give any notice or to furnish any information to any authority under this Act shall be legally bound to do so within the meaning of section 176 of the Indian Penal Code (45 of 1860)].

1 . Inserted by Act 62 of 1959, section 48 (w.e.f. 16-1-1960).

Section 85B - Signing of returns, notices, etc.

[1](#)[85B. Signing of returns, notices, etc

All returns and notices required to be furnished or given or communications sent by or on behalf of the owner of a mine in connection with the provisions of this Act or any regulation, rule, bye-law or any order made thereunder shall be signed by the owner, agent or manager of the mine or by any person to whom power in this behalf has been delegated by the owner by a power of attorney,

1. Inserted by Act 42 of 1983, section 48 (w.e.f. 31-5-1984).

Section 85C - No fee or charge to be realised for facilities and conveniences

No fee or charge shall be realised from any person employed in a mine in respect of any protective arrangements or facilities to be provided or any equipment or appliances to be supplied under the provisions of this Act,]

Section 86 - Application of certain provisions of Act 63 of 1948 to mines

The Central Government may, by notification in the Official Gazette, direct that the provisions of Chapters III and IV of the Factories Act, 1948 (63 of 1948) shall be subject to such exceptions and restrictions as may be specified in the notification, apply to all mines and the precincts thereof.

Section 87 - Protection of action taken in good faith

No suit, prosecution or other legal proceeding whatever shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Section 88 - Repeal of Act 4 of 1923 [Repealed]

[Rep. by the Repealing and Amending Act, 1957 (36 of 1957), section 2 and the First Schedule]

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